

**Record of Proceedings: November 16, 2021**  
**West Chester Township Board of Trustees - Regular Meeting**

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

Citizen's Comments

There were no citizen's comments.

Presentations

Police Chief Joel Herzog gave a presentation that included a PowerPoint presentation proposing "No Parking, Stopping, Standing" zones on Harwood Court/Commercial Drive and Knights Knoll/Dukes Drive. He observed the line of sight, fire hydrant, and/or maneuverability problems for fire trucks at these locations. He said this proposal would be formalized at the next Trustee meeting.

Action Items – For Approval by Motion

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to approve the Trustee Meeting Minutes for October 26, 2021. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Welch, seconded by Mrs. Becker, 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

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

- |    |        |              |                                                                                                                                  |
|----|--------|--------------|----------------------------------------------------------------------------------------------------------------------------------|
| 1. | Adm    | \$325,386.00 | Ohio Twp Association Risk Mgmt Authority (OTARMA) – Purchase liability and property insurance coverage                           |
| 2. | Adm    | \$48,607.27  | Frost Brown Todd LLC - Legal Services through September 30, 2021 (various departments)                                           |
| 3. | Fire   | \$24,608.00  | Path Master, Inc. - Purchase equipment for pre-emption lighting control devices (CIP# 1667)                                      |
| 4. | Fire   | \$11,250.00  | Security Fence Group, Inc. - Install pre-emption lighting control devices (CIP# 1667)                                            |
| 5. | Police | \$15,136.80  | Lexipol LLC - Renew annual agreement for online subscription services for Law Enforcement Risk Management Policies and Resources |

6. Services \$23,540.00 Advanced Underground, Inc. - Replace waterline at West Chester Baseball Complex
7. Services \$10,000.00 Winter Equipment Company, Inc. - Purchase snow plow parts

Jonathan Theders, Clark-Theders Agency, spoke about the insurance renewal with OTARMA. The Trustees asked questions and made comments.

### Personnel Items

Mr. Burks introduced the next item saying by stating the experience and qualification of the applicant.

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to hire Logan Fuller to the position of full-time Police Officer effective December 27, 2021 at the bi-weekly rate of \$2,521.34.

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

Mr. Burks introduced the next item saying by stating the experience and qualification of the applicant.

**MOTION** made by Mr. Welch Mrs. Becker, seconded by Mr. Welch Mrs. Becker, to hire Nathan Maring to the position of full-time Police Officer effective November 17, 2021 at the bi-weekly rate of \$2,821.30. Discussion: The Trustees expressed praise for and encouragement to the two Police Officers. **Motion carried unanimously.**

Thereupon, Fiscal Officer Jones swore in Officers Fuller and Maring, accompanied by Police Chief Herzog and Assistant Police Chief Rebholz. Mr. Wong recognized the family of Officers Fuller and Maring in the audience.

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to approve complement of 13 on-call snow plow operators and hire on an as needed basis, in some instances retroactively for the 2021-2022 winter season. Discussion: Mrs. Becker said she understood from the BCEO that a CDL is now required for this position and consequently it's difficult to find qualifying drivers. **Motion carried unanimously.**

### Business Items

**MOTION** made by Mr. Welch that, having reviewed the staff report and affidavit, we declare the properties listed on the West Chester Township Board of Trustees meeting Agenda dated November 16, 2021 to be public nuisances 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 the properties. Motion seconded by Mrs. Becker. Discussion: none. **Motion carried unanimously.**

**(Fiscal Officer Note:** The three subject properties were 6727 Apache Way, 6184 Centre Loop Drive, and 7135 Grove Avenue.)

Mr. Burks introduced Community Services Director Aaron Wiegand who identified the two projects for which they were applying for grants to construct sidewalks – Route 42 at Rolling Knolls, and Union Centre Boulevard between Waterfront Drive and Cincinnati-Dayton Road.

He said they increase pedestrian connectivity. He said the latter is estimated to cost \$350,000, \$100,000 will be paid by the UCB TIF and the remainder by the grant. He answered Trustee questions.

**MOTION** made by Mr. Welch, seconded by Mrs. Becker, to apply for the Ohio Department of Transportation (ODOT) Township Stimulus Grant for installation of a pedestrian pathway in two locations; and, authorize Township Administrator to accept said grant if awarded. Discussion: none. **Motion carried unanimously.**

Mr. Burks introduced the next item identifying the need for the maintenance program and noted three RFPs were submitted

**MOTION** made by Mr. Welch, seconded by Mrs. Becker, to approve Third Amendment to Facility Maintenance Service Contract between West Chester Township Board of Trustees and Emcor Facilities Services, Inc. effective November 1, 2021 through October 31, 2024; and, authorize Township Administrator to execute said contract amendment. Discussion: none. **Motion carried unanimously.**

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

Mr. Burks read Emergency Resolution No. 24-2021 amending the Township 2021 permanent appropriations and declaring an emergency, and dispensing with the second reading. Mr. Burks introduced Finance Director Ken Keim who responded to Mrs. Becker's question, saying the amendment is due to an increased appropriation to the Cincinnati-Columbus TIF allows the township to pay Lakota and Butler Tech what is due them. The Trustees had no other questions.

Mr. Burks read Resolution No. 25-2021 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. Mr. Burks commented that this resolution allows the township to maintain undedicated streets as it has in the past. The Trustees had no questions.

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

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to declare Emergency Resolution No. 24-2021 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Welch, seconded by Mrs. Becker, to approve Resolution No. 24-2021 as read and already declared an emergency. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to declare Resolution No. 25-2021 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. 25-2021 as read and as already declared an emergency. Discussion: none. **Motion carried unanimously.**

Citizen's Comments

Dennis Casey, 8139 Candlelight Terrace, suggested the Trustees may not be "senior friendly" because a Trustee criticized Ann Holbrook. Furthermore, a Trustee instructed the audience to refrain from clapping when she spoke. He said he and others were taking issue with the selective manner in which the policy forbidding the applause was applied. He also criticized using \$5 million for a senior location at the library.

Ann Holbrook, 7056 Barret Road, expressed gratitude for the blood pressure test performed by the Fire Department as well as the pot luck dinner the following day at the Boys & Girls Club for which the township sponsored the turkey. She noted there would be a meeting of seniors with Ken Wilson from the Council on Aging. Ms. Holbrook also took issue with Mr. Welch receiving a Republican endorsement for Trustee and endorsements for school board though the ORC refers to the positions as "non-partisan".

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**Public Hearing 7:00 P.M.**

Case # ZMA08-21 West Chester Trade Center, Bldgs. 10 & 11

Staff report: Using a PowerPoint presentation, Mr. Tim Dawson identifies the location of the subject property, it's various characteristics, aerial and ground level pictures, noted the current zoning of the subject property as well as surrounding properties and their characteristics. He also stated what the applicant was proposing for the property, case history, and staff comments. 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. No one on the Board had any questions.

Mr. Wong then invited the applicant to address the Board:

Tim McElroy, Northpoint development, 2060 Reading Road, Cincinnati, commented on the previous seven building they've built across the road from the subject property, noting a 1.5% vacancy rate of the 1.8 million sq. ft. they've constructed. Their buildings #8 and 9 are currently under construction and they have two leases currently pending. Mr. McElroy identified many of their tenants. He said there are some public improvements they would like to make – entrance, sidewalk, and retention/floodway compensation - for which they would like to discuss TIF. He provided several overviews/renderings of the development plan. He entertained questions and comments from the Trustees and Mr. Burks.

Mr. Wong then asked for comments as follows:

Proponent Comments: none.

Opponent Comments: none.

Neutral Comments: none.

Hereupon Mr. Dawson read the First Reading of Resolution 26-2021:

“This is a Resolution approving a Zoning Map Amendment from A-1 and B-2 to M-2 for Case # ZMA08-21 West Chester Trade Center, Bldgs. 10 & 11:

Be it resolved on the basis of the above actions and findings, the West Chester Township Board of Trustees does hereby concur with the West Chester Township Zoning Commission and does hereby approve the Zoning Map Amendment from A-1, Agricultural District, and B-2, General Business District, to M-2, General Industrial District”.

Mr. Wong declared the Public Hearing closed.

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**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to reconvene the Regular Trustee meeting. Discussion: none. **Motion carried unanimously.**

#### Discussion Items & Elected Official Comments

Mr. Wong thanked the voters for re-electing him, adding that it validated their work in the township.

Mr. Welch observed a publication that recognized West Chester Township as the Best Place in Ohio to do business. He also responded to Mr. Casey’s comment the audience clapping, noting several occasions the Board has interjected, requesting quiet. He also responded to Ms. Holbrook’s comment about political endorsements for “non-partisan elections.

Mrs. Becker praised the Veteran’s Commemoration for Veterans Day the previous week.

Mr. Jones commented on political endorsements. He also recognized Lakota Freshman Evelyn Prodoehl for coming in 8<sup>th</sup> in the state at the recent State Cross-Country Championship.

Mr. Burks thanked everyone who sought election. He also said West Chester is working to expand its reputation as business friendly.

#### Recess to Executive Session

At 7:35 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) Consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance; (2) details relative to the security arrangements and emergency response protocols for the Township; (3) 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 the O.R.C.; (4) to consider the investigation of charges or complaints against a public employee or official; (5) conference with an attorney for the Township concerning dispute involving the Township that are the subject of pending or imminent court action.

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

Post Executive Session/ Adjournment

**MOTION** made at 9:22 p.m. by Mrs. Becker to adjourn the Executive Session and resume the November 16, 2021. Regular meeting, seconded by Mr. Welch. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Welch, seconded by Mrs. Becker, to adjourn the November 16, 2021 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 "Lee Wong", written over a horizontal line.

**Lee Wong, Chairperson**