

Record of Proceedings: October 27, 2015
West Chester Township Board of Trustees - Regular Meeting

Convene: President Lang convened the meeting at 6:01 p.m.
Roll Call: Mr. Lang, Mr. Welch, and Mr. Wong responded.
Pledge of Allegiance: Lead by former West Chester Police Chief John Bruce and repeated by those present.

Citizen's Comments

There were no citizen's comments.

Presentations

There were no presentations.

Action Items – For Approval by Motion

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve the Trustee Meeting Minutes of October 13, 2015. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve payment of bills. Discussion: none. **Motion carried unanimously.**

Mrs. Boyko submitted the following requisition greater than \$2,500:

Requisitions – Greater than \$2,500.00

1. Fire \$3,118.00 Vogelpohl Fire Equipment – Repair the right side outrigger on vehicle #311, 2011 Sutphen Quint

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve payment of the 1 requisition item. Discussion: none. **Motion carried unanimously.**

Personnel Items

Mrs. Boyko introduced the next item saying the promotion was due to retirement and provided background information on Officer Hensley.

MOTION made by Mr. Welch, seconded by Mr. Wong, to promote Sergeant Jamie L. Hensley to the rank of Lieutenant effective October 28, 2015 at the annual salary of \$87,466.60 per the collective bargaining agreement with a one (1) year probationary period and contingent upon successful completion of applicable testing and procedures. Discussion: none. **Motion carried unanimously.**

Mrs. Boyko introduced the next item noting it was a promotion and attributable to the preceding promotion. She likewise provided background information on Officer Bruce.

MOTION made by Mr. Wong, seconded by Mr. Welch, to promote Police Officer Michael J. Bruce to the rank of Sergeant effective October 28, 2015 at the annual salary of \$76,057.92 per the collective bargaining agreement with a one (1) year probationary period and contingent upon successful completion of applicable testing and procedures. Discussion: none. **Motion carried unanimously.**

All three Trustees then commented on the responsibilities of our police officers, appreciation that the promotions were internal, their service is a calling of God, our police Department is second to none, the exceptional leadership of Police Chief Joel Herzog, and the risks borne by police officers and their family members, and the merits of the West Chester Police Citizen's Academy. Mr. Lang then turned the meeting over to Chief Herzog: Chief Herzog had Officers Hensley and Bruce come forward and praised the two officers. He then removed the sergeant badge and pinned a lieutenant badge on Sgt/Lt. Hensley. Subsequently Chief Herzog removed Officer Bruce's police officer badge and pinned a sergeant badge on him.

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve a complement of thirteen (13) on-call snow plow operators and hire on an as needed basis in some instances retroactively for the 2015-2016 winter season. Discussion: none. **Motion carried unanimously.**

Business Items

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve a five (5) year Maintenance and Use Agreement in substantially the same form as attached between the West Chester Township Board of Trustees and the Board of Park Commissioners of MetroParks of Butler County, Ohio effective November 1, 2015 to October 31, 2020 to use and maintain the maintenance building and equipment and maintain the township grounds for the Voice of America park; to authorize the Township Administrator to make non-substantive changes with Law Director approval; and to execute the agreement and all other necessary documents to effectuate said agreement. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to not object to a new D1 liquor permit for Orchid Cuisine, DBA Open Table, 4958 Union Centre Pavilion Blvd. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to not object to a new D5I liquor permit for West Chester Township Burgers Inc., DBA Bagger Dave's Burger Tavern, 9415 Civic Centre Blvd. Discussion: none. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

There were no first readings of resolutions or readings of emergency resolutions.

Citizen's Comments

Diane Wiater, 5664 Whitehouse Court, spoke regarding water run-off in the Red Mill Farm area, noting a large amount of water run-off that runs through an eight foot culvert less than 100 feet from her home. She said a person at the Butler County Engineer's office advised her to speak to the township. Ms. Wiater said she understood a feasibility study wasn't feasible, but asked that the township and residents work together to solve the problem.

Candy Vance, 5651 Winding Creek Way, spoke in support of Ms. Wiater's comments, and provided her personal experience with erosion. She said she would like to see something done with the erosion issue.

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

Mrs. Boyko introduced the next item saying the Board conducted the first hearing on the Zoning Map Amendment application, ZMA 06-2015– Tekulve Office/Warehouse and Storage, on October 13, 2015. The request was for a zoning map amendment from R-1A and B-2 to C-PUD and preliminary development plan.

As part of the second reading, Mrs. Boyko read, "Now therefore be it resolved that on the basis of the above actions and findings, the West Chester Township Board of Trustees does hereby concur with the recommendation of approval of the West Chester Township Zoning Commission and does hereby approve the proposed Zoning Map Amendment and Preliminary Development Plan for the aforesaid application with the following conditions", noting there were 16 conditions.

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Resolution No. 28-2015 approving a Zoning Map Amendment from R-1A & B-2 to C-PUD and Preliminary Development Plan for case #ZMA-06-15 – Tekulve Office/Warehouse and Storage. Discussion: Mr. Lang observed that the change complies with the Township's Comprehensive Land Use Plan and the PDP with certain conditions was consistent with the development characteristics of the plan. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying the Board conducted the first hearing on the Zoning Map Amendment application, ZMA 07-2015, Springs at West Chester, on October 13, 2015. The request was for a zoning map amendment from M-2 to R-PUD and preliminary development plan.

As part of the second reading, Mrs. Boyko read, "Now therefore be it resolved that on the basis of the above actions and findings, the West Chester Township Board of Trustees does hereby concur with the recommendation of approval of the West Chester Township Zoning Commission and does hereby approve the proposed Zoning Map Amendment and Preliminary Development Plan for the aforesaid application with the following conditions", noting there were 10 conditions.

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve Resolution No. 29-2015 approving a Zoning Map Amendment from M-2 to R-PUD and Preliminary Development Plan for case #ZMA-07-15 – Springs at West Chester. Discussion: Mr. Wong said, "A Planned Unit Development (PUD) zoning map amendment application must not only comply with the proposed land use recommendation of the Township's Comprehensive Land Use Plan, but the

site design and layout and proposed uses must be consistent with the development characteristics of the land use plan as well. Continental is to be commended for its willingness to re-approach its proposed development and redesign the site to comply and be consistent with the Township's Comprehensive Land Use Plan." Mr. Welch commended staff, Mark Varnau, and Continental personnel for all their work, and provided data regarding the economic impact on West Chester. He said it satisfies the needs of "baby boomers" when they downsize. Mr. Lang commended Mark Varnau and Continental, and said he likes the fact the project is high density, saying it's needed to support the businesses in the central business district. He praised his fellow trustees for demanding better of the developer. **Motion carried unanimously.**

Discussion Items & Elected Official Comments

Mrs. Boyko said Ms. Wiater's situation was very difficult due to statutory limitations on township action on private property. Mr. Franck will meet with and share whatever resources he can with impacted property owners.

She noted there will be only one trustee meeting in November, November 17th, and the two meetings in December will be on the 1st and 15th, all changes attributable to holidays.

Mr. Jones observed that Saturday was Halloween and advised additional care since children will be out. He also noted we'll need to turn our clocks back an hour that evening, and suggested people change the battery in their carbon monoxide detectors.

Recess to Executive Session

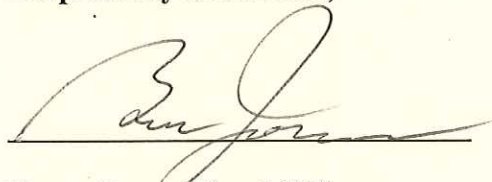
At 6:35 p.m., Mr. Lang asked for a motion to recess the Regular meeting and go into Executive Session with legal counsel for the purpose of considering and discussing (1) personnel matters: discipline, termination, or promotion, hiring, or transfer of a current public employee, (2) Acquisition, sale, or swap of real property, (3) Current and pending litigation. Motion made by Mr. Welch, seconded by Mr. Wong. Discussion: none. **Motion carried unanimously.** Mr. Lang declared the meeting in recess and said the Board would return after Executive Session to adjourn the Executive Session and the Regular meeting respectively.

Post Executive Session/ Adjournment

MOTION made at 7:01 p.m. by Mr. Wong to adjourn the Executive Session, seconded by Mr. Welch. Discussion: none. **Motion carried unanimously.**

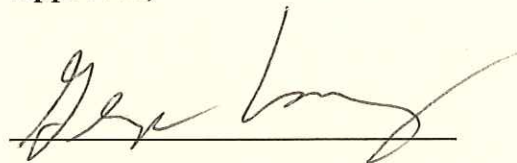
MOTION made by Mr. Wong to adjourn the Regular meeting, seconded by Mr. Welch. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,



Bruce Jones, Fiscal Officer

Approved,



George Lang, President