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**MINUTES OF SYMMES TOWNSHIP REGULAR MEETING**

**August 4, 2020**

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The meeting was called to order at 7:00 p.m. Elected officials present were Mr. Phil Beck, Mr. Kenneth Bryant, Ms. Jodie Leis and Mr. Joe Grossi.

Also, present: Kimberly Lapensee - Administrator; Jeff Forbes - Law Director; Lieutenant Mike Tarr – HCSO, and Chief Ott Huber – LSFD.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Ms. Leis made a motion to approve the Agenda. Mr. Bryant seconded the motion. The roll call vote was as follows: Ms. Leis - ‘aye’, Mr. Beck - ‘aye’, and Mr. Bryant - ‘aye’. Motion passes.

APPROVAL OF MINUTES

None

FISCAL OFFICERS REPORT

Mr. Grossi stated that the financial reports for July were included in the packet. He stated that we have \$1,546,868.10 in our checking account, \$1,193,577.50 in our money market account, \$2,624.57 in our credit card account and \$9,271.32 in our HRA account. He stated that we have not yet gotten our statement of investments with Meeder for the month of July.

Mr. Grossi reported that we did receive our CARES ACT money this month in the amount of \$199,225.89 from the County Auditor’s Office. He stated that State Treasurers Office has cancelled all the training for 2020, but CPIM courses are available online and count for credit when they have not in the past for those under 2-years on the job. He stated that he talked to Chris McCoy that is helping the township with the move to the UAN and stated that it may be better for us to wait until January to make the move due to some unequal balances in the GF and Lighting Fund. Mr. Bryant pointed out that it may be better to wait anyway because the end of the audit cycle will be up December 31, 2020 and it may be easier to switch then too. Mr. Grossi stated that he did speak with Ryan Holiday who is the Auditor’s Office liaison and that there will be training in November and December for the UAN via online. Mr. Grossi stated that at the last finance and audit committee meeting, we discussed two different banks to partner with and will compare/contrast them. He stated that 5/3 will get us estimates for services. He also stated that Ryan Holiday is looking for input/testimony for Auditor Faber’s bill in the house concerning Fiscal Officers and when they leave office. Ms. Leis asked if we had started that Forensic Audit yet. Mr. Grossi stated that it will start here soon.

Ms. Leis made a motion to move up the Hearing of Residents. Mr. Bryant seconded the motion. The roll call vote was as follows: Ms. Leis - ‘aye’, Mr. Beck - ‘aye’, and Mr. Bryant - ‘aye’. Motion passes.

HEARING OF RESIDENTS

Matt Kapszukiewicz, 11916 Streamside Drive, Loveland Youth Diamond Sports went thru the slides he had prepared for the ballfields at HOB. He asked for permission to use zip ties on the fencing. It would be used to show where the kids are to stand and put their belongings, etc. He stated that he would like more dirt to be placed on the fields because of the rocks. Mr. Beck stated that he is okay with the zip ties and thanked Mr. Kaps for the information on the fields.

Mr. Kapszukiewicz stated that dirt needs to be added to the fields about every 5 to 7 years because it blows away, etc.

Michelle Barrometti, 11926 Fallcreek Lane, stated that she loves the community and the parks here in Symmes. They started at Home of the Brave this season for a few practices but with the pebbles they were not able to stay there. It would be nice to get the fields fixed so they can use them again.

Vagelis Kontopos, 9270 Cactus Lane, stated that his family moved from the west side of town. When they were looking to move in the area, the parks were one of the reasons they moved in this area. He and his family love HOB and that they love baseball and want to see us continue to make improvements to the fields.

Mr. Bryant asked Mr. Kapszukiewicz the dirt that has to be put on the three fields, do they have to excavate and put down stuff that does not have stone in it? Mr. Kapszukiewicz stated that his understanding is it goes right on top of the dirt. They mix Fair Ball Infield Conditioner and Pro Infield Mix, lay that over top of the field and it should only take them a day to put it down.

David Kopecky, 11913 Stonemark Lane, stated that they love HOB and it was great when they could walk or ride their bikes there to practice. LYBO is a great organization and he would like to see us improve the fields.

Carl Margraf, 11976 Stonemark Lane, stated that they love the parks and all the connections there are to the other parks. He stated that baseball has been a saving grace for his children during this COVID time. He thanks the Trustees for considering this and for all the work they do for the Township.

Dan Ratcliff, 9739 Stonemasters Drive stated that he has been coaching now for 3-years. He stated that baseball has given them something to look forward to and is very important to their family.

Jon Gummow, 11059 Plantation Drive stated that they love baseball and the kids needed it. He stated that it brings the community together. He stated that LYBO is great for the kids and that having HOB in Symmes is a great asset. He stated that some extra dirt can go a long way and take these fields across the finish line.

Mark Leguillon, 9355 McKinney, stated that he wants to volunteer for the Land Use Committee. Ms. Leis stated that the Land Use Committee is an adhoc committee and is already finished. He stated that he wants to volunteer for it in 5-years when we do it again. Ms. Leis stated that the next time they update it, they will put it out on social media, website and they will advertise for committee members. Mr. Leguillon stated that he would like to be active in that committee.

He asked the board if they were aware that the agenda was not on the website the night before this meeting? The second thing is the land use map was not available as stated and it was incorrect until recently. The map was not available until after July 24<sup>th</sup>. He stated that since the residents did not have access to the information the best alternative would be to have another public hearing and what is the timeline on finishing the Land Use Plan.

Mr. Grossi asked if he attended the January open house to look at the maps and information that was available. Mr. Leguillon stated no, he was not available in January. Mr. Grossi stated there was a statement made by Mark and others at previous Trustee meetings that this was sprung on them, as if it was hidden. There were notices that began back in September, an open house and it was posted on the website and Facebook.

Mr. Leguillon stated that the list of parcels was not available and does not think we should pass any legislation during COVID. He stated that the minutes for meetings are not accurate either. Mrs. Lapensee stated that the minutes are just a summary and not verbatim. He stated that he did not ask for any rebuttal at this time. He stated that there is not enough information available to the residents.

CJ Carr, 10403 Willow Drive, asked when will the minutes for the Land Use Committee be posted on the website again. Mrs. Lapensee stated that she had already sent the minutes to Mr. Carr via

email, but she can have them posted again to the website. Mr. Carr stated that when the Land Use Plan was put on the website, the 2009 was taken out of the 2009 Master Plan and the new proposed 2019 was inserted into it and since then all Land Use Plans have been deleted from the 2009 Master Plan that was on the website. Mrs. Lapensee said she asked Hamilton County about that. They do not have a copy of 2009 Land Use Plan with the map inside it. She will have to ask Hamilton County to provide it to them.

Mr. Carr stated that some township residents received a letter basically explaining the how the Land Use works and what needs to be done for a land zone change. It also noted that the properties surrounding Montgomery Trace subdivision, the Castle property and the four corners of Camp Dennison was changed back to what it was previously. What other changes have been made and how do they find out what changes have been made since the public hearing?

Mr. Carr stated that two years ago the Trustees approved a motion to pay for a new site for the cemeteries. Has the cemetery website been updated and online? Why is there not a link on the website to find that if it has been. Mrs. Lapensee stated that it has been updated and it is on the Township Website under Departments then go to cemeteries and scroll down to cemetery search. The map part is still being worked on.

Mr. Carr stated that it would be a plus to pay the \$10,000 to update the website since it cannot hold all the information.

Carol Sims, 9972 Washington Street, Camp Dennison, OH stated at the last meeting she was a little surprised and disappointed at the comments made by the Township Law Director. She began her remarks to the Board noting in 2018 and 2019 that all public records shall be promptly prepared and made available. She also mentioned that as had been mentioned by other people in public meetings, that an aggrieved person can take action and the Law Director immediately advised the Board not to answer her questions because she had basically frightened a lawsuit. She was pointing out what had been brought up at previous meetings by other residents. She does not understand why the Board was directed not to answer her records request since they were over 17 months old. The Law Director should have been advising them to produce those record requests. Ms. Sims asks again when are her public records going to be ready for view?

Ms. Sims stated that other concern of hers addressed at the last meeting was regarding the firing of the Assistant to Fiscal Officer and clarification to what open meeting the Board took this action. She reviewed all the minutes in 2020 and the only thing she found was Resolution 2020-33 in April.

Mr. Grossi stated that he wanted to clarify that he was the resident that Ms. Sims was talking about and he did not threaten to sue the township. He stated that he was merely trying to let the board know his options and that he really did not want to sue the township and cause the township money for public records. Mr. Grossi stated that he waited months and months to receive public records request from Ms. Sims and still has not received some of his request. He stated that the hypocrisy over records with Ms. Sims is unbelievable.

#### PRESENTATIONS

None.

#### PUBLIC HEARINGS

None.

#### APPROVAL OF DISBURSEMENTS

Ms. Leis made a motion to approve the warrants from 78004 – 78146 in the amount of \$594,850.07 from May. Mr. Bryant seconded the motion.

The roll call vote was as follows: Ms. Leis - 'aye'; Mr. Bryant - 'aye', Mr. Beck - 'aye'. Motion passes.

REPORTS

JEFF FORBES, LAW DIRECTOR – Mr. Forbes stated that he was excited to be working for the Township again.

LIEUTENANT MIKE TARR, HAMILTON COUNTY SHERIFF’S DEPT – Mr. Tarr stated that he had nothing new to report. He stated that the Sheriff’s Office is continuing with the limited COVID response.

CHIEF OTT HUBER, LSF D - Chief Huber reported that the board has his written reports.

BILL PITMAN, DIRECTOR OF PUBLIC WORKS - None.

COMMITTEE - Finance and Audit Committee.

OTHER - None.

CORRESPONDENCE

Attached to the packet.

EVENTS/MEETINGS

- Yappy Hour – Thursday, August 6, 2020 at 6:30 p.m.
- Storytime – Symmes Library August 18, 2020 from 10:00 a.m. until 12:00 p.m. at Meade.
- Zoning Commission Meeting – Wednesday, August 19, 2020 at 7:00 p.m. via zoom.
- Regular Trustees Meeting – Tuesday, September 1, 2020 at 7:00 p.m. via zoom.
- Clean-up Day – Saturday, September 26, 2020 from 9 until 3 pm. at HOB.

OLD BUSINESS

Ms. Leis made a motion to approve Resolution G2020-44, a resolution revising Symmes Township Personnel Policy Manual Article II Conditions of Employment. Mr. Beck seconded the motion. Discussion continued.

Mr. Bryant stated that he held up this resolution for 2 months. He stated that he has looked at other township policies and he does not like it but would like to find something better than what we came up with. He stated that he would adopt it now but would like to change it for the future.

The roll call vote was as follows: Mr. Beck - ‘aye’, Ms. Leis - ‘aye’ and Mr. Bryant - ‘aye’. Motion passes.

NEW BUSINESS

Ms. Leis asked for discussion concerning pre-emption devices for the Montgomery Road corridor. Mrs. Lapensee stated that Fire Department is asking the township to purchase pre-emption devices for the lights that are on Montgomery Road from Fields Ertel Road to Cornell Road. It is about ten thousand dollars a light and three thousand dollars for each device in the vehicles.

Mr. Bryant stated that he found money available thru the Montgomery Road corridor committee that was put together when Montgomery Road was widened, and a lawsuit was settled with the state. He stated that it pains him to see all the EMS units having to stop at all the lights on Montgomery Road.

Mr. Bryant stated that there are roughly \$27,600.00 left in the account for the corridor committee and they are willing to allow the entire amount to be used to pay for preemption devices in this corridor.

Ms. Leis asked if we wanted to move forward with this request.

Mr. Bryant made a motion to move forward with the purchase of 6 lights (Fields Ertel, Union Cemetery and Enyart (to be paid from TIF Funds), and Mason Montgomery, Calumet and Kemper (to be paid for with corridor money). He would like the last 3 lights to be paid for with other money. Ms. Leis seconded the motion.

Mr. Beck stated that we have been discussing this for awhile now.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye' and Mr. Beck - 'aye'. Motion passes.

Ms. Leis asked for discussion concerning the next steps for the Land Use Plan. Mr. Beck stated that we received a lot of good information at the public hearing. He suggests that we scrutinize the maps and put them side by side (2009/2020), that the spreadsheet created be posted on the web site at least for two weeks and communicate the fact that it is there to the residents, schedule an in-person meeting for public hearing #2, and make any necessary changes before we adopt it.

Ms. Leis stated that she has had multiple conversations with the residents who live in the River Oaks Subdivision and she would just like to move forward and get it done. The board agreed to link the information to the e-newsletter, paper newsletter, send to HOA's, post on Facebook, review both maps and schedule a second public hearing for October.

Ms. Leis asked for discussion concerning the fall newsletter. Mrs. Lapensee asked the board if they wanted the staff to work on and print a fall newsletter. Mr. Beck stated that we should continue with the newsletter because it is a good source of information for the residents. Mr. Bryant agreed that they need to do the fall newsletter because they will need to post the Operation Santa routes.

Ms. Leis made a motion to appoint Denny Conner and Tony Rosiello as Members and Dan Unger and Josh Gerth as Alternate Members to the District 2 Integrating Committee representing HCTA. Mr. Beck seconded the motion. The roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye' and Mr. Beck - 'aye'. Motion passes.

Ms. Leis made a motion to approve Resolution G2020-66, appointing Jeff Forbes Law Director Pursuant to ORC Section 504.15 and Dispensing with the Second Reading. Mr. Bryant seconded the motion. Discussion continued.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye' and Mr. Beck - 'aye'. Motion passes.

Ms. Leis made a motion to table Resolution G2020-67, a Resolution Authorizing a Change Order in the Blong Road Bridge Replacement Project contract for Smith Construction in the credit amount of (\$380.00). Mr. Beck seconded the motion. Discussion continued.

Mr. Bryant stated that he believes the fence should be located where the bridge is and not along Blong. Mrs. Lapensee stated that they cannot move the fence because it is cemented into the ground. Mr. Bryant asked if they have to supplement what should have been done in the first place would we have a third change order. Mrs. Lapensee stated no, she would put it on a separate contract and have a fence company do the job.

The roll call vote was as follows: Mr. Bryant - 'aye', Mr. Beck - 'aye' and Ms. Leis - 'aye'. Motion passes.

Ms. Leis made a motion to approve Resolution G2020-68, a Resolution Authorizing the Township Administrator to enter into an agreement with Completely Clean for Cleaning Services

for the Safety Center not to exceed \$13,200.00 per year. Mr. Bryant seconded the motion. Discussion continued.

Mrs. Lapensee stated they are switching companies and the cost is increasing 3%. Mr. Bryant stated that he is not okay with paying the increased cost for cleaning. Mrs. Lapensee stated that there were three bids and the other bids were higher than Completely Clean and that we are not satisfied with the same service that we are receiving from Coverall.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Beck - 'aye' and Mr. Bryant - 'aye'. Motion passes.

Ms. Leis made a motion to approve Resolution G2020-69, a Resolution Authorizing the Township Administrator to Enter into a contract with Medical Mutual of Ohio providing health insurance coverage for the Elected Officials and Full-Time employees of Symmes Township. Mr. Bryant seconded the motion. Discussion continued.

The roll call vote was as follows: Mrs. Leis - 'aye', Mr. Bryant - 'aye' and Mr. Beck - 'aye'. Motion passes.

Ms. Leis made a motion to approve Resolution G2020-70, a Resolution Authorizing to enter into an agreement with JK Meurer Corporation in the amount of \$28,760.00 to make repairs to the trail at Symmes Park. Mr. Beck seconded the motion. Discussion continued.

Mrs. Lapensee stated this comes from their regular park fund. She stated that the section that they are fixing was done in 1994 and will be near the Deer Run Shelter.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye' and Mr. Beck - 'aye'. Motion fails.

Ms. Leis made a motion to approve Resolution G2020-71, a Resolution Authorizing the Township Administrator to purchase two new above ground fuel tanks that will be located at the Safety Services Center in the amount not to exceed \$11,100.00. Mr. Bryant seconded the motion. Discussion continued.

Mrs. Lapensee stated that they have tanks at the Symmes Park and there is one diesel tank at the Township Building. Lykins would supply the fuel and this would put one gas and one diesel tank at Weekly with the intent that the police could fill up at their building and the diesel tank would be there in case the fire department need to fill up. Mr. Bryant asked if there was going to be some kind of accounting system? Mrs. Lapensee stated that we would ask them to provide a system so they could keep track of who uses the pumps.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye' and Mr. Beck - 'aye'. Motion passes.

Ms. Leis made a motion to approve Resolution G2020-72, a Resolution establishing a separate special revenue fund 14L in OTAS to account for the CARES ACT Coronavirus Relief Funds pursuant to HB481. Mr. Bryant seconded the motion.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye' and Mr. Beck - 'aye'. Motion passes.

Ms. Leis made a motion to approve Resolution G2020-73, a Resolution authorizing the township administrator to enter into an agreement with Team All Sports to regrade existing ballfields at HOB in the amount of \$29,645.00. Mr. Beck seconded the motion.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye' and Mr. Beck - 'aye'. Motion passes.

Ms. Leis made a motion to approve the following amendments, expenditures, and authorization for the Township Administrator to sign any necessary contracts/agreement or paperwork:

- a. Expenditure: \$3,000 NTE Ryan's All Glass for entry enclosure in the admin building.

- b. Expenditure: \$3,200.00 APEX Irrigation for a booster pump for HOB.
- c. Expenditure: \$3,097.76 The Aero-Mark Company LLC. for striping on township streets.
- d. Expenditure: \$4,582.50 Emergency Reporting/Backdraft OPCO, LLC for 2020 Records Management Software.

Mr. Beck seconded the motion.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Beck - 'aye', and Mr. Bryant - 'aye'.  
Motion passes.

EXECUTIVE SESSION

None.

ADJOURNMENT

Ms. Leis made a motion to adjourn the meeting. Mr. Bryant seconded the motion and the roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye', and Mr. Beck - 'aye'.

Meeting adjourned at 9:27 p.m.

Approved:

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Jodie L. Leis, President

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Kenneth N. Bryant, Vice-President

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Philip J. Beck, Trustee