

Record of Proceedings:

August 22, 2017

West Chester Township Board of Trustees - Regular Meeting

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

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

Pledge of Allegiance: Repeated by those present.

Citizen's Comments

Silvia Pacheco McGuire, 6531 Wilderness Trail, said "video of the past trustee meeting show that there is a local need to combat hate". Hate unchecked can make people fearful and feel unwelcome in our community. She then invited the Board to support and display sign reading, "Hate has no home" signs at their work, business, and home, and gave the Board copies of her sign. She said, "This sign is a public declaration that hate speech and hateful action against others will not be tolerated by the person or organization displaying the sign. The sign is not associated with any particular political party. It's just a statement that, while it's okay to disagree with others civilly regarding issues, it is not okay to intimidate or attack a person or group verbally or physically based on attributes such as gender, ethnicity, national origin, religion, race, disability, or sexual orientation." She continued, "It seeks to declare homes, businesses, and places of community free from hate speech and behavior . . ." She concluded by saying people could get more information about the "Hate has no home" initiative by going to hatehasnohome.org.

Erica McCain, 8407 Sea Mist Court, said, "In the wake of the violent white supremacist Unite the Right Rally in Charlottesville, Virginia on August 12th, our country is reminded that, sadly, racism is alive and well in America in 2017. Last week our President was widely criticized for his inability or refusal to make a clear statement condemning racism and hate groups. Although he issued a statement just last night, his failure to do so clearly and quickly disappointed many republicans, such as yourselves, and did not provide the wisdom or leadership that we as citizens need to hear from our elected leaders. Accordingly, I am asking each of your to denounce racism and hate in our community very publically, tonight, on the record. Tomorrow via an individual press release and then on any and all social media accounts connected to your names. Additionally I'd like for you to send individual letters to the editor of The Journal News and The Cincinnati Enquirer denouncing hate, racism, and all forms of it in our community of West Chester because we do have hate groups here in West Chester. It's widely known." She concluded by thanking the Board for representing the citizens of West Chester.

Presentations

There were no presentations.

Action Items – For Approval by Motion

There were no minutes for the August 8, 2017 Special meeting or the August 8, 2017 Regular meeting. Mr. Jones commented that he was never notified there was a Special meeting on August 8. Mr. Welch asked him to use the video of the meeting to prepare the minutes for that meeting.

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

Mr. Fronk submitted the following requisitions greater than \$2,500:

Requisitions – Greater than \$2,500.00

1. Adm \$21,117.64 Frost Brown Todd, LLC – Legal services through June 2017
(various departments)
2. Fire \$799,456.00 Vogelpohl Fire Equipment – Purchase a 2018 Quint fire apparatus
To replace a 1997 Quint (CIP #191)
3. Fire \$31,923.50 Kings Ford – Purchase a 2018 Ford Expedition for fleet replacement
(CIP #952)
4. Fire \$8,500.00 Zoll Data Systems, Inc. – Renew annual software maintenance
agreement for EMS reporting
5. Fire \$3,000.00 William Jeremy Hess – Reimburse tuition in accordance with
Article 22 of the collective bargaining agreement and Township
guidelines
6. Police \$207,519.98 Kings Ford – Purchase seven 2018 police vehicles (CIP #1138)
7. Police \$12,413.33 Viox Services Inc. – Replace carpet in the Criminal Investigation
area (CIP #1315)
8. Police \$7,647.75 Less Lethal – Purchase crowd control protective gear (CIP #1390)
9. Police \$3,990.00 Laser Technology – Replace two laser speed guns (CIP #1321)
10. Services \$9,570.00 J.K. Meurer Corporation – Resurface Keehner Park Amphitheatre
pedestrian asphalt paths (CIP #1350)
11. Services \$4,870.10 Mr. Roof Cincinnati, LLC – Replace two Keehner Park shelter roofs
(CIP #1349)

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve payment of requisitions 1 through 11. Discussion: Mr. Wong said he believed some of the police cars were overdue for replacement. Observing the million dollar plus expenditures for police and fire vehicles, Mr. Welch said there's nothing more important than safety, adding that approximately 69% of the township budget is allocated for safety services. This protects property values and reduces insurance rates, and make West Chester one of the best places to live. **Motion carried unanimously.**

Personnel Items

Mr. Fronk introduced the next item saying the applicant has been working in the police department through a temp agency, has been doing a fine job, and they want to keep her.

MOTION made by Mr. Lang, seconded by Mr. Wong, to hire Ms. Jannell Jean Murrell to the position of part-time Records Clerk effective September 5, 2017 at the hourly rate of \$12.72 with a one year probationary period and contingent upon successful completion of applicable testing and procedures. Discussion: none. **Motion carried unanimously.**

Business Items

Mr. Fronk introduced the next item saying this is something the Township does every year, and this action simply codifies what the Township does in its policies and procedures.

MOTION made by Mr. Lang, seconded by Mr. Wong, to update the tax-exempt debt policies and procedures and authorize the Township Administrator to make non-substantive changes with Law Director approval to remain compliant with applicable laws and regulations, and advice of Township Bond Counsel. Discussion: none. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying this item is an economic development tool for the transfer of liquor licenses. He said LaRosa's will be building new, larger facility.

MOTION made by Mr. Lang, seconded by Mr. Wong, to acknowledge Paste Inc. (LaRosa's West Chester) 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: In response to Mr. Wong's inquiry as to the location of the new facility, Mr. Lang and Mr. Fronk commented that the location is public record. Mr. Wong commented that the location is 8178 Highland Pointe Drive. **Motion carried unanimously.**

MOTION made by Mr. Wong that, having reviewed the staff report and affidavit, we declare the properties listed on the West Chester Township Board of Trustees meeting agenda dated August 22, 2017 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. Welch. Discussion: Mr. Wong said this action is a necessary evil in order to maintain the integrity of our community. (Fiscal Officer Note: The five subject properties were 7859 Kingsgate Way, 6270 Strathaven Drive, 8900 Rambling Ridge, 7890 Planters Lane, 7822 Orchard Court.) **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to not object to a new D3 liquor permit for AYSE Inc., dba The Wooden Barrel, Unit C & Deck, 9303 Cincinnati Columbus Road. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to not object to a new C1 and C2 liquor permit for the Spicy Olive LLC, 7671 Cox Lane. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to not object to a C1, C2, and D6 liquor permit transfer from BBWC LLC, 9324 Cincinnati Columbus Road, to ASRR LLC, dba Mighty Ducks Drive Thru, 9324 Cincinnati Columbus Road. 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

Tom O'Brien, 9139 Revere Run, commented on the renaming of Lakota West Drive from the roundabout to Union Centre Boulevard after Army Master Sergeant Corey Hood. He gave an account of Mr. Hood's service in the Army before his death as a Golden Knight paratrooper, as well as Mr. Hood's character attributes. Mr. O'Brien provided the Board with materials pertaining to Sargent Hood's service. He also commented on a recent fundraiser in Sargent Hood's honor, and concluded by asking the Board to re-name the stated portion of Lakota West Drive in honor of Sargent Hood.

Penelope Greenler, 7917 Bayer Drive, asked if all Christians were members of the KKK, and if all Muslims were members of ISIS. She asked people to consider that when judging people to be members of an extreme group.

Nick Inger, 8734 Union Centre Boulevard, said he's one of the managing members of the Hoody Memorial, commented on the origin of the memorial group and that its purpose was to grant scholarships in Cory's honor. He commented in support of renaming a portion of Lakota West Drive in honor of Cory.

Marcie Meyers Atkinson, 9581 Semaphore Court, commented on behalf of a non-resident that, The Moving Wall, the memorial to Viet Nam veterans, would be located at UAW Union Hall 863 from August 24th to the 27th on Reading Road. There was to be an opening ceremony on the 24th, as well as a candlelight vigil and a closing ceremony.

Jason Cronk, 8790 Rupp Farm Drive, said he was a teacher in the Lakota schools and that he was a chemistry teacher of Cory's. He noted how well Cory kept in touch with people, including himself. The reason he would like to have the street renamed after Cory Hood was so that people would ask, who's Cory Hood? Though Cory was not a great student, he found his way in the Army, and was a positive example for young people. He concluded by asking the Trustees to rename the street in honor of Cory so that friends, relatives, and teachers could tell his story to anyone that might ask.

Randy Simmons, 5924 Owl Nest Drive, said he's heard citizen comments in recent meetings about Sharia Law, the Constitution, insinuation of racism and complaints that the township doesn't show enough diversity in the opening prayer, etc. He said we're fortunate to live in a conservative and tolerant community like West Chester. Discussion of controversial topics are merely discussions and he hopes the Trustees could discuss the topics to their natural conclusion. He believes that citizen comments about Sharia Law and the U.S. Constitution are a waste of time because they are not actionable by the Trustees, unless there are issues of safety or policy in play. Mr. Simmons said, to the extent these discussions on social issues are not actionable and considering there's an election coming up, these liberal citizen comments are designed for political purposes and are "fake news". They are making issues of non-issues so they could spotlight it in order to serve their political motives. He said those that have spoken in defense of their interpretation of the Constitution, they have taken the bait of a liberal agenda to keep the irrelevant conversation going. Mr. Simmons said he's a conservative and appreciates that others may hold different views, and his comments are not about squelching free speech. Rather, his

comments are about the relevancy of their comments to the issues of the township, and suggested that their “comments on social matters find another venue and soapbox, rather than wasting the valuable time of our elected officials on matters that they cannot act upon”.

Erika McCain, 8407 Sea Mist Court, quoted Martin Luther King, “We will not remember the words of our enemies, but the silence of our friends”. She didn’t want to add anything to his words, adding that the quote applied to, “the silence of our neighbors and our elected officials”.

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

Mr. Fronk introduced the next item, Resolution No. 24-2017 approving a zoning map amendment from A-1 to C-PUD and preliminary development plan for Case #ZMA02-17 – Butler County Transportation Improvement District (TID) at Liberty Way. “Now therefore, be it resolved on the basis of the above actions and findings, the West Chester Township Board of Trustees does hereby concur with the recommendation of approval of the West Chester Township Zoning Commission and does hereby approve the Zoning Map from A-1 to CPUD, Commercial Planned Unit Development district, and Preliminary Development Plan with the following conditions”, noting there were 24 conditions.

MOTION made by Mr. Lang, seconded by Mr. Wong, to approve Resolution No. 24-2017 approving a zoning map amendment from A-1 to C-PUD and preliminary development plan for Case #ZMA02-17 – Butler County Transportation Improvement District (TID) at Liberty Way. Discussion: none. **Motion carried unanimously.**

Discussion Items & Elected Official Comments

Mr. Lang commented on the request to rename the western portion of Lakota West Drive after Cory Hood, expressing his hope that the other two Trustees could support it. He asked that all of Lakota West Drive be renamed after Cory, assuming the Lakota School Board had no objection, which he doubted would be an issue. Mr. Lang said another option would be to name the roundabout after Cory Hood. He acknowledge their concern that it might create a “slippery slope”. Mr. Wong commented on the complexity of beginning to name a street after someone. Mr. Lang suggested they could get Law Director input to create a policy. Mr. Welch noted renaming Lakota West Drive would not impact any businesses. Mr. Lang suggested staff contact the school board on the matter, and they could have the Law Director develop some parameters concurrently. Renaming options were then discussed among the Trustees.

Mr. Fronk commented that the 2017 Annual Financial Information Statement given to the Board the previous week is prepared by staff in conjunction with their bond counsel, and it entails the most up to date finance data having been prepared right after the CAFR was prepared. He said the purpose for the statement is to provide bond investors with our most current economic data. Mr. Fronk said staff needs to have acknowledgement from the Trustees that they received the 2017 Annual Financial Information Statement, have had an opportunity to review it, and have an opportunity to ask any questions regarding the statement. He said this acknowledgement does not require a motion, rather it just needs to be documented, and they would be doing so by virtue of their discussion. Mr. Lang and Mr. Wong indicated that they received a copy of the 2017 Annual Financial Information Statement and would contact him, Mr. Fronk, if they had any

questions. Mr. Welch commented on the content of the statement, specifically on page where it indicated the assessed valuation of property for 2016 in West Chester Township was

\$1,885, 583,380, and commented on real estate values. He said 21% of property taxes goes to the Township and 64% goes to Lakota School District. The Lakota School District is now doing a good job with their money. He observed that the Board approved allocating \$50,000 on March 28, 2017 for a new project, OpenGov, and encouraged people to research OpenGov.com. OpenGov will enable more transparent and innovative governance, as well as better informed decision making. West Chester is the first government in the state of Ohio to use both the Budget Builder and OpenGov OpenData software. Mr. Welch said, once the portal is rolled out in several months, citizens will not only be able to look at our financial data, but also identify where crime exists in the township, first responders response times and other performance measures, both quantitatively and qualitatively.

Mr. Jones expanded on his earlier comment about not receiving notification of the August 8th Special Meeting, identifying the township's financial strengths and accomplishments while he's been in office. He emphasized, however, that he's never missed a meeting, never been late to a meeting, or left a meeting early in his near 6 years in office.

Mr. Wong, agreed with Citizen Comments by Randy Simmons that township government is here to address roads, safety, maintenance, cemetery, police and fire. To provide quality service to residents and businesses. He continued by saying there are a lot of good people in West Chester, though a few, very few bad apples who have the right to free speech, but they protests outside the Islamic Center and incite violence, and make inflammatory comments. He said we should love our neighbors and live in the image of God. He said protestors incite hate and violence, and don't belong in the township, but the Board is there to do business for the people of the community. He would appreciate that people respect one another, "and denounce racism, bigotry, and extremism".

Mr. Lang said he denounces hate groups, observing that there are hate groups on both the right as well as the left. He observed the experience one of his daughters had at NYU when a conservative speaker was barred from speaking by violent left wing protestors. He said people in America have the constitutional protected right to hate, but they do not have the right to act out on that hatred. He denounced hate groups and supremacist groups of all races. Mr. Lang suggested people ignore hate groups, and expressed gratitude for the Second Amendment that people can defend themselves against violent people. He concluded by saying, "We're giving way too much focus and way too much attention to the damn idiots".

Mr. Welch related an incident he had with bigotry as a youngster. He read the Preamble to the Constitution and the Preamble to the Declaration of Independence, reflecting on the principals by which we live. He said we are a melting pot, a work in progress, cautioning against anarchist who'd tear everything down. He concluded by saying it's, "about treating people like you'd like to be treated".

Recess to Executive Session

At 7:28 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 issues:

(A) provision of benefits for public employees, (2) Acquisition, sale, or swap of real property, (3) Pending or current litigation. Motion made by Mr. Lang, seconded by Mr. Wong. Mr. Welch said the Board would return to adjourn the Executive Session and adjourn the Regular meeting. Discussion: none. **Motion carried unanimously.** Mr. Welch declared the meeting in recess.

Post Executive Session/ Adjournment

MOTION made at 7:59 p.m. by Mr. Lang to adjourn the Executive Session and resume the August 22, 2017 Regular meeting, seconded by Mr. Wong. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Lang, seconded by Mr. Wong, to adjourn the August 22, 2017 Regular meeting. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,



Bruce Jones, Fiscal Officer

Approved,



Mark Welch, President