

Record of Proceedings: January 28, 2020
West Chester Township Board of Trustees - Regular Meeting

Convene: Chairperson Becker convened the meeting at 6:01 p.m.

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

Pledge of Allegiance: Lead by the West Chester Township Fire Department Honor Guard and repeated by those present.

Citizen's Comments

Jeremiah York, 9515 Woodland Hills Drive, referencing a recent newspaper article about levies and the recent Budget Workshop, expressed concern that the Board was considering putting a levy on the ballot.

Richard Knodel Jr., 7515 Dover Drive, questioned why the Board approved a survey of residents as to what they wanted. He also questioned if the Board gave the Administration goals when they developed the budget. He also questioned the Township's debt.

Presentations

Mr. Alex Zaharieff, Beaver Creek Township Administrator, accompanied by Beaver Creek Township Trustee Jessica Dean, presented West Chester Township a Proclamation thanking the Township for assisting them with debris removal following their tornado last May. They also presented the Board members with a Challenge Coin.

Action Items – For Approval by Motion

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve the Trustee Meeting Minutes for January 14, 2020. Discussion: none. **Motion carried unanimously.**

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

Mr. Burks submitted the following requisitions greater than \$7,500:

Requisitions – Greater than \$7,500.00

1. Adm \$44,593.65 Frost Brown Todd, LLC – Legal Services through December 31, 2019 (various departments)

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve payment of item 1. Discussion: none. **Motion carried unanimously.**

Personnel Items

Mr. Burks introduced the next item by noting Mrs. Barnhill's experience and qualifications.

MOTION made by Mr. Wong, seconded by Mr. Welch, to hire Mrs. Cynthia Barnhill to the vacant position of HR Specialist at the hourly rate of \$22.00 effective February 3, 2020 with a one year probationary period. Discussion: none. **Motion carried unanimously.**

Mr. Burks introduced the next item saying wage compression with the unionized personnel relative non-union personnel is a concern this item addresses.

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve salary equity adjustment for affected Township personnel. Discussion: Mr. Welch said the non-union personnel were not realizing increases like the union personnel and, though this is a temporary fix, they will be pursuing a permanent solution. **Motion carried unanimously.**

Mr. Burks introduced the next item saying the Service Department has been without a Foreman for several years, during which time they evaluated their options for managing the workforce **MOTION** made by Mr. Wong, seconded by Mr. Welch, to promote Mr. Brian Adkins to fill the vacant position of Foreman effective February 3, 2020 at the hourly rate of \$27.65 with a 90 day introductory period. Discussion: none. **Motion carried unanimously.**

Mr. Burks introduced the next item saying this position was created with shift changes in 2019. He provided Sergeant Kleinfeldt's background and qualifications. **MOTION** made by Mr. Welch, seconded by Mr. Wong, to promote Sergeant John A. Kleinfeldt to the rank of Lieutenant effective January 29, 2020 at the annual salary of \$99,351.20 per the collective bargaining agreement with a one year probationary period. Discussion: The Trustees noted Mr. Kleinfeldt's qualifications and service as Police Officers. **Motion carried unanimously.**

Thereupon Police Chief Herzog pinned Lieutenant Kleinfeldt.

Mr. Burks introduced the next item by noting Captain Hanifean's background and qualifications. **MOTION** made by Mr. Wong, seconded by Mr. Welch, to promote Captain Randall Hanifean to the vacant position of Assistant Chief of Operations effective January 29, 2020 at the annual salary of \$98,302.89 with a 90 day introductory period. Discussion: Mr. Wong said this is a very important position, and was pleased to the promotion was internal. Mr. Welch reiterated that Captain Randall Hanifean has his doctorate. **Motion carried unanimously.**

Thereupon Fiscal Officer Jones swore in Assistant Fire Chief Hanifean who was accompanied by his father, wife and son. Subsequently his son pinned him.

Mr. Burks introduced the next item saying this position would be filed once Captain Randall Hanifean becomes an Assistant Chief. He also provided Lieutenant Mainwaring's background and qualifications.

MOTION made by Mr. Welch, seconded by Mr. Wong, to promote Lieutenant David Mainwaring to the vacant position of Shift Captain effective January 30, 2020 at the annual salary of \$92,320.26 with a 90 day introductory period. Discussion: none. **Motion carried unanimously.**

Mr. Burks introduced the next item saying this position would be filed once Lieutenant David Mainwaring becomes a Shift Captain. He provided Firefighter/Medic Bausano's background and qualifications.

MOTION made by Mr. Wong, seconded by Mr. Welch, to promote Firefighter/Medic Jacob Bausano to the vacant position of Lieutenant effective January 30, 2020 at the annual salary of \$82,299.83 per the collective bargaining agreement with a one year introductory period.

Discussion: none. **Motion carried unanimously.**

Thereupon Fiscal Officer Jones swore in Shift Captain Mainwaring and Lieutenant Bausano. Subsequently, Shift Captain Mainwaring was pinned by his father and Lieutenant Bausano was pinned by his wife.

Business Items

MOTION made by Mr. Wong, seconded by Mr. Welch, to not object to a new D5 liquor permit for Ambiance Nails Inc. dba Ambiance Nail Salon, 7594 Voice of America Centre Drive.

Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to not object to D5I and D6 liquor permit stock transfer for DAPS West LLC dba Mellow Mushroom & Patio, 9238 Floer Drive.

Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to not object to a new D1 liquor permit for Mi Burrito Mexican Grill LLC dba Mi Burrito Grill, 4852-4854 Union Center Pavilion.

Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Statutory Resolution No. 02-2020 affirming obligation for West Chester Township's share of the annual Butler County Engineer's 2020 paving program. Discussion: Mr. Welch noted West Chester Township will receive \$2.2 million to pave 8.2 miles and 2.3 miles of slurry seal. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

The first reading of a resolution was addressed at the conclusion of the 7:00 Public Hearing that evening.

Citizen's Comments

Ann Holbrock, 7056 Barret Road, provided a large piece of debris she said struck her vehicle while driving on Cincinnati-Dayton at the Union Centre intersection. She related her experience with the BCEO and her insurance company. She observed other debris along the side of the road as well as accidents she's witnessed or been party to, and injuries she's received as a result in front of her home on Barrett Road. She said there's a problem there and it's not being addressed. She also said there are sink holes on Barrett that have impacted the guard rail and will cause the road to fall. She concluded by saying things are happening that impact the residents, but are not being addressed.

Jim Hahn, 7250 Susan Springs Drive, thanked everyone for the Budget Workshop presentation the week before and how well the Township finances have been managed.

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

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

Public Hearing 7 p.m.
ZMA07-19 – Giant Plaza

Staff report: Mr. Tim Dawson reiterated for the record the case before the Board and presented the staff report, including a PowerPoint presentation, aerials, staff comments, and case history. Mr. Dawson concluded by saying the Trustees were to either approve the application, approve with modifications, or deny the submitted Zoning Map Amendment and Preliminary Development Plan. He then responded questions from the Board.

Mrs. Becker then invited the applicant to address the Board:

Tim Riby with Thomas Graham and Associates, 803 Compton Road, Cincinnati, said he designed the site and storm water detention. He then had the project developer, Sam Patel present. Mr. Patel, 6679 Waterset Drive, Loveland, said they were going to have a 7,000 square foot facility there, 5,000 of which would be a Giant Liquor, a state liquor store. He said the remaining 2,000 square foot, where they'd have the drive-thru, would have a fast food business.

Mrs. Becker then asked for comments as follows:

Proponent Comments:

Nadar Elias, 9443 Cincinnati-Columbus Road, said he is the next door neighbor to the subject property, a car dealership. He expressed concern that a path would be created allowing access to the subject property, using his property. He said he didn't see how that was possible because he would need to remove about half of his car inventory. He asked the Board how that was going to be addressed. He said he was a neutral party on the matter before the Board.

Opponent Comments: none.

Neutral Comments:

Bruce Jones, 5685 McCarthy Court, said he's the Chairman of the Butler County Planning Commission where this case was recently addressed. He affirmed the comments made by Mr. Elias that his property was immediately next door, it is the same B2 zoning as sought by the applicant, and he operates a car sales business. Mr. Jones questioned if the subject property will become a car lot as well.

Mr. Dawson answered Mr. Elias's question as well as questions from Mr. Wong and Mrs. Becker.

Hereupon Mr. Dawson read the First Reading of Resolution 01-2020 -
This is Resolution 01-2020 approving a zoning map amendment from B-1 to B-2 for case
#ZMA 07-19 – Giant Plaza:

“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 and does hereby approve the Zoning Map Amendment from B-1, Neighborhood Business District, to B-2, General Business District.

Mrs. Becker declared the Public Hearing closed.

Citizen's Comments, Resumed

Jeremiah York, 9515 Woodland Hills Drive, asked the Board to address; (1) why the Board raised the expenditure authorization for the Township Administrator, (2) why the Board incurred debt for the UCB overpass, and (3) why the Board adopted employee healthcare coverage that covers abortion with conditions.

Richard B. Knodel Jr., 7515 Dover Drive, spoke on the issue of abortion as well.

Mark Sennett, 8685 Cincinnati-Dayton Road, expressed his desire that the Memorial Day Parade be returned to having it begin near the former Union Elementary site.

Discussion Items & Elected Official Comments

Mr. Burks responded to the Citizen Comment questioning the increased authorization for the Administrator. Finance Director addressed the Citizen Comment about the Budget Workshop and how the budget is created. He also spoke on deficit spending and levies. Mr. Burks encouraged interested residents to go to the Township website to view the Township's Comprehensive Annual Financial Report, as well as the Open Data portal where expenditures can be viewed. He also said he'll be responding to Ms. Holbrock's concerns directly with her. Lastly, Mr. Burks has boasted about the talent on his team.

Mr. Welch and Police Chief Herzog commented on the Memorial Day Parade. Mr. Welch also responded to the Citizen Comments about abortion. Mrs. Becker read ORC 9.04(b) relative to abortion coverage.

Recess to Executive Session

At 7:59 p.m., Mrs. Becker asked for a motion to recess the Regular meeting and go into Executive Session with legal counsel for the purpose of considering: the compensation of a public employee or official; to consider the purchase of property for public purposes, the sale of property by competitive bid or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10; conference with an attorney for the Township concerning disputes involving the Township that are the subject of pending or imminent court action.

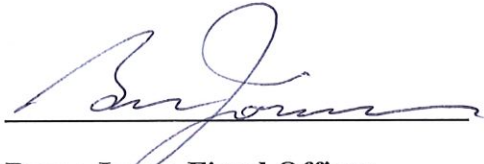
Motion made by Mr. Welch, seconded by Mr. Wong. Mrs. Becker said the Board would return to adjourn the Executive Session and to adjourn the Regular meeting. Discussion: none. **Motion carried unanimously.** Mrs. Becker declared the meeting in recess.

Post Executive Session/ Adjournment

MOTION made at 8:20 p.m. by Mr. Welch to adjourn the Executive Session and resume the January 28th Regular meeting, seconded by Mr. Wong. Discussion: none. **Motion carried unanimously.**

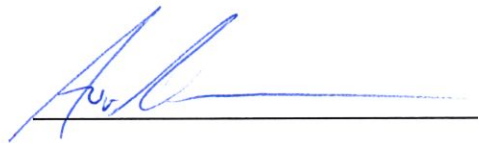
MOTION made by Mr. Wong, seconded by Mr. Welch, to adjourn the January 28th Regular meeting. Discussion: none. **Motion carried unanimously.**

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 "Mrs. Becker", written over a horizontal line.

Mrs. Becker, Chairperson