

The regular meeting of the Green Township Board of Trustees held on July 08, 2013 was called to order at 5:00 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 June 24, 2013. Trustee Linnenberg seconded the motion. All voted Aye.

State Representative Lou Terhar was in attendance to present a commendation to Firefighter Steve Alexander in recognition of his recent "Firefighter of the Year" award. Firefighter Alexander thanked Chief Doug Witsken for nominating him to receive that award.

Ed Vlaikov, Junior Commander and Tony Kohl, Commander of the Purple Heart Society presented a plaque and flag to Green Township because Green Township is now a Purple Heart Township. Mr. Vlaikov stated that Green Township is the first Township in the State of Ohio to become a Purple Heart Township.

RESOLUTION #13-0708-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 #13-0708-B

Trustee Rosiello moved to pass a resolution authorizing pick-up of employee contribution to Ohio Police and Fire Pension Fund. Chairman Boiman seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

RESOLUTION #13-0708-C

Trustee Boiman moved to pass a resolution authorizing the sale of a 2002 Sutphen 110-foot Magnum Aerial Fire Truck to the City of Middletown, Ohio in the amount of \$360,000. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

RESOLUTION #13-0708-D

Chairman Boiman moved to pass a resolution approving the promotion of Daniel Vath to the position of Green Township Police Corporal with a starting hourly rate of \$32.78 per hour and a start date of July 13, 2013. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

Fiscal Officer Straus swore in Corporal Daniel Vath. Corporal Vath introduced his family that was present.

RESOLUTION #13-0708-E

Chairman Boiman moved to pass a resolution authorizing application for zone change for property located at Harrison Avenue and Lee Court. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

RESOLUTION #13-0708-F

Chairman Boiman moved to pass a resolution approving the addition of Timberview Drive to the 2013 Street and Curb Rehabilitation Program and to approve the bid from R.A. Miller Construction, Inc. for \$102,000.00 for 2013 Curb Rehabilitation Contract and to approve the bid from Barrett Paving Materials for \$98,624.00 for 2013 Street Rehabilitation Contract. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

RESOLUTION #13-0708-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. 5889 Farlook Drive (550-0092-0167), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
2. 3544 Lakewood Drive (550-0172-0375), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
3. 6053 Lawrence Road (550-0160-0007), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
4. 3594 Neiheisel Avenue (550-0172-0354), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
5. 3936 Race Road (550-0121-0303), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
6. 6412 Taylor Road (550-0240-0057), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.

7. 5136 Valley Ridge Road (550-0193-0105), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
8. 5146 Valley Ridge Road (550-0193-0106), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
9. 5235 Valley Ridge Road (550-0193-0119), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.
10. 2948 Welge Lane (550-0133-0036), Motion made by Chairman Boiman and seconded by Trustee Rosiello. All voted Aye.

Gary Dressler, Sidney Road, stated that the properties being declared as nuisances are a result of a neighbor complaint and that the Township does not go out intentionally looking for properties with high grass.

Fiscal Officer, Tom Straus, reported that so far this year the Township has received approximately \$21.8 million dollars and expended approximately \$18.8 million. The General Fund has received approximately \$3 million dollars and expended approximately \$2.6 million. Monies in the General Fund for this year are dwindling.

Township Attorney, Frank Hyle, stated that there is a Safety Services Levy which expires at the end of this year. The Township has passed resolutions asking the Hamilton County Auditor to provide the Township with information on its valuation and how much money the levy would generate. That information has been received. The current levy is a 1.9 mill levy. If it was renewed it would generate \$2,035,782 per year. Attorney Hyle asked the Trustees to consider passing a resolution determining to proceed to levy the tax in excess of the 10 mill limitation, that being a renewal of the Safety Levy at 1.9 mills for a continuing period of time.

RESOLUTION #13-0708-H

Trustee Rosiello moved to pass a resolution determining to proceed to levy a tax in excess of the 10 mill limitation for police and fire services. Trustee Linnenberg seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

Attorney Hyle stated that there is not a need for executive session.

Township Administrator, Kevin Celarek, was excused from the meeting. Fiscal Officer Straus read announcements in his absence.

Fiscal Officer Straus made the following announcements:

1. The Hamilton County Board of Zoning Appeals will hold a public hearing on July 10, 2013 at 4:00 p.m., at the Hamilton County Administration Building, Room 805, to hear the following cases:
 - a. Case Green #2013-07, 5571 Bridgetown Road, applicant, Atlantic Sign Company, owner, United Dairy Farmers for approval of a new freestanding pole sign with less setback than required.

Development Director Goetzman stated that this is the Dairy Farmers located on Bridgetown Road at Aurora. Mr. Goetzman stated that the Zoning Resolution requires that new signs be setback 10 feet from the edge of the right-of-way. The existing sign sits right at the edge of the right-of-way. The Dairy Farmers is only asking to replace the sign. Development Director Goetzman recommended approval as submitted.

Gary Dressler, Sidney Road, asked why approval is necessary if they are only requesting the replacement of an existing sign. Development Director Goetzman explained that the permit process is necessary because they are not only seeking approval to replace the face on the sign, but are seeking to replace the cabinet of the sign due to damage.

RESOLUTION #13-0708-I

Chairman Boiman moved to pass a resolution recommending approval of Case Green #2013-07 to the Hamilton County Board of Zoning Appeals as submitted. Trustee Linnenberg seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

- b. Case Green #2013-08, 5384 Laured Place, applicant, American Home Design, owner, Greg Miller for approval of the construction of a patio cover with less side yard setback than required.

Development Director Goetzman stated that the applicant is seeking additional shade and is requesting permission to cover a side patio area. Mr. Goetzman stated that he talked with the immediate neighbor and that his only concern was related to moving existing items located in the side

yard. Development Director Goetzman recommended approval subject to conditions and the plans submitted.

RESOLUTION #13-0708-J

Chairman Boiman moved to pass a resolution recommending approval of Case Green #2013-08 to the Hamilton County Board of Zoning Appeals subject to the following conditions: 1. That the down spouts from the patio roof be tied into other down spouts on the subject property, and/or installed in such a manner that the discharge point be no closer than 10' from any side property line; and 2. That upon completion, the existing temporary shade structures be removed from the property, or installed in the rear yard at least 10' from any property line and maintained in proper working order. 3. That the patio cover be constructed in conformance with the plans submitted. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

- c. Case Green #CU2013-09, 1500 Linneman, applicant Stephen Smith, owner, Archbishop of Cincinnati for approval of a Conditional Use Certificate for the construction of a double sided electronic message board on church property.

Development Director Goetzman stated that St. Antoninus Church is requesting permission to replace three existing signs with one new electronic message board sign. Mr. Goetzman noted that the sign will be located in a landscaped area, and is part of an exterior upgrade of the Church and School grounds.

Trustee Boiman asked if the type of sign requested is unique to the area. Mr. Goetzman noted that the sign is similar to other signs installed in similar institutional uses elsewhere in the Township.

Development Director Goetzman recommended approval as submitted.

RESOLUTION #13-0708-K

Chairman Boiman moved to pass a resolution recommending approval of Case Green #CU2013-09 to the Hamilton County Board of Zoning Appeals. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

- d. Case Green #2013-10, 6293 Glenway, applicant, Triumph Signs, owner, Trevor Gorman & Tire Discounters, for approval to construct two additional sets of wall sign channel letters and requesting that the signs be located on three sides of a single frontage property where wall signs are only permitted on one side of the building.

Development Director Goetzman stated that the Zoning Resolution provides that the size of a sign relate to the front footage width of the property and that signage is only permitted facing the dedicated roadway. In this case the applicant is requesting two additional signs that would total 120 sq.ft. to identify the new Tire Discounters that is being constructed on the property. Development Director Goetzman noted that while the site currently contains a large freestanding sign, the view of that sign is somewhat obstructed by the building when viewed going south on Glenway, and that because of the position of the building on the lot a sign on the front façade of the building would be difficult to see. Development Director Goetzman recommended approval with conditions.

RESOLUTION #13-0708-L

Chairman Boiman moved to pass a resolution recommending approval of Case Green #2013-10 to the Hamilton County Board of Zoning Appeals subject to the following conditions: 1. That one sign on the north façade of the building be permitted as requested; and 2. That the sign on the south façade of the building be permitted only if the sign on the elevation of the building facing Glenway Avenue is eliminated. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

- e. Case Green #2013-11, 2843 Chardale, applicant and owner, Emily Seale, for approval of the construction of a four (4) foot high picket fence to be located in the front and side yard of subject property.

Development Director Goetzman stated that the Zoning Resolution permits 3-ft. to 3.5-ft. high fences in the front yard, provided they are open type fences, such as chain link or split rail where the fence is about 75% open. In this case he noted that the applicant had already installed a 42" high picket fence intended to enclose the applicant's two dogs, where the picket spacing results in a fence with about a 50% open ratio, requiring a

variance. Owing to the fact that the applicant could replace the fence with a chain link type fence in the same location, Development Director Goetzman recommended approval as submitted.

RESOLUTION #13-0708-M

Chairman Boiman moved to pass a resolution recommending approval of Case Green #2013-11 to the Hamilton County Board of Zoning Appeals as submitted. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

2. The Hamilton County Rural Zoning Commission will hold a public hearing on July 18, 2013 at 1:00 p.m., at the Hamilton County Administration Building, Room 138, to hear case:

- a. Green #2013-03, Applicant, Anne McBride, Owners are New Hope Community Church & Green Township Trustees, for approval of a zone change request from "B" Single Family Residence to "OO" Planned Office to permit construction of an institutional campus consisting of four separate buildings that would each contain four assisted living apartments for the developmentally disabled and a separate community center building accessible from Edgewood Drive and a new private access road from North Bend Road.

Development Director Goetzman stated that this is the Beau Vita project on Edgewood Drive. Green Township is part owner of the property and has a contract to sell that property assuming that zoning goes forward and the funding for the project is forthcoming. Mr. Goetzman noted that the Hamilton County Regional Planning Commission had reviewed and approved the project at their July 3, 2013 meeting.

Mr. Goetzman presented a PowerPoint presentation providing an overview of the project. Initially he provided several slides showing the location of the project in relationship to surrounding landmarks and improvements. This was followed by a brief land use assessment, where he noted the Planning Commission's finding of conformance with the Green Township Land Use Plan. The presentation then moved to an overview of the development proposal and a review of conditions and recommendations associated with zoning approval. He noted that the residential units were somewhat different from the previous Beau Vita project approved a couple of years earlier, which has not been built.

He noted that plans showed a gross building footprint and parking spaces that don't meet the requirements for a building with that footprint, but once you take out mechanical areas and restroom areas it is likely that a net calculation would meet parking standards and that many of the clients using the community facility will not drive, and that would also be the case for the residential component, therefore, a lower parking threshold is advisable. Because it is a "OO" Planned District they are proposing units with less parking than would be required. The project could not turn into a more conventional rental complex.

Trustee Linnenberg asked if Beau Vita I is 24 units and Beau Vita II would be an additional 16 units. Development Director Goetzman confirmed that as true and stated that Beau Vita II will actually be constructed first in conjunction with the community center.

Tim McDermott, Willowdale Drive, Board Member of Beau Vita, and Julie Dunford, 2660 Topichills, Board Member of Beau Vita, were present to answer any questions from the Board.

They noted that the Beau Vita I project had units with a live-in staff person on duty, and that Beau Vita II will be supervised independent living.

Development Director Goetzman recommended approval subject to five conditions and three variances.

Gary Dressler, Sidney Road, asked if there is enough room for transportation buses to get to the proposed project and be able to turn around. Development Director Goetzman noted that the site has two proposed entrance points, one on Edgewood and one on the new access drive, so circulation of vehicles should not be a significant concern.

RESOLUTION #13-0708-N

Chairman Boiman moved to pass a resolution recommending approval of Case Green #2013-03 to the Hamilton County Rural Zoning Commission subject to the following conditions: 1. That all Zoning Compliance Plans for the development shall be reviewed and approved as part of a public hearing by

the Rural Zoning Commission; 2. That a lighting plan in compliance with the requirements of the Zoning Resolution shall be submitted as part of the Zoning Compliance Plan; 3. That a landscape plan in compliance with the requirements of Section 12-6, 14-7, and 14-8 of the Zoning Resolution shall be submitted as part of the Zoning Compliance Plan; 4. That any parking spaces be setback a minimum of 30 feet from the southern easement line of Edgewood Drive as required by the Zoning Resolution; and 5. That all buildings on the site shall be constructed with high quality building materials and design that is consistent with the residential character of surrounding developments as determined by the Rural Zoning Commission. Variances: 1. That the residential units be permitted to have a ten foot front yard setback from Edgewood Drive where a 40 foot front yard setback is required; 2. That the community center be permitted to have 24 parking spaces where 30 parking spaces are required; and 3. That the development shall be permitted to have a maximum of 2 freestanding signs with a maximum height of 8 feet and a maximum area of 32 square feet per side where no freestanding signs are permitted for uses with less than 50 linear feet of frontage. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye.

Director of Public Services, Joe Lambing, reported that construction at West Fork and North Bend Road is scheduled to be completed by November. He stated that the crew that is now working on the ramps on I-74 will start work on the other intersection. Mr. Lambing thanked Randy Ludwig, Glenn Caminiti, Bart West, Jim Vetter, Doug Witsken, and Rick Bell for their efforts with the Concert and Fireworks Event on July 3, 2013. Mr. Lambing stated that the event was very well attended.

Trustee Rosiello stated that the Concert and Fireworks Event was very successful and reported that the civic and charity groups sold out of most of the things they were selling that night.

Trustee Rosiello asked Chief Witsken why there was a Board of Health vehicle at the Concert and Fireworks Event. Chief Witsken reported that the Health Department did have their mobile command vehicle present to facilitate communications between all departments at that event. Chief Witsken thanked the Health Department for the use of their vehicle.

Trustee Rosiello thanked Chairman Boiman for his efforts in putting together a very successful event.

Trustee Linnenberg asked Director of Public Services Lambing to investigate the possibility of installing sidewalks along Bridgetown Road between Kuliga Park and Dulles Elementary. Trustee Linnenberg stated that there was a large amount of people walking in the roadway from Kuliga to Dulles at the conclusion of the Concert and Fireworks Event.

Trustee Rosiello agreed with Trustee Linnenberg that pedestrians walking along Bridgetown Road at night after the Concert and Fireworks event is a significant safety issue. Trustee Rosiello stated that money should be set aside to install sidewalks from Kuliga Park to Dulles Elementary.

Fire/EMS Chief, Doug Witsken, reported that the Fire/EMS Department is currently going through a promotional process where several part-time firefighters are being evaluated to fill the two vacant full-time positions in the department since two retirements that took place last year. The physical ability test and the written promotional exam have already taken place. Interviews of the nine candidates began today. It is anticipated that second round interviews will be completed in approximately two weeks. Chief Witsken stated that he hopes to have the successful candidates ready to present to the Board for approval in August.

Police Chief, Bart West, stated that he had nothing additional to report.

Director of Development, Adam Goetzman, stated that he had nothing to report.

Trustee Linnenberg thanked Chairman Boiman and Trustee Rosiello for helping to raise the funds necessary to keep the Concert and Fireworks Event going again this year. Trustee Linnenberg also thanked all the businesses and sponsors who continue to support that event as well as the upcoming Kids Fun Day.

Chairman Boiman thanked the Wurster Family and all the sponsors for their generous donations to keep the Concert and Fireworks Event going.

Chairman Boiman read several thank you letters.

The next regular meeting of the Board of Trustees will be held on Monday, July 22, 2013 at 5:30 p.m.

Chairman Boiman moved to adjourn the meeting. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Aye. Meeting was adjourned at 6:40 p.m.

ATTEST: