

**Record of Proceedings: December 19, 2017**  
**West Chester Township Board of Trustees - Regular Meeting**

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

Roll Call: Mr. Welch, Mr. Wong, and Mrs. Becker responded.

Pledge of Allegiance: Repeated by those present.

Citizen's Comments

Adam Lane, 8581 Eagleridge Drive, commented on speeding on Eagleridge Drive. He expressed appreciation for the increased police presence on Eagleridge. He noted that residents on Eagleridge are more engaged, people are still almost getting hit, and asked for continued township involvement, including installation of stop signs northbound and southbound on Eagleridge where Woodbridge intersects.

Mary Jo Bicknell, 5171 Rialto Road, spoke as representative for the West Chester Historical Society. She said the society remains ready and willing to pursue full ownership of the Station Road schoolhouse to make it into a museum, and wanted to keep that possibility in front of the Board.

Jeremiah York, 5373 Blossom Street, observed it was stated at the last Trustee meeting that all Citizen Comments should be within the scope of township business, and he completely agreed. He presented a model resolution entitled "Ohio law for West Chester Township", a modified version of "American law for American courts", which he said has already been adopted in many jurisdictions. He noted an oath had recently been taken by a Board member to uphold the Ohio Constitution, and his resolution defends the constitution from a specific threat that seeks to remove freedom of religion, speech, and the right to petition the government with grievances. He said pursuing the defense of these rights was within the scope of township business. He concluded by saying it takes a majority vote of the Board to pass or decline the resolution, West Chester needs to know where the Trustees stand, and asked what the Board would do if the Ohio constitution was trampled on by Sharia law.

Bob Hutsenpiller, 7404 Liberty One Drive, Liberty Township, (Fiscal Officer Note: Mr. Hutsenpiller is a West Chester Township property owner) commented on Hearthstone Senior Living, which he is proposing to develop. He said he was willing to deed restrict the sale of the units to persons aged 55 and older. He also said the suggested maximum 33 units would be reasonable if there were children, but his proposed 39 units was justified because there will be no children given the age restriction for persons aged 55 and older. He boasted his project entails 51% greenspace, and the setback on all property lines is a minimum of 45', up to 80'.

Presentations

There were no presentations.



Action Items – For Approval by Motion

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to approve the Trustee Meeting Minutes for December 5, 2017. Discussion: none. **Motion carried unanimously.**

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

Mr. Fronk submitted the following requisitions greater than \$2,500:

Requisitions – Greater than \$2,500.00

1. Adm           \$20,024.14 Frost Brown Todd, LLC – Legal services through November, 2017 (various departments)
2. Adm           \$69,745.00 X-IO Tech – Replace and expand township storage area network (CIP# 903)
3. Adm           \$41,830.80 Gus Holthaus Signs, Inc.– Replace LED building signage at 9113 Cincinnati-Dayton Road (CIP# 1294)
4. Adm           \$30,000.00 Kings Ford – Purchase 2018 Ford Explorer (CIP# 341)
5. Adm           \$5,162.50 Sayers Company – Renew annual license and support agreement for NetMotion wireless application
6. Comm Dev   \$2,965.00 A&A Safety, Inc. – Purchase materials for 2017 Street Address Sign Program (CIP# 993)
7. Police       \$7,474.32 Lexis Nexis Risk Data Management

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to approve payment of requisitions 1 through 7. Discussion: Mrs. Becker asked what sort of things are stored on the data servers and for how long. Mr. Fronk said “everything”, and noted that the township has a record retention policy and data is purged in accordance with the policy. Mr. Welch said the township’s storage capacity was increasing at about 15% annually, the township storage network being purchased has the capacity for 20 terabytes of raw data, but the system can compress data so as to store 35 to 60 terabytes of data. He also said the network has a predicted life of eight years and a five year warranty. He also commented on the replacement of the LED sign in front of township hall. In response to Mrs. Becker’s questions about the data storage, Mr. Fronk said the body cam storage would be separate from this system. In response to Mrs. Becker’s questions about wayfinding signage, Mr. Fronk said the wayfinding signs are not state mandated. **Motion carried unanimously.**

Personnel Items

Mr. Fronk introduced the next item saying the next six items pertain to the Clemans Nelson study that had been presented to the Board, and the proposed position wage range adjustments are the first of seven years. He identified the criteria Clemans Nelson factored in making their recommendations. Mr. Fronk said it’s been his observation in the five months he’s been here that West Chester Township has a high quality, motivated work force, and believes it’s important to keep it here. The study is as important in retaining talent as it is in attracting talent. Mr.



Fronk said they evaluated positions, not employees, in the next six motions. The proposed wage ranges meet the needs of West Chester.

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to approve wage ranges for full-time non-contractual Township positions in accordance with exhibit "A" attached to this memo effective January 1, 2018. Discussion: Mr. Welch observed the study began in June of 2016, took about a year and a half to complete, and considered it very thoughtful. **Motion carried unanimously.**

Mr. Fronk introduced the next item by explaining the purposes for the proposed motion.

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to change the title of Director of Finance and Information Technology to the Director of Finance, and approve revised job description for the position; Eliminate the position of Operations Manager – Communications and Information Technology and create the position of Director of Communications and Information Technology, and approve the job description for the position; Promote Mr. Dennis Dick from Operations Manager – Communications and IT to Director of Communications and Information Technology with an annual salary of \$92,074.32. Discussion: Mr. Welch congratulated Mr. Dick. **Motion carried unanimously.**

Mr. Fronk introduced the next item by observing that there's eight positions in which the wages are below the proposed wage scale.

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to increase pay rates for certain township positions in accordance with the Clemans Nelson Compensation Study Wage Ranges. Discussion: Mr. Wong said this has been thoroughly researched and assures that people will be paid justly. Mr. Welch said the proposed wage adjustments impact the 2018 payroll by \$32,802, and believed it was a good idea to retain our trusted, dedicated employees, rather than exert effort to get an unproven replacement. He also observed that the 2018 payroll will be impacted by \$51,563 when the wage compression issue with the police Captains/Lieutenants is resolved. Mr. Wong also noted the savings of \$45,000 to be realized when Dan Almer is promoted and his former position is not filled. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying Mr. Almer has been acting as the township's System Administrator for a substantial time, and his current position will not be filled.

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to promote Mr. Dan Almer from the position of Computer Technician – Township Network to the position of System Administrator – Township Network at a non-exempt pay rate of \$35.00 per hour effective the first full pay period of January 2018, and with a 90 day introductory period. Discussion: Mr. Welch believed Mr. Almer has been serving in the role of System Administrator for about five years, and we appreciate his time, skill, and effort. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying, without this motion, the police Captains would be making less next year than the Lieutenants they would be supervising, and attributed this to the collective bargaining agreement made over a year ago. He said this motion would take effect with the 2018 merit increase cycle.

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to set the wage cap for the position of Police Captain at 2.5% greater than the contractual wage for the position of Police Lieutenant. Discussion: Mr. Welch explained that the supervisors would be making less than those they



supervise because the Captains are exempt from the bargaining unit and the Lieutenants are non-exempt, making that which is negotiated. He said the 2018 payroll will be impacted by \$9,774 when this wage compression issue with the police Captains/Lieutenants is resolved with passage of this motion. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying resolution of the wage compression issue between the Captains and the Lieutenants by increasing the Captains wages effectively creates a wage compression issue between the Captains and the Assistant Police Chief. This motion will resolve that issue.

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to establish wage cap for the position of Assistant Police Chief at 2.5% greater than the wage cap for the position of Police Captain. Discussion: Mr. Welch said this would increase the 2018 payroll by \$1,600. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying this position is currently vacant, and Mrs. Lorton has been a volunteer with the department.

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to hire Mrs. Judith L. Lorton to the position of Part Time Records Clerk effective December 20, 2017 at the non-exempt hourly rate of \$14.78 with a one (1) year probationary period and contingent upon successful completion of applicable testing and procedures. Discussion: none. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying this is an internal promotion; Mr. Shank would be promoted from foreman to Assistant Roads and Maintenance Superintendent.

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to approve the updated job descriptions for the positions of Foreman and Assistant Roads and Maintenance Superintendent, and promote Mr. Mark Shank to fill the vacant position of Assistant Roads and Maintenance Superintendent effective December 20, 2017 at the non-exempt hourly rate of \$31.00 with a 90 day introductory period. Discussion: Mr. Welch asked about the internal promotion process. **Motion carried unanimously.**

### Business Items

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to set January 9, 2018, 6:00 p.m., for the 2018 Organizational Meeting. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to set January 16, 2018, 5:00 p.m., for a Work Session for the proposed 2018 Operational Budget. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to approve statutory Resolution no. 34-2017 authorizing the establishment of a "No Parking Zone" restricting vehicle parking at any time for the entire length and both sides of International Boulevard and the entire length of the south side and cul-de-sacs of Spellmire Drive in West Chester Township, Butler County, Ohio. Discussion: Mr. Wong observed that the Board conducted a Public Hearing at the last meeting. Mr. Welch explained the problem with trucks blocking much of that area when awaiting entry into US Foods. Mrs. Becker asked about the process and why it took so much



time. Mr. Fronk said our Police had been doing their best to work with the businesses to solve the problem without any legislative process. **Motion carried unanimously.**

Mr. Fronk introduced the next item by letting the Board know that he had advised the TID staff that Mr. Burke could not attend any meetings any earlier than March 1<sup>st</sup>.

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to appoint Larry Burks, Township Administrator, and Mrs. Kathy Carsey, West Chester resident, as the West Chester Township representatives to the Butler County Transportation Improvement District (TID) Board (term effective January 1, 2018 through December 31, 2019). Discussion: **Motion carried unanimously.**

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to appoint Mr. Welch as the West Chester Township representative to the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) Board of Directors (term effective January 1, 2018 through December 31, 2018). Discussion: Mr. Fronk confirmed for Mr. Welch that Aaron Wiegand would be his backup. **Motion carried unanimously.**

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to appoint Mrs. Becker and Mr. Wong, as well as two (2) Fire Department members - Assistant Fire Chief David Pickering and Firefighter Mark Hanmer, and one (1) civilian – Gene Hendel, to the 2018 Volunteer Firefighters' Dependents Board. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to not object to a D5 liquor permit TREX transfer from TDFD Inc. DBA LaRosa's, 1077 Montgomery Road, Cincinnati, Ohio 45242 to Paste Inc. DBA LaRosa's, 8120 Highland Point Drive. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to not object to a new D2 liquor permit for Aura Nails and Spa 1 LLC, DBA Aura Nails and Spa, 7244 Outfitters Way. Discussion: none. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying bids are due by 10:00 a.m. on January 16, 2018 and will be scheduled for the January 23, 2018 Trustee meeting.

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to advertise for 2018 Curb Replacement Program (CIP# 1116). Discussion: none. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying bids are due by 2:00 p.m. on January 16, 2018 and will be scheduled for the January 23, 2018 Trustee meeting.

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to advertise for 2018 Storm Water Pipe Replacement contract (CIP# 1117). Discussion: none. **Motion carried unanimously.**

#### First Reading of Resolutions & Reading of Emergency Resolutions

Mr. Fronk read Resolution No. 37-2017 approving and authorizing adoption of the Township 2018 temporary appropriations and declaring an emergency, and dispensing with the second reading. The Board had no questions.



Mr. Fronk said the next two resolutions amount to a correction to the West Chester Township OPERS contribution such that subsequent employee contributions by Board members would be made pre-tax, rather than remain payable after tax. He noted the Board's contributions since 2002 have been paid after tax. He said the correction would require two resolutions, one to rescind the 2002 resolution that did not recognize elected officials, and another one to replace it that recognizes the elected officials.

Mr. Fronk read Resolution No. 38-2017 to rescind and replace Resolution No. 13-2002 revising authorization for West Chester Township to pick up the statutorily required contribution to the Ohio Public Employees Retirement System for employees of West Chester Township, excluding elected officials, pursuant to O.R.C. Section 414(h)(2) and declaring an emergency, and dispensing with the second reading. He explained that this would take effect January 1, 2018. The Board had no questions.

Mr. Fronk introduced the next item saying the OPERS contribution will be pre-tax. Mr. Fronk read Resolution No. 39-2017 authorizing West Chester Township to pick up the statutorily required contribution to the Ohio Public Employees Retirement System for employees and elected officials of West Chester Township pursuant to O.R.C. Section 414(h)(2) and declaring an emergency, and dispensing with the second reading. He explained that the Trustees' and Fiscal Officers' contributions would then be pre-tax. The Board had no questions.

#### Citizen's Comments

There were no citizen's comments.

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

Mr. Fronk introduced the next item saying this Resolution pertained to the Hearthstone property, he recounted the Public Hearings on that matter, and noted the Zone Change and Preliminary Development Plan was subject to 21 conditions.

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, approve Resolution No. 35-2017, a zoning map amendment from A-1 to R-PUD and Preliminary Development Plan for case #ZMA04-17 – Powell Property; Hearthstone. Discussion: none. **Motion carried unanimously.**

Mr. Fronk introduced the next item by recounting the Public Hearings on the matter, and read as follows: "Now therefore, be it resolved that 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 and does hereby approve the Major Change to a R-PUD (Residential Planned Unit Development District) and Preliminary Development Plan with the following conditions", noting there were 24 such conditions.

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to approve Resolution No. 36-2017 approving a major change to an R-PUD and Preliminary Development Plan for case #MC05-17 – Anthem House Church. Discussion: none. **Motion carried:** Mr. Welch and Mr. Wong voted in favor, and Mrs. Becker abstained.



**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to declare Resolution No. 37-2017 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to approve Emergency Resolution No. 37-2017 as read and already declared an emergency. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to declare Resolution No. 38-2017 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to approve Emergency Resolution No. 38-2017 as read and already declared an emergency. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to declare Resolution No. 39-2017 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mrs. Becker, seconded by Mr. Wong, to approve Emergency Resolution No. 39-2017 as read and already declared an emergency. Discussion: none. **Motion carried unanimously.**

#### Discussion Items & Elected Official Comments

Mr. Fronk commented on the preparation of the 2018 budget, expressing his appreciation for staffs' fiscal restraint and its approach to the 2017 capital improvement projects. He said expenditures for 2017 are averaging about 18% under budget, providing departmental specifics. He noted West Chester budgets for unanticipated emergency expenses, as well as potential compensational liabilities, such as retirements and the expenses of accrued benefits. On the revenue side, he said property taxes were 17.8% higher than anticipated, the JEDD revenue was 13% higher than budgeted, the Local Government Fund was 41% higher than anticipated, and our hotel tax revenue was 46% over budget. Mr. Fronk said 2018 will be a transitional year for West Chester given a new trustee and administrator. He noted property valuations were anticipated to increase by about 7.5%, but they're budgeting for the same amount of revenue from property taxes. The General Fund proposed budget expenses are projected to be about \$7.8 million, or 6.8% higher than 2017, and \$4.6 million for roads versus the \$5.7 million budgeted for 2017. The police Fund should be about \$6.1 million, or 6% higher than 2017. Fire/EMS expenses are projected at \$15.4 million or about 1% less than budgeted in 2017. He said there will be more detail at the January 16<sup>th</sup> work session.

Mr. Jones thanked Services Director Tim Franck for getting the curb replacement bids underway, noting the bids for 2017 were not pursued until March. This late start might be the reason the bids were not competitive - contractors were not hungry for our business. He hoped taxpayers could save some money and get a better quality vendor for their curb replacement. Mr. Jones also expressed his appreciation that the role of Director of Finance and Information Technology was being separated because he's never believed that was good structurally.

Mrs. Becker, responding to Mrs. Bicknell's comment about the Station Road schoolhouse, said she wasn't sure where that issue stood and would need to look at it a little more. Regarding Adam Lane's request for stop signs on Eagleridge, she inquired as to the status of his request. Mr. Fronk said the volume of traffic does not warrant a stop sign, and there were other legal considerations.

Mr. Wong recalled the statement Mr. Welch made about the scope of Citizen Comments prior to Citizens Comments at the previous meeting and suggested the Board might adopt it as a resolution. His peers agreed, though Mr. Welch suggested they pursue a draft that will update the original Citizen Comment Resolution No. 23A-97.

**Adjournment**

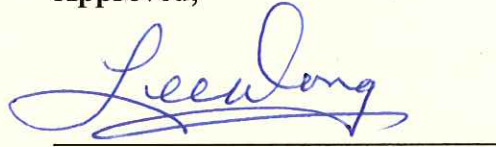
**MOTION** made at 7:10 p.m. by Mrs. Becker, seconded by Mr. Wong, to adjourn the meeting. Discussion: none. **Motion carried unanimously.**

**Respectfully Submitted,**

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

**Bruce Jones, Fiscal Officer**

**Approved,**

A handwritten signature in blue ink, appearing to read "Lee Wong", written over a horizontal line.

**Lee Wong, President**