

Record of Proceedings: **July 12, 2016**
West Chester Township Board of Trustees - Regular Meeting

Convene: Vice President Lang convened the meeting at 6:00 p.m.

Roll Call: Mr. Lang and Mr. Wong responded. Mr. Welch had an excused absence.

Pledge of Allegiance: Repeated by those present.

Citizen's Comments

Gene Drozd, 8382 Country Oaks Station, said PPS's (Professional Psychiatric Services) proposed new facility was in the wrong location. He asked Mr. Wong to explain his "bigotry comments" from the previous Trustee meeting regarding PPS, as well as referring to PPS's patients as "crazy people". He concluded by saying Mr. Wong should apologize.

Presentations

There were no presentations.

Action Items – For Approval by Motion

MOTION made by Mr. Wong, seconded by Mr. Lang, to approve the Trustee Meeting Minutes for June 28, 2016. Discussion: none. **Motion carried.**

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

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

Requisitions – Greater than \$2,500.00

1. Fire \$2,600.00 Sutphen Corporation – Contract for aerial platform inspection services for Vehicle 311 and 610
2. Services \$3,600.00 James L. and Candice R. Peace – Refund purchase of four graves

MOTION made by Mr. Wong, seconded by Mr. Lang, to approve payment of requisitions 1 and 2. Discussion: none. **Motion carried.**

Personnel Items

MOTION made by Mr. Wong, seconded by Mr. Lang, to hire two 2016 April through October seasonal employees: Mr. Andrew Willke (UCB) effective June 29, 2016 and Mr. Kristopher Wetzell (Parks) effective July 8, 2016; one 2016 May through September seasonal employee Mr. Ervin Kolb (Roads) effective July 5, 2016, all at the hourly rate of \$11.25 Discussion: none. **Motion carried unanimously.**

Business Items

MOTION made by Mr. Lang that, having reviewed the staff report and affidavit, we declare the properties located at 7904 Wise Avenue and 6917 Southampton Drive to be public nuisances as authorized by the Ohio Revised Code.

Staff is directed to cause removal of the nuisances identified, and monitor these properties for 90 days to require continued compliance. An administrative charge of 25% shall be added to the contractor fee for these properties. Motion seconded by Mr. Wong. Discussion: none.

Motion carried.

MOTION made by Mr. Wong, seconded by Mr. Lang, to accept Premier Way (Section 4, Town 2, Range 2) and journalize at 25 mph with the provision all decorative signage and landscaping be maintained by the private property owners or by a POA if and when established. Discussion: none. **Motion carried.**

First Reading of Resolutions & Reading of Emergency Resolutions

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

Citizen's Comments

Sherry Harbin, representing 9117 Cincinnati-Columbus Road, PPS, said PPS was anxiously awaiting a formal response from the Township so they could proceed to the next step. She continued by responding to comments made at the previous meeting: Mr. Welch said PPS should have engaged the PYO (Pisgah Youth Organization) in conversation to address their concerns. She said they had reached out, noting an email (see attached, page 1) dated April 19. She said they never received a response. She cited a subsequent occasion when they reached out to the PYO, again saying the PYO did not respond. Ms. Harbin said PYO neighbors expressed a "not in my backyard" concern, responding that PPS is currently in the backyard of a childcare center. She added that PPS previously shared letters from its current neighbors indicating PPS was a great neighbor, and they've never had a single negative encounter between their neighbors and their patients. She asked, "where is the backyard fear coming from"? She said PPS serves many of the families that are part of the PYO organization, adding they didn't want to be pressured into signing a petition against PPS (see attached pages 2 and 3). Ms. Harbin said they could outnumber the number of signatures the PYO has obtained for their petition, but cannot compete due to client confidentiality. She questioned why PYO would consider litigation since the subject property is zoned for Medical Services. She again invited the PYO and Township Trustees who have not visited their Mason facility to come visit. She concluded by saying their goal was meet with everyone and resolve this matter peacefully.

Dennis Hennan, 8606 Fireside Drive, said he's been associated with PYO most of the 45 years he's lived in West Chester. He said Mr. Lang's question – "Does this make sense", referring to the location – was the heart of the discussion. He said people are vehemently opposed to the proposal, specifically for security reasons. He commented that Dr. Aziz was highly qualified to meet his patient's needs, but reiterated it was the wrong location.

Greg Ernst, 8379 Country Oaks Station, said he's President of the PYO. Responding to Ms. Harbin's comment about emailing the PYO an invitation, he said he's only received one email, and it was "abundantly unclear what exactly was going to go on across the street". "They (the PYO) were in a cloud of confusion." He said the PYO Board sought legal input, but never considered pursuing litigation against anyone. Mr. Ernst proceeded to give an extensive background about the PYO's activities, funding, and membership. He said they mailed two letters to their membership that only said they opposed the location. He said at the 39 minutes, ten second mark of the May 10th meeting Dr. Aziz stated they will use methadone at his clinic. "That directly correlates to part of the zoning issues we feel doesn't fit". He said, "It's just a very, very bad location. It's not zoned that way, with the methadone, pure and simple." He said they had the same discussion several years ago with a proposed methadone clinic near the PYO, and it was subsequently denied by the zoning board. He noted that was but a part of what Dr. Aziz does.

Roger Melford, 8125 Woodward Drive, said he's a trustee with PYO and involved with the organization about 38 years. He said Bonnie's Rest Home, right down the street, was going to be converted into a drug rehab center a couple years ago, but the zoning board stopped it. Mr. Melford compared that proposed facility with what PPS was proposing. He spoke in opposition to the location, citing the various addictions he understood were to be treated there. He concluded by saying the people of West Chester should have the opportunity to vote on whether or not that is an acceptable location.

Gene Drozd, 8382 Country Oaks Station, asked that the minutes accurately reflect the volume of the number of petitions they had accumulated: "three meetings ago (they) had 200, two meetings ago (they) had 400, the last meeting (they) had 500, and at that point in time (they) have over 700 petitions filled out that say, in so many words, this is the wrong location". He said no one was pestering or pressuring anyone to sign a petition, rather folks that hear about it overwhelmingly want to sign the petition saying it's in the wrong location proposed. Mr. Drozd proceeded to read a number of comments from people opposed to the facility location. He concluded by asking the Trustees to conclude their study and ask Dr. Aziz to locate in another area of the Township.

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

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

Discussion Items & Elected Official Comments

Mrs. Boyko said the Township in 2007 pledged revenues from the Tylersville Road TIF and certain properties from the Cincinnati-Dayton Road TIF, knowing the Liberty Interchange would enhance access to developable West Chester properties along Hamilton-Mason Road and Liberty Way. With rates so competitive, the Butler County TID initiated refunding the 2007 Liberty Interchange bonds this summer, anticipating saving over \$10 million. Their bond representative, Andy Brossart will attend the July 26th Trustee meeting and present the terms of the refunding and the Board of Trustees will have the opportunity to approve a resolution approving the First Supplemental to the Intergovernmental Agreement, and consent to the

First Supplementals of the Project Funding Agreement and the Trust Agreement, respectively. Mrs. Boyko confirmed for Mr. Lang that the \$10 million in savings will not be exclusively West Chester Townships', but multiple jurisdictions, benefiting Butler County residents and commercial taxpayers. Mrs. Boyko also shared, as an operational issue, a brief video in which the Community Services Department expressed their support for the West Chester Township Police Department.

Mr. Wong read a statement that suggested people think about how they felt about the shootings in Baton Rouge, Milwaukee, and Dallas. It advised people that they could be a part of either the problem or the solution. He said we have a good community, but people are dreaming if they don't think we have issues with drugs, alcohol, racism, etc., just like any other community. He proceeded to compare PPS with Lumiere, noted he originally supported the moratorium to study the cost and effect, but said he has not received a report after four months; just legal opinions and fees. Mr. Wong said this is wrong and unacceptable, and they need to have a public hearing, rather than letting confusion, misinformation, and tensions linger. He expressed understanding with people's zoning concerns, adding that the moratorium was getting out of control if we don't come to a resolution quickly. He asked Mrs. Boyko when PPS would hear something about this. Mrs. Boyko responded that would depend on the direction of the Board.

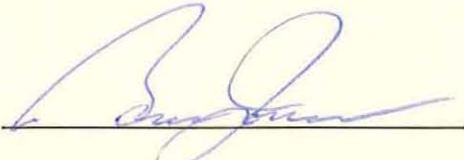
Mr. Lang said the PPS matter was not a simple decision, and said there was misinformation on both sides. He said there were "conspiracy theories" including PPS's that implicated him in a land deal, which he found highly offensive. Mr. Lang asked Mrs. Boyko to clarify whether methadone is a permitted use at the proposed location. Mrs. Boyko said the interpretation would ultimately come from the Township Zoning Department. She said they would be using the last information submitted to the Township by PPS's attorney and Dr. Aziz on June 10th advising that they would not be using methadone. Methadone use would be evaluated categorically in terms of a "like use". Mr. Lang said he thinks they are getting close to making a decision on the moratorium, possibly in the next one to two meetings, though he is not permitted by law to share privileged information. Mr. Lang also commented on the shooting of the Dallas Police Officers and expressed his admiration for the members of the West Chester Police Department. He concluded his comments by saying the Union Centre Boulevard Merchants Association asked him if the Township would be willing to contribute \$5,000 for additional fireworks for their food truck rally, adding that the Board could discuss the idea when Mr. Welch was present.

Adjournment

MOTION made at 7:00 p.m. by Mr. Wong, seconded by Mr. Lang, to adjourn the meeting.
Discussion: none. **Motion carried.**

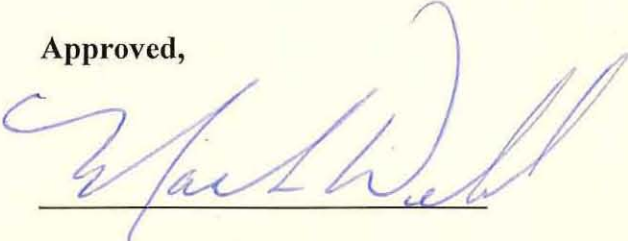
(Fiscal Officer Note: The preceding four pages are narrative minutes. The signatures of the Fiscal Officer and Board President appear at the top of page five, constituting the entirety of page five. Following that page are the three pages referenced in the Citizen Comments by Sherry Harbin. There are a total of eight pages in this document.)

Respectfully Submitted,

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

Bruce Jones, Fiscal Officer

Approved,

A handwritten signature in blue ink, appearing to read "Mark Welch", written over a horizontal line.

Mark Welch, President

Subject: Re: 2016 Drug Addiction Center - On-line Petition
From: [REDACTED]
Date: Mon, July 11, 2016 12:39
To: president@pyobaseball.org
Cc: "dr aziz" <Aziz@ppsyach.com>
Priority: Normal

Please stop sending these emails. I urge you to go to the current office of PPS and actually witness what goes on. There are no mental I'll people walking around trying to harass anyone! People in the waiting room are family members, hard working people that help our community that need medical attention. My son is a patient of Dr. Aziz and I am thoroughly pleased with his service. I would hate to think that you place our family, who has been a supporter of PYO for years, in a mythical category of deviants. Mental illness is not a crime.

Thank you for your time,
[REDACTED]

Sent from my iPhone

On Jul 11, 2016, at 12:14 PM, Greg Ernst <president@pyobaseball.org> wrote:

TO: All PYO Members

This letter will serve as an update to my previous communication of 4/9/2016, below.

On 4/12/2016 West Chester Township placed a Moratorium on the issuing of a zoning certificate for establishing this type of facility within West Chester Township. The Moratorium was put in place to allow the Township to study and analyze the uses, the impact and secondary effects to the community.

There is no doubt there are folks in our community that could benefit from the services proposed by The PPS Group and we sympathize with their need. We are not opposed to the services being established in our community. We believe by allowing PPS to locate where proposed will bring a high concentration of folks with Psychiatric Illnesses as well as Addictions to Drugs, Alcohol, Sex and Gambling in contact with our youth. Note this is not lock down facility as patients can come and go. We are and **remain very opposed** to the specific location of the proposal which is directly across the street from PYO.

We believe the Township is coming close to finalizing their study. **I am again asking for your support that this facility NOT be established at a location directly across the street from PYO's Main Ballfield Complex.**

Please sign our on-line Petition if and only if you have not signed a hard copy of same in the past - <http://www.ipetitions.com/petition/pyochildrenatrisk> . OK to forward to your family, friends and neighbors as well.

Thanks in Advance for your support.

Greg Ernst
PYO President

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The below letter was sent to all PYO Members on 4/9/2106

We just learned of this matter and I'll try to be brief.

During the period of August 2015 through February 2016 Dr. Mohamed Abdel Aziz, of Mason OH, purchased 7 Tracks of land (almost 12 acres of land and buildings) directly across Cincinnati-Columbus Road from the PYO Youth Baseball Complex.

The Professional Psychiatric Services' intent is to provide Medical Services that include the medication management for Psychiatric Illnesses, Pharmacy and Laboratory for his community members and Addiction services for Drug Addiction Patients to name a few. The levels of proposed care are outpatient, research and Pharmacy services(60%) and Residential Services for mental health and Substance abuse (40%). The attached letter, dated March 30, 2016, contains more details of the plan.

At this point, West Chester Township tells us this type of operation could qualify under the existing zoning rules. We were told there is flexibility written into West Chester Township's Zoning that would allow for a small amount of Drug Addiction Treatment to be conducted directly across the street of the PYO Baseball/Softball Complex. We do not feel any amount of drug addiction treatment across the street of the PYO Baseball/Softball Complex is appropriate.

It is recognized facilities like the one planned above are needed, however, PYO's position is twofold:

- 1) Facilities like this should never be located in a place near, Schools, Residential Neighborhoods, Day Care businesses, High Volume Retail, High Volume Fast Food and or Youth Recreational Areas.
- 2) We do not feel under any circumstances should there be a facility of this nature located directly across the street from the PYO facility that hosts over 1500 families with children from the ages of 3 ½ to 18 years of age participating in our Youth Programs.

We ask for your help by speaking to your neighbors and friends and by attending the West Chester Board of Trustee Meeting.

Board of Trustee Meeting

- **Date:** 04/12/2016. 6:00 PM
- **Location:** Township Hall
9113 Cincinnati Dayton Road
West Chester, Ohio 45069

If you wish to express your viewpoint at the meeting, please get there by 5:45pm and sign-up in at the back of the room to be on the Speaking Agenda.

Thank you in advance for your support.

Greg Ernst
President

Attachments

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Subject: Invite to visit our office
From: maziz@pppsych.com
Date: Tue, April 19, 2016 11:51 am
To: president@pyobaseball.org
Priority: Normal

Dear Mr. Ernst,

This is Mohamed Aziz, your neighbor across the street from the PYO on Columbus Cincinnati Road. I understand the PYO voiced concerns about the use of our facility and its proximity to the PYO.

I would like to invite you to visit our facility in Mason with other PYO members to familiarize you with our services and address any concerns you might have regarding our services moving to the neighborhood.

Please kindly let me know.

Sincerely,

Mohamed Aziz

*Submitted for record by PPS/Sherril Harbin at
Board of Trustees' July 12th meeting.*