

Record of Proceedings: November 14, 2017
West Chester Township Board of Trustees - Regular Meeting

Convene: President Welch convened the meeting at 6:00 p.m.
Roll Call: Mr. Welch and Mr. Wong responded.
Pledge of Allegiance: Repeated by those present.

Citizen's Comments

Henry Bartman, 6209 Chappelfield Drive, reiterated comments he made at the September 26th Trustee meeting when he complained that Rumpke trucks were picking up garbage too early in the morning, causing a lot of noise in the process. He observed that their truck began picking up later in the morning for several weeks, but then resumed earlier pick-up times. When he called Rumpke, an unidentified person said the only way to resolve the problem was for West Chester Township to pass an ordinance to prevent Rumpke from coming that early. He asked how to get that process started.

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 for October 24, 2017. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve the Trustee Special Meeting Minutes for October 25, 2017. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, 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

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| 1. Adm | \$16,772.87 | Frost Brown Todd, LLC – Legal services through September, 2017 (various departments) |
| 2. Adm | \$277,736.00 | OTARMA – Renew Township liability and property insurance (December 1, 2017 – November 30, 2018) |
| 3. Adm | \$37,310.48 | N. Harris Corporation – Renew annual license and support agreement for GEMS financial accounting software |
| 4. Fire | \$6,091.30 | Vogelpohl Fire Equipment – Perform annual bench testing of Self Contained Breathing Apparatus (SCBA) and masks |
| 5. Police | \$10,275.00 | Vance Outdoors, Inc. – Purchase training ammunition for department issued service weapons |

- 6. Services \$50,000.00 Cargill Inc. – Purchase road salt for 2017-2018 winter season
- 7. Services \$11,040.00 Univar U.S.A., Inc. – Purchase liquid calcium chloride for the 2017 –2018 winter season
- 8. Services \$42,000.00 Playcore Wisconsin Inc. dba Gametime – Purchase and replace Keehner Park east playground (CIP #848)

MOTION made by Mr. Wong, seconded by Mr. Welch, to approve payment of requisitions 1 through 8. Discussion: Mr. Fronk and Mr. Welch responded to Mr. Wong’s inquiry as to what was being purchased for the Keehner Park playground. **Motion carried unanimously.**

Personnel Items

Mr. Fronk introduced the next item saying this fills a current vacancy, adding that Mrs. Cooper comes highly recommended by the Fire Chief.

MOTION made by Mr. Wong, seconded by Mr. Welch, to promote Mrs. Shawn Cooper to fill the vacant position of Administrative Assistant in Administration effective November 15, 2017 at the non-exempt hourly rate of \$16.80 with a 90 day introductory period. Discussion: Mr. Welch thanked Fire Chief Prinz for training Mrs. Cooper. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying this action and the previous item completes filling all vacancies in the Administration.

MOTION made by Mr. Wong, seconded by Mr. Welch, to hire Ms. Jamie C. Jarrett to fill the vacant position of Secretary in Administration effective November 15, 2017 at the non-exempt hourly rate of \$15.50 with a one year probationary period and contingent on successful completion of applicable testing and procedures; and to approve the revised job description for this position. Discussion: Mr. Welch recognized Ms. Jarrett in the audience. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying Mrs. Walton has been working for the Township as a Property Advisor while performing some of the duties of the vacant position.

MOTION made by Mr. Wong, seconded by Mr. Welch, to promote Mrs. Cathy Walton to fill the vacant position of Business Attraction and Expansion Manager effective November 15, 2017 at the non-exempt hourly rate of \$24.52 with a 90 day introductory period. Discussion: Mr. Wong said this is an important position for the Township. Mr. Welch identified some of the network partners with whom she’s already been working. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying Mr. Bradford has completed all of the required tests.

MOTION made by Mr. Wong, seconded by Mr. Welch, to hire Mr. Brian Bradford to the vacant position of career Firefighter/Paramedic effective November 21, 2017 at the annual exempt salary of \$54,365.02 per collective bargaining agreement with a one year probationary period and contingent upon successful completion of applicable testing and procedures. Discussion: Mr. Welch praised Mr. Bradford for being a first responder. Mr. Wong asked Mr. Bradford to recognize his family members in attendance. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying Mr. Byrd was currently a Fire Captain with the city of Cincinnati Fire Department.

MOTION made by Mr. Wong, seconded by Mr. Welch, to hire Mr. Maurice Byrd to the vacant position of part-time Fire Inspector effective November 15, 2017 at the non-exempt hourly rate of \$17.70 with a one year probationary period, and contingent upon successful completion of applicable testing and procedures. Discussion: none. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying it is on the agenda that evening in order to get them enrolled in the Police Academy.

MOTION made by Mr. Wong, seconded by Mr. Welch, to hire Mr. Christian D. Dekker and Mr. Major R. Miller to the vacant positions of full-time Police Officer effective January 22, 2018 at the non-exempt annual salary of \$58,386.34 per the collective bargaining agreement with a one year probationary period contingent upon successful completion of applicable testing and procedures. Discussion: Mr. Wong recognized the two men in the audience. Mr. Welch said their role as a police officer was a special calling because they'll put themselves at risk for others. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to hire Mr. Caleb Keeler to the vacant position of Laborer Operator effective November 29, 2017 at the non-exempt hourly rate of \$16.82 with a one year probationary period and contingent upon successful completion of applicable testing and procedures. Discussion: none. **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to hire Mr. Carlton Grant to the vacant position of On-Call Snow Plow Operator effective December 1, 2017 at the hourly rate of \$15.00 contingent upon successful completion of applicable testing and procedures. Discussion: none. **Motion carried unanimously.**

Business Items

Mr. Fronk introduced the next item saying this item was approved in 2014 by the Board as a fringe benefit for Mrs. Boyko, and was no longer applicable, valid or necessary. This would be effectuated with Resolution 32-2017, authorizing rescinding Resolution 01-2014.

MOTION made by Mr. Wong, seconded by Mr. Welch, to rescind statutory Resolution #01-2014 authorizing West Chester Township to pick up the statutorily required contribution to the Ohio Public Employees Retirement System (OPERS) for the Township Administrator of West Chester Township pursuant to IRC Section 414(h)(2). Discussion: Mr. Wong said Mrs. Boyko earned this benefit and it saved the Township a lot of money. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying this action was necessitated by a parking problem involving semi-trucks on the stated streets and the West Chester Township Police Department has been unable to resolve the problem.

MOTION made by Mr. Wong, seconded by Mr. Welch, to commence process to establish a no parking zone for the entire length and both sides of International Boulevard and the entire length of the south side and cul-de-sacs of Spellmire Drive and schedule a public hearing for December 5, 2017 at 7:00 p.m. Discussion: Mr. Welch said part of the problem is that the truck drivers are contract drivers. **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 November 14, 2017, 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: none. (Fiscal Officer Note: The three subject properties were 8485 Cottonwood Drive, 6990 Emery Court, and 9447 Hadley Drive.) **Motion carried unanimously.**

MOTION made by Mr. Wong, seconded by Mr. Welch, to not object to a new D5 liquor permit for Effie & Odie LLC dba Skallys, 9558 Civic Centre Boulevard Suite D. Discussion: none. **Motion carried unanimously.**

Mr. Fronk introduced the next item saying Cartegraph is a GIS based system that's used by the Services Department to track its inventory and more, and the current Cartegraph system is very dated having been purchased in 2003.

MOTION made by Mr. Wong, seconded by Mr. Welch, to authorize CarteGraph system upgrade not to exceed \$120,000.00; authorize the Township Administrator to make non-substantive changes to the agreement with Law Director approval, and to execute any and all necessary documents to effectuate the agreement (CIP #1236). Discussion: none. **Motion carried unanimously.**

First Reading of Resolutions & Reading of Emergency Resolutions

Mr. Fronk read Resolution No. 33-2017 prohibiting marijuana cultivators, processors, and retail dispensaries within West Chester Township and initiating proposed text amendments to the West Chester Township Zoning Resolution to reflect this prohibition. He explained that this Resolution is a result of research performed by staff and previously presented to the Board. They concluded that there was no real benefit to the Township either economically or in terms of tying up any remaining industrial real estate for uses that do not reflect their highest and best use, either in producing jobs or tax revenue to the Township. The Board had no questions.

Citizen's Comments

Dan Richards, 6677 Station Road, said he was speaking on behalf of The Arboretum and Station Road Farm. He thought it strange and incomplete that the Resolution approving the sale of the Station Road schoolhouse did not mention the Montessori School, and thought it was omitted to deceive. He suggested the Board could have found a solution that everyone could agree upon, saying that would be statesman-like. He took issue with the traffic figure previously quoted. He took issue with the Board's definition of a school and a farm on Station Road, and its application of code. He also commented on Mr. Wong, the Board of Zoning Appeals, and its composition.

Howard Hendrix, 10125 Summit Avenue, asked what the Board planned to do to expand the cemetery. He also complimented the maintenance and upkeep of the cemetery.

William Vornkahl, 6882 Dimmick Road, commented on the marijuana prohibition in the Township, suggesting restrictions could have been implemented and asked that they vote against the prohibition.

Dan Meehan, 9412 Patti Circle, said if trees on Station Road were cut down visibility would be greatly improved, and questioned how Station Road Farm ever got permission to fill so as to obstruct the view on Station Road. He also expressed his concern with the lack of zoning enforcement in the Township. Mr. Meehan observed that the Trustees live in an area protected by a homeowners association, but noted everyone else that does not live in an HOA relies on the Zoning Resolution for protection. He noted a variety of violations in the Township that are not being addressed. He thought the problem was that the Zoning Department was greatly understaffed, observing that the staff is less than it was though the population has increased. He also objected to the policy requiring a complainant to provide their name when they file a complaint. He said the police department doesn't have such a requirement when a complaint is filed with it, and questioned why the planning department requires it. Mr. Meehan said he's filed two zoning violations and the result was that he was threatened. He also commented on a roofing company on Route 42, terming it "junky", and complained about car dealers on Route 42 unloading cars from a car transporter in the middle of the road, saying its dangerous and a zoning violation.

Dennis Bradbury, 9031 and 9023 Cincinnati-Dayton Road, said he was asked to tell his story about his relationship with Mr. Welch and the trustees. He said Mr. Wong told people that he, Mr. Bradbury was a good guy, he was just set up, and he's working to get through it. He proceeded to say how he helped Mr. Welch with his business before he was a trustee, and that Mr. Welch said he would vindicate his, Mr. Bradbury's name, but later advised him that he needed to move because he, Mr. Bradbury was the problem. He concluded by saying he was proud to have helped Mr. Welch, but he'll have someone pick up the items he let Mr. Welch use.

Jennifer Richardson, 7660 Tylers Valley Drive, said the issue of medical marijuana was not about economic considerations, rather it's about enabling people that are suffering to deal with pain.

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. Wong asked Mr. Fronk to speak with Mr. Meehan regarding his zoning violation concerns. He also noted that the Board has not expanded the cemetery in many years. He also recognized Trustee elect Ann Becker in the audience. He said the next Trustee meeting will be December 5th and the last meeting of the year will be December 19th.

Mr. Welch asked Mr. Fronk to look into Mr. Bartman's concern with Rumpke. He also said they do not have the authority to make marijuana legal or illegal because it's a state issue. He referred people concerned with the medical marijuana issue to a Butler County Planning Commission meeting December 12th where it would review the proposed text changes, a West

Chester Township Zoning Commission Public Hearing on December 20th, and a Trustee Public Hearing on January 9th. There will be the Final Reading of the Resolution at the January 23rd Trustee meeting. Mr. Welch then identified government entities in the area that have either a prohibition or a moratorium on medical marijuana, or are permitting it and to what extent. He also held up a map of the area and explained how many dispensaries would be permitted in each district, the southwest region being permitted a total of 15 dispensaries. He said he wanted people that need medical marijuana to have it, but it wouldn't be available in West Chester Township.

Mr. Wong encouraged people to partake of the Public Hearings on the matter of medical marijuana before the Board, with its new Trustee, vote on the matter. He also said they'll look into the issue of expanding the cemetery after a new administrator is hired for the Township.

Recess to Executive Session

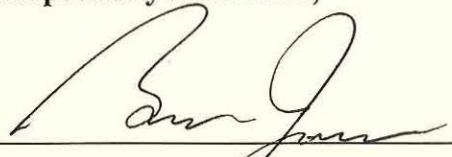
At 7:10 p.m., Mr. Welch asked for a motion to recess the Regular meeting and go into Executive Session with legal counsel for the purpose of considering and discussing (1) consideration of the employment and compensation of a public employee. Motion made by Mr. Wong, seconded by Mr. Welch. Mr. Welch 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 7:52 p.m. by Mr. Wong to adjourn the Executive Session and resume the November 14, 2017 Regular meeting, seconded by Mr. Welch. Discussion: none. **Motion carried unanimously.**

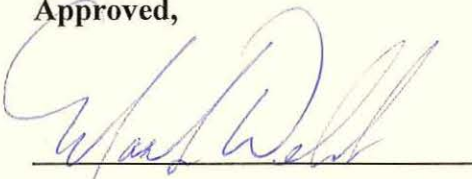
MOTION made by Mr. Wong, seconded by Mr. Welch, to adjourn the Regular meeting. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,



Bruce Jones, Fiscal Officer

Approved,



Mark Welch, President