

Record of Proceedings: December 16, 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 Derrick Herzog, son of Joel Herzog, and repeated by those present.

Citizen's Comments

Michelle Peters, 7509 Fence Row, said she wanted West Chester to be more of a green community and hoped they could re-open negotiations to have chickens in back yards. She said they do not want unconditional use, but wanted their property within restrictions. She referenced pit bulls as an example for allowing chickens. She said there's been no compromise to allow them to use their property to have chickens, and they wanted another meeting: not for a conditional use because nobody can have chickens unless they came back for it to be allowed. She said they could meet and make restrictions in the code. She said she's a neighbor of the Richardson's and their chickens and chicken coop does not smell.

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 December 2, 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 \$32,230.14 N. Harris Corporation – Renew annual license and support agreement for GEMS financial accounting software
2. Adm \$12,123.43 Frost Brown Todd LLC – Legal services through October 31, 2014 (various departments)
3. Adm \$6,800.00 Donnellon McCarthy – Purchase seventeen (17) copier hard drives
4. Adm \$4,425.00 Sayers Company – Renew license and support agreement for Net Motion wireless application
5. Police \$5,403.00 PB Electronics – Repair six (6) radar systems

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve payment of requisitions 1 through 5. Discussion: Regarding item 3, to Mr. Welch's question, Mrs. Boyko said the hard drives were still in our possession. Mr. Welch noted there was no risk to sensitive township

information, and that we can buy the hard drives back for a dollar in the new contract. Mr. Lang said we won't make that mistake again. **Motion carried unanimously.**

Personnel Items

Mr. Lang said the next agenda item - the appointment of Joel Herzog to Police Chief - would be moved to the last item of the meeting because a reception in Mr. Herzog's honor would follow.

Mrs. Boyko introduced the next item by noting the departure of Audrey Reshard from the Administration staff and recognizing the qualifications, credentials, and institutional knowledge of Patty Tiffany in filling Mrs. Reshard's role, and the role of the requested Executive Assistant – Administration position to oversee the general operations of the Administration office and to manage the clerical support staff. Furthermore, she requested that part-time Receptionist Felicia Krupka be reclassified to full-time secretary. She concluded by saying the motion would entail approving the applicable job descriptions, revise the organizational chart, and to reclassify certain non-exempt positions.

MOTION read by Mr. Lang, made by Mr. Welch, seconded by Mr. Wong, to create the Executive Assistant – Administration position; to reclassify, inactivate, or eliminate other organizational positions; to approve applicable job descriptions; to revise the Township's organizational chart and the exempt and nonexempt compensation program to reflect changed positions as illustrated in the attached supporting documentation; and to promote Mrs. Patty Tiffany to Executive Assistant - Administration, effective December 17, 2014 at the hourly rate of \$29.55 and to hire Mrs. Felicia Krutka to Secretary, effective December 17, 2014 at an hourly rate of \$12.72 both with a one (1) year probationary period. Discussion: Mr. Lang said this reorganization would reduce costs, and said there were about 20 fewer non-contract employees than 10 years ago. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying the subject position had been vacant for about 13 months, and Mike Juengling recommends Aaron Wiegand to fill the vacancy.

MOTION read by Mrs. Boyko, made by Mr. Wong, seconded by Mr. Welch, to hire Aaron Wiegand to the vacant position of Business Attraction and Expansion Manager effective December 17, 2014 at the hourly rate of \$26.44 with a one year probationary period and contingent upon successful completion of applicable testing and procedures. Discussion: Mr. Lang commented that he was pleased to see this position finally filled. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to hire four (4) on-call snow plow operators on an as needed basis for the 2014- 2015 winter season, all at the hourly rate of \$15.00: Carlton Grant, effective December 5, 2014; Jerry Hornsby, Bob Murphy, and Jeffrey Yeary, effective December 11, 2014. Discussion: Mr. Lang observed that Bob Murphy was our previous township Roads Superintendent. **Motion carried unanimously.**

Business Items

MOTION made by Mr. Welch, seconded by Mr. Lang, to set January 13, 2015 for the organizational meeting at 6:00 p.m. Discussion: Mr. Wong asked if the date could be changed

as he would be out of town that week. When asked if he had an alternative date he then concurred with the motioned date. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to set January 20, 2015, 5:30 p.m. for a work session for the proposed 2015 Operational Budget. Discussion: Mr. Wong asked if this could be moved to the 21st of January, to which everyone agreed. This motion was retracted: **MOTION** made by Mr. Welch, seconded by Mr. Wong, to set January 21, 2015, 5:30 p.m. for a work session for the proposed 2015 Operational Budget. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to appoint Mr. Lang as the West Chester Township representative to the Butler County Emergency Management Agency (BCEMA) Advisory Council (term effective January 1, 2015 through December 31, 2015). Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Welch, to appoint Mr. Welch as the West Chester Township representative to the Butler County E911 Planning Committee (term effective January 1, 2015 through December 31, 2015) Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Lang, to appoint Mr. Wong as the West Chester Township representative to the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) Board of Directors for 2015 (term effective January 1, 2015 through December 31, 2015). Discussion: Mr. Lang asked Mr. Wong if that would be good for him. Mr. Wong answered affirmatively. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to appoint Mr. Lang and Mr. Welch (appoint two Trustees), Lt. James Cox as Secretary and Lt. Randall Hannifin (two Fire Department members), and Gene Hendel (one civilian) to the 2015 Volunteer Firefighters' Dependents Board. Discussion: none. **Motion carried unanimously.**

MOTION read by Mrs. Boyko, made by Mr. Welch, seconded by Mr. Wong, to enter into a renewal agreement between West Chester Police Department and Lexis-Nexis effective January 1, 2015 through December 31, 2015 for access to online Law Enforcement Solutions not to exceed \$6,840.00 and authorize the Township Administrator to execute said agreement. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to not object to liquor permit transfer from Douglas M. Wheelright, DBA Beverage Barn, to BBWC LLC at 9324 Cincinnati Columbus Road. Discussion: none. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

Mrs. Boyko read Resolution No. 29-2014 and declaring an emergency, and dispensing with the second reading. She explained that this item adopts temporary appropriations for 2015, pursuant statutory requirement, and mostly covers first quarter expenses and expenditures. It also authorizes the Fiscal Officer to submit this to the Butler County Budget Commission. She

identified several items for which payment would need to be made in the first quarter, over and above personnel and operational costs: \$430,000 due to contractual obligations to the city of Fairfield from the JEDD district on behalf of our township; Fire Department expenses; \$200,000 in salt purchase, as well as purchase and refurbishing of two vehicles for the Services Department.

Mrs. Boyko then read Resolution No. 29-2014 approving and authorizing adoption of the Township 2015 temporary appropriations and declaring an emergency and dispensing with the second reading. The Board expressed no questions or need for clarifications.

Citizen's Comments

Dan Farrell, Pastor of Morning Star Baptist Church, said our children are the most precious assets we have, and he was shocked and disappointed that the Board of Zoning Appeals denied their recent zoning application. He said the BZA reached the wrong conclusion based on wrong information and unheard testimony that was not permitted. He said his lawyers are thinking they must appeal to the state or the federal courts under the Religious Land Use and Institutionalized Persons Act, but he didn't want to do that. Pastor Farrell said he was there to see if there wasn't another way to solve this rather than a choice between religious freedom and West Chester. He related the religious origins of schools and said their church school was another outreach for their church.

Barry Riddell, 8069 Lawrence Drive, said he wanted to address Pastor Farrell's comments. He said the problem is that the church is located at the back of their subdivision, not the fault of the BZA or the township. He said Lawrence Drive is 18' wide and that's the minimum width of two parking spaces per our zoning code. He said the issue isn't whether or not to have a school, but that the area cannot accommodate increased traffic. Mr. Riddell said he had proposed adopting restrictions, but no one in either the Zoning Department or the church were interested in conditions, so the matter went before the BZA where it did not have the support of the neighborhood.

Wendy Harrell, 7892 Mill Creek Circle, said she understood the issue of traffic, but the school would be a minimal traffic consideration. She wanted to speak in favor of the school and allowing kids to continue going to school there.

Josh Johnson, Associate Pastor for Morning Star Baptist Church, observed that the land where Morning Star Baptist Church is located could have been used for construction of more housing, thereby creating substantially more traffic than their school would create. He added that their school uses no buses – they would only add private cars.

Michael Womack, 7071 Hollywood Drive, noted he was a former Lawrence Drive resident for 3 ½ years, living on the corner at Summerhill Drive where the bus stopped for public schools. He said the school has been a big help to his children. He said, from the standpoint of being on one side of the issue and now the other side of the issue, he's absolutely for the school. He feels like the issue is about kids and their lives, not about traffic.

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

MOTION made by Mr. Wong, seconded by Welch, to declare Resolution No. 29-2014 an emergency and dispense with the second reading. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve Resolution No. 29-2014 as read and as declared an emergency. Discussion: none. **Motion carried unanimously.**

Discussion Items & Elected Official Comments

Mrs. Boyko gave a snapshot of the closing fiscal budget for 2014 and what to look forward to at the January 21th annual Budget Work Session. She noted that all major funds and general departmental expenditures were about 15% under budget. The township's approach to 2014 estimated revenues considered the economy still in recovery, therefore revenues were conservatively projected. Mrs. Boyko said the "bridge year strategy" first introduced in 2012 continues to benefit operations today, resulting in increased efficiencies and reduced costs. Since 2007, the Township has reduced full-time positions by 15%. During this period every position vacated through attrition/retirement is evaluated for its operational need before it is filled. Mrs. Boyko then presented a number of assumptions regarding revenues and expenditures for the various departments, noting that they are not final, but only projections. She said the final figures will be presented after the 2014 close, at the 2015 Operational Budget work session.

Mr. Wong expressed serious concerns about our BZA decision on December 10th denying Morning Star Baptist Church's application. He said the township had no business to shut down a Christian school. He then said Mr. Riddell, who objected to increased traffic on his street, had a work truck that impeded traffic on his street. He asked why the township couldn't restrict traffic to one side of the street so we have a good flow of traffic. He asked what kind of township do we have that interferes with religion. He then said Happy Hanukkah.

Mr. Lang said he agreed with part of what Mr. Wong said, and noted that Mr. Riddell was permitted to park his work vehicle in his driveway, not the street.

Mrs. Boyko then introduced the next item reviewing the selection process for the next Police Chief and identified Joel Herzog as the selected applicant. She then reviewed Mr. Herzog's biography with the West Chester Police Department.

MOTION read by Mr. Lang, made by Mr. Welch, seconded by Mr. Wong, to appoint Joel Herzog as the West Chester Township Chief of Police effective December 17, 2014 at the annual salary of \$112,000 with a one year probationary period, contingent upon successful completion of all applicable testing and procedures and pursuant to the terms of employment. Discussion: Mr. Welch noted the number of West Chester police officers in attendance and how safe he felt. He said we have the best police force in the region. Mr. Wong agreed with Mr. Welch, said it's always good to promote from within, and that Mr. Herzog had earned the respect and trust of the community. He concluded by saying his promotion will create additional promotions from within. Mr. Lang recounted the people on the committee that reviewed the applicants. He recognized people in the audience who were in attendance to support Mr. Herzog's appointment. He also recognized Mr. Herzog's institutional knowledge and love of West Chester.

He concluded by recognizing the heros – the various police and fire personnel - in attendance.
Motion carried unanimously.

Thereupon Fiscal Officer Jones administered the Oath to Joel Herzog, surrounded by his family, to be the new West Chester Township Chief of Police.

Chief Herzog's wife, son, and daughter then pinned his new police medals on him. Chief Herzog then expressed his appreciation to his wife, Karen, his two children, his mother and father, the men and women of the West Chester Police Department, and the contribution they all made to his success. He also thanked God for opening the door for him. He then introduced Colonels Brown, Bruce, and Niehaus, and acknowledged them for their contributions to his success. He concluded by promising the trustees and the citizens to do his best to fill the shoes of these three predecessors, and to do right for West Chester and all the police officers in attendance.

Adjournment

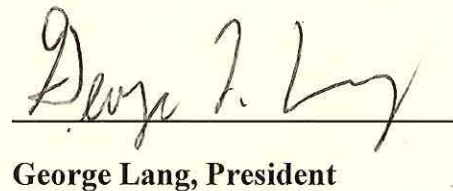
MOTION entertained at 7:11 p.m. by Mr. Lang, made by Mr. Welch and seconded by Mr. Wong, to adjourn the meeting. **Motion carried.**

Respectfully Submitted,



Bruce Jones, Fiscal Officer

Approved,



George Lang, President