

Record of Proceedings: December 2, 2014
West Chester Township Board of Trustees - Regular Meeting

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

Roll Call: Mr. Lang, Mr. Welch, and Mr. Wong responded.

Pledge of Allegiance: Led by Gavin Pelzel 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. Welch, seconded by Mr. Wong, to approve the Trustee Meeting Minutes of November 18, 2014. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve the Trustee Meeting Minutes of November 19, 2014. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, 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 \$6,000.00 Five Visual Communication & Design – Design and print the 2015 Community Guide
2. Fire \$530,860.00 E-ONE, Inc. – Purchase a 2015 fire engine/pumper to replace 1989 engine (CIP #635)
3. Police \$4,308.00 LeadsOnline, LLC – Renew subscription for online investigation system
4. Police \$3,350.00 ERS Digital DBA ARC Document Solutions – Purchase replacement plotter (CIP #304)
5. Services \$51,915.50 Beau Townsend Ford, Inc. – Purchase a Ford F-350 one ton dump truck with blade, salt box and spinner to replace a 1996 F-350 dump truck (CIP# 655)
6. Services \$4,961.28 Southeastern Equipment Co. Inc. – Repair John Deere road mower

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve payment of requisitions 1 through 6. Discussion: none. **Motion carried unanimously.**

Personnel Items

There were no personnel items.

Business Items

Mr. Lang said he would be abstaining on the next two items because he has a financial conflict, specifically that one of his businesses is in the financial services industry and it does business with all the companies that offer employee benefits.

Mrs. Boyko introduced the next item regarding health care benefit renewal. She said their current provider originally quoted a 20% renewal, but ultimately submitted a 0% increase for existing benefits for 2015. She noted that dental and principal voluntary life insurance benefits were not included because they were previously negotiated for terms that exceeded the December 31st termination date for medical benefits, the former being a three year agreement and the latter a two year agreement.

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve a contract and premium rates with Aetna for medical insurance for January 1, 2015 through December 31, 2015 and authorize the Township Administrator to execute a contract. Discussion: none. **Motion carried.** Mr. Lang abstained.

Mrs. Boyko introduced the next item saying the township's employee vision benefit was a voluntary benefit that was on a one year contract, now subject to renewal.

MOTION made by Mr. Welch, seconded by Mr. Wong, to contract with Anthem Voluntary Vision for January 1, 2015 through December 31, 2015 and to authorize the Township Administrator to execute a contract. Discussion: none. **Motion carried.** Mr. Lang abstained.

MOTION read by Mr. Lang and made by Mr. Wong that, having reviewed the staff reports and affidavits, we declare the property listed on the West Chester Township Board of Trustees meeting agenda dated December 2, 2014 to be a public nuisance as authorized by the Ohio Revised Code. Staff is directed to cause removal of the nuisances identified, and monitor this property for 90 days to require continued compliance. An administrative charge of 25% shall be added to the contractor fee for this property. Motion seconded by Mr. Welch. Discussion: none. (Fiscal Officer Note: The subject property was 6270 Strathaven.) **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying the subject vehicle has been determined to be a hazard due to the deterioration of the body.

MOTION made by Mr. Welch, seconded by Mr. Wong, to auction one (1) police vehicle (1998 Toyota Tacoma). Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to not object to a new liquor permit for Learning Kitchen LLC, DBA The Learning Kitchen, 7659 Cox Lane. Discussion: none. **Motion carried unanimously.**

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

MOTION made by Mr. Welch, seconded by Mr. Wong, to not object to new liquor permit for Walgreen Co DBA Walgreens 09577, 7776 Cox Lane. 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

Jeff Monroe, 6691 Tylersville Road, said he notified this Board and Representative Cates several years ago about trains parking just before Tylersville Road on the southbound railroad track. He said it obstructed the flow of traffic because it takes a significant amount of time for a long train to resume travel. Mr. Monroe related a recent experience he had in which a life squad was stopped by a train. He said he couldn't understand why the railroad company doesn't do its parking just before the Station Road crossing rather than the Tylersville Road crossing where it would impact less traffic. He thought the situation had improved until recently, and asked the Board to get back on it.

Danielle Richardson, 7482 Fence Row, said she sent an article to the Trustees from a Case Western Reserve attorney about the top 100 cities in America and what they were doing with the chicken movement, because they're everywhere. She said it reports their experiences and addresses people's objections from a scientific standpoint, and asked the Trustees to read it. She also said it concluded with a sample ordinance. Mrs. Richardson also said her husband was preparing a 5 minute presentation to present at the next Trustee meeting.

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 & Elected Official Comments

Mrs. Boyko recounted that the Board asked her at the last meeting to draft a letter to send Butler County expressing its concern regarding the local funding sought for the capital maintenance and improvement of the Butler County Airport. She asked how the Board would like her to proceed with the letter. All agreed it addressed their concerns and asked her to mail it to the county.

Mrs. Boyko commented there was continuing discussion regarding animal and poultry husbandry and asked the Board if they wanted to include that discussion with the zoning text amendment discussion. Mr. Wong observed the chicken proponents love and compassion for chickens, but said the Board needed to move on and the resident needed to recognize the law in place. He said chickens will be a problem, adding that they will attract foxes and coyotes to the area. He observed that the zoning text review committee did not recommend any change allowing chickens, and said we have more important things to address than this issue. Mr. Welch recalled that he said at the last meeting he would contact the Top 10 communities recognized by Money

magazine to find out how they address chickens, and proceeded to state their respective chicken policy. He concluded by saying he felt it wouldn't be a bad thing if we had conditions for people to have a few chickens, and was in favor of making changes to the zoning resolution to make chickens possible. He said those conditions would include the setback from the property line, the kind of coop the owner would need, the number of chickens, and how "nuisance" would be defined. Mr. Lang said he began discussing this issue when he met with Danielle Richardson about 6 months ago and considered it a matter of private property rights. He's since viewed it from the prospective of surrounding property owners and their private property rights, saying, "We can't allow one person's property rights to impede on another person's property rights, especially for something that is existing on the books". He said he then considered whether some conditions might be crafted to create a win-win situation, however Mrs. Richardson didn't want anything to do with any kind of conditions. Therefore reasonable conditions could not be explored. Mr. Lang said the BZA would possibly accommodate a variance for chickens. Consequently, his position was comparable to Mr. Wong's as he was ready to move on. Mr. Welch said he was also ready to move on, and he could count to two. Mrs. Boyko suggested they consider a conditional use alternative for inclusion of chickens rather than a variance. The latter could be inferred to be a compatible use, unlike the former for which the standards can be more challenging for the applicant. Mr. Lang said Mrs. Richardson's husband could make a presentation at the next meeting during Citizen's Comments.

Mrs. Boyko then initiated discussion about the proposed zoning text changes. She said she and Mr. Juengling have drafted the language for the proposed changes. Mrs. Boyko then asked for the Boards' direction as to how they would like to go forward on the Resolution Review Committee proposed changes, the Trustee initiated changes, the commercial vehicles and promotional costume devises texts, and the keeping of chickens matter. She then reviewed several Resolution sub-articles about which the Board expressed uncertainty and provided clarification. She said they could start to assemble the Resolution Review Committee language and their amended changes, plus the promotional costume devices and commercial vehicles, and then insert the chicken matter whenever they were ready with that proposed language. It was agreed that Mrs. Boyko would provide the Board with a red-line document of proposed language for discussion at the first meeting in 2015. Mr. Welch then proposed that Article 1, which explains the purpose for the Resolution, include, ". . . and to preserve the property rights of citizens while creating a business friendly environment". The Board agreed to discuss that suggestion along with the rest at the first meeting in January.

Mr. Lang then explained new, proposed state legislation that would allow the formation of an entertainment district in a community. It would permit people to carry alcoholic beverages from one establishment to another. He noted it was bi-partisan legislation and expressed his support for it as it should enable businesses to better prosper.

Adjournment

At 6:50 p.m., **MOTION** read by Mr. Lang and made by Mr. Wong to adjourn the Regular meeting and go into Executive Session with legal counsel for the purpose of considering and discussing (1) personnel matters- candidates for employment; contract negotiations for a certain collective bargaining unit; discipline, termination, or promotion of certain public employees, (2)

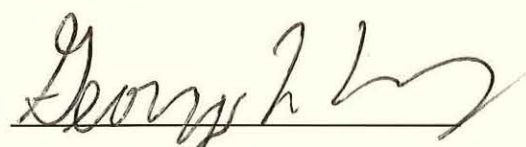
Acquisition, sale, or swap of real property, (3) Current and pending litigation. Motion seconded by Mr. Welch. Discussion: none. **Motion carried unanimously.** Mr. Lang announced that the Board would not return.

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 "George Lang", written over a horizontal line.

George Lang, President