

Record of Proceedings: November 15, 2016
West Chester Township Board of Trustees - Regular Meeting

Convene: President Welch convened the meeting at 6:01 p.m.

Roll Call: Mr. Welch, Mr. Lang, and Mr. Wong responded.

Pledge of Allegiance: Repeated by those present.

Citizen's Comments

David Brown, on behalf of the Butler County Auditor's Office, encouraged people to purchase their dog tags online at the Auditor's website beginning December 1st. He provided an update on "skimmer" activities, saying they've had no activity since June 7th, and the Auditor's office is remaining vigilant. He also said their office will be mailing out a "new construction letter" to people who have made improvements to their property or had new construction built a year and a half to two years ago, advising them that their January property tax bills will reflect the new valuation, and how much increased valuation will appear on their tax bill. Lastly, he said he loves West Chester, and his wife, who was present, will be celebrating their 30th wedding anniversary that evening in West Chester.

Presentations

There were no presentations.

Action Items – For Approval by Motion

MOTION made by Mr. Lang, seconded by Mr. Welch, to approve the Trustee Meeting Minutes for October 25, 2016. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve the Trustee Special Meeting Minutes for November 8, 2016. Discussion: none. **Motion carried unanimously.**

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

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

Requisitions – Greater than \$2,500.00

1. Adm \$35,533.78 N. Harris Corporation – Renew annual license and support agreement for GEMS financial accounting software
2. Adm \$18,391.10 Kronos Incorporated – Renew annual service and support for Telestaff scheduling payroll functions of public safety departments
3. Adm \$11,324.04 X-IO Tech – Renew annual maintenance agreement for SAN server
4. Adm \$4,425.00 Sayers Company – Renew annual license and support agreement for NetMotion wireless application

5. Adm \$3,180.00 The Plant Detail – Design and install outdoor holiday lighting and seasonal displays on Township property (Increase PO #S163183)
6. Adm \$3,139.50 Capax Discovery – Renew service, support, and maintenance agreement for Mimosa archiving system
7. Fire \$229,315.40 Horton Emergency Vehicles – Purchase replacement Medic/Ambulance and options per state purchasing schedule (CIP #953)
8. Police \$4,308.00 LeadsOnline, LLC – Renew one year subscription for access to online investigative depository
9. Services \$308,486.75 Cargill Inc. – Purchase road salt for 2016-2017 winter season
10. Services \$30,000.00 Butler County Engineer’s Office – Remit payment for micro milling for section of Union Centre Boulevard
11. Services \$10,080.00 Univar U.S.A., Inc. – Purchase liquid calcium chloride for the 2016 – 2017 winter season
12. Services \$5,000.00 Pinecrest Nursery – Replace trees at Keehner Park (CIP #1265)
13. Services \$3,990.00 A & A Safety, Inc. – Purchase LED solar warning signs for West Chester Road underpass

MOTION made by Mr. Wong, seconded by Mr. Lang, to approve payment of requisitions 1 through 13. Discussion: none. **Motion carried unanimously.**

Personnel Items

There were no personnel items.

Business Items

Mrs. Boyko introduced the next item saying this item as well as the following were related, and they provide notice to the Lakota Local School District and the Butler Technology and Career Development School Board of proposed TIF changes that are designed to enhance developable properties and aid in the development of those properties.

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve letters of notification pursuant to Ohio Revised Code Section 5709.73 (d) to Lakota Local School District Board of Education to notify the school district of the West Chester Township Board of Trustees’ intention to amend and expand the purpose for public improvements to aid in industry and commerce as currently permitted in the existing West Chester Township Tax Increment Finance Districts: UCB, SR 747, Tylersville Road, Cincinnati-Dayton Road, Central Business District (CBD), Capstone Boulevard, Cincinnati-Columbus Road, and Tylers Place Boulevard/I-75 and Tylersville Road Vicinity and to authorize the Township Administrator to serve said notification letters and supplemental documentation on the Lakota Local School District Board Of Education.

Discussion: Mr. Wong said West Chester Township has utilized TIFs as a long term strategy toward building a sustainable community and they ease the tax burden on the residential tax payers. Mr. Lang said the Board was contemplating expanding the purpose of public improvements in all of the eight existing TIF Districts, and the expanded language, where statutorily permissible, address two public improvement needs: (1) public parking structures, and (2) land/property acquisition, demolition, reconstruction, or revitalization. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying this item pertains to notification of the Butler Technology and Career Development School Board for the stated purpose in the previous item. **MOTION** made by Mr. Wong, seconded by Mr. Lang, to approve letters of notification pursuant to Ohio Revised Code Section 5709.73 to the Butler Technology and Career Development School Board of Education to notify the Board of Education of the West Chester Township Board of Trustees' intention to amend and expand the purpose for public improvements to aid in industry and commerce as currently permitted in the existing West Chester Township Tax Increment Finance Districts: UCB, SR 747, Tylersville Road, Cincinnati-Dayton Road, Central Business District (CBD), Capstone Boulevard, Cincinnati-Columbus Road, and Tylers Place Boulevard/I-75 and Tylersville Road Vicinity and to authorize the Township Administrator to serve said notification letters and supplemental documentation on the Butler Technology and Career Development School Board of Education. Discussion: Mr. Lang said this measure aids in commerce and industry. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying the Township requested a competitive quote on this matter. Based on the analysis of the quote, Mrs. Boyko is recommending that the Township remain with OTARMA. OTARMA is crediting West Chester Township \$19,000 for our tenure in the pool, so the Township cost will be about \$254,000: The invoice must first be paid before the credit will be issued.

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve an agreement with the Ohio Township Association Risk Management Authority (OTARMA) for liability and property insurance coverage not to exceed \$273,878.09 for the term December 1, 2016 to November 30, 2017 and to authorize the Township Administrator to execute any and all necessary documents to effectuate the agreement and services. Discussion: Mr. Welch praised Judi and staff, as well as Jonathon Theders for their work on this matter. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying this item is attributable to the resignation of a long term Board of Zoning Appeals regular member, and noted the Board would like to just consider the letters of interest for a vacancy and alternate vacancy submitted earlier this year when those openings existed on this Board of Zoning Appeals.

MOTION made by Mr. Welch, seconded by Mr. Lang, to appoint Randy Simmons as a regular member of the West Chester Township Board of Zoning Appeals, replacing a resigning member, and to fill an unexpired five year term effective November 16, 2016 through February 28, 2021. Also, to appoint Scott Gilliam as an alternate member effective November 16, 2016 through February 28, 2019 filling Mr. Simmons vacated alternate position. Discussion: Mr. Lang said Mr. Simmons has done a great job as an alternate and deserved to be a regular member. He also said Scott Gilliam previously served on the Township Zoning Commission and has an exceptional understanding. He also thank Ron Moeller for his previous service on the Board. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to renew annual agreement between West Chester Township Board of Trustees and Lexipol, LLC effective December 1, 2016 through November 30, 2017 for online subscription services for law enforcement risk management policies and resources and to authorize the Township Administrator to execute said agreement Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to not object to a new D5I liquor permit for K & W Ventures, LLC dba The Clubhouse Sports Grille, 8188 Princeton Glendale Road. Discussion: none. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying

MOTION made by Mr. Lang, seconded by Mr. Wong, to not object to a new D5 liquor permit for Swing 365, LLC dba Swing 365, 6088 West Chester Road. Discussion: Mr. Wong confirmed that this was not a swingers club. Mr. Lang said it is an indoor golf facility.

Motion carried unanimously.

Mrs. Boyko introduced the next item saying this expenditure is too ensure the most efficient and cost effective designing and planning to the nearly \$12 million improvement to the Union Centre Boulevard interchange. She noted the Butler County Engineer's Office (BCEO) has studied a "divergent diamond interchange", and, given some discussion about a "partial clover interchange", staff believes it wise to study this alternative.

MOTION made by Mr. Wong, seconded by Mr. Lang, to approve agreement with CH2MHill, Inc. for engineering alternatives and traffic analyses for upgrades to and improvements of the UCB/I-75 Interchange and adjacent UCB roadway intersections not to exceed \$58,483.00; to authorize the Township Administrator to make non-substantive changes to the agreement with Law Director approval; and to execute any and all necessary documents to effectuate the Agreement. Discussion: Mr. Wong said it is very mature to do analysis and research the matter. Mr. Welch said it is money well spent; it would constitute about .4% of the total project cost.

Motion carried unanimously.

First Reading of Resolutions & Reading of Emergency Resolutions

Mrs. Boyko read Resolution No. 33-2016 amending the Township 2016 permanent appropriations and declaring an emergency, and dispensing with the second reading. The Board had no questions.

Citizen's Comments

Diane Wiater, 5664 White House Court, expressed her appreciation to the following parties for addressing erosion resulting from a pipe running under Red Mill Road by her home: the Trustees, Butler County Commissioners, the BCEO, and, specifically Mr. Lang, Mrs. Boyko, Mr. Franck, Butler County Commissioner Cindy Carpenter, neighbors Jerry Pitman and Rosa Schwartz, as well as West Chester resident Dennis Bradbury for his advice and neighborliness.

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

Mrs. Boyko introduced Resolution 32-2016, noting the Township Zoning Resolution and Ohio statutory process that was followed. This resolution enables the zoning text amendments the Board originally introduced through Resolution No. 25-2016. Mrs. Boyko then read from Resolution No. 32-2016: "Now therefore be it resolved, on the basis of the above actions and findings, the West Chester Township Board of Trustees does hereby concur with the recommendation of approval of the West Chester Township Zoning Commission for

the proposed text amendments to the West Chester Township Zoning Resolution as initiated by West Chester Township Board of Trustees Resolution through resolution 25-2016 for the aforesaid application as documented and demonstrated in the attachment to the originating resolution.” Mrs. Boyko noted the Zoning Commission recommended an amendment to the original resolution that was read at the Board’s November 8 meeting, and that amendment is to propose an amendment to Article 18.024 of the West Chester Township Zoning Resolution in accordance with the West Chester Township Zoning Resolution and the Ohio Revised Code, and as demonstrated in attachment B of resolution 32-2016. The amendment reads as follows: “The West Chester Township Zoning Commission finds new market trends have resulted in a desire to distinguish between the bed and breakfast land use permitted in residential zoning districts and in commercial zoning districts - Office, Business, and Industrial - and determines an amendment to the West Chester Township Zoning Resolution, Article 18.024, is necessary, in order to adequately define and identify appropriate land uses in an effort to protect and preserve the public health, safety, morals, and general welfare of the community.”

MOTION made by Mr. Lang, seconded by Wong, approving Resolution 32-2016, proposed text amendments to the West Chester Township Zoning Resolution Case #ZTA 04-16 concerning sexually oriented businesses, institutional care facilities, cellular wireless telecommunication towers, variance standards and Permissible Uses by District table. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Lang, to declare Emergency Resolution No. 33-2016 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Lang, to approve Resolution No. 33-2016 as read and already declared an emergency. Discussion: none. **Motion carried unanimously.**

Discussion Items & Elected Official Comments

Mr. Wong wished everyone a happy Thanksgiving, and noted the Township office would be closed. Mr. Lang responded to Ms. Waiter’s comments, saying he hoped people could have faith in Township government. He said he was approached by Dennis Bradbury who got him to walk Ms. Waiter’s property. The walk shocked him. He then thanked County Commissioner Cindy Carpenter and Butler County Engineer Greg Wilkens. Mrs. Boyko interjected that the improvements were only possible because they related to a public right of way, as permitted by statute. Mr. Lang then noted the success of a fundraiser Sunday for firefighter Tim Burns at The Back Porch. Mr. Lang also recognized that the Township Law Director, Don Crain, was identified as one of the Best Lawyers of Cincinnati for Labor Law, and Scott Phillips and Tom Allen were also recognized. He concluded by recognizing the passing of Butler County Judge Craig Hedric, and asked that people allay their fears about the recent election. Mr. Welch asked that people extend their prayers to Tim Burns and the family of Craig Hedric.

Recess to Executive Session

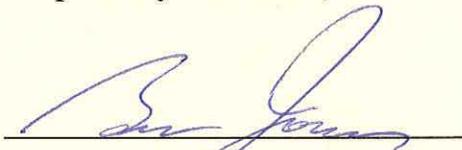
At 6:44 p.m., Mr. Welch asked for a motion to recess the Regular meeting and go into Executive Session with legal counsel for the purpose of considering and discussing (1) personnel matters:

(a) provision of benefits and compensation for contract and non-contract employees, (b) contract negotiations for certain collective bargaining unit; (2) Current litigation. Motion made by Mr. Lang, seconded by Mr. Wong. Discussion: none. **Motion carried unanimously.** Mr. Welch said the Board would return after Executive Session to adjourn the Executive Session and the Regular meeting.

MOTION made at 7:00 p.m. by Mr. Lang to adjourn the Executive Session and resume the November 16, 2016 Regular meeting, seconded by Mr. Wong. Discussion: none. **Motion carried unanimously.**

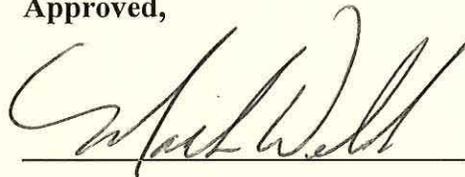
MOTION made by Mr. Wong, seconded by Mr. Lang, to adjourn the meeting. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,



Bruce Jones, Fiscal Officer

Approved,



Mark Welch, President