

The regular meeting of the Green Township Board of Trustees held on May 13, 2013 was called to order at 5:30 p.m. with the Pledge of Allegiance.

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 April 22, 2013. Trustee Linnenberg seconded the motion. All voted Aye.

Public Hearing on the question of approving a contract with the City of Cheviot to create a Joint Economic Development District (JEDD)

Chairman Boiman opened the public hearing.

Attorney Frank Hyle presented background information about the JEDD for Mercy Hospital West. He further stated that the proposed JEDD would run for fifty years and that two additional ten year terms can be added if the City and Green Township consent to the terms. For the first 20 years 90% of the proceeds of the tax revenues will go to Green Township and 10% will go to the City of Cheviot. In year 21, and thereafter, the split will be 85% to the Township and 15% to the City of Cheviot. The actual tax is little different than what has been done with Good Samaritan and Christ/Children's Hospitals. Those taxes are 1%. The Township has a 2% tax on the Mercy Hospital employees for the first 10 years of the JEDD and then after the first 10 years it will be dropped to 1%. The earnings cap is \$100,000. and that gets adjusted annually according to the Consumer Price Index beginning in the 11th year of this particular JEDD. The City of Cheviot approved this JEDD agreement last week, so the next step would be to have the Green Township Board of Trustees unanimously approve creation of the JEDD. After that process the agreements would be forwarded to Hamilton County for review. The Township should be ready to begin enacting the tax prior to the hospital opening in September.

Chairman Boiman asked if there were any questions from the audience. Hearing none, Chairman Boiman adjourned the public hearing.

David Lopez of the Monfort Heights/White Oak Community Association was present to present the Firefighter of the Year Award for 2012 to Firefighter/Paramedic Steve Alexander. Mr. Alexander thanked Fire/EMS Chief Doug Witsken for nominating him for the award, and thanked the Monfort Heights/White Community Association for presenting him with the award. He also thanked his family and his crew for their support.

Frances Asam, North Glen Road, was present to discuss the "See Something, Say Something" program. Ms. Asam stated that everyone should pay attention to their surroundings and report problems in the area.

RESOLUTION #13-0513-A

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

RESOLUTION #13-0513-B

Chairman Boiman moved to pass a resolution declaring the Police Department's 2008 Ford Crown Victoria police car with a VIN number of 2FAHP71V78X105509 and 2010 Ford Crown Victoria police car with a VIN number of 2FABP7BV3AX116193 as surplus property and authorizing the sale of the vehicles through the Hamilton County On-Line Auction Service. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

RESOLUTION #13-0513-C

Chairman Boiman moved to pass a resolution to approve the bid of \$521,128.65 from Barrett Paving Materials, Inc. for the Green Township 2013 Street Rehabilitation Contract. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

Chairman Boiman read the eight streets that will be rehabilitated on the 2013 Street Rehabilitation Contract.

RESOLUTION #13-0513-D

Chairman Boiman moved to pass a resolution to approve the bid of \$420,664.55 from R.A. Miller Construction Company Inc. for 2013 Curb Rehabilitation Contract. Trustee Linnenberg seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

RESOLUTION #13-0513-E

Chairman Boiman moved to pass a resolution authorizing application for zone change for property at 3661 Edgewood Drive. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

RESOLUTION #13-0513-F

Chairman Boiman moved to pass a resolution approving the creating of the Green Township Mercy Hospital West Joint Economic Development District III and authorizing contract with the City of Cheviot. 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. 3048 Crestmoor Lane (550-0131-0125), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
2. 3428 Moonridge Drive (550-0171-0746), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
3. 2870 Parkwalk Drive (550-0022-0131), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
4. 5302 Rybolt Road (550-0220-0175), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
5. 4412 St. Martins Place (550-0120-0206), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
6. 6730 Taylor Road (550-0290-0039), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
7. 6935 Taylor Road (550-0300-0084), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
8. 7048 Wesselman Road (550-0300-0095), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
9. 4490 West Fork Road (550-0102-0007), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
10. 5451 West Fork Road (550-0094-0044), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.

The Ohio Department of Liquor Control has sent notice of application from:

- a. Dolgen Midwest LLC, DBA Dollar General #6924, 5795 Cheviot Road, Cincinnati, Ohio 45247. The Police Chief had no objection. The Trustees had no objection.

Administrator Celarek made the following announcements:

1. The Northeast Green Township Zoning Commission will hold a public hearing on May 29, 2013 at 4:00 p.m., Green Township Administration Building, 6303 Harrison Avenue, to hear the following case:
 - a. Case Green #NEGT 2013-01, applicant, James Ritter, Professional Design Associates, owner, J.D. Schoenling, 3557 Jessup Road, for approval of a Zone Change Amendment from "C" Single-Family to "DD" Planned Office/Retail to permit a two phase commercial development.

Development Director Goetzman stated that the above mentioned case will go before the NEGT Zoning Commission on May 29th. They will be reviewing the project against the standards of the Land Use Plan and the Zoning Resolution for compliance. They will vote on it and their recommendation will be passed to the Trustees. The Board of Trustees should hear this case sometime in June. He also stated that this case was heard by the Hamilton County Planning Commission on May 4th and it was found to be in compliance with the Land Use Plan. It's a Commercial District on the Land Use Plan and the proposal is for a commercial office project.

2. The Hamilton County Rural Zoning Commission will hold a public hearing on May 16, 2013 at 1:00 p.m. at the Hamilton County Administration Building, 138 East Court Street, Room 803B, to hear the following case:
 - a. Case Green #2013-02 Forestview Gardens, applicant, Dan Roessner, owner, CYDD LLC, for approval of a Planned Unit Development in a "C PUD" and "B" Residence Zoning District to permit the construction of a 59 lot single-family residential neighborhood with one public access to North Bend Road.

Development Director Goetzman stated that this is subject to a public with the Zoning Commission. It is a modification of the subdivision zoning

rules and regulations to allow for a variance of development from the rigid standards of the code. Because this is a PUD development the applicant has the ability to propose changes to the minimum lot sizes, setbacks, and those kinds of things to accomplish a development on a site that might either have some challenges or might benefit from a non-traditional subdivision type development, possibly due to topography or something along those lines. This is a 2 ½ acre site on North Bend Road, which is the former site of the old Forestview Gardens Restaurant, which is an existing PUD which dates back over a decade. It started out as a multi-family condominium townhouse project, it was a church for a few moments potentially, then a single-family subdivision, and then a PUD that would permit 18 lots. It is adjacent to a piece of property that was owned by the family than ran the Forestview Gardens Restaurant, which had not been for sale for a number of years; they were still living in it. So it couldn't be incorporated into the plan, but now their circumstances have changed and the development group present this evening has an option to purchase the balance of the property. So now there is a more comprehensive development totaling approximately 15.5 acres. The site is outlined here in red and the portion here, this is North Bend Road, this would be Diehl Road here, and we've got Hader as a local Township road. This is the portion of the site that is the existing "CCUP", and that was approved in 2007, the most recent plan is for an 18 lot single-family subdivision. It's hard to see but this was a stub street that was going to "stub in" to the site and then there was to be a private driveway off of the stub street. That would have permitted up to 18 lots, and those were kind of developed under what we would call a patio dwelling concept under the Zoning Resolution. The plan now has expanded from this small 2.5 acre site to now include the entire 15 acre site. There was a Public Staff Conference on May 1st, which introduced the concept to the adjoining property owners; there were approximately 20 - 25 people in attendance at the meeting. Several residents in attendance were from the Heritage Green Condominiums, then there were some residents that live on Diehl Road who are adjacent to some projections of property that extend all the way to Diehl, and there was some concern that perhaps there were some additional driveways or something would be out to Diehl Road, but if you look at the plan, those are just held as open space or to provide frontage to individual lot. There will be no driveways or changes. All of the ingress and egress will come off of North Bend Road at across from Ridgewood Drive at an intersection that has been approved and looked at by the Hamilton County Engineer. There will be a secondary or emergency access point off of Hader, and Hader currently is a dead-end street with not very good access. No good terminal at the end. I think having the ability to ultimately loop around may actually provide some additional safety. There are some issues associated with ultimately both kind of the design and some of the fine tuning on this project as well as some issues associated with perhaps ingress and egress for fire engines and that kind of thing. What is going to occur, I believe, on a week from Thursday, or it is this Thursday, this Thursday is the PUD concept will be approved. It will then have to go ultimately to the Regional Planning Commission for subdivision approval, so we may not be looking at the exact details of a plan, I think conceptually we will be looking at the number of lots, buffering, and some of those issues, but this may not be the exact layout, there may be some extension of some streets, may get a little longer. There are some private driveways that the County would like to see turned into streets because there are rules and regulations about the number of lots that cannot be on a private driveway, but the concept though is to provide some small lot housing with a high quality design treatment exteriors where there would be some high level of design and a small community feel. I think maybe before I get into some of the conditions and some of those things, I know the applicant is here, I know he is interested in perhaps presenting to you just some background on the project, and how he envisions it being developed, and then we'll get into a little detail looking at some of the conditions that are recommended by staff.

Dan Henkle, Henkle Homes, was present to answer any questions from the Board. Mr. Henkle stated that he feels that the plan presented will allow the property to be used to its fullest potential. Mr. Henkle presented information regarding the proposed development and stated that the concept will be to build ____ sq. ft. homes that are ____.

Development Director Goetzman provided additional information regarding PUD allowances and requirements.

RESOLUTION #13-0513-H

Chairman Boiman moved to pass a resolution recommending approval of Case Green #2013-02 to the Hamilton County Rural Zoning Commission subject to the following conditions: 1. That the development shall contain a maximum of 61 single-family lots with a maximum of 16 units in the "C" Residence

area and a maximum of 46 units in the "B" Residence area; 2. That a Streetscape buffer that exceeds the requirements of Figure 14C shall be provided along North Bend Road, and that the buffer include a combination of landscaping, fencing (up to six feet in height) and/or other decorative features; 3. That no residential structure shall be located closer than 15 feet from the newly created right-of-way line along North Bend Road; 4. That detailed signage; landscape and lighting plans shall be submitted as part of the Zoning Compliance Plan review and approval process; 5. That dedicated open space shall be identified on parcels separate from residential lots including the streetscape buffer, along the southern perimeter of the Phase 1 site, and along the perimeter of the Phase 2 site at a minimum of 20 feet in width including the entire flag lot areas that abut Diehl Road and within undisturbed interior areas of the site; 6. That further subdividing of the development shall be prohibited to assure conservation of all open space lots; 7. That prohibitions/restrictions for the open space areas shall be submitted as part of the Zoning Compliance Plan; 8. That the dedicated open space parcels shall be owned and maintained by a Homeowner's Association; 9. That sidewalks shall be provided along North Bend Road and along both sides of the proposed public street serving the development excluding the private access roads; 10. That unless modified by the Regional Planning Commission, the development shall comply with the Subdivision Rules and Regulation; 11. That the proposed private access road that provides access to 12 lots, shall be replaced with a PUD public Street and that a street stub shall be identified stubbing to the 7-acre tract located to the east if determined to be practical and or buildable; 12. That an emergency access drive and gate shall be provided at the terminus of Hader Avenue which shall be designed to meet the minimum specification requirements of the Green Township Fire Department; 13. That all private access roads shall be clearly identified with signage as 'private' and 'end of public maintenance'; and 14. That the homes identified on lots #1, #13 and #14 (adjacent to North Bend Road) shall have masonry brick or stone veneer exterior on all four sides with the use of other building materials (such as wood, vinyl or stucco) limited to architectural features. And one variance to Section 4-2.5 (c): That the required minimum lot area be reduced to 4,250 square feet where 6,000 square feet is required; that the required side yard setback be reduced to 3 feet where 5 feet is required and; that the minimum lot width be reduced to 42.5 feet where 50 feet is required, and that the minimum setback at the garage shall be 23 feet where 20 feet is required (providing a minimum setback from the back of the sidewalk of 20 feet). Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

Gary Dressler, Sidney Road, asked how much of the street would be dedicated. Development Director Goetzman stated that the vast majority of the street would be dedicated. Mr. Dressler also asked if the Township snow plow trucks will be going very far out of their way to take care of the new street in the winter. Development Director Goetzman stated that there is a subdivision of dedicated roadways right across the street and the maintenance of the new streets would not be a problem. Mr. Dressler asked about green space. Development Director Goetzman explained the green space requirements.

Francis Asam, North Glen Road, expressed her concerns about the additional traffic that will be added to North Bend Road. Development Director Goetzman stated that comprehensive traffic studies in that area are underway.

3. The Board of Hamilton County Commissioners will hold a public meeting on May 15, 2013 at 11:30 a.m. to hear Case #Green 2012-04, 6946 Harrison Retail, request for a Major Revision.
4. There will be a Public Staff Conference on May 23, 2013 at 6:30 p.m. at the Green Township Administration Building to review a request for Zone Change from "B" Residence to "OO" Planned Office for the construction of a residential community for the developmentally disabled and community center for property located on Edgewood Drive.

Fiscal Officer, Tom Straus, reported that the Township has received the final audit back from the Auditor of State. A few high points were that the total revenue is \$39,700,000 and disbursements were \$38,900,000. The Township debt was reduced from \$8.2 million dollars to \$7.4 million dollars from the bonds the Township issued a couple of years ago. The auditor's estimated that the Township would have an approximately \$3 million dollar loss of revenue in 2013. Fiscal Officer Straus stated that he does not believe the deficit will be that large. The auditor's pointed out that 77% of the Township's investments are held in Federal Agency Bonds. They pointed out that because the Township does a modified cash

basis of accounting, and not GAPP accounting, that the Township has unpaid leave figures that are not shown on the financial statement, they indicated that the assessed value of Green Township is \$1,071,000,000. That represents a 7% drop because of the property reappraisals. That will affect income on the levies of approximately \$500,000. The auditor's also looked at the JEDD's creation. Fiscal Officer Straus stated that overall it was a very clean audit and was very good.

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

Township Administrator, Kevin Celarek, reported that the newsletter is out. If anyone has any questions about the financial information contained in that newsletter to please call him. Administrator Celarek stated that he is hoping that the Township receives a rebate from the Ohio Bureau of Workers' Compensation.

Director of Public Services, Joe Lambing, reported that roadwork on the Township's portion of North Bend Road is nearly completed. There is still need for some utility work and for traffic signals to be installed. The State of Ohio has begun work on their portion of North Bend Road at the I-74 interchange to repair the exit and on ramps.

Fire/EMS Chief, Doug Witsken, stated that he had nothing to report.

Police Chief, Bart West, reported that there was an attempted suicide at LaSalle High School on April 29, 2013. Chief West thanked everyone who assisted the Township with that incident. He also thanked LaSalle Principal, Tom Luebbe, for the great job that he and his staff did in implementing the plan that LaSalle High School had in place.

Trustee Linnenberg thanked Chief Bart West for the tremendous job he did at LaSalle and for handling all of the media.

Trustee Rosiello thanked Chief Bart West and his department for all the work they do every day.

Director of Development, Adam Goetzman, stated that there was a follow-up with the LaSalle Band Trailer. The Board of Zoning Appeals did before they adopted their final resolution did continue their discussion on that case and the Board did agree to move the trailer in compliance with both the wishes of the adjoining property owners and the recommendations of the Trustees. Development Director Goetzman thanked the Board for their willingness to do that.

Trustee Linnenberg stated that he has heard all of the rumors that Kroger has purchased the Rave Cinemas and is going to build a Kroger Marketplace. Trustee Linnenberg asked if any of those rumors can be confirmed. Development Director Goetzman stated that he is aware of the rumors; however, there has been no contact with the Township at this point.

Trustee Linnenberg stated that he, along with Kevin Celarek and Adam Goetzman, attended a meeting with Greg Johnson from the Cincinnati Metropolitan Housing Authority and they have scheduled a public meeting on June 5, 2013 at 7:00 p.m. at the Nathanael Greene Lodge for the purpose of discussing the acquisition process of CMHA. Doors will open to the public at 6:30 p.m. This meeting will be a discussion of the process that CMHA is going to do going forward. It will not be announcing where they purchase or where they are looking, it will be about the process and how CMHA wants to proceed in the acquisition of 32 units of public housing in Green Township. Greg Johnson, the Executive Director of CMHA will be there along with members of the Green Township Board of Trustees.

Gary Dressler, Sidney Road, asked if that information can be added to the Township website. Trustee Linnenberg stated that it will be added and will likely be announced in the Western Hills Press.

Trustee Boiman announced that today the Township is kicking off its Employee Wellness Program. This program is designed to improve the health of Green Township employees. Trustee Boiman announced that Green Township has posted some videos of Tom Griffin on its website. Tom was a Green Township resident and a member of the Doolittle Raiders. These videos that Tom did are excellent videos. Trustee Boiman thanked Mike Nie for his efforts in getting those videos added to the Township website. Trustee Boiman read several thank you letters.

The next regular meeting of the Board of Trustees will be held on Tuesday, May 28, 2013 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 6:50 p.m.

ATTEST: