

Record of Proceedings: February 28, 2023
West Chester Township Board of Trustees - Regular Meeting

Convene: Chairperson Becker convened the meeting at 5:01 p.m.

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

Pledge of Allegiance: Repeated by those present.

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MOTION made by Mrs. Becker, seconded by Mr. Welch, to amend the agenda so as to move Personnel Items 9 through 15 to immediately after Citizens Comments. Discussion: none.

Motion carried unanimously.

At 5:03 p.m., Mrs. Becker motioned to recess the Regular meeting and go into Executive Session with legal counsel for the purpose of: (1) Considering 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); 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). Motion seconded by Mr. Welch. Discussion: none. **Motion carried unanimously.**

Post Executive Session/ Adjournment

MOTION made at 6:09 p.m. by Mr. Wong to adjourn the Executive Session and resume the February 28, 2023. Regular meeting, seconded by Mr. Welch. Discussion: none. **Motion carried unanimously.**

Citizen's Comments

There were no citizen's comments.

Personnel Items

Mr. Burks introduced The Personnel Items consisting of, (1) hiring Benjamin Toney to the position of Career Firefighter/Paramedic effective March 1, 2023 at the hourly rate of \$24.68; (2) hiring Chad Comarata to the position of Career Firefighter/Paramedic effective March 3, 2023 at the hourly rate of \$24.68; (3) hiring Joseph Englebert to the position of Career Firefighter/Paramedic effective March 2, 2023 at the hourly rate of \$24.68; (4) hiring Joshua Ulrey to the position of Career Firefighter/Paramedic effective March 3, 2023 at the hourly rate of \$24.68; (5) hiring Joshua Watts to the position of Career Firefighter/Paramedic effective March 3, 2023 at the hourly rate of \$24.68; (6) **Police** hiring Andrew Oeters to the position of Police Officer effective March 6, 2023 at the bi-weekly rate of \$2,622.20; (7) **Police Promote** Police Officer Andrew Moos to the rank of Police Sergeant effective March 1, 2023 at the bi-weekly rate of \$3,742.30. These were identified on the agenda as Personnel Items 9, 10, 11, 12, 13, 14,15 respectively.

MOTION made by Mr. Welch, to approve Personnel Items 9, 10, 11, 12, 13, 14,15, seconded by Mr. Wong Discussion: The Trustees each expressed praise for the West Chester Police Department and the service performed by police officers. **Motion carried unanimously.** Thereupon Fiscal officer Jones administered the Oath of Office to Career Firefighter/Paramedics Toney, Comarata, Englebert, Ulrey, and Watts, accompanied by Chief Prinz. Whereupon Fiscal officer Jones administered the Oath of Office to Police Officer Oeters, accompanied by Chief Herzog and Assistant Chief Rebholz. Subsequently Fiscal officer Jones administered the Oath of Office to Police Sergeant Moos, pinned by Chief Herzog, accompanied by Assistant Chief Rebholz.

Presentations

Cari Hillman, Community Engagement Director, and Rebecca Rasnick, Branch Manager, MidPointe Library System, provided the 2022 Annual Report on the library.

Jack Dominic, National Voice of America Museum of Broadcasting, provided an update on the VOA Museum.

Action Items – For Approval by Motion

MOTION made by Mr. Wong, seconded by Mr. Welch to approve the Budget Work Session Meeting Minutes for February 14, 2023. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve payment of bills - January 27, 2023 through February 23, 2023. Discussion: none. **Motion carried unanimously.**

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

Requisitions – Greater than \$7,500.00

1. Adm \$30,000.00 PF Staffing LLC - Increase Purchase Order S230090 for Temporary Records Specialist (CIP# 1520)
2. CIT \$60,431.50 Dell Marketing LP - Renew annual Microsoft Enterprise Agreement
3. PIE \$10,798.50 VIP Printing Center - Print Spring 2023/Bicentennial edition newsletter
4. Police \$167,012.00 Cincyautos, Inc. - Purchase four police vehicles (CIP# 1560)
5. Police \$60,841.00 Tri-State Public Safety –Purchase and install equipment to outfit three 2023 police vehicles (CIP# 1560) February 28, 2023
6. Services \$3,056,831.19 Insight Pipe Contracting LLC - Repair storm water pipes (CIP# 1620)
7. Services \$171,821.00 MC Equipment LLC - Purchase snow removal equipment and installation for new salt truck (CIP# 1749)
8. Services \$93,101.00 FYDA Freightliner Cincinnati, Inc. - Purchase 2024 Freightliner truck cab and chassis for fleet replacement (CIP# 1749)

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve payment of requisitions 1 through 8. Discussion: Mr. Wong noted the requisitions exceeded \$3 million. **Motion carried unanimously.**

Business Items

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Resolution 09-2023 authorizing the acceptance of the proposed Settlement Agreement and Release resolving the Suit Filed by Eric Lindsay against the Officers of the West Chester Police Department. Discussion: none. **Motion carried unanimously.**

MOTION made by Mrs. Becker, seconded by Mr. Welch, to appoint Jose Alvarez to the West Chester Township Zoning Commission to fill an expired five-year term (June 1, 2023 through May 31, 2028). Discussion: Mr. Wong had objected to the motion to appoint before there had been discussion. He asked for an opinion from Law Director Crane. Mr. Crain addressed the Board and said it was a proper motion. Mr. Wong said he supported the appointment of Hadil Labdbidi, read her qualifications, said we should appoint based on merit, and has a new vision for the township. Mrs. Becker said she didn't want a new vision for the township. Rather, she supported Mr. Alvaraz because he created the zoning and would be able to evaluate and defend it. Mr. Wong said Ms. Labdbidi was better qualified than Mr. Alvarez. Mr. Welch said he agreed with Ann, adding that he appreciates someone with longevity in West Chester and knows our culture and vision. Mr. Wong resumed his comments, saying a trustee should not vote on a matter from a previous meeting if he/she was absent from the previous meeting. Mr. Welch disagreed. There was substantial back-and-forth. **Motion carried.** Mr. Wong dissented.

Mrs. Becker opened the next item, an appointment to the Board of Zoning Appeals, for discussion. Mr. Welch said he wanted to appoint Carl Reisen given his zoning experience, currently serving as an alternate to the Board of Zoning Appeals. Mr. Wong said he had a problem with them having a discussion before the motion. Mrs. Becker said she was doing so in order to accommodate him, and she could proceed as she wished as the Chairperson of the Board. Mr. Wong said it was done wrong in the previous agenda item. They disagreed as to whether or not it was conducted consistent with Robert's Rules of Order.

MOTION made by Mr. Welch, seconded by Mrs. Becker, to appoint Carl Reisen as a regular member of the West Chester Township Board of Zoning Appeals to fill an expired five-year term, March 1, 2023 through February 29, 2028. Discussion: none. **Motion carried.** Mr. Wong dissented.

Given Mr. Reisen's appointment to the Board of Zoning Appeals, a vacancy would be created and must now be filled.

MOTION made by Mr. Welch, seconded by Mrs. Becker, to appoint Michael Mear to the West Chester Township Board of Zoning Appeals as an alternate to fill an unexpired term March 1, 2023 to February 28, 2025. Discussion: Mr. Wong did not respond when Mrs. Becker asked him if he had any suggestions for the appointment. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve Resolution 10-2023 authorizing the Creation of Union Centre Princeton Glendale Community Entertainment District,

Applicant West Chester Township. Discussion: Mr. Welch said the issue became apparent when Lori's Roadhouse sought a liquor license, finding that none were available, requiring them to purchase one out of Cleveland. This Resolution will make more liquor licenses available in West Chester Township for new hotels and restaurants. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Resolution 11-2023 authorizing the Creation of The Streets of West Chester Community Entertainment District, Applicant West Chester Township. Discussion: Mr. Burks provided an aerial image of the district. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to dispose of abandoned vehicles by auction or salvage dealer. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Resolution 12-2023 finding one Police Department vehicle not needed or unfit for public use. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to request to advertise for Community Services office remodel (CIP# 1864). Discussion: Mr. Burks confirmed that 747 TIF money would pay for this item. Mrs. Becker spoke in favor of the item. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to accept bid and approve contract with Jackson Construction, Inc. for the 2023 Curb Replacement Program per the specifications as advertised, not to exceed \$561,484.78; and, authorize Township Administrator to make non-substantive changes with Law Director approval and execute said contract (CIP# 1619). Discussion: In response to Mrs. Becker's observation that the contract included a 15% contingency rather than the usual 10% contingency, Services Director Arun Hindupur addressed the Board, saying the increased contingency was simply to address uncertainties. In response to Mr. Wong's concern, Mr. Hindupur said the curbs are replaced based on a scoring system conducted by our staff. In response to Mr. Burks's question, he said the curb replacement will be coordinated with the laying of new pipe. Mr. Welch asked if there is a vehicle in place for the township to replace sidewalks needing repair, with it ultimately being the responsibility of the homeowner, and asked for Services to take a look at this. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to accept bid and approve contract with Adleta, Inc for the 2023 TIF Curb Replacement Program per the specifications as advertised, not to exceed \$1,361,548.48; and, authorize Township Administrator to make non-substantive changes with Law Director approval and execute said contract (CIP# 1616). Discussion: none. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

Mr. Burks read Emergency Resolution 13-2023 to accept the National Opioid settlement participation agreement between the West Chester Township Board of Trustees and Teva, Allergan, CVS, Walgreens, Walmart, and declaring an emergency and dispensing with the Second Reading. The Trustees had no questions.

Mr. Burks read Emergency Resolution 14-2023 adopting and certifying the Township 2023 Permanent Appropriations, and authorizing the transfer of funds from the General Fund to the Road and Bridge Fund and to the Cemetery Fund; to advance out from the General Fund into the Coronavirus Relief Fund and declaring an emergency and dispensing with the second reading. The Trustees 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 Mr. Wong, to declare Resolution No. 13-2023 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Resolution No. 13-2023 as read and already declared an emergency. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to declare Emergency Resolution No. 14-2023 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Resolution No. 14-2023 as read and already declared an emergency. Discussion: none. **Motion carried unanimously.**

Discussion Items & Elected Official Comments


In response to Mrs. Becker's concern, Mr. Burks explained that West Chester Township was not suing Ford Motor Company, rather our insurance company was suing Ford Motor Company. Mr. Welch said he hoped the Country Music Festival coming to West Chester in August is an annual event and, recognizing the safety considerations, he was concerned that it would be a sustainable event. Chief Herzog addressed the Board, saying the West Chester Police Department would be responsible for coordinating these matters with the Ohio State Patrol, Butler County Sheriff, and the MetroParks Police, and the event organizer would pay them directly. Additional discussion evolved around costs. Chief Prinz said they are creating a staffing model from a comparable event in Myrtle Beach, and that event has the same organizer as the event scheduled for West Chester in August. They are preparing for a worst case scenario they can modify based on ticket sales.

Mr. Burks wished Mr. Wong and Mr. Welch happy birthday.

Adjournment


MOTION made at 7:48 p.m. by Mr. Wong, seconded by Mr. Welch, to adjourn the February 28, 2023 Regular meeting. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Bruce Jones", written over a horizontal line.

Bruce Jones, Fiscal Officer

Approved,

A handwritten signature in black ink, appearing to read "Ann Becker", written over a horizontal line.

Ann Becker, Chairperson