

Record of Proceedings: October 23, 2018
West Chester Township Board of Trustees - Regular Meeting

Convene: President Wong convened the meeting at 6:00 p.m.
Roll Call: Mr. Wong, Mrs. Becker, and Mr. Welch responded.
Pledge of Allegiance: Repeated by those present.

Citizen's Comments

David Corfman, 7568 Kirkwood Drive, said Trustee Becker abdicated her responsibilities as a Trustee when she abstained on two votes the previous meeting – the vote to remove abortion from employee healthcare coverage and the vote to fill a vacant township position – and asked her why she abstained since she didn't fulfill the criteria for abstaining. He termed this a fundamental failure of decision-making. Mr. Corfman concluded by asking the Board to create a rule for permitting a Trustee to abstain.

Marcia Myers Addington, 9581 Semaphore Court, referenced a newspaper account that said the Township healthcare insurance cost could increase \$221,000 to \$620,000 if abortion were removed as a covered benefit. She questioned such a cost in order to interfere with a woman's choice to abort. She said it would be irresponsible to be fiscally responsible in one area and fiscally irresponsible in another area.

Presentations

Police Chief Joel Herzog introduced Judge Noah Powers II, Butler County Common Pleas Court, who presented a "Stepping Up" award to Police Officer Tim Mintkenbaugh. He explained that the award is part of the Stepping Up Initiative program to assist persons with mental health issues when they've been charged with a crime. Judge Powers presented Officer Mintkenbaugh with a plaque and a Resolution from the Butler County Commission.

Action Items – For Approval by Motion

MOTION made by Mr. Welch, seconded by Mrs. Becker, to approve the Trustee Meeting Minutes for October 9, 2018. Discussion: none. **Motion carried unanimously.**

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

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

Requisitions – Greater than \$2,500.00

1. Adm \$9,035.17 Frost Brown Todd, LLC – Legal Services through September 30, 2018 (various departments)
2. Adm \$7,500.00 Strategic HR, Inc. – Perform professional HR placement services to fill a HR Specialist position

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| 3. | Fire | \$49,220.00 | Fire Safety Services, Inc. – Purchase 23 sets of Fire Dex Techgen 71 Turnout Gear (CIP# 1185) |
| 4. | Fire | \$45,000.00 | Emersion Design, LLC – Conduct site survey to evaluate current and future needs of Fire Station 73 and determine options moving forward with remodel or new construction (CIP# 1474) |
| 5. | Fire | \$16,980.65 | First in-Last Out Fire and Safety Equipment – Purchase 107 barrier hoods and turn out gloves |
| 6. | Fire | \$6,744.10 | Cummins Bridgeway, LLC – Purchase and install turbo charger and actuator for Vehicle 609-2, Engine 72 |
| 7. | Fire | \$2,940.00 | Viox Services, Inc. – Repair Station 71 building mortar issues and cast stone on outside of building |
| 8. | Fire | \$2,888.00 | Shrader Tire & Oil, Inc. – Replace rear tires on vehicle 311 (Quint 73) |
| 9. | Services | \$25,000.00 | Snow Plow Contractors – Subcontract for cul-de-sac snow removal for 2018-2019 winter season |
| 10. | Services | \$5,000.00 | Winter Equipment Company, Inc. – Purchase snow plow parts |
| 11. | Services | \$4,880.00 | Advance Tank Technology, LLC – Replace and install calcium storage tank for winter weather |

MOTION made by Mr. Welch, seconded by Mrs. Becker, to approve payment of requisitions 1 through 11. Discussion: Mrs. Becker spoke favorably regarding safety and the fire department purchase, and the effort to find the correct personnel for the HR Specialist position. **Motion carried unanimously.**

Personnel Items

Mr. Burks introduced the next item saying the applicant was already a full time police officer, and the contract permits an experienced police officer to be hired at a higher starting salary.

MOTION made by Mrs. Becker, seconded by Mr. Welch, to hire Mr. Thomas Shawn McCreanor to the position of full-time Police Officer effective November 5, 2018 at the annual salary of \$70,869.74 per the Collective Bargaining Agreement (CBA) with a one (1) year probationary period contingent upon successful completion of applicable testing and procedures. Discussion: none. **Motion carried unanimously.**

Mr. Burks introduced the next item saying these operators would plow the township's cul-de-sacs.

MOTION made by Mr. Welch, seconded by Mrs. Becker, to approve complement of 13 on-call snow plow operators and hire on an as needed basis in some instances retroactively for the 2018-2019 winter season. Discussion: none. **Motion carried unanimously.**

Business Items

Mr. Burks introduced the next item saying the renewal cost is 4.99% higher and is in accordance with the Ohio Revised Code.

MOTION made by Mr. Welch, seconded by Mrs. Becker, to approve a contract and premium rates with Aetna Medical Insurance for January 1, 2019 through December 31, 2019 and to authorize the Township Administrator to execute the contract and any other documentation necessary to effectuate said contract. Discussion: Mr. Welch noted this matter was not acted upon at the last meeting, he provided the opposition vote when he learned the coverage included abortion on demand, without conditions, and the coverage has since been research for legality. Mr. Welch noted that ORC statutes 9.04 and 5101.56 prohibit township, as well as other political subdivisions from expending funds for insurance coverage on abortions or direct payment on abortions, except for rape, incest, or the health of the mother. Mrs. Becker said she decided to abstain on the vote out of respect for the collective bargaining agreements. Mr. Wong commented that the proposed coverage is now compliant with the ORC. Mr. Welch, responding to the concern expressed during Citizen Comments, said no additional money would be spent for the insurance coverage. **Motion carried unanimously.**

Mr. Burks introduced the next item saying there are over 10,000 files on microfiche that need to be updated and scanned.

MOTION made by Mrs. Becker, seconded by Mr. Welch, to contract with Woodhull USA, not to exceed \$7,500.00 for scanning of historical permit files and authorize Township Administrator to make non-substantive changes if necessary with Law Director approval and execute said agreement. Discussion: Responding to Mr. Wong's question, Mr. Burks said this was a matter of utilizing space and they would now be paying for space on a server. **Motion carried unanimously.**

Mr. Burks introduced the next item noting the subject property was not in foreclosure, though it appeared vacant.

MOTION made by Mrs. Becker that, having reviewed the staff report and affidavit, we declare 7826 Hollow Oak Court to be a public nuisance 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. **Motion carried unanimously.**

Mr. Burks introduced the next item noting the excellent presentation at the last meeting regarding problems with the pumper.

MOTION made by Mr. Welch, seconded by Mrs. Becker, to approve Statutory Resolution No. 24-2018 finding a 2005 Sutphen Pumper with existing fixtures is not needed and unfit for use for which it was acquired, and authorizing the sale of said vehicle and existing fixtures at public auction. Discussion: none. **Motion carried unanimously.**

MOTION made by Mrs. Becker, seconded by Mr. Welch, to not object to a D5 liquor permit transfer from C & E Sports Management, LLC 9230 Port Union Rialto Road to BM Sports Management, LLC 9230 Port Union Rialto Road. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mrs. Becker, to not object to C1, C2 and D6 liquor permit transfer from Giant Liquor, LLC dba Fine Wine & Spirits, 9153 Cincinnati Columbus

Road to Giant Liquor, LLC dba Fine Wine & Spirits, 9433 Cincinnati Columbus Road.
Discussion: none. **Motion carried unanimously.**

MOTION made by Mrs. Becker, seconded by Mr. Welch, to approve three (3) year renewal of uniform contract with Aramark Uniform Services per the Collective Bargaining Agreement (CBA) effective November 1, 2018 to October 31, 2021, and to authorize the Township Administrator to make non-substantive changes if necessary with Law Director approval and to execute said agreement. Discussion: none. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

Mr. Burks read Resolution No. 23-2018 amending the Township 2018 permanent appropriations and declaring an emergency and dispensing with the second reading. He explained this amounts to an update of the budget. The Board had no questions.

Mr. Burks introduced the next item saying

Mr. Burks read Resolution No. 25-2018 authorizing the removal of snow and ice from undedicated roads in accordance with Ohio Revised Code Section 505.82 and pursuant to Limited Home Rule Authority provided under Ohio Revised Code Chapter 504 and declaring an emergency and dispensing with the second reading. In response to Mrs. Becker's question, Mr. Burks said the Township has such a Resolution every year, and we charge 7 cents per linear foot. The Board had no questions.

Citizen's Comments

There were no citizen's comments.

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

MOTION made by Mr. Welch, seconded by Mrs. Becker, to approve Resolution No. 21-2018 approving a zoning map amendment from A-1 (Agricultural District) to SP-PUD (Special Purpose Planned Unit Development District) for Case # ZMA01-18 The Village North. Discussion: Mr. Welch commented on how this project addresses a market of which he's a part. He asked that the developer put a tunnel under Liberty Way to the VOA Park. Mrs. Becker said she looks forward to the development grow. Mr. Wong noted the benefits likewise expressed a desire that a tunnel be built. **Motion carried unanimously.**

MOTION made by Mrs. Becker, seconded by Mr. Becker, to approve Resolution No. 22-2018 approving text amendment to the 2017 version of the West Chester Township Zoning Resolution for Case # ZTA06-18. Discussion: none. **Motion carried unanimously.**

Mr. Burks re-read Resolution No. 23-2018, an amendment to the Township 2018 permanent appropriations for budget year 2018 and declaring an emergency and dispensing with the Second Reading.

MOTION made by Mr. Welch, seconded by Mrs. Becker, to declare Emergency Resolution No. 23-2018 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

MOTION made by Mrs. Becker, seconded by Mr. Welch, to approve Resolution No. 23-2018 as read and as already declared an emergency. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mrs. Becker, to declare Emergency Resolution No. 25-18 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

MOTION made by Mrs. Becker, seconded by Mr. Welch, to approve Resolution No. 25-2018 as read and as already declared an emergency. Discussion: none. **Motion carried unanimously.**

Discussion Items & Elected Official Comments

Mr. Burks observed that there was a Work Session prior to the Trustee meeting in which they reviewed the Organizational Strategic Plan. He said the final document would be on their December 11th agenda. He also noted Trick or Treat would be recognized in West Chester Township on October 31st, from 6:00 to 8:00.

Mr. Welch encouraged people to vote November 6th.

Mrs. Becker observed the West Chester Symphony Halloween performance the following evening at the Muhlhauser Barn. She also responded to Mr. Corfman's question why she abstained on the vote to fill a vacancy by saying she didn't want to re-hash her concern with staffing size and simply agree to disagree.

Mr. Wong noted he would be leaving for his China mission trip the following week.

Recess to Executive Session

At 6:45 p.m., Mr. Wong 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) the employment and compensation of a public employ, (2) sale and disposition of public property, (3) negotiations with public employees concerning compensation and other terms of employment, and (4) pending or eminent litigation. Motion made by Mr. Welch, seconded by Mrs. Becker. Mr. Wong said the Board would return to adjourn the Executive Session and resume the Regular meeting. Discussion: none. **Motion carried unanimously.** Mr. Wong declared the meeting in recess.

Post Executive Session/ Adjournment

MOTION made at 7:43 p.m. by Mr. Welch to adjourn the Executive Session and resume the October 23, 2018 Regular meeting, seconded by Mrs. Becker. Discussion: none. **Motion carried unanimously.**

MOTION made by Mrs. Becker, seconded by Mr. Welch, to adjourn the October 23rd Regular meeting. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,

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

Bruce Jones, Fiscal Officer

Approved,

A handwritten signature in cursive script, appearing to read "Ann Becker", is written over a horizontal line.

Ann Becker, President