

The regular meeting of the Green Township Board of Trustees held on March 25, 2013 was called to order at 5:30 p.m. with the Pledge of Allegiance.

The need for Executive Session beginning at 5:00 p.m. was anticipated at the end of the March 11, 2013 Trustees Meeting, however, it was later determined not to be necessary and was not conducted.

Roll Call: Chairman Boiman, present; Trustee Rosiello, present; Trustee Linnenberg, present; Fiscal Officer Straus, present.

Trustee Rosiello moved to approve the minutes for the regular meeting of March 11, 2013. Trustee Linnenberg seconded the motion. All voted Aye.

Chairman Boiman stated that he would like to begin the meeting with each of the Trustees making a statement about their position regarding public housing proposed for a site located on North Bend Road near Westwood-Northern Blvd.

Trustee Linnenberg stated that CMHA has a federal mandate requiring that 32 units of public housing be placed in Green Township. Trustee Linnenberg stated that there are currently two options. One is to build one facility in the 32 - 50 unit range, the other option is for CMHA to purchase existing multi-family units. He stated that the decision on where these units go and how they will be purchased is not a decision of the Green Township Board of Trustees, but is a decision of CMHA/HUD. Trustee Linnenberg stated that after looking at petitions, postcards, survey results, emails, number of phone calls, number of residents that have attended recent Township meetings, and receiving a letter from the Monfort Heights/White Oak Community Association, he has made the decision not to sell property owned by Green Township on Westwood-Northern Blvd. to CMHA, that scattered sites is preferable to one site, and that he will continue to push CMHA/HUD to work with Green Township to develop a successful scattered site option.

Trustee Rosiello stated that he has read hundreds of letters and e-mails from residents asking for the Trustees to encourage CMHA to look at scattered sites. Trustee Rosiello recommended that CMHA limit the number of units to a maximum of 32, that CMHA consider spreading out the acquisition of property over a two to three year period, that CMHA allow public input, that Township Trustees allow CMHA to utilize the Nathanael Greene Lodge for Town Hall meetings, and recommended that the Board of Trustees not sell property on Westwood-Northern Blvd. to CMHA. Trustee Rosiello stated that he has taken everyone's suggestions into consideration and hopes that he is making the best decision for Green Township.

Chairman Boiman stated that with so much wasteful spending at the federal level and with so many budget shortfalls he stated that he finds it shocking that somehow they are still finding money to fund additional public housing. Chairman Boiman stated that reopening the lawsuit between Green Township and CMHA/HUD at the federal level would not be the best course of action at this time. Chairman Boiman stated that he has spoken with representatives at Congressman Steve Chabot's office and that Congressman Chabot is releasing a letter today asking HUD questions about what their plan is for public housing in Green Township. Chairman Boiman stated that no matter where additional public housing units are placed in Green Township that residents in that area will be unhappy. Chairman Boiman stated that the majority of residents that he heard from over the last several weeks have favored scattered sites. After all of the information that he has gathered over the last several weeks he has come to the decision that he is opposed to even one more unit over the 32 units that are federally mandated.

Chairman Boiman proposed that the Trustees pass a resolution stating that concerning the land that Green Township owns on Westwood-Northern Blvd. near Boudinot, the Trustees are not interested in any proposals to sell the land.

Trustee Linnenberg would like to add that the Trustees are in favor of scattered sites.

Trustee Rosiello added that the Trustees would like CMHA to spread out the purchase of property over a two to three year period.

Trustee Linnenberg recommended that the resolution include no interest in selling property to CMHA, do want scattered sites, and want the land to be acquired over a two to three year period.

Chairman Boiman introduced a resolution that proved that the Board of

Trustees is not interested in any proposals to sell property at Westwood-Northern Blvd. and Boudinot, and the Board expresses its position to CMHA that the scattered site approach should be implemented in any future acquisitions, and with hopes that property acquisition by CMHA is spread out over the course of two to three years. Trustee Linnenberg seconded the motion. The motion did not move forward to a vote.

The Trustees discussed the substance of the resolution, with Trustees Linnenberg & Rosiello offering suggestions on different wording, to which Chairman Boiman agreed. At the conclusion of the discussions, Chairman Boiman introduced the resolution again.

**RESOLUTION #13-0325-A**

Chairman Boiman moved to pass a resolution stating that the Trustees are not interested in any proposals to sell the Township property located on Westwood-Northern Boulevard to CMHA for the establishment of a proposed family housing development of 32 units or more; the Trustees respectfully recommend to CMHA that it use a scattered site approach in its plan for establishment of additional family housing in Green Township; the number of family housing units established by CMHA within Green Township under the present Cooperation Agreement that exists between CMHA and the Hamilton County Commissioners should not exceed 32 units; and that the acquisition of the family housing units under the scattered site approach take place over a two to three year period concurrent with CMHA establishing family housing units in other political subdivision within Hamilton County. Trustee Linnenberg seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

Joe Weber, 4630 Farcrest, stated his concerns about CMHA possibly purchasing Village Square apartments near St. James Elementary.

David Lopez, 2967 Timberview, thanked the Trustee for their courage in dealing with a very difficult situation. Mr. Lopez stated that when the Township purchased the property on Westwood-Northern Blvd. near North Bend Road residents were told that the purchase of the property was for the purpose of creating an attractive entryway to Green Township. Mr. Lopez expressed his desire for a quality project that would be an attractive gateway to Green Township.

Bernie Hess, 3101 Dickinson, thanked the Board for listening to the residents of Green Township and thanked them for their decision to not sell property owned by Green Township to CMHA. Mr. Hess also pledged his support to the Trustees in encouraging CMHA to scatter sites appropriately.

Gerhard Milkuhn, 4114 Boudinot, thanked the Trustees for their decision not to sell property on Westwood-Northern Blvd. near North Bend Road to CMHA. Mr. Milkuhn expressed his desire to keep that property as green space and pledged his support to making that happen.

Dave Jennings, 3356 Van Zandt, stated that he is pleased with the Trustees decision not to sell property on Westwood-Northern Blvd. near North Bend Road to CMHA. Mr. Jennings pledged his support to help the Trustees to encourage CMHA to scatter proposed public housing throughout Green Township.

Gary Dressler, Sidney Road, stated that the Voluntary Compliance Agreement stated that Green Township is required to accept 32 units of public housing, not one more or one less. Mr. Dressler encouraged the Trustees to make sure that CMHA does not obtain more than the required 32 units that is required at this time.

Bart Ritsch, 3577 Lakewood, encouraged the Trustees to make sure that CMHA does not purchase more than the required 32 units at this time.

Cheryl Volk, 3997 Raceview, stated that she appreciates the work that the Trustees have done. Ms. Volk recommended that the Trustees pressure Congressman Steve Chabot to keep watch on CMHA/HUD.

Maria Leonhardt, 2959 Diehl Road, thanked the Trustees for passing Resolution #13-0325-A. Ms. Leonhardt also asked the Trustees to be proactive and to please attend meetings of the CMHA board.

Bruce Suits, 3362 Alpine, stated that if the Trustees are unable to attend meetings of the CMHA board that they send a representative on their behalf.

Jim Fitch, 2150 Sylved Lane, encouraged residents to seek the truth.

Vanessa Jennings, 3356 Van Zandt, thanked the Trustees for taking a stand against 32 units of public housing all in one location and thanked the residents of Westwood, Cheviot, Monfort Heights and White Oak for their support. She pledged her support to those communities if and when they need similar support. Ms. Jennings encouraged everyone to attend the meeting at CMHA tomorrow evening.

Cheryl Volk, 3997 Raceview, asked if cable access to CMHA owned properties can be eliminated. The Trustees stated that they cannot control cable access and referred her to CMHA.

Bernie Hess, 3101 Dickinson, read several statements from CMHA that state that CMHA's mission is to cooperate and build partnerships with communities to provide affordable housing. Mr. Hess encouraged the Township to build strong communication with CMHA so that the Trustees and CMHA can work together to get the best possible outcome.

Trustee Linnenberg stated that he will communicate to CMHA how the Trustees voted this evening.

Chairman Boiman announced that the Trustees are going to take a five minute break.

**RESOLUTION #13-0325-B**

Chairman Boiman moved to pass a resolution accepting and approving the financial reports as submitted. Trustee Linnenberg seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

**RESOLUTION #13-0325-C**

Chairman Boiman moved to pass a resolution accepting and approving the annual appropriations for 2013. Trustee Linnenberg seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

**RESOLUTION #13-0325-D**

Trustee Rosiello moved to pass a resolution authorizing out of state travel for Fire and EMS Chief Doug Witsken to attend 2013 Congressional Fire Services Institute Fire and Emergency Services Seminar on May 8 and 9, 2013 in Washington, DC. The Township will be responsible for the conference fee of \$295, lodging and travel expenses are being paid by Chief Witsken. Chairman Boiman seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

**RESOLUTION #13-0325-E**

Chairman Boiman moved to pass a resolution authorizing the execution of a Memorandum of Understanding amending the Collective Bargaining Agreement with Green Township Professional Fire Fighters Union 2927 I.A.F.F. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

Township Attorney, Frank Hyle, stated that the contract is being amended by agreement with the Union to permit the Fire Chief, with the next two hiring's, when and if they occur, that employees can be hired as 12-hour shift firefighters, as opposed to 24-hour shift firefighters. Attorney Hyle stated that the purpose of the change is that it will cut down on overtime expenses.

Fire/EMS Chief, Doug Witsken, stated that the Fire Department has implemented a number of measures to reduce expenditures. One change limited the amount of overtime that can be worked by both full-time and part-time employees. Chief Witsken also stated that there were two full-time employees that retired in 2012. Chief Witsken stated that between the limit on overtime and the retirements, the Fire Department is running short on staffing. The possible hiring of two 12-hour shift employees would allow better coverage between 6:00 a.m. and 6:00 p.m., particularly Thursday through Sunday.

**RESOLUTION #13-0325-F**

Chairman Boiman moved to pass a resolution declaring a continuing emergency and extending authority for snow removal on unaccepted roads. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

**RESOLUTION #12-1210-G**

The following properties were declared as nuisances. The Township Attorney was directed to notify the owners of the properties listed below of this resolution:

1. 3478 Harwinton Lane (550-0172-0490), Motion made by Trustee Linnenberg and seconded by Trustee Boiman. All voted Aye.

2. 5302 Rybolt Road (550-0220-0175), Motion made by Chairman Boiman and seconded by Trustee Linnenberg. All voted Aye.
3. 6158 Kingoak Drive (550-0252-0220), Motion made by Trustee Linnenberg and seconded by Chairman Boiman. All voted Aye.

Administrator Celarek made the following announcements:

1. The Hamilton County Board of Zoning Appeals will hold a public hearing on April 10, 2013 at 1:00 p.m. in Room 805B, Hamilton County Administration Building, 138 East Court Street, to hear the following cases:
  - a. Case Green #ZVGT 2013-01, Rachel Lanham, applicant and owner, 3933 Drew Avenue, for approval of a six foot privacy fence located in the front and side yard of property on corner lot.
  - b. Case Green #CUGT 2013-02, LaSalle High School, applicant, and Archbishop of Cincinnati, owner, 3091 North Bend Road, for approval of a Conditional Use Certificate to permit the storage of a fifty-one foot trailer on school property for the storage and transportation of school band equipment.
2. The **Northeast** Green Township Board of Zoning Appeals will hold a public hearing on April 10, 2013 at 5:30 p.m. at the Green Township Administration Building, 6303 Harrison Avenue, to hear the following case:
  - a. Case Green #2013-01, Edward Lanter, applicant and owner, 6058 Peachview Drive, for approval of side yard setback variance to permit construction of an attached garage on subject property.

Fiscal Officer, Tom Straus, reported that auditors Clark, Schaffer & Hackett have a draft of the Township's two year audit report. The final report will be available soon.

Township Attorney, Frank Hyle, stated that he had nothing to report.

Township Administrator, Kevin Celarek, thanked Children's Hospital for their support of Kids Fun Day that will take place on August 31, 2013. Administrator Celarek reported that the OEPA will host a Public Hearing regarding the draft change to the Rumpke Air Permit for the Rumpke Landfill. That meeting will be held on April 2, 2013 at 6:30 p.m. at the Colerain Township Administration Building, 4300 Springdale Road. For more information please contact OEPA or Colerain Township. Administrator Celarek announced that Velocity Church will be hosting an Egg Drop on Saturday, March 30, 2013 at the Oak Hills High School Football Stadium. Doors open at 1:00, the egg drop from a helicopter will take place at 2:00 p.m. That event is free for anyone to attend.

Director of Public Services, Joe Lambing, reported that the Ohio Public Works Commission has approved the Township's request for a grant for improvements on Harrison Avenue and Sheed Road. That grant will address the intersection of Harrison and Sheed. The plan is to create a left hand turn lane from Harrison Avenue onto Sheed and then make repairs to the pavement from Harrison and Sheed to the corporation line at Mullin Road on Harrison Avenue. Mr. Lambing stated that utility relocations and engineering for the project should begin in 2013, with actual construction taking place in 2014. Mr. Lambing reported that yard waste recycling is open again at Kuliga Park on Saturdays and Sundays from 11:30 a.m. to 5:00 p.m. The yard waste program this year will be run by Ohio Mulch.

Administrator Celarek reported that the grant received from the Ohio Public Works Commission was in the amount of \$1.4 million dollars. The County and Township will also be contributing funds towards the Harrison and Sheed Improvements Project.

Fire/EMS Chief, Doug Witsken, stated that the Fire Department has finished compiling their Annual Statistics Report for 2012 and will be giving a brief presentation at the Trustees Meeting on April 8, 2013.

Police Chief, Bart West, thanked members of the Green Township community for their assistance in solving a number of crimes recently. Chief West encouraged residents to call the Police Department if they see something that looks suspicious or out of the ordinary. Police Chief West thanked the Public Services Department for the work they have recently done in the Police Department.

Trustee Linnenberg encouraged residents who are on Facebook to "Like" the Green Township Police Department page. That page provides great

information about suspects the Police Department is looking for as well as information regarding crimes solved.

Director of Development, Adam Goetzman, stated that in addition to the two Board of Zoning Appeals cases that will be heard at the Trustees Meeting on April 8, 2013, there will also be three Rural Zoning Commission matters that need to be addressed. The first is the Fran Niehaus case. Mr. Niehaus will be coming back for final site plan approval of his building. The second will be Bluesky Retail, which is located on Harrison Avenue at Bluesky. The proposal is for an 8,500 sq.ft. retail facility with a couple of sit-down restaurants. The third is a request for a major modification for a project at the intersection of Good Samaritan Drive and Harrison Avenue.

Zachary Joseph, 5675 Harrison Avenue, was present to inquire about the use of Executive Session by the Board. Mr. Joseph stated that the Trustees have had an Executive Session at nearly every meeting since February, 2012. Attorney Hyle and Trustee Linnenberg stated the reasons why Green Township schedules an Executive Session. Mr. Joseph read a segment from Ohio Revised Code and stated that the Board should more clearly define their purpose for Executive Session. Trustee Linnenberg stated that the Board will take Mr. Joseph's comments into consideration and attempt to provide more information regarding the purpose for Executive Session.

Gary Dressler, Sidney Road, stated that he believes that the Trustees are following the intent of Executive Session. He also stated that he is happy that more residents have become involved and are attending Trustees Meetings and hopes that they will continue to attend.

Jeffrey Smith, 2810 Mt. Airy Avenue, presented information regarding a speaking policy passed in 1998 and how it is different from another speaking policy passed in 2011. Mr. Smith asked the Trustees to return to the speaking policy that was enacted in 1998 (Resolution #98-0209-I) which made it clear that citizens had a right to be heard on matters both on and off the agenda. Mr. Smith stated that he believes that the Resolution passed in 1998 protected citizen's rights to participate in meetings, whereas the Resolution passed in 2011 only provides for citizens rights to attend and observe. Chairman Boiman stated that he believes the Board has been very open to citizen input. Trustee Rosiello stated that the Board will take a look at both Resolutions and evaluate the public speaking policy.

Gary Dressler, Sidney Road, asked the Trustees to return to a speaking policy that allows for all residents to participate.

Trustee Rosiello reported that he read in the newspaper that there is pending legislation that would allow a group to go onto a blighted property and clean up the garbage or cut grass without any recourse by the property owner. Trustee Rosiello stated that he will keep watch to see what happens with that legislation.

Trustee Linnenberg stated that the Trustees need to keep a close eye on the County and City's fight over MSD that began recently. The City did vote unanimously to stop a sewer from being constructed along Harrison Avenue.

Chairman Boiman read several thank you letters.

Chairman Boiman stated that in 2012 the Trustees made the decision to try to obtain private funding for the Concert and Fireworks event held at Kuliga Park on July 3<sup>rd</sup>. The Trustees have again made the decision to seek private funding for the Concert and Fireworks event. So far the Township has received five commitments of \$1,000 each from JMA Consultants, Dave Backer Auto Body, Renaissance West, Anderson Automatic Heating and Cooling, and Schmoie's Collision, plus many smaller donations.

The next regular meeting of the Board of Trustees will be held on Monday, April 8, 2013 at 5:30 p.m. If it is determined that Executive Session is necessary the Trustees will begin the meeting at 5:00 p.m., adjourn into Executive Session from 5:00 - 5:30 p.m., and will reconvene at 5:30 p.m.

Chairman Boiman moved to adjourn the meeting. Trustee Linnenberg seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye. Meeting was adjourned at 7:21 p.m.

ATTEST: