

Record of Proceedings: May 24, 2016
West Chester Township Board of Trustees - Regular Meeting

Convene: President Welch convened the meeting at 6:02 p.m.

Roll Call: Mr. Welch and Mr. Wong responded. Mr. Lang had an excused absence.

Pledge of Allegiance: Repeated by those present.

Citizen's Comments

Tim Heenan, 8850 Brook Knoll Drive, said he's a registered pharmacist and he commented on the May 10th presentation on the Professional Services of the Addiction Rehab clinic that's proposed on Route 42. He said he also would like dialogue with the other party, he questioned how much success have they realized in drug treatment, and said he did not like the location as proposed. He concluded by saying drug addiction facilities attract criminals, addicts, abusers, and sex abusers, and if the facility is built, "they will come".

Presentations

There were no presentations.

Action Items – For Approval by Motion

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve the Trustee Meeting Minutes for May 10, 2016. Discussion: none. **Motion carried.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve payment of bills. Discussion: none. **Motion carried.**

Mrs. Boyko submitted the following requisitions greater than \$2,500:

Requisitions – Greater than \$2,500.00

1. Adm \$7,296.67 CDW Government, Inc. – Renew annual support and licensing agreement for InterScan Messaging Security System and replace 100 expiring RSA SecurID devices

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve payment of item one. Discussion: none. **Motion carried.**

Personnel Items

There were no personnel items.

Business Items

Mr. Welch introduced the next item saying three people had applied for the position: Art Hupp, Bruce Fisher, and Gerald Stoker.

MOTION made by Mr. Welch, seconded by Mr. Wong, to appoint Bruce Fisher to the West Chester Township Zoning Commission to fill an expired five year term (June 1, 2016 to May 31, 2021). Discussion: none. **Motion carried.**

Mr. Welch introduced the next item saying three people had applied for the position: Bruce Fisher, Art Hupp, and Gerald Stoker, and noted only the latter two were eligible for consideration given the previous appointment of Bruce Fisher to the Commission.

MOTION made by Mr. Wong, seconded by Mr. Welch, to appoint Gerald Stoker as the alternate member on the West Chester Zoning Commission, to fill an expired three year term (June 1, 2016 to May 31, 2019). Discussion: Mr. Wong noted these are volunteer positions and praised Art Huff for his service to the community. He added that it's sometimes a good idea to get new ideas. **Motion carried.**

Mrs. Boyko introduced the next item saying only incumbent member Mark Sennett applied for the position.

MOTION made by Mr. Wong, seconded by Mr. Welch, to appoint Mark Sennett to the Olde West Chester Architectural Advisory Committee to fill an expired five year term (June 1, 2016 through May 31, 2021). Discussion: Mr. Wong expressed his appreciation that Mark Sennett has again stepped up to help the community. **Motion carried.**

MOTION made by Mr. Wong that, having reviewed the staff report and affidavit, the Board declares the properties listed on the West Chester Township Board of Trustees meeting agenda dated May 24, 2016 to be public nuisances as authorized by the Ohio Revised Code.

Staff is directed to cause removal of the nuisances identified, and monitor these properties for 90 days to require continued compliance. An administrative charge of 25% shall be added to the contractor fee for these properties. Motion seconded by Mr. Welch. Discussion: none.

(Fiscal Officer Note: The 15 subject properties were 9653 Butler Warren Road, 8054 Bertwood Court, 7698 Parktown Drive, 6801 Hamilton-Mason Road, 7747 Parktown Drive, 8091 New Brunswick Drive, 7938 Bayer Drive, 7906 Orchard Court, 8277 Sea Mist Way, 5606 Tylersville Road, 8885 Steeplechase Way, 6068 Glengate Court, 7699 Cedar Creek Drive, 6078 Glengate Court, 8168 Lawrence Drive.) **Motion carried.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to not object to a new liquor permit for MI Burrito Mexican Grill, LLC, dba MI Burrito Mexican Grill, 8374 Princeton Glendale Road. Discussion: none. **Motion carried.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to not object to a new liquor permit for Tafi, LLC, dba Haci Grill, 7334 Tylers Corner Road, Suite 1200. Discussion: none. **Motion carried.**

Mrs. Boyko introduced the next item saying the subject grant would be used for an aging playground at Keehner Park, noting a new playground would include special needs amenities.

MOTION made by Mr. Wong, seconded by Mr. Welch, to apply for an Ohio Department of Natural Resources NatureWorks Grant for a handicap accessible playground on the east side of Keehner Park; to commit up to \$42,000 from the general fund for said playground; and to authorize the Township Administrator to execute and submit the NatureWorks Grant application and all other documents necessary to effectuate the grant and to accept the grant if approved (CIP #848). Discussion: none. **Motion carried.**

Mr. Welch then said that two items were stricken from the agenda because the contractor failed to produce the required insurance and bond documents. Mrs. Boyko commented that the Civic Centre Boulevard extension project has been a capital improvement project for the Township for several years, the contractor's circumstance was merely a timing issue, and they intended to bring the matter back before the Board at its June 14th meeting.

Mrs. Boyko introduced the next item saying this item was in preparation for the anticipated Civic Centre Boulevard extension project and ancillary improvements.

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve contract with Duke Energy to remove portion of Allen 41 overhead line and place underground for the extension of Civic Centre Boulevard and ancillary intersection improvements in an amount not to exceed \$104,589.00, and to authorize the Township Administrator to make non-substantive changes to the contract with Law Director approval, and to execute said contract and all other necessary documents to effectuate the construction project. Discussion: none. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

There were no first readings of resolutions or readings of emergency resolutions.

Citizen's Comments

Pam Jones, 9238 Pilgrim Court, suggested the Board use microphones in order for the audience to hear the Board members better.

Dennis Bradford, 9031 & 9023 Cincinnati-Dayton Road, thanked his neighbors in Olde West Chester for helping him with his tall grass issue.

Mohamed Aziz, 7883 Chestershire Drive, said he appreciated the dialogue he had with Township personnel that morning, but expressed concerns with the delay to his development caused by the Township's moratorium, which he termed "unjustifiably placed", and asked that it be removed.

Gene Drozd, 8382 Country Oak Station, said he was an officer and Trustee of the Pisgah Youth Organization (PYO), located across the street from Dr. Aziz's proposed facility. He said he believed a moratorium was the right approach for getting answers. He responded at length to many of Dr. Aziz's comments at the May 10th Board meeting.

Tom O'Brien, 9139 Revere Run, gave several points supplementing Mr. Drozd's comments.

Second Reading & Vote on Pending Resolutions & Vote on Emergency Resolutions

There were no second readings, or votes on pending resolutions or emergency resolutions.

Discussion Items & Elected Official Comments

Mrs. Boyko said staff met with Dr. Aziz in order to learn more about the proposed use for the site. She reiterated her comment from the last meeting that the moratorium was not directed toward Professional Psychiatric Services. Rather, it was placed to allow the Board to study these types of uses and how their operations are consistent with the provisions of the Township Zoning Resolution. She termed these pursuits a "parallel path". She said they have asked Dr. Aziz to provide additional information so they could discern what were their proposed uses, and how it does or does not comply with the provisions of the Zoning Resolution. She said their discussion today noted a distinction between operations at their current location versus operations at their proposed West Chester location. Mrs. Boyko said they need a detailed site plan and a detailed floor plan from Dr. Aziz, as well as general construction plans that would reveal uses more clearly. Furthermore, she said they need a narrative that discusses how the rooms will be utilized, how the operations will be conducted, and how business will be generated and monitored. The Community Development staff can then review these in their entirety, rather than piecemeal. She concluded by saying they would review this concurrent with the legal research that was being conducted so they could provide the Board perspective in the following couple of weeks. She said the cities of Silverton and Mason have experience in the matter and she was trying to understand from their experience. Mrs. Boyko also commented Dr. Aziz may want to engage the neighbors in discussion and do so openly, rather than having the Township in the position of being the intermediary in developing understanding. She confirmed for Mr. Wong that the Township requires all business to provide a detailed floor plan in order to get a permit. However, they cannot issue a permit while the moratorium is in place. She clarified that Dr. Aziz needs to provide all the information needed to discern if he would be eligible for a zoning certificate, but he would not be applying for a zoning certificate.

Mr. Jones discussed the Ohio State Treasurer's online Open Checkbook program, a website where government entities can upload their financial information in the interest of transparency. He reiterated his concerns and his two experiences with the state Treasurer's office in which he filed public information requests with it: the first request took 23 days to be fulfilled and the second request has yet to be addressed after over two months and four emails. He said we can do better. Otherwise he wished everyone a safe and blessed Memorial Day weekend.

Mr. Wong referred to a Cincinnati Enquirer article about free and reduced lunches in the public schools. He observed the growth in free and reduced lunches in Butler County and in the Lakota schools. He explained how the meals on wheels program works in our community, and the need for volunteers. He asked the public to step up and volunteer to help serve free lunches. Failure to help children could cause crime to increase and youths to roam the streets.

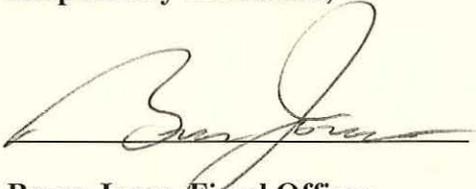
Mr. Welch said his libertarian leanings cause him heartburn, deciding which businesses are to succeed or fail. He said that he understands the value of zoning since becoming a Trustee, noting about 22% of remaining land is available for commercial development. He said the Township will be purposeful and pedantic in its investigation of the matter, and do so with alacrity. He also noted the grand opening that day of The Main Event on The Streets of West

Chester, and that concerts will resume on The Square beginning that Thursday. He concluded by reminding everyone of the Memorial Day Parade that Monday. Mr. Wong agreed with Mr. Welch about the value of zoning.

Adjournment

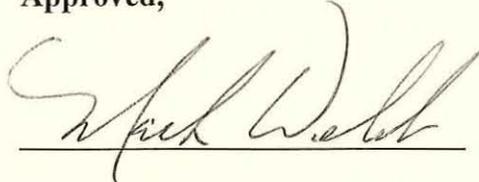
MOTION made at 7:08 p.m. by Mr. Wong, seconded by Mr. Welch, to adjourn the meeting. Discussion: none. **Motion carried.**

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Bruce Jones", written over a horizontal line.

Bruce Jones, Fiscal Officer

Approved,

A handwritten signature in cursive script, appearing to read "Mark Welch", written over a horizontal line.

Mark Welch, President