

MINUTES, WEEK OF MARCH 28, 2023

The Board of Trustees met on Tuesday, March 28, 2023, at the Butler Township Government Center, 3780 Little York Road, Dayton Ohio, at 6:00 p.m. for a Regular Session to transact the business of the township.

Bryson Jackson, Vice President called the meeting to order.

Mike Thein, President was excused.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

The Minutes of February 28, 2023, Regular Session, were submitted for approval. Trustee Pruszynski made a motion to approve the Minutes of February 28, 2023, as submitted, with Trustee Jackson seconding and approving the motion 2-0.

The Minutes of March 21, 2023, Youth in Government Workshop Session, were submitted for approval. Trustee Pruszynski made a motion to approve the Minutes of March 21, 2023, as submitted, with Trustee Jackson seconding and approving the motion 2-0.

PRESENTATIONS

Promotional Ceremony for Captain Adam Marchal

The Oath of Office was read into record by Fire Chief Alig for the appointment of Adam Marchal as Full-Time Captain for Butler Township Fire Department.

PUBLIC COMMENTS

It was noted by Vice President Jackson that public comments will be limited to 3 minutes each. Please come to the podium to speak and state your name and address for the record. There were no comments from the public at this time.

ADMINISTRATOR'S RECOMMENDATIONS

Resolution No. 23-14: Resolution Approving the Permanent Appropriations, Revenue Budget, and Certificate of Estimate Resources Available for Expenditure for Butler Township Fiscal Year Ending December 31, 2023

Administrator Vogel stated the Permanent Appropriations and Revenue Reports are to be finalized by March 30, 2023. The only amendment from the Temporary Appropriations is a \$3,110 addition for a payment to Crime Stoppers, in Fund #2261 (Total: \$29,110). Appropriations Total: \$15,162,774.00 and Revenue Total: \$12,979,381.00.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-14, Resolution Approving the Permanent Appropriations, Revenue Budget, and Certificate of Estimate Resources Available for Expenditure for Butler Township Fiscal Year Ending December 31, 2023, as submitted, with Trustee Jackson seconding and approving the motion.

Fiscal Officer Brush called the roll for a vote: Trustee Jackson – Yes and Trustee Pruszynski – Yes. **Resolution #23-14 was approved, 2-0.**

Resolution No. 23-15: Resolution Authorizing the Township Administrator to enter a Contract with Michigan Conference of Teamsters Welfare Fund for Providing Health, Dental, and Vision Coverage to Full-Time Employees

Administrator Vogel stated this resolution authorizes the renewal of all agreements with MCTWF to provide healthcare coverage to all full-time employees and elected officials of Butler Township, and the rates provided through March 30, 2025.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-15, Resolution Authorizing the Township Administrator to enter a Contract with Michigan Conference of Teamsters Welfare Fund for Providing Health, Dental, and Vision Coverage to Full-Time Employees, as submitted, with Trustee Jackson seconding and approving the motion.

Fiscal Officer Brush called the roll for a vote: Trustee Jackson – Yes and Trustee Pruszynski - Yes. **Resolution #23-15 was approved, 2-0.**

Resolution No. 23-16: Resolution Authorizing the Police Department to Buy Back a Vehicle Acquired through Federal Seizure and Forfeiture that was sold on GovDeals with an Invalid Title

Administrator Vogel stated the purchaser has requested that the police department buy back the vehicle due to the ongoing title issue. The township will re-take possession, with a signed liability release. The total payment is \$3,431.25, which includes the purchase price (\$3,050) plus the buyer premium fees on GovDeals.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-16, Resolution Authorizing the Police Department to Buy Back a Vehicle Acquired through Federal Seizure and Forfeiture that was sold on GovDeals with an Invalid Title, as submitted, with Trustee Jackson seconding and approving the motion.

Fiscal Officer Brush called the roll for a vote: Trustee Jackson – Yes and Trustee Pruszynski - Yes. **Resolution #23-16 was approved, 2-0.**

Resolution No. 23-17: Resolution Authorizing the Police Chief to Enter into a Memorandum of Understanding with South Community for the Mobile CIT Program

Administrator Vogel stated this is a renewal agreement for the CIT program. The Montgomery County Sheriff's Office covers 60% of the agreement and the City and the Township each cover 20% of the agreement, totaling \$12,762.60.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-17, Resolution Authorizing the Police Chief to Enter into a Memorandum of Understanding with South Community for the Mobile CIT Program, as submitted, with Trustee Jackson seconding and approving the motion.

Fiscal Officer Brush called the roll for a vote: Trustee Jackson – Yes and Trustee Pruszynski - Yes. **Resolution #23-17 was approved, 2-0.**

Resolution No. 23-18: Resolution Authorizing the Police Chief to Purchase a New Dual Purpose Police Service Dog from Shallow Creek Kennels, Inc.

Administrator Vogel stated the new K9 for the police department will cost \$8,900.00 and will be paid for through the K9 Fund, as planned in the 2023 Budget. Donations have also been made for the purchase of the new K9.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-18, Resolution Authorizing the Police Chief to Purchase a New Dual Purpose Police Service Dog from Shallow Creek Kennels, Inc., as submitted, with Trustee Jackson seconding and approving the motion.

Fiscal Officer Brush called the roll for a vote: Trustee Jackson – Yes and Trustee Pruszynski – Yes. **Resolution #23-18 was approved, 2-0.**

Resolution No. 23-19: Resolution Authorizing the Police Chief to Purchase Three (3) Laptop Computers for the Police Department from Lenovo

Administrator Vogel stated the new laptops will be purchased for the Sergeants in the Police Department to use for remote work, training, or special investigation situations. Total cost for computers and equipment totals \$5,396.43.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-19, Resolution Authorizing the Police Chief to Purchase Three (3) Laptop Computers for the Police Department from Lenovo, as submitted, with Trustee Jackson seconding and approving the motion.

Fiscal Officer Brush called the roll for a vote: Trustee Jackson – Yes and Trustee Pruszynski – Yes. **Resolution #23-19 was approved, 2-0.**

Resolution No. 23-20: Resolution Authorizing the Fire Chief to Purchase Fire Protective Clothing from Phoenix Safety Outfitters.

Administrator Vogel stated the Fire Chief is requesting the purchase of clothing sets for the department in an amount, not to exceed \$21,500, which should cover 6 sets. This appropriation was part of the 2023 budget.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-20, Resolution Authorizing the Fire Chief to Purchase Fire Protective Clothing from Phoenix Safety Outfitters, as submitted, with Trustee Jackson seconding and approving the motion.

Fiscal Officer Brush called the roll for a vote: Trustee Jackson – Yes and Trustee Pruszynski – Yes. **Resolution #23-20 was approved, 2-0.**

Resolution No. 23-21: Resolution Authorizing the Fire Chief to Enter into an Agreement with Houston-Galveston Area Council for the Purchase of Equipment for the Fire Department through the FEMA Assistance to Firefighters Grant

Administrator Vogel stated the Fire Department received an award from the FEMA Assistance to Firefighters Grant from a 2021 application for a \$174,800 grant, which includes up to \$166,476.19 in federal funds and up to \$8,323.81 in local match. The request is to purchase 19 SCBA and 2 Rapid Intervention Packs through Houston-Galveston Area Council's (H-GAC) cooperative purchase program from Atlantic Emergency Services. The Fire Department is requesting up to \$190,000 due to the increase in pricing.

Trustee Pruszynski wanted to express her appreciation to the Fire Chief and all the township's staff for taking time to research different grants for the township and to keep costs at a minimal. The Fire Chief wanted to give the Assistant Fire Chief recognition for the hard work given to this fire grant, that was not accepted last year.

Trustee Pruszynski made a motion to approve Resolution #23-21, Resolution Authorizing the Fire Chief to Enter into an Agreement with Houston-Galveston Area Council for the Purchase of Equipment for the Fire Department through the FEMA Assistance to Firefighters Grant, as submitted, with Trustee Jackson seconding and approving the motion.

Fiscal Officer Brush called the roll for a vote: Trustee Jackson – Yes and Trustee Pruszynski – Yes. **Resolution #23-21 was approved, 2-0.**

A Motion Authorizing the Police Chief to Enter into an Agreement with The Kettering Group, in an amount up to \$6,100, to Develop a Promotional Assessment Process

A request was submitted to create an eligibility list for future promotions in the Police Department. The last process was completed over 4 years ago. The total cost will depend on the number of participants.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion Authorizing the Police Chief to Enter into an Agreement with The Kettering Group, in an amount up to \$6,100, to Develop a Promotional Assessment Process, as submitted, with Trustee Jackson seconding and approving the motion.

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

A Motion to Approve the Liquor Permit Transfer Request and Waive a Hearing for 11419 North Dixie Drive – Spirits Tavern, LLC

A request was submitted by Police Chief Porter for a Liquor Permit Transfer requesting to Spirits Tavern LLC. The Police Chief reviewed the request and is not requesting a hearing for ownership transfer. Staff noted that this request was previously approved by the board and this request is a correction to the name on the liquor permit.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to Approve the Liquor Permit Transfer Request and Waive a Hearing for 11419 North Dixie Drive – Spirits Tavern, LLC, as submitted, with Trustee Jackson seconding and approving the motion.

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

A Motion to Set the Trustee Public Hearings for Zoning Commission Cases ZC 1-23 and ZC 2-23 for April 25, 2023, at 6:00 p.m.

A request was submitted to set the Trustee's Public Hearing for ZC 1-23 for April 25, 2023, at 6:00 p.m. or soon thereafter as the matter may be reached. The rezoning from RCS-1, Regional Commercial Service, to PD-1, Planned Commercial District, to allow the development of an Ultimate Shine Car Wash, at the properties located along the south side of York Plaza Lane, between York Center Drive and Miller Lane Parcels (A01 00307 0347 & A01 00307 03480).

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to Set the Trustee's Public Hearing for Cases ZC 1-23 for April 25, 2023, at 6:00 p.m. or soon thereafter as the matter may be reached, as submitted, with Trustee Jackson seconding and approving the motion.

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

A request was submitted to set the Trustee's Public Hearing for ZC 2-23 for April 25, 2023, at 6:00 p.m. or soon thereafter as the matter may be reached. The rezoning from LCS-2, Local Commercial Service District, to PD-3, Planned Mixed-Used District, to develop 13.6 acres of multi-family rental residential units and 1.3 acres for commercial use, at Parcel A01 00308 0081 located at 8515 North Dixie Drive.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to Set the Trustee's Public Hearing for Zoning Commission Cases ZC 1-23 for April 25, 2023, at 6:00 p.m. or soon thereafter as the matter may be reached, as submitted, with Trustee Jackson seconding and approving the motion.

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

INFORMAL BUSINESS:

Police Lt. Guthrie had no further business to report.

Fire Chief Alig wanted to express his appreciation to the trustees for the fire items approved at the meeting.

Service Director Barnett wanted to acknowledge resident Tom Hertlein who acquired a part needed for truck #24 and is in service again. He also mentioned that mowing will begin this week.

Township Administrator Vogel noted on April 4th Trustee Jackson will be presenting the Annual Chamber State of the Township Presentation at Hollywood Casino. On April 13th will be the Water Testing Program Meeting to complete the contract for well testing at the Meeting Hall from 6:00 p.m. to 8:00 p.m.

Fiscal Officer Brush reported that he had checked the web and the township is collateralized.

Trustee Pruszynski wanted to repeat her comment earlier concerning the grant research given to each department and how much the board appreciates the time given to writing those grants and the impact it has on the finances for the township. She also wanted to acknowledge Captain Marcel on his promotion in the Fire Department.

Trustee Jackson reported for the record that at the last official board meeting that he too was very grateful for the grants received from each department. He stated that he likes seeing the funds appropriated and what they're used for not only as a trustee, but also a township resident as well.

Trustee Pruszynski 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 Trustee Jackson seconding and approving the motion.

EXECUTIVE SESSION

Trustee Pruszynski made a motion to go into Executive Session at 6:22p.m. to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for use property in accordance with Section 505.10 of the ORC, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest, to also discuss an application for economic development assistance, and possible investment or expenditure of public funds to be made in connection with an economic development project, as submitted, with Trustee Jackson seconding and approving the motion. At roll call, the vote resulted as follows:

Trustee Pruszynski, yes
Trustee Jackson, yes

Trustee Pruszynski made a motion to exit Executive Session and to reconvene into Regular Session at 7:16p.m., with Trustee Jackson seconding and approving the motion. At roll call, the vote resulted as follows:

Trustee Pruszynski, yes
Trustee Jackson, yes

As a result, in the Executive Session no action was taken.

Trustee Pruszynski made a motion to adjourn the regular meeting at 7:27p.m.

BRYSON JACKSON
VICE PRESIDENT

GREGORY A. BRUSH
FISCAL OFFICER