

Record of Proceedings: February 24, 2015
West Chester Township Board of Trustees - Regular Meeting

Convene: President Lang convened the meeting at 6:01 p.m.

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

Pledge of Allegiance: Repeated by those present.

Mr. Lang introduced Henry Wargacki from Boy Scout Troop 979, Lord of Life Lutheran Church, as a special guest.

Mr. Lang also observed for the record that the Public Hearing scheduled for 7:00 p.m. for case MC05-14, Highland Square – originally scheduled for January 27, 2015 and continued at the request of the applicant to February 24, 2015 - had been cancelled. The reason for the cancellation was the applicant, Neyer Property, had withdrawn their application from further consideration.

Citizen's Comments

Chris Wunnenberg, 8132 Dimmick Road, noting the requisition on the agenda for REDI Cincinnati, said REDI stood for "Regional Economic Development Initiative". He termed it the point of contact for businesses looking to start, locate or expand their business in the tri-state, 15 county region. He said they're economic development professionals that promote southwest Ohio on a national and international scale, representing 125 public and private members. Mr. Wunnenberg said membership was a great investment for the Township and encouraged the Board to remain a member.

Mark Haverkos, 7356 Wethersfield Road, said he was dumbfounded that the Board was going to "throw \$80,000 down the drain" on REDI Cincinnati, the West Chester Chamber, and Partners in Prime. He said Agenda 360 is an organization that has been active in the area, terming them an arm of the regional development chamber of commerce. Mr. Haverkos said they vilify the suburbs as the source of the Cincinnati's problems and believe we should share in their costs. He said West Chester would not be a voting member. He also commented that REDI Cincinnati's top 6 board members are on the Board of the Cincinnati Chamber, Cincinnati City Center, 3CDC, the Greater Cincinnati Port Authority, the Freedom Center, and the Union Terminal. He said they would use our \$20,000 to "get first dibs" on any new, prospective businesses. Regarding the West Chester Chamber Alliance, he expressed displeasure that the chamber supported a toll bridge to replace the Brent Spence Bridge. Lastly, he said 2012 was the last financial information available from Partners in Prime, and thought it only fair that the Board withhold another contribution to them until the 2014 tax filing is available. He concluded by saying their top three executive make \$569,000 and West Chester shouldn't be contributing \$50,000 to them.

Carl Rullmann, 8285 Ventle Drive, said the agenda called for approving over \$181,000 on six outside organizations for their annual services, comparing that expenditure to hiring six to nine more Township employees. Mr. Rullmann said these "quasi-governmental agencies" have non-elected officers and we'd have no control over their expenditures. He said REDI Cincinnati

members are called Corporate Partners, Stewards, Directors, Ambassadors, or Friends, and West Chester proposes contributing at the Steward level this year. He said their self-defined function was “the region's lead economic development group”, and asked if that wasn't the function of chambers of commerce. He also asked, “what about the Butler County Economic Development Board... the Butler County Community Development Corporation... West Chester's own Economic Development Department... West Chester Liberty Chamber Alliance?” He suggested they should all be doing the same thing. Mr. Rullmann concluded by noting that senior citizens are the second largest contributor to congressional campaigns according to OpenSecrets.org.

Presentations

There were no presentations.

Action Items – For Approval by Motion

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve the Trustee Meeting Minutes of February 10, 2015. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve the Trustee 2015 Operational Budget Work Session Minutes of January 21, 2015. 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 \$14,331.30 Frost Brown Todd, LLC – Legal services through January 31, 2015
(various departments)
2. Adm \$89,274.76 Dell Marketing LP – Renew Microsoft license and support agreement
with adjustments
3. Adm \$10,993.99 Lumenate Technologies LP – Renew annual maintenance and support
agreement for Cisco Network Switch Hardware
4. Adm \$4,916.50 M2R Technology Group Inc. – Renew annual maintenance and support
for Township network backup system
5. Adm \$23,112.18 Butler County EMA – Remit annual fee for operational services
6. Adm \$20,000.00 REDI Cincinnati – Participate at Steward Level on the Regional
Economic Development Initiative Board for 2015
7. Adm \$10,000.00 West Chester/Liberty Chamber Alliance – Renew Sustaining Gold
Level Membership Program for 2015
8. Adm \$3,825.00 Center for Local Government – Renew membership for 2015
9. Fire \$3,213.25 Shane Mathews – Reimburse tuition per collective bargaining
agreement
10. Police \$3,000.00 Raymond Jones – Reimburse tuition per collective bargaining
agreement

- 11. Police \$8,000.00 John R. Haller, Top Dogs Police Canine Academy – Attend K-9 Academy for handler and newly accepted canine (CIP #998)
- 12. Services \$268,000.00 Cargill Inc. – Purchase salt for 2014-2015 winter season (Increase PO #S142128)
- 13. Services \$83,330.00 Rush Truck Center – Purchase 2016 (2 ½ ton) truck (CIP #651)
- 14. Services \$53,200.00 Kaffenbarger Truck Equipment Co. – Purchase and install snow removal equipment for new truck (CIP #651)
- 15. Services \$17,795.00 Kaffenbarger Truck Equipment Co. – Refurbish 2001 International dump truck (CIP #1219)
- 16. Services \$4,800.00 Mel Arnold Garage – Repair 2001 International dump truck (CIP #1219)

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve payment of requisitions 1 through 16. Discussion: There were substantial comments about the requisition items. Mr. Wong expressed his support for REDI Cincinnati, saying it helped West Chester attract businesses and balance our tax base at 50-50, business-residential. Mr. Welch asked Mrs. Boyko to continue having staff look at alternatives to the expense of Dell Marketing. Regarding REDI Cincinnati, he said it was comparable to the West Chester Development Council, also a non-profit, whose task was to advocate for West Chester. He said REDI Cincinnati will generate data for West Chester to mine in order to be competitive. He asked Mrs. Boyko about item 13, the \$83,330 expenditure for a new truck. He asked if it was a salt truck or a snow plow. She said it was both once item 14 was approved. She confirmed for him that it has a stainless steel bed. Regarding the West Chester Liberty Chamber Alliance, he said it was a synergistic entity in our attempt to bring business in, and was money well spent.

Regarding item #10 Mr. Lang noted Raymond Jones was enrolled at Liberty University. Regarding item #4, he expressed his pleasure with doing business with M2R Technology as a local business. He also said they reduced their cost to the Township relative last year. Regarding Partners in Prime he said the Township was only funding activities at the West Chester Activity Center, and he expressed support for weaning them off the public tit. He also said he was going to stay with the plan developed several years ago with Partners in Prime and he was going to keep his word. Regarding REDI Cincinnati, he said he had a history of fighting Agenda 21 and the progressive agenda, but he did not see it as an Agenda 21 issue. He proceeded to read a description of REDI Cincinnati, adding that West Chester couldn't afford to fulfill their function on its own. He said there were no material findings in their multiple layers of audits, and they negotiate privately because they needed to protect proprietary information. Mr. Lang said measurements and calculations have been put in place this year to measure the Township's investment. He noted funding REDI Cincinnati was supported by local businesses and developers.

Regarding the West Chester Liberty Chamber Alliance, he said it helps small businesses, not big businesses. He concluded by saying he has a soft spot for fireworks and would spend \$10,000 on them.

Mrs. Boyko clarified for Mr. Wong the funding to REDI from the Township: she said \$20,000 would come from the general fund and \$5,000 from the West Chester Development Council. She added that the West Chester Development Council would be maintaining their previous match and the Township would be increasing its contribution.

Motion carried unanimously.

Personnel Items

There were no personnel items.

Business Items

Mrs. Boyko introduced the next item saying a previous Board had indicated a plan of declining Township assistance to the Board of the National Voice of America Museum of Broadcasting, similar to the plan for Partners in Prime, in order to wean them from continued Township assistance as they endeavor to construct a museum. She said this was year 3 of the 5 year plan. **MOTION** read by Mrs. Boyko, made by Mr. Wong, seconded by Mr. Welch, to approve \$75,000.00 National VOA Museum of Broadcasting 2015 contribution. Discussion: Mr. Wong said he favored the declining contribution. Mr. Lang spoke of the hallowed ground upon which VOA sat, but termed it "a money pit". He said the Township should do everything it can to make the VOA Board successful so it can be self-sustaining and doesn't come back on the Township as an expense. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve \$50,000.00 Partners in Prime 2015 contribution. Discussion: Mr. Welch read a statement pertaining to Partner in Prime's 2013 and 2014 audit and concluded there was nothing about the organization that he believed was illegitimate. Mr. Wong commented that our senior citizens appreciate the facility so he supports the motion. Mr. Lang said he supports the motion because the Township was weaning Partners in Prime off the "public tit". He said the Board gave Partners in Prime their word several years on this contribution and he was going to keep his word. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying the Board interviewed applicants for the vacant position on the Board of Zoning Appeals on January 27th.

MOTION made by Mr. Welch, seconded by Mr. Lang, to appoint Barry Riddell to fill an expired five (5) year term - March 1, 2015 through February 29, 2020 - to the West Chester Board of Zoning Appeals (BZA). Discussion: Mr. Wong said he wanted to appoint Barbara Reisenauer, noting her numerous credentials and qualities. Mr. Welch observed that Barry Riddell was the only applicant in attendance that evening, when the appointment was being made. He also said he thought Mr. Riddell would be better equipped for every Zoning Appeals meeting, noting his qualifications. Mr. Lang said they had eight great candidates from which to choose, though he was supporting the appointment of Mr. Riddell. He said he thought Mr. Riddell's past fights with the government made him special and he, Mr. Lang, appreciates anyone fighting the government for what they believe in. He also said Mr. Riddell knows what's going on in the Township and he won't be a rubber stamp. **Motion carried.** Mr. Lang and Mr. Welch voted in favor and Mr. Wong voted in opposition.

Mrs. Boyko introduced the next item saying this was a matching funds grant for \$6,000 - the maximum amount - and the Fire Department wanted the funds to purchase new EMS bags for all of their life squad equipment.

MOTION made by Mr. Wong, seconded by Mr. Welch, to apply for the Ohio EMS and Trauma Grant for 2015-2016 and to authorize the Township Administrator to accept grant if awarded. Discussion: none. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying this agreement was negotiated by Chief Herzog, and it allows mutual police assistance between the Township and Butler MetroParks, relative the Voice of America Park.

MOTION read by Mrs. Boyko, made by Mr. Welch, seconded by Mr. Wong, to enter into a mutual aid agreement between the West Chester Township Board of Trustees and the Butler County Board of Park Commissioners of MetroParks and to authorize the Township Administrator to execute said agreement Discussion: none. **Motion carried unanimously.**

At 7:05 p.m. Mr. Lang commented that the Public Hearing scheduled for 7:00 p.m. for case MC05-14 for Highland Square had been cancelled because the applicant had withdrawn their application.

Mrs. Boyko introduced the next item saying it would enable renovation in compliance with ADA requirements to the eastern restrooms near the tennis courts in Keehner Park. They intend to do the western restroom in 2016.

MOTION made by Mr. Wong, seconded by Mr. Welch, to accept proposal from The Max Construction Group LLC not to exceed \$28,160.00 to renovate Keehner Park restrooms for ADA compliance and to authorize the Township Administrator to execute said proposal (CIP #375). Discussion: Mr. Welch noted the vendor's proposal states the proposal may be withdrawn if not accepted by February 22nd. Mrs. Boyko said the Services Director spoke to the vendor and their proposal is valid through the vote that evening. Mr. Lang said this issue was an unfunded federal mandate, though he supported increased accessibility for the disabled and therefore supported the motion. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying they had budgeted about \$400,000 this year for curb replacement.

MOTION made by Mr. Wong, seconded by Mr. Welch, to advertise for 2015 curb replacement program (CIP #825). Discussion: none. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying the Butler County Engineer's Office had recommended a portion of Eleventh Hour Lane for acceptance by the Township.

MOTION read by Mrs. Boyko, made by Mr. Wong, seconded by Mr. Welch, to accept street: #1458 Grace Meadows Section 2a, Section 36, Town 3, Range 2, Eleventh Hour Lane, 771.24 feet (0.144 miles). Discussion: none. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

Mrs. Boyko said the Board was required to adopt permanent appropriations and certify it to the County Auditor's office by April 1st of the year. She said they were requesting the adoption and certification of Resolution 06-2015, the Township 2015 Permanent Appropriations, and authorizing the transfer of funds from the general fund to the road and bridge fund and to the cemetery fund and to the sustainable infrastructure fund and declaring an emergency and

dispensing with the second reading. She noted that their attached Resolution did declare the appropriations pursuant statute and it was consistent with their capital improvement plan: transferring \$1.5 million to the Road and Bridge Fund for infrastructure; re-allocating any unused portion of the \$1.5 million transfer to the Road and Bridge Fund to the Sustainable Infrastructure Fund; \$200,000 to the cemetery fund. The Board had no questions.

Mrs. Boyko said the next resolution pertained to well-vetted proposed zoning text amendments: First Reading of Resolution 07-2015 initiating proposed text amendments to the West Chester Township Zoning Resolution. She said they did incorporate recommended and modified, proposed text amendments from the Zoning Review Committee, as well as other proposed amendments that a majority of the Board wanted to address. Typos and grammatical corrections/modifications were also included. The Board had no questions.

Citizen's Comments

Mark Haverkos, 7356 Wethersfield, said he read the same CPA letter Mr. Welch read concerning Partners in Prime's finances, absent any recent IRS disclosures. He said it did not distinguish expenditures for the West Chester facility and their other facilities. Regarding the contribution to REDI Cincinnati, Mr. Haverkos questioned the goal expressed this evening to tract and study the return on investment. He questioned why there was no study from last years' contribution to REDI Cincinnati. He concluded by suggesting the benefits of the Township's contribution to the local chamber be likewise tracked.

Dan Meehan, 9412 Patti Circle, said he thought the Township "maintenance department" did a great job on snow removal, adding that the Board could use his tax money to give them all raises.

Pam Jones, 9238 Pilgrim Court, noting that the old Union Elementary School was going to be used for a Boys and Girls Club, asked who was going to pay for the demolition of the school.

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

MOTION made by Mr. Wong, seconded by Mr. Welch, to declare Emergency Resolution No. 06-2015 an emergency and dispense with the second reading. Discussion: none.

Motion carried unanimously.

MOTION made by Mr. Welch, seconded by Mr. Wong, to approve Resolution No. 06-2015 as read and as already declared an emergency. Discussion: none. **Motion carried unanimously.**

Discussion Items & Elected Official Comments

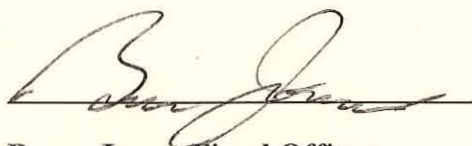
Regarding the citizen's question, who's going to pay for the demolition of the old Union Elementary School, Mrs. Boyko said that was an arrangement between the West Chester/Liberty Community Foundation and the Lakota Local School Board. She said she did not know what that arrangement entailed. Mr. Lang agreed to contact Ms. Jones after he found out who would pay for the demolition, adding that it would not involve tax payer's money out of West Chester.

Mr. Lang reiterated Mr. Meehan's comment that the maintenance people did a great job of snow removal.

Adjournment

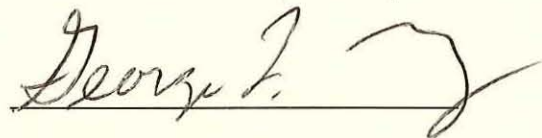
At 7:21 p.m., Mr. Lang asked for a motion to adjourn the regular meeting and go into Executive Session with legal counsel for the purpose of considering and discussing (1) personnel matters: (a) contract negotiations for a certain collective bargaining unit; (b) discipline, termination, promotion, hiring or transfer of certain public employees; (c) candidates for employment; (d) provisions of benefits for a contract employee, (2) Acquisition, sale, or swap of real property, (3) Current and pending litigation. Motion made by Mr. Welch, seconded by Mr. Wong. Discussion: none. **Motion carried unanimously.** Mr. Lang commented that the Board would not return.

Respectfully Submitted,



Bruce Jones, Fiscal Officer

Approved,



George Lang, President