

Record of Proceedings: April 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: Repeated by those present.

Mr. Lang announced he would be leaving the meeting at 6:45 p.m. due to a personal conflict.

Citizen's Comments

David Brown, 130 High Street, Hamilton, on behalf of the Butler County Auditor's Office began by stating he had his hair cut off to raise funds for the Lakota West Relay for Life cancer research fundraiser. He said Monday, June 3rd is the deadline to apply for a Homestead Exemption on their property tax, and identified the criteria for and features of the exemption. Mrs. Stoker asked if applicants need to re-apply each year, to which Mr. Brown answered they do not, unless there is a change in their qualifying status. He also said August 7th is the deadline for any public entity to file with the Board of Election's office if they want to place a levy on the November ballot, and the Auditor's office would like for them to contact his office by June for any assistance needed in projecting levy revenue relative millage and applicable property values.

Presentations

There were no presentations.

Action Items – For Approval by Motion

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to approve the Trustee Meeting Minutes of March 12, 2013. Discussion: none. **Motion carried unanimously.**

MOTION made by Mrs. Stoker, seconded by Mr. Lang, to approve the Trustee Meeting Minutes of March 26, 2013. Discussion: none. **Motion carried unanimously.**

MOTION made by Mrs. Stoker, seconded by Mr. Wong, to approve the Trustee Meeting Minutes of April 9, 2013. Discussion: Mr. Lang noted he was absent that meeting. **Motion carried;** Mr. Wong and Mrs. Stoker voted in favor and Mr. Lang abstained.

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

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

Requisitions – Greater than \$2,500.00

1. Adm \$5,839.50 OnviSource, Inc. – Renew annual service agreement for software and support for recording of emergency communications and certain landlines

2. Services \$16,539.88 Butler County Engineer's Office – Purchase materials to improve Red Mill drainage culvert and storm water system (CIP #967)
3. Services \$15,000.00 Rush Truck Centers of Ohio – Repair 2001 International dump truck (CIP #1070)

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to approve payment of requisitions 1 through 3. Discussion: none. **Motion carried unanimously.**

Personnel Items

Mrs. Boyko introduced the organizational restructuring by stating the proposal is not to dissolve the operations of WCCTV, but to integrate it more closely with other Township multi-media and marketing operations. She said the restructuring would not increase the size or cost of government. The organizational restructuring proposal would more strategically use the Township's various communication resources. It would integrate them with WCCTV and other multi-media and marketing medium, create economies of operational scales, reduce annual costs by approximately \$70,000, and achieve greater market reach.

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to approve the proposed organizational restructuring plan, as illustrated on their April 23rd meeting agenda supporting documentation, eliminating and consolidating the WCCTV Department and the Public Information and Marketing office to create the Integrated Multi-Media and Marketing Department; creating the positions of Director of Integrated Multi-Media and Marketing, Integrated Multi-Media Production Specialist, and Public Relations Coordinator and reclassifying or eliminating other organizational positions, and placing certain current employees accordingly; approving applicable job descriptions; revising the applicable Township's organizational charts and the exempt and non-exempt compensation program to reflect the changed positions and promoting Mrs. Barbara Wilson to the Director of Integrated Multi-Media and Marketing, effective April 24, 2013 at the annual rate of \$74,000. Discussion: Mr. Lang said he thought this was great for the Township because they were reducing personnel costs by consolidating departments, resulting in a savings of \$70,000. He also expressed high praise for Mrs. Wilson's performance record. Mrs. Stoker said this reorganization is consistent with the Township's practices in the past 10 years of eliminating unnecessary personnel through attrition, consolidation, reorganization, and reassignment personnel strategies. She said this is about the 25th such reduction in staff, resulting in a leaner, more efficient organization, while delivering expected essential services. Mrs. Stoker also said the restructuring since 2012 will result in savings of \$450,000, the expanded shared services with the Butler County Engineer's office have resulted in \$300,000 annual savings, and the reorganization and reassignments for the past 10 years have resulted in savings of \$1.275 million a year. Mr. Lang and Mrs. Stoker exchanged comments about improved efficiency, technology, and communication. Mr. Wong said he agreed with the other two Trustees, adding that the restructuring plan makes the organization even leaner without reducing the delivery of service, and we always strive to perform and operate with "just enough" resources – both human and capital. **Motion carried unanimously.**

MOTION made by Mrs. Stoker, seconded by Mr. Lang, to hire two (2) April – October seasonal employees: Mr. William Schibler (Roads) effective April 15, 2013 and Mr. Jacob Wyant (Roads) effective April 29, 2013; and two (2) May – September seasonal employees: Mr. Kevin Kick

(Parks) effective May 1, 2013; and Mr. Steven Anderson (Roads) effective May 6, 2013, all at the hourly rate of \$11.25. Discussion: none. **Motion carried unanimously.**

Business Items

MOTION made by Mrs. Stoker, seconded by Mr. Lang, to advertise request for proposals for depository and banking services for January 1, 2014 through December 31, 2018. Discussion: none. **Motion carried unanimously.**

Mrs. Boyko introduced the West Chester Baseball Partnership (WCBP) proposal to establish a naming rights program for the fields at the baseball complex. Their proposal was for commercial sponsor(s) for restricted signage and exclusive naming rights of the baseball fields, but not the entire complex. Staff had reviewed their proposal and currently has no concerns with it as presented.

MOTION made by Mrs. Stoker, seconded by Mr. Lang, to permit the West Chester Baseball Partnership (WCBP) to establish a field naming rights program at the West Chester Baseball Complex (WCBC) with conditions as already presented to and accepted by the WCBP and generally encompassing:

- Any executed naming rights agreement with a sponsor must survive successors, heirs, assignees, etc. in the event the West Chester Baseball Partnership, aka WCBP, does not hold the lease agreement with the Township to manage and operate the WCBC; and,
- Any identification, sponsor, directional or other proposed signage of the naming rights program and their location, size, copy, etc. shall be subject to the governing documents of the National Park Service, to the applicable resolutions of West Chester zoning, and consistent with the terms and conditions of the lease agreement; and,
- Proper assurances must be received by a credible source, certifying the infrastructure to which a sign is adhered can handle the load. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang that, having reviewed the staff reports and affidavits, we declare the properties listed on the West Chester Township Board of Trustees meeting agenda dated April 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 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 Mrs. Stoker. Discussion: Mr. Lang asked Mrs. Boyko if someone called and complained about these two properties. Mrs. Boyko replied that, historically and previously, the Township has received complaints. Mr. Lang commented that they didn't appear to be as severe as previous nuisances. Mrs. Stoker commented that the properties are located in the Central Business Districts and they might apply a higher standard as a result. Mr. Lang concurred, noting one was in bankruptcy and has an absent owner. (Fiscal Officer note: The two subject properties were 9228 Centre Pointe Drive and 9183 Centre Pointe Drive.) **Motion carried unanimously.**

MOTION made by Mrs. Stoker, seconded by Mr. Lang, to approve statutory Resolution No. 05-2013 declaring surplus items for disposal. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to approve the request to advertise for the 2013 Storm Water Pipe Replacement Program. Discussion: Mrs. Stoker said it is essential we maintain our storm water pipes and culverts or we lose our roads, observing the processes involved in overseeing their maintenance. Mr. Lang agreed it was essential. **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

Dan Meehan, 9412 Patti Circle, asked if the Township had ever considered offering those property owners that have a drainage swale in their front yard to pay half the cost of a pipe, saying it would eliminate the ongoing maintenance the Township and the property owners need to take care of. He then said the real purpose for commenting that evening was his experience the previous weekend when someone 3 blocks away was having target practice with a gun, and it's happened before. He said it was disgusting to him that this could happen in our area, observing that there were a number of areas zoned agriculturally. He called the police who reported back, saying there wasn't much they could do about it. He suggested they could be more restrictive if West Chester incorporated, thereby taking care of this problem. He gave several more examples where the Township couldn't be more restrictive because it was a township, and therefore bound by state law. He said his point was - putting the earnings tax issue aside - we need to incorporate so we could do some things we need to do, such as safety matters. He recalled a previous election in which incorporation was an issue and disagreed with the objection to incorporating because it was "big government". He cited his experience with several incorporated areas, saying there was no big government, and concluded by saying we need to incorporate in order to address problems that need to be addressed, but aren't being addressed because we're not incorporated.

Mark Welch, 5879 Owl Nest Drive, said he wanted to share two ideas for the Board's consideration that were the result of the discussions in the last 3 meetings about the multipurpose path. He referenced a comment from a previous meeting he attributed to Carl Rullmann, asserting that the parties interested in the multipurpose path were a special interest that would never reappear at the Trustee meetings. Mr. Welch agreed with the statement and questioned how the Trustees can ever know the will of the people when the people come to one meeting and then disappear. He suggested the Township website could be updated to include a survey or a poll that would enable the Township to get citizens' input when such issues arise so the Township could really find out what people are thinking. His second idea pertained to the Township initiating a fundraiser for the multipurpose path and the Township agreeing to match the contributions. He suggested the people that appeared at the previous meeting in support of the path and the 5,000 homeowners that would benefit from the path could assistance, adding several other ideas for such a fundraiser.

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

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

Discussion Items & Trustees Comments

Mrs. Boyko said she had nothing to discuss.

Mr. Lang began Trustee comments by responding to Mr. Meehan's remarks during Citizen's Comments, expressing his opposition to incorporating West Chester, an income tax, and the comment that "big government is hogwash". He said he believed that small government is the best government. He also expressed his support for the 2nd amendment, and said people are permitted to discharge a firearm as long as they do it on their property.

Mr. Wong asked Mrs. Boyko to send somebody to check on the safety considerations of Mr. Meehan's complaint. Mrs. Stoker said she has the same complaint with people living behind her that discharge firearms. Mrs. Boyko said Mr. Lang's assertion that people can lawfully discharge firearms in the township was correct, and said she could have someone investigate such complaints. The Trustees exchanged comments about common sense solutions to the issue as well as the barriers, and invited Police Chief Niehaus to comment on the matter. Chief Niehaus said his department responded to Mr. Meehan's complaint, people are permitted to discharge firearms on their property within limitations, his department could research similar, past complaints, and said they've not received any complaints wherein property was damaged or personal safety was compromised. Mrs. Stoker asked him if only the state has the authority to control the use of firearms, or do municipalities or townships have such authority. The Chief wasn't prepared to respond to her question, but Mrs. Boyko suggested that they may have greater authority as a home rule township. She'll discuss the issue with the Law Director, and present to the Board current, relative statute, as well as their options. Mr. Jones interjected that a recent Ohio Township Association publication said people are permitted to discharge a firearm on their property, the bullet cannot leave their property and, to Mrs. Stoker's question, only the state and municipalities have the authority to implement legislative action, but not townships. (Fiscal Officer note: Mr. Lang left the meeting at 6:48 p.m.)

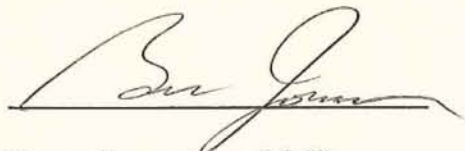
Mrs. Stoker said that, based on the overwhelming support for the bike path connector on Smith Road, she proposed that they move forward with the project with respect to getting engineer drawings and perusing the types of funding available. Mr. Wong said there was overwhelming support for the bike path, and asked if they were looking at TIF funding. Mrs. Stoker said TIF funding was most viable for multiple reasons. She said they should have the engineer's drawings and address right-of-way concerns before they decide if they are going to build it. In response to Mr. Wong's comment to Mrs. Boyko that she had a majority of the Board wanting to move forward, Mrs. Boyko reminded them that they advised her at the last meeting that they wanted to discuss the matter when the full Board was present, and Mr. Lang was not now present to discuss assigning the path as a project. Mrs. Stoker said that Mr. Lang has made his opinion clear that he opposed it and tied it [the bike path] to a United Nations Agenda 21. Mrs. Boyko expressed her understanding that a majority of the Board wanted her to move forward, but asked for their specific direction, such as critical action items and a schedule for the

project for this year. Mrs. Stoker hoped that Mr. Lang would be at the meeting to discuss whether to proceed with the proposed bike path after more specific details of the project have been determined. She reminded the board that she has supported this project with the caveat that the property owners affected supported the project. Mrs. Boyko said the property owners' previous approval must be considered conditional until such time that preliminary engineering is completed for their review. She confirmed with the two Board members that a majority of the Board would like for her to put together a schedule of critical action items for completion during this year's construction season, and from there the Board could determine what critical items they want commenced. The two present Board members confirmed her understanding. Mrs. Stoker commented at that point that after staff's work on this project, as outlined by Mrs. Boyko, the board would then have the information before them when Mr. Lang was there so that they would all know exactly what they were voting on.

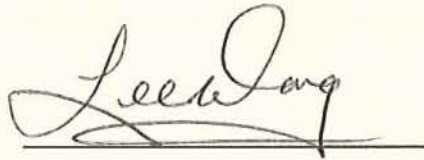
Mrs. Stoker acknowledged the national tragedies of the previous week and the importance of maintaining good communication in the interest of public safety. Mr. Wong expressed his appreciation for our first responders and their preparedness.

Adjournment

At 7:00 p.m. Mr. Wong said there would be no Executive Session and Mrs. Stoker motioned to adjourn the meeting, seconded by Mr. Wong. Discussion: none. **Motion carried.**



Bruce Jones, Fiscal Officer



Lee Wong, President