

## MINUTES, WEEK OF DECEMBER 6, 2022

The Board of Trustees met on Tuesday, December 6, 2022, at the Butler Township Government Center, 3780 Little York Road, Dayton Ohio, at 6:00p.m. for a Regular Session to transact the business of the township.

Missy Pruszynski, President called the meeting to order.

*Trustee, Mike Thein was excused.*

### **PLEDGE OF ALLEGIANCE**

### **APPROVAL OF THE MINUTES**

The Minutes of November 1, 2022, and November 29, 2022, were submitted for approval. Bryson Jackson made a motion to approve the Regular Session Minutes of November 1, 2022, as submitted, with Missy Pruszynski seconding and approving the motion 2-0.

### **PUBLIC COMMENT:**

Richard Oaks located at 1397 Jackson Road had a concern regarding Resolution 22-50 that is on the agenda for review. He questioned the drawing in the packet, and Staff noted that conceptual drawing no longer applies. She stated that the medians are gone entirely from the Miller Lane improvement project. Mr. Oaks also asked about the proposed round-a-bout, the data collected, and the expense of the project.

Doug Fink located at 1352 Jackson Road expressed his concern about the speed limit on Jackson Road. He questioned how Butler Township and the City of Union solve an issue pertaining to traffic or speeding along Jackson Road. Police Chief Porter stated both jurisdictions have concurrent roadways. He indicated that they would work together to make the speed limit safe for both sides of the road. Mr. Fink stated that the residents that live along that road need to know who to call regarding the speeding. Police Chief Porter when an issue of speeding is a concern to contact Butler Township Police.

### **ADMINISTRATOR'S RECOMMENDATIONS**

**Resolution #22-46** was submitted. Administrator, Erika Vogel stated the proposed transfer were approved as part of the township's annual budget, including \$650,000 to the Police District fund from Hotel/Motel and JED-Z tax revenue, \$75,000 to the Road District fund for general support services, and an advance from the Fire Levy fund to the Fire Department's Capital Reserve fund in the amount of \$250,000.

No discussion was made on this agenda item.

Bryson Jackson made a motion to approve Resolution #22-46, Resolution Authorizing Transfers and Advances in the Police, Fire District, and Road District Funds as Appropriated for FY2022, as submitted, with Missy Pruszynski seconding and approving the motion.

Fiscal Officer, Greg Brush called the roll for a vote: Missy Pruszynski – Yes, and Bryson Jackson - Yes. **Resolution #22-46 was approved, 2-0.**

**Resolution #22-47** was submitted. Administrator, Erika Vogel stated the Fire Chief has recommended the fire department increase staffing to 20 full-time positions to help stabilize the staffing for the department and help to retain employees in the Fire Department. The position was presented as part of the budget review and staffing plan for the department in 2022 and 2023.

No discussion was made on this agenda item.

Bryson Jackson made a motion to approve Resolution #22-47, Resolution Authorizing the Fire Department to Increase Full-Time Staffing from 19-20 Full-Time Positions, as submitted, with Missy Pruszynski seconding and approving the motion.

Fiscal Officer, Greg Brush called the roll for a vote: Missy Pruszynski – Yes, and Bryson Jackson - Yes. **Resolution #22-47 was approved, 2-0.**

**Resolution #22-48** was submitted. Administrator, Erika Vogel indicated that due to necessary road repairs and ditch maintenance, the Service Director has recommended that gabion baskets be installed to help support the roadways, until permanent repairs can be made, the lowest quote received was from GabionSupply.com for \$6,025.40.

No discussion was made on this agenda item.

Bryson Jackson made a motion to approve Resolution #22-48, Resolution Authorizing the Service Dept. Director to Purchase Materials from Gabion Supply for Necessary Repairs on Meeker Road, as submitted, with Missy Pruszynski seconding and approving the motion.

Fiscal Officer, Greg Brush called the roll for a vote: Missy Pruszynski – Yes, and Bryson Jackson - Yes. **Resolution #22-48 was approved, 2-0.**

**Resolution #22-49** was submitted. Administrator, Erika Vogel explained that the Service Director is recommending the replacement of two spill buckets, one for the gasoline tank and the other is for the diesel tank, to address necessary repairs, recommended by the EPA. The total cost is \$5,483.95

No discussion was made on this agenda item.

Bryson Jackson made a motion to approve Resolution #22-49, Resolution Authorizing the Service Dept. Director to Enter into an Agreement with Reliable Construction Services for Fuel Pump Bucket Replacements, as submitted, with Missy Pruszynski seconding and approving the motion.

Fiscal Officer, Greg Brush called the roll for a vote: Missy Pruszynski – Yes, and Bryson Jackson - Yes. **Resolution #22-49 was approved, 2-0.**

**Resolution #22-50** was submitted. Administrator, Erika Vogel indicated the proposed agreement will close out the original Miller Lane Improvement Project Phase I agreement with Montgomery County Transportation Improvement District (TID) and approved the newly revised project, Benchwood Station Improvement Project. The TID will oversee the contract for design and engineering for the Benchwood Station Improvement Project per the proposal. It is anticipated that design will be completed in 2023 and construction will not begin until the first quarter of 2024.

Trustee, Bryson Jackson stated that he is pleased to see the project move forward and able to come to an agreement.

Bryson Jackson made a motion to approve Resolution #22-50, Resolution Authorizing the Execution of a Project Management and Financing agreement with the Montgomery County Transportation Improvement District (TID) for the Benchwood Station Improvement Project, as submitted, with Missy Pruszynski seconding and approving the motion.

Fiscal Officer, Greg Brush called the roll for a vote: Missy Pruszynski – Yes, and Bryson Jackson - Yes. **Resolution #22-50 was approved, 2-0.**

**Resolution #22-51** was submitted. Administrator, Erika Vogel stated House Bill 206 was passed in September 2022, which amended Sections 4513.35 and 4513.39 of the Ohio Revised Code to permit township police officers who serve a population between 5,000 and 50,000 to enforce traffic offenses on interstate highway, if authorized by the Township's Board of Trustees.

No discussion was made on this agenda item.

Bryson Jackson made a motion to approve Resolution #22-51, Resolution Authorizing the Butler Township Police Department to Make Arrests on Interstate Highways Pursuant to ORC Sections 4513.33 made 4513.39, as submitted, with Missy Pruszynski seconding and approving the motion.

Fiscal Officer, Greg Brush called the roll for a vote: Missy Pruszynski – Yes, and Bryson Jackson - Yes. **Resolution #22-51 was approved, 2-0.**

**Resolution #22-52** was submitted. Administrator, Erika Vogel noted that the Budget Commission and Trustees held their workshop meetings and reviewed any changes to the Temporary Appropriations, Revenue Budget and Certificate of Total Amount from all Sources Available for Expenditure and Balances during Fiscal Year Ending December 31, 2023.

Trustee, Bryson Jackson stated that he is grateful for all the employees and that everything looked great at the meeting.

Trustee, Missy Pruszynski stated that she was very appreciative of the input and discussions made by the department heads and in the best interest of Butler Township.

Bryson Jackson made a motion to approve Resolution #22-52, Resolution Approving the Temporary Appropriations, Revenue Budget, and Certificate of the Total Amount from all Sources Available for Expenditure and Balances for Butler Township during the Fiscal Year Ending December 31, 2023, as submitted, with Missy Pruszynski seconding and approving the motion.

Fiscal Officer, Greg Brush called the roll for a vote: Missy Pruszynski – Yes, and Bryson Jackson - Yes. **Resolution #22-52 was approved, 2-0.**

**Motion for Approval of a Liquor Permit Request and Waive a Hearing on behalf of Spirit Tavern, LLC located at 11419 North Dixie Drive**

Township Administrator, Erika Vogel stated that the Police Chief has recommended the Fiscal Officer sign off on the attached business name transfer for a liquor permit application for Spirit Tavern, LLC at 7171 Miller Lane, and not to request a hearing.

No discussion was made on this agenda item.

Bryson Jackson made a motion to approve the New Liquor Permit request for Spirit Tavern LLC located at 11419 North Dixie Drive, and not request a hearing, with Missy Pruszynski seconding and approving the motion.

Fiscal Officer called the roll for a vote: Missy Pruszynski – Yes, and Bryson Jackson - Yes. **Motion was approved, 2-0.**

**Resolution #22-53** was submitted. Administrator, Erika Vogel stated the township is still receiving funds in 2022 from the grant process for the tornados. She indicated that this would finalize any fund adjustments for the repayment to the Police, Fire, and Service Departments, including the General Fund. She noted that this would include their time, labor, and equipment.

No discussion was made on this agenda item.

Bryson Jackson made a motion to approve Resolution #22-53, Resolution Authorizing Fund Adjustments and Amend Appropriations for Funds Related to the FEMA Grant From the Memorial Day Tornados, as submitted, with Missy Pruszynski seconding and approving the motion.

Fiscal Officer, Greg Brush called the roll for a vote: Missy Pruszynski – Yes, and Bryson Jackson - Yes. **Resolution #22-53 was approved, 2-0.**

**Informal Business:**

Police Chief Porter reported that this year’s Shop with Cops was a success along with the gracious help of Wal-Mart and the City of Vandalia Police Department.

Fire Chief Alig reported that he was very appreciative of the extra full-time positions in the fire department.

Service Director, Jeff Barnett reported that the Meeker Road repairs should be completed in the next couple of weeks.

Township Administrator, Erika Vogel wanted to remind everyone the Jingle Mingle will be next Tuesday with the Vandalia Chamber hosting the event at the Hollywood Casino. She wanted to also give her appreciation to Chief Alig and his staff regarding the recent incident on the interstate.

Fiscal Officer, Greg Brush noted that the township’s bank accounts were collateralized appropriately.

Trustee, Bryson Jackson reported that his first year in office has been a great year with many new experiences. He noted that with the budget process, the inner mechanisms and working with each department head and the great work they provide the township. He further noted that all the Christmas lights on the buildings and fire station are spectacular. He also mentioned of an emailed received from a resident on how to handle the situation appropriately. This was briefly discussed among board members and staff on how to respond. He questioned the Service Director if there have been any previous discussions on leaf pick-up or from township residents. Service Director, Jeff Barnett indicated that there has only been mention of it from new residents who are not aware of our procedure. He noted currently the procedure is bagging the leaves and most residents are familiar with the process and that there are no issues with it. Fiscal Officer Greg Brush also explained his history with the evolution of the program.

President, Missy Pruszynski wanted to thank the audience for coming and wanted to give staff appreciation and Merry Christmas and a Happy Holiday Season.

Bryson Jackson reported that the trustees have reviewed the financial statements and made a motion for approval to pay the bills of the township, as submitted, with Missy Pruszynski seconding and approving the motion.

Missy Pruszynski made a motion to adjourn the regular meeting at 6:30p.m.

**Executive Session:**

Bryson Jackson made a motion to go into Executive Session at 6:30p.m. with Township Administrator, Erika Vogel and legal counsel for the public body, concerning disputes involving the public body that are the subject of pending or imminent court action, pursuant to ORC 121.22(G)(3), as submitted, with Missy Pruszynski seconding and approving the motion. At roll call, the vote resulted as follows:

Bryson Jackson, yes  
Missy Pruszynski, yes

Bryson Jackson made a motion to exit Executive Session and to reconvene into Regular Session at 7:17p.m., with Missy Pruszynski seconding and approving the motion. At roll call, the vote resulted as follows:

Bryson Jackson, yes  
Missy Pruszynski, yes

As a result, in Executive Session no action was taken. President Pruszynski adjourned the meeting at 7:17p.m.

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MISSY PRUSZYNSKI  
PRESIDENT

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GREGORY A. BRUSH  
FISCAL OFFICER