

## MEETING MINUTES OF SEPTEMBER 26, 2023

The Board of Trustees met on Tuesday, September 26, 2023, at the Butler Township Government Center, 3780 Little York Road, Dayton Ohio, at 6:03p.m. for a Regular Session to transact the business of the township.

Trustee Thein was excused from the meeting.

Trustee Jackson, Vice President called the meeting to order.

### **PLEDGE OF ALLEGIANCE**

### **APPROVAL OF THE MINUTES**

The minutes of August 22, 2023, Regular Session and September 12, 2023, Workshop Session, were submitted for approval. Trustee Pruszynski made a motion to approve the Minutes, as submitted, with Trustee Jackson seconding and approving the motion.

### **PUBLIC COMMENTS**

Trustee Jackson noted if anyone wanted to address the board was asked to come to the podium to speak and state their name and address. Public comment is limited to 3 minutes.

Richard Oaks of 1397 Jackson Road, Union, OH had questions concerning some agenda items. His first concern noted was the (TID) the Benchwood Station Improvement Project change. Township Administrator Vogel stated that it is to obtain right of way acquisition, to begin the process. His next concern was regarding solid waste collection/property taxes on Auditors website. Township Administrator Vogel stated what's on the agenda pertains to trash collection for township residents. She noted that any solid waste fees on property taxes is through Montgomery County. He questioned the special street lighting assessments for residents. Township Administrator Vogel stated that there are several lighting districts in the township, and many are in subdivisions.

Jerry Arndts of 8430 North Dixie Drive, resident, stated his concern was the lighting district along North Dixie Drive from Benchwood Road to I-70. He noted that the cost under new administration and the expense and maintenance of the street lighting contract with Miami Valley Lighting is being breached. He requested the trustees to review and find another contractor. Township Administrator Vogel stated that the contract is due to expire in 2025, and that staff will investigate the issues.

### **ADMINISTRATOR'S RECOMMENDATIONS**

#### **Resolution No. 23-41: Resolution Approving an Amendment to the Project Management and Financing Agreement with the Montgomery County Transportation Improvement District (TID) for the Benchwood Station Improvement Project**

Township Administrator Vogel stated that the project is at the point where additional Phase I tasks are necessary, and the project is ready to move forward with preacquisition right-of-way services, engagement of a right of way consultant, and review appraisal services. A budget increase of \$75,000 is necessary for these next steps. She noted that this is a not to exceed amount and will cover third party expenses incurred by the TID.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-41, Resolution Approving an Amendment to the Project Management and Financing Agreement with the Montgomery County Transportation Important District (TID) for The Benchwood Station Improvement Project, 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 #23-41 was approved, 2-0.**

**Resolution No. 23-42: Resolution Finding It Necessary to Amend the Appropriations in the TIF Funds for Tax Collection Fees & Payments to the Vandalia-Butler School District**

The Township Administrator stated due to the increase in funding received in 2023, it is necessary to increase appropriations in certain TIF funds for payment to Vandalia-Butler Schools and for tax collection fees.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-42, Resolution Finding It Necessary to Amend the Appropriations in the TIF Funds for Tax Collection Fees & Payments to the Vandalia-Butler School District, 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 #23-42 was approved, 2-0.**

**Resolution No. 23-43: Resolution Authorizing the Police Chief to Enter into a Service Agreement with Montgomery County for Access to Justice Web**

Township Administrator stated the County will begin charging the use of Justice Web in 2024, which has been a free service. This agreement will remain in effect for 10 years unless terminated by either party. The estimated amount for the first year is \$6,041, however the annual amount will change based on the department's usage.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-43, Resolution Authorizing the Police Chief to Enter into a Service Agreement with Montgomery County for Access to Justice Web, 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 #23-43 was approved, 2-0.**

**Resolution No. 23-44: Resolution Authorizing the Administrator to Contract with Trustpar for Network Upgrades at the Government Center and Station 88**

Township Administrator stated as part of the 2023 budget, Trustpar recommended that the township update the network at the Government Center and Station 88, as well as the point-to-point network for Station 88 and reorganize and properly document the network rack. The total cost is \$26,930. This upgrade was budgeted for 2023.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-44, Resolution Authorizing the Administrator to Contract with Trustpar for Network Upgrades at the Government Center and Station 88, 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 #23-44 was approved, 2-0.**

**Resolution No. 23-45: Resolution Authorizing the Township Administrator to Certify to the Office of Montgomery County Auditor for Collection with Property Taxes, the Cost to Property Owners for Unpaid Solid Waste Collection and Disposal Services**

Township Administrator Vogel stated the total amount is for waste collection and disposal and the administrative charges of \$100 per property.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-45, Resolution Authorizing the Township Administrator to Certify to the Office of Montgomery County Auditor, for Collection with Property Taxes, the Cost to Property Owners for Unpaid Solid Waste Collection and Disposal Services, 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 #23-45 was approved, 2-0.**

**Resolution No. 23-46: Resolution Authorizing the Township Administrator to Certify to the Office of Montgomery County Auditor the Uncollected Nuisance Abatement and Exterior Property Maintenance Code Enforcement Costs**

Township Administrator Vogel stated the Township performed weed abatement and code enforcement in accordance with the Township's Nuisance Abatement Policy and Property Maintenance Code. She indicated that the responsible property owners have failed to pay for the associated fees for nuisance abatement performed and the total outstanding charges of \$18,160.98, plus an administrative fee.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-46, Resolution Authorizing the Township Administrator to Certify to the Office of Montgomery County Auditor the Uncollected Nuisance Abatement and Exterior Property Maintenance Code Enforcement Costs, 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 #23-46 was approved, 2-0.**

**Resolution No. 23-47: Resolution Authorizing the Township Administrator to Certify to the Office of Montgomery County Auditor for Collection with Property Taxes the 2023 Street Lighting**

Township Administrator Vogel stated the street lighting assessments for 2023 including fees for each property in the established lighting district in Butler Township. The total amount to be assessed is \$110,600.

No discussion was made on this agenda item.

Trustee Pruszynski made a motion to approve Resolution #23-47, Resolution Authorizing the Township Administrator to Certify to the Office of Montgomery County Auditor for the Collection with Property Taxes the 2023 Street Lighting, 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 #23-47 was approved, 2-0.**

**Resolution No. 23-48: Resolution Declaring a Nuisance and Ordering Abatement at 2731 Hayward Avenue in Accordance with ORC 505.87**

Township Administrator Vogel stated that this property has been an ongoing nuisance and noted since the last zoning violation notice in August 2023 there has been no effort to correct the violations.

There was discussion regarding the appreciation of the neighborhood.

Trustee Pruszynski made a motion to approve Resolution #23-48, Resolution Declaring a Nuisance, and Ordering Abatement at 2731 Hayward Avenue in Accordance with ORC 505.87, 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 #23-48 was approved, 2-0.**

**Amend Resolution No. 23-35: Resolution Authorizing the Police Chief to Purchase Two MDT Computers from Brite Computers for the New Dodge Durango Police Vehicles**

The Township Administrator stated this resolution was previously approved, but the Police Chief received a price increase from Brite Computers in the amount of \$650 due to items left off the quote. The original resolution has been amended to reflect this increase.

Police Chief Porter stated that the increase is to increase the memory for the computers.

Trustee Pruszynski made a motion to approve Amended Resolution #23-35, **Resolution Authorizing the Police Chief to Purchase Two MDT Computers from Brite Computers for the New Dodge Durango Police Vehicles**, 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 #23-42 was approved, 2-0.**

**A Motion to Cancel the Trustees Workshop on October 10, 2023 for An Open House for the Benchwood Station Improvement Project from 4:30 p.m. – 6:30 p.m.**

Trustee Pruszynski made a motion cancel the Trustees Workshop Meeting on October 10, 2023, for a Public Open House for the Benchwood Station Improvement Project on Tuesday, October 10 from 4:30 p.m. to 6:30 p.m., as submitted, with Trustee Jackson seconding and approving the motion.

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

**INFORMAL BUSINESS**

Police Chief Porter stated his appreciation in approving the amended resolution for the police department and had no further business to report.

Fire Chief Alig had no further business to report.

Service Director Barnett had no further business to report.

Township Administrator Vogel wanted to remind everyone of Party in the Park will be Saturday, October 7<sup>th</sup> from noon to 6 p.m. at Art Van Atta Park.

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

Trustee Pruszynski wanted to give her thanks to all the departments and the hard work that is done in the township.

Trustee Jackson reported that the Cruise In was an enjoyable event and a great success. He also congratulated Korsen Fire for their ribbon cutting at the former Progressive building on North Dixie Drive and recognized what a great location that is for their business.

**FINANCE**

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.

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

**ADJOURNMENT:**

Trustee Jackson made a motion to adjourn the regular meeting at 6:35p.m.

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BRYSON JACKSON  
VICE RESIDENT

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GREGORY A. BRUSH  
FISCAL OFFICER