

Record of Proceedings: October 27, 2020
West Chester Township Board of Trustees - Regular Meeting

Convene: Chairperson Becker convened the meeting at 6:00 p.m.

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

Pledge of Allegiance: Lead by Boy Scout Troop 940 and repeated by those present.

Citizen's Comments

There were no citizen's comments.

Presentations

Ken Keim, West Chester Township Finance Director, gave a presentation on CARES funding, recommending that they be allocated to police, fire, and EMS COVID-19 related expenses, which he identified. The Township will potentially receive over \$4 million. When Mrs. Becker asked if anything else qualified besides these three Mr. Keim said the Township was adopting the simplest record keeping for audit purposes.

Action Items – For Approval by Motion

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve the Trustee Meeting Minutes for September 22, 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 \$32,170.15 Frost Brown Todd, LLC - Legal Services through September 30, 2020 (various departments)
2. Fire \$59,525.60 Stryker Sales Corporation - Purchase four Zoll Lucas 3 Compression Devices for medic units to reduce the risk of aerosolized COVID-19
3. Fire \$44,361.76 Mobilcomm Inc. - Purchase and install house alerting system for new Fire Station 73
4. Fire \$40,537.00 Industrial Communication & Sound - Purchase and install security cameras, door access control, and the mounting of display monitors at new Fire Station 73
5. Fire \$17,763.50 Baldwin & Sours, Inc. - Purchase preemption lighting control devices for the following intersections: Liberty Way at I-75 north and south bound ramps, 747 at Hamilton Mason Road, Tylersville Road at Butler Warren Road, and Tylersville Road at VOA Center Drive (CIP# 1536)

6. Fire \$7,765.00 Security Fence Group Inc. - Install preemption lighting control devices for the following intersections: Liberty Way at I-75 north and south bound ramps, 747 at Hamilton Mason Road, Tylersville Road at Butler Warren Road, and Tylersville Road at VOA Center Drive (CIP# 1536)
7. Services \$100,000.00 Cargill Inc. - Purchase road salt for 2020-2021 winter season
8. Services \$62,990.00 National Shotcrete LLC - Repair storm pipes on Hickory Hill Lane & Devonwood Drive (CIP# 1252)
9. Services \$43,000.00 Adleta, Inc. - Repair catch basins on Tylers Place
10. Services \$42,741.40 Jackson Construction, Inc. - Repair catch basins on various streets
11. Services \$25,000.00 Snow Plow Contractors - Subcontract for cul-de-sac snow removal for 2020-2021 winter season
12. Services \$17,000.00 Art's Rental Equipment - Rent a John Deere 554 wheel loader for five months
13. Services \$16,000.00 Univar USA Inc. - Purchase calcium chloride for 2020-2021 winter season

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve payment of requisitions 1 through 13. Discussion: Mr. Welch questioned storm drainage repairs as budgeted. Mr. Burks said item #9 would be paid from the TIF account. Mr. Franck said the \$500,000 budgeted for storm drainage repairs does not include those repairs in a TIF district, and the expenses to date outside the TIF districts are well below that which was budgeted. **Motion carried unanimously.**

Personnel Items

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve complement of 13 on-call snow plow operators and hire on an as needed basis; in some instances retroactively for the 2020-2021 winter season. Discussion: Mr. Welch said the township is judged by how quickly snow is removed, and this is important for safety reasons. **Motion carried unanimously.**

Business Items

Mr. Burks introduced the next item saying Elliot Davis DeCosmo performed the referenced audit service the previous five years, but they are now known as Mountjoy Chilton Medley, LLP. **MOTION** made by Mr. Wong, seconded by Mr. Welch, to accept bid through the Auditor of State's extension process and approve a five year contract with Mountjoy Chilton Medley, LLP, for professional accounting services for audit years 2020 – 2024 for \$19,440 in year one with five year pricing attached; and, to authorize the Township Administrator to execute said contract. Discussion: Mr. Welch noted that the pricing was not attached. Mr. Keim then provided the pricing and explained the relationship with and process for selecting the independent auditor. **Motion carried unanimously.**

Mr. Burks introduced the next item giving the history of the federal and state legislation. He said West Chester township has received \$1,739,709.74 to date, and expects another \$2,244,270.00 from the two referenced bills.

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Statutory Resolution No. 37-2020 Amending Statutory Resolution No. 23-2020, Section 27 of House Bill 481, affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs consistent with Federal CARES Act and Ohio House Bills 481 & 614. Discussion: none. **Motion carried unanimously.**

Mr. Burks introduced the next item saying the project should take three years to fulfillment. **MOTION** made by Mr. Welch, seconded by Mr. Wong, to approve a Development Agreement with The Residences at Clocktower, LLC (“Hills”), in the amount of \$1,219,754 from TIF funding, to provide certain traffic control and streetscape infrastructure to compliment the area surrounding the new residential development near Towne Centre; and, to authorize the Township Administrator to make non-substantive changes with Law Director approval. Discussion: Mr. Welch noted the purpose for TIF is to create infrastructure, adding he believes this project will stimulate office space as well as restaurants in the area. Mrs. Becker noted it will create 89 new on-street parking spaces, and improve the intersections at Floer Drive and Allen Road. Mr. Burks said events would remain in that area, though adjusted. **Motion carried unanimously.**

Mr. Burks introduced the next item saying this will more than double the space of the applicant’s existing facility, building a 46,975 sq. ft. structure. He said school compensation agreements have been agreed to by all parties. This matter would subsequently go to the Butler County Board of Commissioners for final approval. **MOTION** made by Mr. Wong, seconded by Mr. Welch, to recommend terms of an Enterprise Zone Agreement of 50% abatement for a five year term with ZEBBRAS Cage, LLC & BRANTS Vision, LLC, dba Queen City Harley Davidson. Discussion: Mr. Welch noted the applicant is building, rather than renting space. Mrs. Becker said they were making an investment in our community. **Motion carried unanimously.**

MOTION made by Mr. Welch that, having reviewed the staff report and affidavit, we declare 7410 Whispering Way to be a public nuisance as authorized by the Ohio Revised Code. Staff is directed to cause removal of the nuisances identified, and monitor this property for 90 days to require continued compliance. An administrative charge of 25% shall be added to the contractor fee for this property. Motion seconded by Wong. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to not object to a new D2 and D3 liquor permit for Indian Fusion LLC dba Indian Fusion, 8179 Princeton Glendale Road, Suite J. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to not object to a new C1 liquor permit for Tomy La Popular LLC, 10162 Princeton Glendale Road. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to not object to a D5 and D6 liquor permit stock transfer for Mitchells Entertainment Inc DBA Mitchells Fish Market, 9456 Waterfront Drive & Patio. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Statutory Resolution No. 38-2020 declaring surplus items for disposal. Discussion: none. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

Mr. Burks read, "Resolution No. 39-2020 amending the Township 2020 permanent appropriations and declaring an emergency and dispensing with the second reading". Mr. Burks said appropriations must be amended periodically through the year as they were originally estimated.

MOTION made by Mr. Wong, seconded by Mr. Welch, to declare Resolution No. 39-2020 an emergency and dispense with the Second Reading. Discussion: none. **Motion carried unanimously.**

Mr. Burks read, "Resolution No. 41-2020 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." He said the developer is charged based on linear foot from which snow is removed.

MOTION made by Mr. Welch, seconded by Mr. Wong, to declare Resolution No. 41-2020 an emergency and dispense with the Second Reading. Discussion: none. **Motion carried unanimously.**

Citizen's Comments

There were no citizen's comments.

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

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve Resolution No. 39-2020. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Resolution No. 41-2020. Discussion: none. **Motion carried unanimously.**

Mr. Burks read, "Resolution No. 40-2020 approving Zoning Map Amendment from A-1 to R-PUD and Preliminary Development Plan for Case # ZMA09-20 West Ridge." This will allow 40 residential lots on 19.9 acres at 6856 Dimmick Road.

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Resolution No. 41-2020. Discussion: none. **Motion carried unanimously.**

Discussion Items & Elected Official Comments

Mr. Burks noted changes to Township Hall and said our next Trustee meeting would be November 17th at the MidPoint Library, moving there due to renovations at Township Hall. The December meetings would be on the 1st, but the location is yet to be determined, and the

15th. Mr. Burks also said the Strategic Plan will be discussed at the December 1st meeting rather than the November 17th meeting, as originally planned.

Police Chief Herzog said his department will have “No Shave November” as a fundraiser. This year they’ll help a local family in need.

Mr. Jones encouraged residents to vote for the police levy and fire levy.

Mr. Welch noted Halloween was that Saturday.

Mrs. Becker observed that the Tylersville bridge was now open.

Recess to Executive Session

At 7:10 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: (1) Considering compensation of a public employee(s) or official. (O.R.C. 121.22(G)(1)); (2) conference with an attorney for the Township concerning disputes involving the Township that are the subject of pending or imminent court action. (O.R.C. 121.22(G)(3)); (3) preparing for, conducting, or reviewing negotiations for bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. (O.R.C. 121.22(G)(4)); (4) considering confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or financial statements of an applicant for economic development assistance. 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 9:07 p.m. by Mr. Welch, to adjourn the Executive Session and resume the October 27th Regular meeting, seconded by Mr. Wong. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to adjourn the October 27th Regular meeting. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,



Bruce Jones, Fiscal Officer

Approved,



Ann Becker, Chairperson