

Record of Proceedings: February 8, 2022
West Chester Township Board of Trustees - Regular Meeting

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

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

Pledge of Allegiance: Repeated by those present.

Citizen's Comments

David Corfman, 7568 Kirkwood Drive, expressed his concern that a liquor permit would be granted to Premier Shooting. He was also displeased how lighting from a warehouse near I-75 and I-275 might impact drivers.

Patrick Barnett, 7986 Tylers Way, took issue with comments he attributed to Trustee Welch at the October 26th meeting about receiving out-of-state campaign contributions.

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 January 25, 2022. 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. Burks submitted the following requisitions greater than \$7,500:

Requisitions – Greater than \$7,500.00

1. Adm \$59,093.08 Frost Brown Todd LLC - Legal Services through December 31, 2021 (various departments)
2. Police \$9,013.50 Galls LLC - Purchase nine bulletproof vests
3. Services \$200,000.00 Morton Salt, Inc. - Purchase road salt for the 2021-2022 winter season (Increase PO# S212969)
4. Services \$91,482.00 MC Equipment LLC - Purchase snow removal equipment and installation for new salt truck (CIP# 1747)
5. Services \$87,647.00 FYDA Freightliner Cincinnati, Inc. - Purchase 2023 Freightliner truck cab and chassis (CIP# 1747)
6. Services \$70,174.77 Bobcat Enterprises, Inc. - Purchase E42 Compact Excavator (CIP# 1712)
7. Services \$68,622.00 Fiehrer Motors, Inc. - Purchase two 2022 GMC Sierra Pickup Trucks (CIP# 1451 & 1599)

MOTION made by Mrs. Becker, seconded by Mr. Wong, to approve payment of requisitions 1 through 7. Discussion: In response to Mrs. Becker's question, Services Director Tim Franck addressed the Board accounting for the Services Department's response to the recent ice/snow storm. **Motion carried unanimously.**

Business Items

MOTION made by Mrs. Becker that, having reviewed the staff report and affidavit, we declare 7408 Suzi Circle 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 Mrs. Becker, seconded by Mr. Wong, to approve Statutory Resolution No. 04-2022 to amend the West Chester Township JEDD I Contract to reduce the number of Board meetings annually. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mrs. Becker, to not object to a new D5 liquor permit for Premier Shooting & Training Center LLC, 4845 Premier Way. Discussion: Mr. Wong, Mr. Welch, and Mrs. Becker made comments and Mr. Burks asked Colonel Herzog to describe the safety precautions that Premier Shooting is taking. **Motion carried unanimously.**

MOTION made by Mrs. Becker, seconded by Mr. Wong, to accept bid and approve contract with Jackson Construction, Inc. for the 2022 Curb Replacement Program per the specifications as advertised, not to exceed \$855,238.42 from various funds; and, authorize Township Administrator to make non-substantive changes with Law Director approval and execute said contract (CIP# 1397 & 1394). Discussion: It was noted by Mr. Franck approximately 15,000 linear feet of curb would be replaced. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

Mr. Burks read Resolution No. 05-2022 adopting and certifying the Township 2022 Permanent Appropriations, and authorizing the transfer of funds from the General Fund to the Road and Bridge Fund and to the Cemetery Fund and declaring an emergency and dispensing with the second reading. He explained the appropriations purpose and process. The Board had no questions.

Citizen's Comments

Patrick Barnett, 7986 Tylers Way, resumed his comments from the earlier Citizen's Comments regarding Mr. Welch, concluding by saying, "One dime spent is corruption".

Randy Simmons, 5924 Owl Nest Drive, said criticism by some appears to be timed only for political purposes. He said the Democrat Party used deceptive practices for David Corfman's

campaign when they passed out a deceptive slate card. He congratulated the Trustees for their accomplishments and for weathering unwarranted criticisms.

Mark Haverkos, 7356 Wethersfield Drive, President of his HOA spoke on behalf of the homeowners, thanking the Services, Police, and Fire Departments for their work during the recent ice/snow storm.

David Corfman, 7568 Kirkwood Drive, defended himself and his campaign by saying they never passed out “slate cards” at the polls, rather they passed out a list of recommended candidates. He said complaints submitted to the Elections Commission were all dismissed. He said there wasn’t an issue.

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

MOTION made by Mrs. Becker, seconded by Mr. Wong, to declare Emergency Resolution No. 05-2022 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mrs. Becker, to approve Resolution No. 05-2022 as read and already declared an emergency. Discussion: Mrs. Becker noted how money was being re-appropriated from one fund to another, benefiting our roads and cemeteries. **Motion carried unanimously.**

Discussion Items & Elected Official Comments

Mrs. Becker expressed her appreciation for our Services Department.

Mr. Wong expressed empathy for residents during the storm and praised the Services personnel.

Mr. Welch dismissed corruption talk, and likewise praised our Services people for their work during the storm, especially compared to other communities.

Mr. Jones commented on the snow storm. He also noted the boycott of Communist China’s Olympics has been very effective given their human rights violations and business blackmail practices!

Mr. Burks praised Services and said he would look into Mr. Corfman’s concern about lighting along the interstate.

Recess to Executive Session

At 6:42 p.m., Mr. Welch asked for a motion to recess the Regular meeting and go into Executive Session with legal counsel for the purpose of considering, (1) 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 of the Revised Code. O.R.C. 121.22(G); (2) 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, or to negotiations with other political subdivisions respecting requests for economic development assistance (provided both of the criteria specified in O.R.C. 121.22(G)(8)(a) and (b) apply). O.R.C. 121.22(G)(8).

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

Post Executive Session/ Adjournment

MOTION made at 7:07 p.m. by Mrs. Becker to adjourn the Executive Session and resume the February 8, 2022 Regular meeting, seconded by Mr. Wong. Discussion: none. **Motion carried unanimously.**

Public Hearing 7:08 P.M.
Case # ZMA10-21 Highlands Square Market

Staff report: Mr. Tim Dawson presented the staff report, including a PowerPoint presentation, aerials, site history, as well as staff considerations and 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. He then responded to Trustee comments and concerns regarding sidewalks and pedestrian walkability, lighting, access, and density.

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

Jeff Shamus, representing Neyer Properties, 2135 Dana Avenue, responded to the Trustees concerns, as well as other aspects of their attached, townhome proposal.
Michael Dim, President of Market Foresight, discussed his market study, the local market and demographic influences as they related to the proposed project.
Jose Casterjon, Vice President of Landscape Architecture & Planning for McGill, Smith, & Punchon, 3700 Park 42 Drive, likewise responded to Trustee concerns. He communicated their connectivity vision behind their design.
The applicant and his representatives responded to Trustee questions.

Mr. Welch then asked for comments as follows:

Proponent Comments: none.

Opponent Comments:

Paul Thomas, 7984 Cincinnati-Dayton Road, owner of Thomas & Sons Automotive, was concerned that the project would ultimately impact his business by eliminating his road access. Tim Dawson, Township Planner in the West Chester Township Community Development Department, explained that Mr. Thomas's concerns pertained to the applicant's concept plan, and the cross access was no longer required given the potential detriment to existing businesses. Jeff Moore, 8000 Cincinnati-Dayton Road, asked about cross access over his property and Mr. Dawson answered by saying he would need to only account for it on his property.

Neutral Comments:

Charlie Gilfert, 5994 Wood Thrush Lane, questioned attached housing demand in our area. He also questioned "walkability" as it related to area businesses. Mr. Casterjon responded by saying walkability is about providing the option of walking. He also said area attached housing has a strong demand, citing several area developments.

Hereupon Mr. Dawson read the First Reading of Resolution 06-2022:

This is a Resolution approving a Zoning Map Amendment from C-PUD to S-PUD for Case # ZMA10-21, Highlands Square Market:

"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 C-PUD to S-PUD and Preliminary Development Plan with the plan has 32 conditions".

Mr. Welch declared the Public Hearing closed.

Adjournment

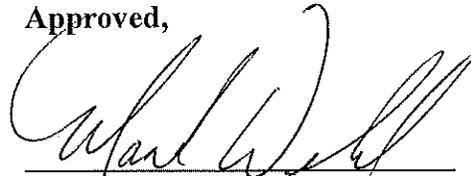
MOTION made at 7:54 p.m. by Mrs. Becker, seconded by Mr. Wong, to adjourn the meeting. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,



Bruce Jones, Fiscal Officer

Approved,



Mark Welch, Chairperson