

**Record of Proceedings:** **July 9, 2024**  
**West Chester Township Board of Trustees - Regular Meeting**

Convene: Chairperson Wong convened the meeting at 5:00 p.m.  
Roll Call: Mr. Wong, Mr. Welch, and Mrs. Becker responded.  
Pledge of Allegiance: Repeated by those present.

**MOTION** made at 5:01 p.m. by Mrs. Becker, seconded by Mr. Welch, to recess the Regular meeting and go into Executive Session with legal counsel for the purpose of: 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). Discussion: none. **Motion carried unanimously.** Mr. Wong said the Board would return to adjourn the Executive Session and to resume the Regular meeting. Mr. Wong declared the meeting in recess.

Post Executive Session/ Adjournment

**MOTION** made at 6:05 p.m. by Mr. Welch to adjourn the Executive Session and resume the Regular meeting, seconded by Mrs. Becker. Discussion: none. **Motion carried unanimously.**

Citizen's Comments

There were no citizen's comments.

Presentations

There were no presentations.

Personnel Items

There were no Personnel Items.

Action Items – For Approval by Motion

**MOTION** made by Mr. Wong, seconded by Mr. Welch, to approve the Trustee Meeting Minutes for June 25, 2024. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to approve payment of bills - June 17, 2024 through June 28, 2024. Discussion: none. **Motion carried unanimously.**

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

3. Adm \$ 77,835.14 Frost Brown Todd LLC - Legal Services through May 31, 2024  
(various departments)
4. CIT \$11,298.57 Emcor Facilities Services, Inc. - Replace Township Network  
Uninterruptible Power Supply Batteries (CIP 1967)
5. Fire \$35,205.45 Lowes - Remodel Station 72 Kitchen (CIP 2029)

Requisitions – Greater than \$7,500.00

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to approve payment of requisitions 3 through 5. Discussion: In response to Mr. Welch’s question, Mr. Burks said the bills for Item 3 were for most of May and maybe a little from April, but usually a 30 or 31 day period. **Motion carried unanimously.**

Business Items

**MOTION** made by Mrs. Becker seconded by Mr. Welch, to approve Resolution 27-2024 adopting the 2025 Tax Budget. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Welch that, having reviewed the staff report and affidavit, we declare the properties listed on The West Chester Board of Trustees agenda dated July 9, 2024 to be a public nuisance as authorized by the Ohio Revised Code. Staff is directed to cause removal of the nuisances identified, and monitor the 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 Mrs. Becker. Discussion: none. **Motion carried unanimously.** (Fiscal Officer Note: The listed property was 7859 Kingsgate Way.)

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to approve contract between West Chester Township Board of Trustees and Allgeier & Son, Inc. for nuisance/demolition cleanup at 8872 Cincinnati Dayton Road not to exceed \$26,823.00; and, authorize Township Administrator to make non-substantive changes with Law Director approval and execute said contract. Discussion: The exact location was clarified. **Motion carried unanimously.**

**MOTION** made by Mr. Welch, seconded by Mrs. Becker, to approve School Resource Officer Agreement between West Chester Township Board of Trustees and Butler Technology and Career Development Schools Board of Education for the 2024-2025 School year; and, authorize Township Administrator to make non-substantive changes with Law Director approval and execute said agreement. Discussion: In response to Mr. Wong’s question, Mr. Burks said this was one SRO for Butler Tech. **Motion carried unanimously.**

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to approve School Resource Officer Agreement between West Chester Township Board of Trustees and Lakota Local School District Board of Education for the 2024-2025 school year; and, authorize Township Administrator to make non-substantive changes with Law Director approval and execute said agreement. Discussion: In response to Mrs. Becker’s question, Captain Seth Hagaman addressed the Board, advising that the agreement is a one year agreement this year in order to align with the contract with the bargaining unit, thereby enabling them to know costs going in. **Motion carried unanimously.**

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to request to advertise for qualifications (RFQ) for facility preventive maintenance and janitorial services Discussion: none. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

(Read at public hearing following the Regular Trustee meeting that evening.)

Citizen's Comments

There were no citizen's comments.

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

There was no Second Reading & vote on pending resolutions & vote on emergency resolutions.

Discussion Items & Elected Official Comments

Mr. Welch recognized the passing of Gene Hendel and his caring for community events.  
Mrs. Becker read upcoming community events.  
Mr. Jones also recognized the passing of Mr. Hendel and the contributions he made to West Chester. He also noted that was the last meeting for West Chester Township employee Eileen Clines, adding her many positive attributes.  
Mr. Burks also commented on the caring by Mr. and Mrs. Hendel. He also noted that West Chester Township has again received a clean audit.

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to recess the July 9, 2024 Regular meeting. Discussion: none. **Motion carried unanimously.**

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**MOTION** made by Mr. Wong, seconded by Mr. Welch, to open the Public Hearing for 9023 and 9031 Cincinnati-Dayton Road, West Chester, Ohio 45069. Discussion: none. **Motion carried unanimously.**

**Public Hearing**

9023 and 9031 Cincinnati-Dayton Road, West Chester, Ohio

Township Counsel Jonathon Roach, said the Public Hearing pertained to the Resolution passed by the Board in May to declare the residential property at 9023 and the barn structure on 9031 to be unsafe and/or structurally defective. He said the property owner, Mr. David Bradbury, requested the hearing, he was present, accompanied by their attorney. Mr. Roach then explained the process that followed. Thereupon, Mr. Wong swore in all present who intended to testify on the matter.

Staff report: Scott Brooks, Bureau Chief for the Loss Prevention Bureau of the West Chester Township, gave testimony with a supporting PowerPoint presentation as to why the subject structures were unsafe and/or structurally defective. He also answered questions from Mr. Roach as well as the Trustees, followed by the Mr. Bradbury's counsel, Kevin Feazell with Cors & Bassett.

Mr. Wong then asked for comments as follows:

Proponent Comments:

Bill Lendel, 6080 Tennyson Court, expressed his concern with safety, adding that kids cannot be controlled and kept out of the structures.

Joan Seibenick, 6190 Marcus Court, Director of Administration & Finance for St. John's Church located across from the subject properties, expressed concerns with the properties and its safety.

Opponent Comments:

Doug Bradbury, 7447 Linn Road, Middletown, speaking on behalf of his father, David Bradbury, responded to questions from his attorney, Mr. Feazell. He noted their clean up efforts, his interaction with their insurance adjuster, and said the burned house is cleaned out. He said the barn could be cleaned out by August 8<sup>th</sup>. He then responded to questions from Jonathon Roach and the Trustees.

Mr. Wong asked Mr. Bernie Schroeder, West Chester Township Property Advisor, to address the Board. In response to Mrs. Becker's question, he noted the township's actions relative the subject properties to date, but said they have not taken court action. Thereupon, Mr. Schroeder read the subject Resolution: "Resolution declaring the structures at 9023 Cincinnati-Dayton Road, West Chester, Ohio 45069 and 9031 Cincinnati-Dayton Road, West Chester, Ohio 45069 unsafe and/or structurally defective and ordering such structures removed."

**MOTION** made by Mr. Wong, seconded by Mrs. Becker, to approve Resolution 28-2024 affirming the declaration that the structures at 9023 Cincinnati-Dayton Road, West Chester, Ohio 45069 and 9031 Cincinnati-Dayton Road, West Chester, Ohio 45069 unsafe and/or structurally defective and ordering such structures removed. Discussion: none. **Motion carried unanimously.**

Thereupon Mr. Wong closed the Public Hearing for 9023 and 9031 Cincinnati- Dayton Road, West Chester, Ohio 45069, subsequently asked for a Motion, and obliged by Mrs. Becker and seconded by Mr. Welch. Discussion: none. **Motion carried unanimously.** Mr. Wong again declared the Hearing closed.

(Fiscal Officer Note: Mr. Wong then declared a five minute break in the meeting.)

**MOTION** made by Mr. Wong, seconded by Mr. Welch, to open the following Public Hearing. Discussion: none. **Motion carried unanimously.**

**Public Hearing**

Case # MC 02-24 BC TID @ Liberty Way, Lot 2: Wawa

Staff report: Mr. Tim Dawson presented the staff report, including a PowerPoint presentation, aerials, elevations, site zoning history, as well as staff considerations and comments. He also noted the recommendations of Approval by the county and township review boards.

Mr. Dawson concluded by saying the Trustees were to either approve the application, approve with modifications, or deny the submitted Major Change. He then addressed Trustee questions.

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

Jonathon Woker, Planner with McBride, Dale, Clarion, said the modification would only apply to Lot 2. He explained their interest in modifying the zoning for a Wawa location, adding they did not object to Staff's Comments. His comments were followed by those of Patrick Warnaman, who explained the history of the Wawa Corporation and it's appeal to consumers. He answered Trustee questions. Mr. Woker then addressed the Board saying they were asking for signage considerations.

Mr. Wong then asked for comments as follows:

Proponent Comments: none.

Opponent Comments: none.

Neutral Comments: none.

Mr. Dawson then addressed the Board saying, if approved, Section 9 would need to be modified to allow for signage on Lot 1. Hereupon, he read the First Reading of Resolution 29-2024:

"This is a Resolution approving a Major Change to the Butler County TID and Liberty Way C-PUD, and Preliminary Development Plan for Wawa, Case # MC 09-23. When resolve, BC TID @ Liberty Way, Lot 2: Wawa:

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 the West Chester Township Zoning Commission and does hereby approve Major Change for Case # MC 09-23. When resolved the Zoning Commission recommended 13 conditions.

Thereupon, Mr. Wong closed the Public Hearing for Case # MC 02-24 BC TID @ Liberty Way, Lot 2: Wawa.

**MOTION** made by Mrs. Becker, seconded by Mr. Welch, to close the Public Hearing.

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

### Adjournment

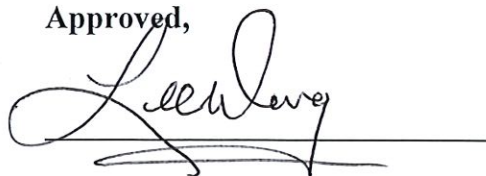
**MOTION** made at 8:38 p.m. by Mrs. Becker, seconded by Mr. Welch, to adjourn the July 9, 2024 Regular meeting. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,



**Bruce Jones, Fiscal Officer**

Approved,



**Lee Wong, Chairperson**

July 9, 2024

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