Record of Proceedings: July 23, 2013
West Chester Township Board of Trustees - Regular Meeting

Convene: President Wong convened the meeting at 6:00 p.m.
Roll Call: Mr. Wong, Mrs. Stoker, and Mr. Lang responded.
Pledge of Allegiance was led by Carlin Green from Boy Scout troop 962: Repeated by those present.

Citizen's Comments

Carl Rullmann, 8285 Ventle Drive, referred to 2 agenda items, the 2013 contracts for paving and slurry sealing. He said the costs were down by 11% and 19% respectively compared to 2012, but questioned how many miles of pavement were involved, adding that these agenda items significantly vary from year to year. He said this is the Board that believes slurry seal is an effective street maintenance method, and suggested other residents that previously have had slurry seal applied to their street could express their opinion about their appearance and effectiveness. Mr. Rullmann said this Board did not respond to his zoning issue questions at the June 11th meeting when he asked, "which are more important and have more value . . . the rules, which you continually make more cumbersome, or the individual people whom you purport to serve?" He said this is the Board that spend $2 million on 3.2 acres of virtually unusable land and failed transparency by not listing the expenditure on the meeting agenda; the Board with a member that got work started on a crosswalk prior to Board approval, terming it a conflict of interest issue; the Board that discusses electric aggregation, terming it dubious when government selects an electric aggregation vendor for others to use; the Board that would not push back against unconstitutional and unfunded mandates. He concluded by saying citizens expect this Board to support and defend the Constitution of the United States.

Presentations

There were no presentations.

Action Items – For Approval by Motion

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to approve the July 9, 2013 Meeting Minutes. Discussion: Mrs. Stoker noted there was but one change. **Motion carried unanimously.**

MOTION made by Mrs. Stoker, seconded by Mr. Lang, to approve payment of bills.
Discussion: none **Motion carried unanimously.**

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

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Requisitions – Greater than $2,500.00

1. Services $1,496,010.91 John R. Jurgensen Company- 2013 paving contract (CIP #659 and CIP#1024)
2. Services $229,751.87 American Pavements, Inc. – 2013 slurry seal contract (CIP #932)
3. Services $16,539.88 D.A. Van Dam Associates – Purchase materials to improve Red Mill drainage culvert and storm water system (existing PO# S130921 – vendor change)
4. Services $5,150.90 Miller Mason Paving Company – 2013 chip seal contract (CIP #1082)

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to approve payment of requisitions 1 through 4. Discussion: none. **Motion carried unanimously.**

Personnel Items

Mrs. Boyko introduced the next agenda item by saying the Board began a performance based merit increase program in February of 2006, replacing the typical government step system for qualified, non-contract employees. The proposed motion pertained to 67 employees, or about 28% of the Township's workforce, and is a result of studies by Finance and HR personnel. Their system entails a pool of money by department based on current payroll, and a "not to exceed" amount for any one employee if they were granted a merit increase. The proposal entailed a 2.5% merit pool and a not to exceed 4% increase for any one employee's merit performance. It would increase direct payroll cost by approximately $100,000 and indirect costs by approximately $17,000.

MOTION made by Mrs. Stoker, seconded by Mr. Lang, to approve 2% of applicable current payroll for consideration for 2013 merit performance increases for all qualified non-contract exempt and non-exempt employees and to approve a not to exceed 4% increase for any individual employee's merit performance and to authorize the Township Administrator to approve and apply said merit performance increases effective the first full pay period in July, subject to already approved and existing related policies and procedures**.** Discussion: Mr. Lang expressed his opposition to the motion by saying, though he believes we have the best government employees in the state, our revenue sources are drying up: the Local Government Fund, the inheritance tax, and ad valorem taxes. He attributed that to the state balancing its budget at the expense of local governments and predicted cost shifting from the state to local governments, resulting in more levies. He also cited a study that determined the total average compensation for the public sector was 43% higher than the private sector. He also cited a study of the Lakota Local School District that determined there was an average household income increase of less than 1% for both 2010-11 and 2011-12. He said the public sector cannot continue to grow at a pace greater than the private sector, cited West Chester Township employees' salaries, and encouraged the other two Trustees to join him in opposing the motion. Mrs. Stoker responded by noting our recent audit report credited the Township for its discipline and restraint with expenditures. She said expenditures from the general fund have been decreasing in the last several years, attributing that to their efforts to work smarter and more efficiently. Mrs. Stoker added that their 67 non-contract employees are doing the work that 75 employees did several years ago, thereby reducing the cost of providing services by hundreds of thousands of dollars. She also commented that Mr. Lang suggested years ago they replace cost of living raises for their non-contract employees with merit raises, and praised these employees

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for reducing costs. She cited a study that said companies were planning salary increases averaging 2.7% for 2013, another source that termed 3% salary raises "the new normal", and said she didn't believe the Township was out of sync with the private sector. She concluded by saying she thought it important to recognize employees who have reduced the Township's expenses by hundreds of thousands of dollars, believes they could lose their best and brightest to the private sector as the economy improves, and therefore supports merit increases in which no one would receive more than a 4% increase. Mr. Lang responded that government couldn't continue to grow in a recession while the private sector is flat because it's the private sector that funds government, and government services were not revenue producing. He identified cities and states with economic problems, saying a day of reckoning is coming. Mrs. Stoker responded by saying the cities and states he cited have been spending in excess of their revenue for years, and that's not the case with West Chester. She noted West Chester has the highest credit rating because they carefully spend their money. Mr. Wong said they eliminated automatic step increases in 2006 and promised employees merit increases based on performance. They eliminated 20 positions that saved them over a million dollars, the employees assumed more work, noted Mrs. Stoker's motion reduced the increase from $100,000 to $80,000, and said it is not right to not reward them for their good performance. These were the reasons he's supporting the motion. Mr. Lang said they should discuss Mrs. Boyko's compensation because she hasn't received a raise in years though she's done a tremendous job. **The motion carried** with Mr. Wong and Mrs. Stoker voting in favor of the motion and Mr. Lang voting in opposition.

Mrs. Boyko introduced the next agenda item by saying the item is necessary because the Fire Department's part-time firefighters/paramedics are below complement.
MOTION made by Mrs. Stoker, seconded by Mr. Lang to hire three (3) part-time employees to fill vacant positions: FFII/EMT Jared Drenik, FFII/EMT Joe Elliott, FFII/EMT Brian Sanders effective August 6, 2013, all at the hourly rate of $15.61 with a one year probationary period and contingent upon successful completion of applicable testing and procedures. Discussion: none. **Motion carried unanimously.**

Business Items

MOTION made by Mrs. Stoker that, having reviewed the staff report and affidavit, we declare the properties listed on the West Chester Township Board of Trustees meeting agenda dated July 23, 2013 to be public nuisances as authorized by the Ohio Revised Code. Staff is directed to cause removal of the nuisances identified, and monitor the properties 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 Mr. Lang. Discussion: none. (Fiscal Officer note: The six subject properties are 8108 Lawrence Drive, 6027 Glenn Trace Lane, 9183 Centre Pointe Drive, 7929 Ruth Court, 9228 Centre Pointe Drive, and 7334 Barret Road) **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to not object to a new liquor permit for OSUWITT LLC DBA Milano's Atlantic City Submarines, 7701 Voice of America Centre Drive. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to not object to a liquor permit ownership revision for SBR Three LLC DBA Smashburger, 7598 Cox Lane. Discussion: none. **Motion carried unanimously.**

Mrs. Boyko introduced the next agenda item saying the Township, in concert with Liberty Township would be petitioning the Ohio Department of Transportation through the Butler County Engineer's office to consider a traffic engineering and speed limit study for the subject portion of Liberty Way. She said the Butler County Engineer's office believes the currently posted speed limit of 55 miles per hour is excessive given the development that may occur there in the next several years.
MOTION made by Mrs. Stoker, seconded by Mr. Lang, to approve statutory Resolution No. 12-2013 requesting a review of the Speed Limit Engineering and Traffic Investigation Study for Liberty Way between Cincinnati-Dayton Road and Cox Road, and to determine the statutory vehicular speed limit established by Ohio Revised Code Section 4511.21, and whether such speed limit is greater or less than considered reasonable and safe. 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

Jim Schaffer, 8283 White Hill Lane, a 29 year resident, said he was there representing the Cincinnati Chapter of the Sons of the American Revolution (SAR). He was accompanied by Colonel Don McGraw, Chapter President. They were there to present a Flag Certificate to the Board of the Voice of American (VOA) Museum of Broadcasting in recognition of its patriotic display of the American flag at the museum site. Mr. Schaffer expressed his appreciation for being allowed to speak. He expressed a brief history of the VOA and commented how it inspires patriotism, and expressed his appreciation to the Board for preserving it. Colonel McGraw then spoke. He said the Sons of the American Revolution is a fraternal and civic organization composed of lineal descendants of those who fought in the American Revolutionary War or those that supported it. He said the SAR supports national symbols of American freedom, as well as the value and appreciation for true patriotism. He related his global experiences that fostered his appreciation for the American flag and all for which it stands. He then called on Ken Rieser, Board member of the National Voice of America Museum to receive the 2013 Flag Certificate. Thereupon Mr. McGraw made the presentation to Mr. Rieser and photographs were taken with the elected officials. Mr. Rieser then expressed his appreciation to the Township for all its work on the VOA museum.

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

There were no second readings & vote on pending resolutions, or vote on emergency resolutions.

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Discussion Items & Trustees Comments

Mrs. Boyko recognized the presence of T.C. Rogers, Butler County Commissioner.

Mrs. Boyko updated the Board on the electric aggregation program, saying the current renewal for the aggregation brokerage services for the electric supplier expires at the end of the year. She noted that they had contracted with First Energy Solutions (FES) as the electric aggregation supplier since 2011 (Fiscal Officer's note: The Fiscal Officer has been advised that the FES has been the electric aggregation supplier since 2010); originally the contract was for 2 years with a 1 year extension that takes them through this year. During this period they've had between 16,000 and 12,000 accounts, and participation in the program has now stabilized at about 12,000. They have calculated savings per account at approximately $655 and aggregate savings to approximate $9 million, both compared to the cost by Duke Energy. She noted there's no cost comparison with other suppliers. She also noted that people can opt out of participating in the aggregation program at any time. Mrs. Boyko explained that prior to the conclusion of the contract with FES, the Township's broker, Mark Burns from Independent Energy Consultants, would solicit a Request for Proposal (RFP) from energy industry suppliers. She said he's begun the RFP process and should be able to provide the results early next month, and she'll subsequently provide this information to the Board. Though she was not seeking direction at this time, she wants the Board to know that they'll need to act on this and authorize her to negotiate a contract in the next couple of meetings if they wish to continue with the electric aggregation program.

Mr. Lang also acknowledged the presence of T.C. Rogers at the meeting.

Mrs. Stoker said the Junior Youth Triathlon Championship will be held at the VOA Park in a week in a half, and it will have about 500 entrants. They'll help our economy as they use our hotels and restaurants. She said this is payback for our park development initiatives, referencing the Crazy Cardboard Regatta at the park the previous weekend as another example.

Mr. Wong noted things the Township does for residents, such as the Thursday evening activities at The Square and the bands at Keehner Park on Saturday. He also acknowledged T.C. Rogers.

Adjournment

At 6:47 p.m. Mr. Wong confirmed there wouldn't be an Executive Session after the meeting, and asked for a motion to adjourn the meeting. Motion made by Mr. Lang, seconded by Mrs. Stoker. Discussion: none. **Motion carried unanimously.**

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Bruce Jones, Fiscal Officer **Lee Wong, President**

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