

## WORKSHOP MINUTES – OCTOBER 12, 2023

The Board of Trustees met on Thursday, October 12, 2023, at the Butler Township Government Center, 3780 Little York Road, Dayton, Ohio, for a Workshop Session of the township.

### Call to Order

Mike Thein, President called the meeting to order at 4:47 p.m. Board President, Mike Thein stated that public comments will be welcomed at the end of the workshop agenda to allow the board to get through the discussion items.

### Discussion Topics

#### Home Rule

Peter Griggs, attorney from Brosius, Johnson and Griggs, LLC was present to present to the Trustees on Limited Home Rule. The following notes were taken from the presentation and discussion:

- Works with 5 current townships who have adopted LHR, 1 currently on the ballot (Perry is smallest 2500-5000).
- 2500-5000 residents must file a petition to put on ballot.
- 5000-15000 Board passes a resolution for voters to decide.
- 15000+ Trustees can adopt a resolution to go LHR.
- Without LHR townships are bound by the ORC.
- Can be a tool for more authority in some situations.
- Does not mean you have to act like a city except when you exercise actual home rule power.
- LHR is still limited.
  - Cannot create criminal offenses, no tax authority, agriculture laws and zoning still apply, state building codes remain.
  - Can provide own water and sewer but is an extensive process.
  - Can do own stormwater drainage regulations. (Prairie Twp)
  - Offer Tax abatements.
  - New community authority (Way to generate revenue. Property tax, income tax, sales tax to be used for parks, roads, etc).
  - New Albany was built on community authority.
  - Can hire own engineer to assist, (still need county approval) can be done on project-by-project basis.
- Requirements
  - Administrator
  - Police authority
  - Law Director
- Increase debt ability.
- Can get creative with incentives.
- Will not change zoning.
- Scenario – apartment owner does not take care of property. With LHR you can impose multi-family property management regulations and impose civil fines on the owner. (Still rely on civil judgement)
- Franklin Co.
  - Contracted police service
  - Officer issue citation with clerk of courts (filing fee) can be included in fine charge.
  - The court serves the person, then 14-days to pay fine or to deny charges which issues a court hearing. If nothing is done Twp has to force a hearing.
- What factors can be used since zoning and building codes still apply?
  - Civil suits can be brought by number of police calls, criminal activity.
  - Possible nuisance
  - Occupancy authority? – LHR doesn't give you anything more

- 33 Twps. in Ohio have LHR, none have removed the certification. Olmstead is the most recent.
- Can issue emergency on LHR actions.
- Residents can do an initiative petition.
- No traffic related regulations are able to be changed.
- Cannot regulate firearm usage.
- Panhandling issues
  - Must work within the US Constitution.
  - Time/place/manner restrictions could be considered.
- Possibly create additional nuisance remedies.
- What has caused a Twp to be unsuccessful with passing LHR?
  - Dysfunctional board
  - No consistency
  - Residents
  - Power struggle with the county
- How to get it on a ballot and notify voters:
  - Pass a resolution to put it on the ballot.
  - Advertise at least 45 days prior.
  - Post in at least 5 conspicuous locations.
- Must be voted on General Election ballot.

**New Proposal for A/V Equipment Replacement for Town Hall**

The original proposal for upgrades was approved in September 2022, upgrades were \$26,000. Not all equipment has been able to be secured. A new quote was requested to include all new replacement at \$94,000 +. This system would include a better solution, be more inclusive, and better abilities. More discussion will occur at the next regular meeting.

**Other Items of Business**

Next Board meeting is scheduled on the night of the honors awards banquet. The meeting was rescheduled for Thursday November 2, at 6:00 PM due to multiple conflicts.

There needs to be an end of the year meeting, currently set for December 28 but there is limited scheduling availability. It was noted that the preference is December 22, 2023, if that is acceptable for finance.

**Public Comments:**

Curt Holdeman, 3816 Reinwood Dr. Curt Holdeman asked if Benchwood Station project was going to be on the ballot and if residents could vote on it. It was explained that the board voted on the improvements last year.

**Informal Business:**

Trustee Jackson praised the meeting and thought it was a good idea to discuss limited home rule. Trustee Jackson suggested pursuing LHR on the November 2024 ballot. Trustees and Administrator discussed ways to inform residents about LHR.

**Finance:**

Missy 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 Mike Thein seconding and approving the motion.

**Adjournment**

Missy Pruszynski a motion to adjourn the meeting at 6:45 p.m.

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MIKE THEIN  
PRESIDENT

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GREGORY A BRUSH  
FISCAL OFFICER