

Record of Proceedings: May 14, 2013
West Chester Township Board of Trustees - Regular Meeting

Convene: President Wong convened the meeting at 5:59 p.m..
Roll Call: Mr. Wong, Mrs. Stoker, and Mr. Lang responded.
Pledge of Allegiance: Repeated by those present.
Mr. Wong announced that he would need to leave at about 6:30 for a meeting of the Butler County Emergency Management Agency.

Citizen's Comments

Bruce Jones, 5685 McCarthy Court, said that he sent a draft copy of the minutes to the Trustees 11 days earlier, but had just received proposed changes to them earlier that day. He noted he was previously told by a Trustee that he was responsible for the accuracy of the minutes, though they can vote in whatever they want anyway, but he didn't have an opportunity to review the proposed changes. He said they previously discussed allowing the Trustees 7 days after receipt of the draft minutes to review them and submit proposed changes, and asked as a professional courtesy and in the interest for good government that they either recommit to responding timely or postpone acting on the minutes.

Presentations

Mrs. Boyko proposed they defer presenting the scheduled proclamations until right before the second Citizen's Comments so they could address Business Items before Mr. Wong left the meeting. The Board then moved on to Action Items.

Action Items – For Approval by Motion

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to approve the Trustee Meeting Minutes of April 23, 2013. Discussion: Mrs. Stoker said she was the Trustee that had just submitted proposed changes and she attributed her delay to addressing urgent family health matters first and foremost. She said she had no objection to waiting until the next meeting to address these minutes. Mr. Lang said he did not have an opportunity to review her proposed changes and did not object to delaying action. Thereupon Mr. Lang withdrew his motion and motioned to table action on these minutes until the next meeting. Mrs. Stoker amended her second accordingly.
Motion carried unanimously.

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 \$4,550.65 The Ohio State University – Renew annual service and support for OARnet VMWare server virtualization

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2. Adm \$2,567.50 Data Processing Sciences Corp. – Renew annual support and licensing agreement for InterScan Messaging Security System
3. Fire \$2,952.00 Assistant Chief Rick Prinz – Reimburse tuition per Township policy
4. Services \$20,000.00 Valley Asphalt Corp. – Purchase pavement materials for in-house repair of various Township streets

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

Personnel Items

MOTION made by Mr. Lang, as read by Mrs. Boyko and seconded by Mrs. Stoker, to approve hiring one (1) April – October seasonal employee: Mr. Thomas Shannon III (Parks) effective May 1, 2013; and three (3) May – September seasonal employees: Mr. Mike Capella (Roads) effective May 7, 2013, Mr. Zakari Abner (Parks) effective May 8, 2013, and Mr. Zachary Reiner (Roads) effective May 20, 2013, all at the hourly rate of \$11.25. Discussion: none. **Motion carried unanimously.**

Business Items

Mrs. Boyko introduced the next agenda items, saying the proprietor of J. Gumbo's restaurant, West Chester LLC, holds a liquor permit in Springfield Township and they wanted to transfer it to an establishment planned for West Chester Township. She said the Police Department and the Community Development Department have researched the matter and the transfer would contribute to economic development.

MOTION made by Mr. Lang, as read by Mr. Wong, seconded by Mrs. Stoker, to acknowledge J. Gumbo's restaurant as a designated and continuing economic development project and to allow the TREX liquor permit transfer without objection. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to appoint Jim Williams as a regular member to the Zoning Commission to fill an expired five year term from June 1, 2013 through May 31, 2018. Discussion: none. **Motion carried unanimously.**

Mrs. Stoker nominated Bruce Fisher as the alternate member to the Zoning Commission to fill an expired three year term from June 1, 2013 through May 31, 2016. Thereupon Mr. Lang nominated Scott Gilliam as the alternate member to the Zoning Commission to fill an expired three year term from June 1, 2013 through May 31, 2016. Mr. Lang and Mrs. Stoker then communicated the reasons Mr. Wong should favor the person they motioned for the appointment. After they concluded, Mr. Wong said he believed Mr. Fisher really stood out and he made a **MOTION** to appoint Bruce Fisher as the alternate member to the Zoning Commission to fill an expired three year term from June 1, 2013 through May 31, 2016, seconded by Mrs. Stoker. Discussion: none. **Motion** carried with Mr. Wong and Mrs. Stoker voting affirmatively and Mr. Lang voting in opposition.

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MOTION made by Mr. Lang, seconded by Mrs. Stoker, to appoint Roger Stagge as the regular member to the Olde West Chester Architectural Advisory Committee to fill an expired five year term from June 1, 2013 through May 31, 2018. Discussion: none. **Motion carried unanimously.**

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 May 14, 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 Mr. Lang. Discussion: none. (Fiscal Officer note: The eighteen subject properties were 9258 Ridgemont Drive, 8985 Cox Road, 8304 Grey Fox Drive, 7923 Merryman Way, 7323 Tarragon Court, 7727 West Chester Road, 7305 Cascade Drive, 5584 Heron Drive, 8121 Barret Road, 7816 Chantilly Drive, 8234 Grey Fox Drive, 6452 Ashley Oaks Court, 6532 Coachlight Way, 7184 Gregory Creek Lane, 7991 Kingsgate Way, 7820 Devonshire Drive, 8111 Dimmick Road, 7200 Tylersville Road.) **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to not object to a new liquor permit for 7770 Dudley LLC, DBA El Toro Mexican Bar and Grill, 7770 Dudley Drive. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to not object to a new liquor permit for Betty M. Vatter, DBA Heritage Pub, 9303-C Cincinnati Columbus Road. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to not object to a new liquor permit for Jeanette Adams, DBA Jeanette's Delicacies, 5595 Beckett Ridge Blvd, Suite B. Discussion: none. **Motion carried unanimously.**

MOTION made by Mrs. Stoker, seconded by Mr. Lang, to not object to new liquor permit for Kalamatas Greek Grill Inc., 7690 Voice of America Centre Drive. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mrs. Stoker, to not object to a new liquor permit for Persian Nights, Inc., Unit K, 7967 Cincinnati Dayton Road. Discussion: none. **Motion carried unanimously.**

Presentations

Mrs. Boyko presented 3 proclamations honoring the service and dedication of Township employees who are recognized annually in the month of May:

Police Chief Niehaus was called forward by Mrs. Boyko to receive the West Chester Board of Trustees' proclamation that identifies the week of May 12 to May 18 as Police Memorial Week, recognizing the service given by those who stand guard in our community and those that have fallen in the line of duty. Chief Niehaus expressed his appreciation to the Board. He

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commented that 127 law enforcement officers died in the line of duty across the U.S. in the past year, 2 specifically from Ohio. He recognized his staff for their dedication.

Fire Chief Goller and EMS Captain Steve Kelly were called forward by Mrs. Boyko to receive the West Chester Board of Trustees' proclamation that identifies the week of May 19 to May 25 as Emergency Medical Services Week, recognizing the service and expertise given by those who save lives. Captain Kelly expressed his appreciation to the Board and said it was an honor to provide EMS services. He announced the department would conduct "mass training" on June 1st when they train 100 residents in CPR, and these people could likewise train others in the community, thereby serving as first responders themselves. Chief Goller echoed Captain Kelly's comments and paid tribute to their Medical Director, Dr. David Smile. He said Dr. Smile has worked with them for 23 years, and attributed much of their success to Dr. Smile's aggressive approach to emergency medicine. Mrs. Stoker noted that Dr. Smile is an unpaid volunteer and his contribution to the community.

***** Note: Mr. Wong excused himself at 6:31 p.m. in order to attend the Butler County Emergency Management Agency meeting scheduled for that evening. *****

Mr. Lang and Mrs. Stoker expressed their appreciation for the services of our EMS personnel and Dr. Smiles.

Community Services Director Tim Franck was called forward by Mrs. Boyko to receive the West Chester Board of Trustees' proclamation that identifies the week of May 19 to May 25 as National Public Works Week. Mrs. Boyko commented these people often do difficult work in the community with little or no recognition. Mr. Franck expressed his gratitude to the township leadership and to residents for the praise they receive from residents. Mr. Lang and Mrs. Stoker expressed their appreciation for the performance of the Services personnel.

Mrs. Stoker noted that Mr. Wong had left the meeting for his Butler County EMA meeting and as the Board Vice President she would be presiding over the balance of the meeting.

First Reading of Resolutions & Reading of Emergency Resolutions

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

Citizen's Comments

Carl Rullmann, 8285 Ventle Drive, reiterated his comments from a previous meeting as to why West Chester Township has realized success. His point was that Township Trustees have not been highly instrumental in the development of the Township, rather they have let it happen instead of interfering. He praised people that were not career politicians, and commented on human qualities in people that seek political office. Mr. Rullmann encouraged people to advance our core competencies, and spoke critically of liberal government, citing Detroit as an example. He concluded by comparing West Chester's bike path issue to Cincinnati's street car "debacle".

Mark Morris, 8876 Eagleview Drive, said he noted a 3% "government VSP tax" on his cable bill, called Cincinnati Bell cable about the charge, and they told him West Chester charges everyone this tax on their cable bill. His questions were, "what is (the tax) being charged for and what is the Township doing with it". He questioned the necessity of it, saying he didn't receive

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WCCTV broadcasts because he didn't received Time Warner Cable, whom he understood was the exclusive provider of WCCTV broadcasts.

Steven Clark, 7392 St. Ives Place, asked if there was an itemization of the bill for the crosswalk that was created last summer on Eagle Ridge Drive. He said he previously performed construction estimation work, and he did not see \$4800 in costs for the crosswalk.

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

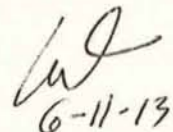
Mr. Lang asked Mrs. Boyko to address Mr. Morris's concerns. Mrs. Boyko explained the delivery of cable services by Time Warner and Cincinnati Bell in southwestern Ohio, and their relationship with communities as determined by legislation. She said Mr. Morris was referring to a state franchise tax that was enacted by a state franchise agreement. Mrs. Boyko said Time Warner does not have an exclusive cable delivery agreement for West Chester Township. Rather, Cincinnati Bell, whom she said has been delivering cable services for approximately 18 to 24 months, has been allotted time to develop cable delivery services according to the state franchise agreement, and they've yet to finalize that capability. Mrs. Stoker said people can access some of the Township programming through the Township web site, and it's made possible by the state franchise tax, though it's subject to legislative changes. Mrs. Boyko said she would look into Cincinnati Bell's capacity to deliver services in response to Mr. Morris's concerns, and Mr. Lang said he understood Mr. Morris's concern that he's paying for a service he's not receiving. Mr. Lang said we need to be good stewards of money and we should focus on our core competencies. He told Mr. Clark that the crosswalk issue is over, though he was frustrated with the process. Mrs. Stoker said Mrs. Boyko could readily provide an itemization of the costs for the crosswalk, and that she agreed with much of Mr. Lang comments, adding the Board and staff have routinely assessed staffing needs relative essential services. She said her definition of essential services and Mr. Lang's definition of core competencies may differ on occasions. Thereupon Mr. Lang and Mrs. Stoker exchanged comments – occasionally invoking comments from Mrs. Boyko - about bike paths, costs, funding, and their role in assessing priorities.

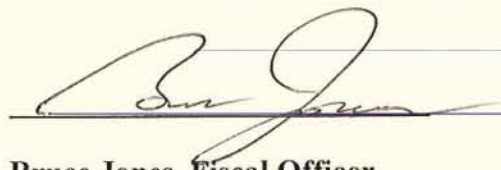
Mr. Lang and Mrs. Stoker noted the BBQ Bash was the following weekend, and Mrs. Stoker recognized the growth of the West Chester Hospital.

Adjournment

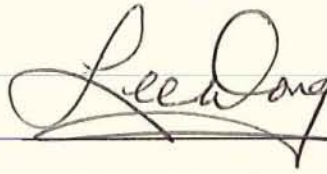
At 7:09 p.m. Mr. Lang motioned to adjourn the meeting, and after confirming with Mrs. Boyko that there would not be an Executive Session, Mrs. Stoker seconded the motion.

Discussion: none. **Motion carried.**


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Bruce Jones, Fiscal Officer



Lee Wong, President