

Record of Proceedings: December 6, 2016
West Chester Township Board of Trustees - Regular Meeting

Convene: President Welch convened the meeting at 6:01 p.m.
Mr. Welch commented that Mr. Wong had a professional conflict and would not be present until approximately 6:30
Roll Call: Mr. Welch and Mr. Lang responded.
Pledge of Allegiance: Repeated by those present.

Citizen's Comments

Chris Wunnenberg, 8132 Dimmick Road, as well as 6355 Centre Park Drive where he serves as the Director of Development for Schumacher Dugan; Mr. Wunnenberg first thanked the Township safety services personnel for all they do for us. He added that 18 members of his company attended four hours of CPR, AED, and First Aid classes conducted by the Township fire department. He praised the classes and recommended all businesses likewise partake of these classes. Mr. Wunnenberg said the odds of saving a life increase by 50% if people have such training.

Presentations

There were no presentations.

Action Items – For Approval by Motion

MOTION made by Mr. Lang, seconded by Mr. Welch, to approve the Trustee Meeting Minutes for November 15, 2016. Discussion: none. **Motion carried.**

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

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

Requisitions – Greater than \$2,500.00

1. Adm \$36,195.72 Frost Brown Todd, LLC – Legal services through October 31, 2016 (various departments)
2. Adm \$6,000.00 Five Visual Communication & Design – Design and print the 2017 Community Guide for program and event information
3. Fire \$6,805.01 Sutphen Corporation – Repair ladder on Reserve Unit 502
4. Fire \$5,034.00 Best One Tire & Service of Mid America – Purchase and install two front tires for Vehicle #405 E-71; four rear tires for Vehicle #609-2-E-72; two front tires for Vehicle #515 M-72
5. Fire \$3,000.00 Hi Tech Duct Cleaning, Inc. – Inspect and perform maintenance on Fire Station 74 HVAC system

6. Police \$8,462.78 Viox Services Inc.– Replace and install a pressure wash system for Township vehicles
7. Services \$3,264.44 Viox Services Inc. – Repair Safety Services Center west garage door opener (Increase PO# S163224)

MOTION made by Mr. Welch, seconded by Mr. Lang, to approve payment of requisitions 1 through 7. Discussion: none. **Motion carried.**

Personnel Items

Mrs. Boyko introduced the next item saying this position has been vacant for over a year, and thanked Human Resources (HR) Specialist Jessica Chaney for fulfilling those responsibilities in the interim. She provided a brief background of Ms. Rinear-Youn's background, noting she has been with the Township for about four months through a temp service.

MOTION made by Mr. Lang, seconded by Mr. Welch, to fill vacancy and hire Ms. Amanda Rinear-Youn as Human Resources (HR) Specialist, effective December 7, 2016 at the hourly rate of \$19.40 with a one year probationary period and contingent upon successful completion of applicable testing and procedures. Discussion: Mr. Lang expressed his support, saying that filling the vacancy would help a lot in the organization. **Motion carried.**

MOTION made by Mr. Lang, seconded by Mr. Welch, to approve the revised job description for Fire Lieutenant as illustrated in the attached supporting documentation and to promote Firefighter/Medic Ryan Asbrock to the rank of Lieutenant effective December 18, 2016 at the annual salary of \$75,316.00 per the collective bargaining agreement with a one year probationary Period, and contingent upon successful completion of applicable testing and procedures. Discussion: Mr. Lang said Ryan was a world class leader and recognized his family members in attendance. **Motion carried.**

Mrs. Boyko then asked that the meeting pause in order to allow Chief Prinz, Lieutenant Asbrock, his wife, and his daughter to come to the front. At that time Lt. Asbrock's badge was pinned by his wife and daughter.

MOTION made by Mr. Lang, seconded by Mr. Welch, to approve the revised job description for Assistant Chief of Police as illustrated in the attached supporting documentation and to promote Captain Brian L. Rebholz to the position of Assistant Chief of Police effective December 7, 2016 at the annual exempt salary of \$106,801.00 with a one year probationary period, and contingent upon successful completion of applicable testing and procedures. Discussion: Mr. Lang observed Brian's background, noting he worked his way up the ranks, and expressed praise for him. **Motion carried.**

Mrs. Boyko introduced the next item saying all these police promotions were the result of retirement.

MOTION made by Mr. Lang, seconded by Mr. Welch, to promote Lieutenant Jamie L. Hensley to the position of Captain effective December 7, 2016 at the annual exempt salary of \$97,000.00 with a one year probationary period, and contingent upon the completion of testing and

procedures. Discussion: Mr. Lang observed all of the institutional knowledge in the promotions. **Motion carried.**

MOTION made by Mr. Lang, seconded by Mr. Welch, to promote Sergeant Michael L. Quinn to the rank of Lieutenant effective December 7, 2016 at the annual salary of \$87,466.60 per the collective bargaining agreement with a one year probationary period and contingent upon the successful completion of applicable testing and procedures. Discussion: Mr. Lang observed Michael's 20 years of service. **Motion carried.**

MOTION made by Mr. Lang, seconded by Mr. Welch, to promote Police Officer Joseph R. Beck to the rank of Sergeant effective December 7, 2016 at the annual salary of \$76,057.92 per the collective bargaining agreement with a one year probationary period and contingent upon successful completion of testing and procedures. Discussion: Mr. Lang noted Officer Beck was a School Resource Officer in the Lakota Schools where he was highly appreciated.

Motion carried.

Mr. Welch then related a positive experience he had with the police department thorough the Leadership 21 program. Mr. Lang praised our police personnel for their heroism, adding that they should be the role models for our children.

Chief Herzog then escorted Assistant Chief of Police Rebholz to the front, where his badge was pinned by his father, a retired police officer himself; Chief Herzog subsequently pinned badges on Captain Hensley, Lieutenant Quinn, and Sergeant Beck.

(Fiscal Officer Note: Trustee Lee Wong arrived to the meeting during the ceremony at 6:24 p.m.)

Mrs. Boyko introduced the next item saying the applicants had successfully completed the applicable testing and procedures.

MOTION made by Mr. Wong, seconded by Mr. Lang, to hire two full time Laborer Operators: Mr. James Gallaher and Mr. Jonathan Earhart to fill vacant positions effective December 7, 2016 at the hourly rate of \$16.82 per the collective bargaining agreement with a one year probationary period and contingent upon successful completion of applicable testing and procedures.

Discussion: none. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying the applicants had successfully completed the applicable testing and procedures, and they were being hired on an as-needed basis and the weather has been such that there hasn't been the need for their services to date.

MOTION made by Mr. Lang, seconded by Mr. Wong, to hire two on-call snow plow operators: Mr. Carlton Grant and Mr. Jerry Hornsby, effective December 7, 2016 at the hourly rate of \$15.00 contingent upon successful completion of applicable testing and procedures.

Discussion: none. **Motion carried unanimously.**

Business Items

Mrs. Boyko introduced the next item saying this would be the fourth year the Township has contracted with Aetna and, though they were not the lowest in the competitive bidding, the difference was so minimal as to mitigate the cost and complexity of transitioning a change.

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve a contract and premium rates with Aetna medical insurance as illustrated on the attached documentation for January 1, 2017 through December 31, 2017, and to authorize the Township Administrator to execute the contract and any other documentation necessary to effectuate said contract. Discussion: Mr. Lang said he could not vote on this item because he has a financial conflict because one of his businesses is an employee benefits firm. **Motion carried.** Mr. Lang abstained. Mr. Lang then commented that, though Strategic Employee Benefits Solutions is a competitor of his company, he praised them for accessing a minimal cost increase to the Township.

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve a contract and premium rates with MetLife dental as illustrated on the attached documentation for January 1, 2017 through December 31, 2017, and to authorize the Township Administrator to execute a contract and any other documentation necessary to effectuate said contract. Discussion: none. **Motion carried.** Mr. Lang abstained, again noting his conflict of interest.

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve a contract and premium rates with Humana Vision as illustrated on the attached documentation for January 1, 2017 through December 31, 2017, and to authorize the Township Administrator to execute a contract and any other documentation necessary to effectuate said contract. Discussion: none. **Motion carried.** Mr. Lang abstained, again noting his conflict of interest.

MOTION made by Mr. Wong, seconded by Mr. Welch, to contract with Principal Life Insurance for voluntary life insurance for January 1, 2017 through December 31, 2017 and to authorize the Township Administrator to execute a contract and any other documentation necessary to effectuate said contract. Discussion: none. **Motion carried.** Mr. Lang abstained, again noting his conflict of interest.

Mrs. Boyko introduced the next item saying there are no permits available to the applicant in the Township, therefore the applicant is pursuing a permit transfer through the Ohio Department of Liquor Control pursuant statute.

MOTION made by Mr. Lang, seconded by Mr. Wong, to acknowledge Cool Dough 3, LLC as a designated and continuing economic development project and to allow the TREX liquor permit transfer without objection, and to authorize the Township Administrator to execute any documentation necessary to effectuate the TREX. Discussion: none. **Motion carried unanimously.**

Mr. Welch introduced items 21 through 28 relating to TIF resolutions by agreeing with the other two Trustees to withhold discussion until the end, and Mr. Welch and Mrs. Boyko agreed to have discussion on each item and get right to the vote, and have deliberation at the end.

Mrs. Boyko said her comments related to each one of the items, though each were statutory resolutions and each required separate motions of approval. The Board will be approving to expand the purpose of the public improvements designated in these TIF districts. "...We are asking the Board to consider expanding the language for the purpose of public improvements which translates to the ability to use the collections from these TIF districts for eligible public improvement projects, generally in two categories – to plan, design and construct public parking structure facilities, and to acquire, demolish, reconstruct or gentrify land, property or building in

aid of industry or commerce. The only outlier is the Union Centre Boulevard TIF. Due to a constraint of the law when the UCB TIF was enacted, it does not allow acquisition, demolition, reconstruction or gentrification of land, building or property in aid of industry or commerce. The current amending process required a notice to the Lakota Local School District and the Butler Technology and Career Development Schools which were done last month. There is a 45 business day notice requirement before the board can take action on this enabling legislation, however both Lakota and Butler Tech waived the notice period so the Board may take action prior to the 45 day notice deadline. The Township does have the approvals of the resolution, and the notice waivers from both schools.”

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve statutory Resolution No. 34-2016 amending resolution Nos. 13-90, 91-17 and 41-2004 to include additional public infrastructure improvements for an existing Tax Increment Financing exemption in West Chester Township, Butler County, Ohio, granted pursuant to section 5709.73 of the Ohio Revised Code prior to July 21, 1994 (UCB TIF). Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve statutory Resolution No. 35-2016 amending Resolution Nos. 98-55 and 6-99 to include additional public infrastructure improvements for an existing Tax Increment Financing exemption in West Chester Township, Butler County, Ohio, granted pursuant to section 5709.73 of the Ohio Revised Code (SR 747 TIF). Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve statutory Resolution No. 36-2016 amending Resolution No. 7-99 to include additional public infrastructure improvements for an existing Tax Increment Financing exemption in West Chester Township, Butler County, Ohio, granted pursuant to section 5709.73 of the Ohio Revised Code (Tylersville Road TIF). **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve statutory Resolution No. 37-2016 amending Resolution No. 29-2004 to include additional public infrastructure improvements for an existing Tax Increment Financing exemption in West Chester Township, Butler County, Ohio, granted pursuant to section 5709.73 of the Ohio Revised Code (Cincinnati-Dayton Road TIF). **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve statutory Resolution No. 38-2016 amending Resolution No. 42-2004 to include additional public infrastructure improvements for an existing Tax Increment Financing exemption in West Chester Township, Butler County, Ohio, granted pursuant to section 5709.73 of the Ohio Revised Code (CBD TIF). **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve statutory Resolution No. 39-2016 amending Resolution No. 19-2015 to include additional public infrastructure improvements for an existing Tax Increment Financing exemption in West Chester Township, Butler County, Ohio, granted pursuant to section 5709.73 of the Ohio Revised Code (Capstone Boulevard TIF). **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve statutory Resolution No. 40-2016 amending Resolution No. 20-2015 to include additional public infrastructure improvements for an existing Tax Increment Financing exemption in West Chester Township, Butler County, Ohio, granted pursuant to section 5709.73 of the Ohio Revised Code (Cincinnati-Columbus Road TIF). **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve statutory Resolution No. 41-2016 amending Resolution No. 21-2015 to include additional public infrastructure improvements for an existing Tax Increment Financing exemption in West Chester Township, Butler County, Ohio, granted pursuant to section 5709.73 of the Ohio Revised Code (Tylers Place Boulevard/I-75 and Tylersville Road Vicinity TIF). Discussion: Mr. Wong said West Chester has used TIF as a strategy toward building a long term sustainable community, and the public infrastructure has spurred quality corporate investment which eases the tax burden on the residential tax payer. Mr. Lang said TIFs are a way to build infrastructure to attract businesses. He noted that businesses take out less in services for every dollar they pay in taxes relative to residents, and businesses pay about 65-70% of the total tax bill. He said the Township, excluding the school district, hasn't come to residents for a tax levy for many years and the TIFs are a big reason for that. He also stated they have been working on these Resolutions for about a year, and praised the school district for their "give and take" in negotiations. He concluded by saying the Resolutions allow the Township to do more things, such as a parking garage which will ultimately benefit residents. Mr. Welch provided data on the amount of economic development attributable to TIFs. Mr. Wong and Mr. Lang expressed additional praise of the TIF districts. Once their discussion concluded, Mr. Jones noted there was no discussion on the previous five motions and as a point of order, asked the Board if it wished this discussion fulfilled its discussion on the previous five motions as well. The Board responded affirmatively.

Motion carried unanimously.

Mrs. Boyko introduced the next item saying the Board voted in the previous eight items to expand the purpose for allowable public improvements to expend TIF collections. The next two items relate solely to the UCB TIF because it was created pre-1994, and they will allow about 75% of those properties in the UCB TIF district considered public improvements to extend the tax exemption an additional 15 years beyond 2021, and terminate and expire the balance at the end of tax year 2018 pursuant ORC 5709.73 (L). She noted school compensation agreements were not required for pre-1994 TIF districts, however these two Resolutions were packaged with the previous eight and presented to and negotiated with the impacted school districts.

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve statutory Resolution 42-2016 amending Resolution 13-90 and as amended by other related resolutions to extend the exemption of improvements for a portion of the Union Centre Boulevard Tax Increment Finance District pursuant to Ohio Revised Code 5709.73(l) for an additional fifteen years after tax year 2021, the natural maturity date of the UCB TIF and to authorize the Township Administrator to process any documentation necessary to effectuate this resolution. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Lang, to approve statutory Resolution No. 43-2016 authorizing termination of a property tax exemption granted pursuant to section 5709.73 of the Ohio Revised Code and early expiration of a portion of the Union Centre Boulevard Tax

Increment Finance District at the end of tax year 2018, and to authorize the Township Administrator to process any documentation necessary to effectuate this resolution. Discussion: none. **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying the Board's action in the eight motions expanding the public purpose for the TIFs, the school compensation agreement with the Lakota Local School District for the State Route 747 TIF district was subject to re-negotiations. Statute requires that the negotiated agreement with the local school district apply exactly to the local vocational school district – Butler Tech. She said the 1998 747 TIF District was amended in 1999, and included school compensation agreement. This agreement included statutorily prescribed charge-off for state funding in the compensation formula. The currently negotiated agreement increases revenue to the school district and is favorable to both entities.

MOTION made by Mr. Lang , seconded by Mr. Wong, to approve amended and restated SR 747 Tax Increment Finance Exemption School Compensation Agreement in substantially the same form as attached between the West Chester Township Board of Trustees and the Lakota Local School District Board of Education and to authorize the Township Administrator to make non-substantive changes if necessary with Bond Counsel approval and to execute the agreement and all necessary documents to effectuate said agreement. Discussion: Mr. Wong said, though the matter is complicated, the Board was doing the right thing for the community. Mr. Welch said he appreciated Lakota Schools, but the Lakota Schools is spending more than they're bringing in. West Chester Township, however, operates in the black and has a sizeable carryover every year. He said the Township would be required to reduce staff and staff if it did not operate in the black. If operating in the red were not enough, we have systemic problems in our schools where we're spending more and getting less with regards to academic performance. He communicated data from the Ohio Department of Education regarding the cost of a public education. He said his fiduciary responsibility is to the residents and business owners in West Chester. He questioned, "Who will do a better job of spending the TIF money that we've talked about tonight in business items 21 through 30, West Chester or Lakota?" Mr. Welch commented on a chart of projected deficits in the Lakota schools, and said we can find a solution and be forward thinkers in the next nine years. **Motion carried unanimously.**

MOTION made by Mr. Lang that, having reviewed the staff report and affidavit, we declare property located 6270 Strathaven Drive 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 these property. Motion seconded by Mr. Wong. 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

There were no Citizen's Comments.

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

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

Discussion Items & Elected Official Comments

Mr. Jones said the 75th anniversary of the attack on Pearl Harbor was going to be commemorated the following morning at the Brookside Cemetery and officiated by VFW Post 7696. Mr. Welch commented on the community-needs assessment forum conducted that day by the West Chester-Liberty Community Foundation, saying it was forward thinking and time well spent.

Recess to Executive Session

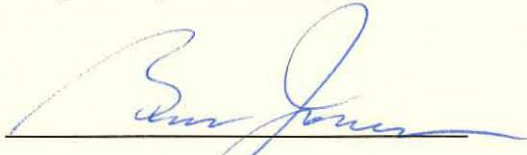
At 7:18 p.m., Mr. Welch asked for a motion to recess the Regular meeting and go into Executive Session with legal counsel for the purpose of considering and discussing (1) personnel matters: (A) contract negotiations and contract interpretations for certain collective bargaining units; (2) Acquisition, sale, or swap of real property, (3) Current litigation. Motion made by Mr. Lang, seconded by Mr. Wong. Discussion: none. **Motion carried unanimously.** Mr. Welch declared the meeting in recess and said the Board would return after Executive Session to adjourn the Executive Session and the Regular meeting.

Post Executive Session/ Adjournment

MOTION made at 7:56 p.m. by Mr. Lang to adjourn the Executive Session and resume the December 6, 2016 Regular meeting, seconded by Mr. Wong. Discussion: none. **Motion carried unanimously.**

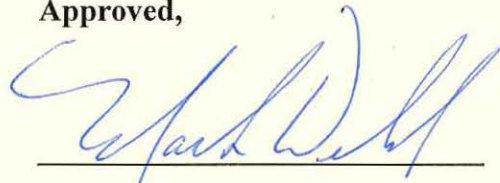
MOTION made by Mr. Lang, seconded by Mr. Wong, to adjourn the regular meeting. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,



Bruce Jones, Fiscal Officer

Approved,



Mark Welch, President