

The regular meeting of the Green Township Board of Trustees held on May 09, 2016 was called to order at 5:30 p.m. with the Pledge of Allegiance.

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

Chairman Callos moved to approve the minutes for the regular meeting of April 25, 2016. Trustee Linnenberg seconded the motion. All voted Aye.

**RESOLUTION #16-0509-A**

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

**RESOLUTION #16-0509-B**

Chairman Callos moved to pass a resolution approving the Amended Appropriations for 2016. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

**RESOLUTION #16-0509-C**

Chairman Callos moved to pass a resolution to allow Hamilton County Storm Water District to collect fees through property owner tax bills. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Administrator Celarek stated that the cost per household to the Hamilton County Storm Water District is \$15.14 annually. That fee is added to the bill from Cincinnati Water Works, and has been collected for the last three years.

**RESOLUTION #16-0509-D**

Chairman Callos moved to pass a resolution authorizing out of state travel for Fire & EMS Chief Douglas Witsken to attend the 2016 International Association of Fire Chiefs Conference in San Antonio, Texas from August 17, 2016 to August 20, 2016. Township expenses are the \$625 conference registration fee, estimated \$600 for lodging, and estimated travel cost of \$300. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Chief Witsken stated that every year he does ask to attend one national Emergency Medical Services Conference and to attend the Fire Chiefs Conference held in the summer each year. Chief Witsken stated that these conferences are invaluable to keep up with the latest and best practices in their industry. Over the years the ideas and techniques that he has been able to bring back from these conferences has been invaluable in keeping their department top quality and providing state of the art services.

**RESOLUTION #16-0509-E**

Chairman Callos moved to pass a resolution authorizing one way streets on Coral Gables Road and Neiheisel Avenue for the St. Jude Festival beginning Friday, June 3, 2016 from 7:00 p.m. until midnight, Saturday, June 4, 2016 from 5:00 p.m. until midnight and Sunday, June 5, 2016 from 4:00 p.m. until 10:00 p.m. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

**RESOLUTION #16-0509-F**

Resolution to approve amendments on the Master Agreement with Dynege Energy Services (East) LLC to Provide Electric Generation Supply and Related Services at \$0.0599 per kWh commencing with the June 2016 customer read date and continuing through the May 2017 customer meter read date and \$0.0579 per kWh commencing with the May 2017 customer meter read date and continuing through the May 2018 customer meter read date.

Administrator Celarek announced that PJM is the Electric Grid Manager for electricity throughout the Midwest and northeastern portion of the County. That area is comprised of approximately 61 million customers. PJM has increased their capacity cost and passing those costs along to each organization within their customer base. Administrator Celarek stated that the current price of \$0.0583 per kWh and will be going up to \$0.0599 for the coming year. In June of 2017 it will drop back to \$0.0579 per kWh until May, 2018.

Chairman Callos stated that the increase is mandated, however, it is significantly less than the rate from Duke Ohio of \$0.067 or \$0.068 if you are not in the Green Township Electric Aggregation Program. The goal is for the Board and Dynege to minimize the burden and spread the increase over a two year period.

Trustee Rosiello stated that the rate increase affects all rate payers, not just those in an aggregation program. It is still a good deal to be included in the Green Township Electric Aggregation Program.

**RESOLUTION #16-0509-G**

Chairman Callos moved to pass a resolution to approve contract with Spyglass Group LLC to analyze Green Township's primary telecommunications service accounts to seek cost recovery, service elimination and cost reduction recommendations effective May 10, 2016. Cost to be determined over the next six months. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Chairman Callos announced that there will be no cost to the Township until the savings are determined for the audit of telecommunications services.

Administrator Celarek stated that the Township has never performed an audit of telecommunication services and fees (i.e. phones, internet, service fees, etc.) The Township will only pay Spyglass if savings for the Township are found.

**RESOLUTION #16-0509-H**

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

1. 1612 Ebenezer Road (550-0154-0185), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
2. 4020 Jessup Road (550-0090-0045), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye. Attorney Hyle stated that Officer Biggs and the Public Services Department have entered the house to remove the collection within the home. Officer Biggs stated that the Hamilton County Board of Health is still conducting an investigation of the property.
3. 3344 Moonridge Drive (550-0162-0294), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
4. 6935 Taylor Road (550-0300-0084), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
5. 6982 Taylor Road (550-0300-0043), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
6. 5613 Sunnywoods Lane (550-0010-0441), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
7. 5235 Valley Ridge Road (550-0193-0119), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
8. 5241 Valley Ridge Road (550-0193-0120), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
9. 3640 Werk Road (550-0132-0012), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.

Administrator Celarek stated that Officer Troy Biggs is doing a very good job of following up on these nuisance properties.

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

- a. Pancho Villa Mexican Restaurant Inc, DBA Pancho Villa Mexican Restaurant, 5848 Cheviot Road, Cincinnati, Ohio 45247. The Police Chief had no objection. The Trustees had no objection.

Administrator Celarek made the following announcements:

1. The Hamilton County Board of Zoning Appeals will hold a public hearing on May 11, 2016 at 1:00 p.m. in Room 805B, Hamilton County Administration Building, 138 East Court Street, to hear the following case:
  - a. Case Green #2016-02, Jeffrey Decker, Decker Building Group, Applicant and Jeffrey R. Decker, Owner, 6689 Westchase Park Drive, for approval of a variance to allow construction of a new single family home with less front and side yard setbacks than required in an "A" Residence District.

Development Director Adam Goetzman reported that the above case is for a variance from the front and side yard setbacks. In this instance the "A" Residence District has a 50 ft. front yard and a 15 ft. side yard setback. The applicant is seeking permission to reduce the front yard setback to 40 ft. and one of the side yard setbacks to 10 ft. for the purpose of constructing a home on the property. The site is currently an undeveloped lot at the corner of Rybolt Road and Westchase Park Drive. It was the site of an MSD pump station for years. However, with the advent of sewers

on Rybolt Road that pump station was eliminated and the lot became a buildable lot.

In the BZA application, the applicant claims that a storm sewer easement in the rear yard of the property makes it difficult to properly place a home on the property. Mr. Goetzman noted that the adjacent property has a similar storm drain, and that meeting the minimum front and side yard setback requirements for the subject lot would still allow the lot to be developed. He noted that the applicant had not provided any compelling information or evidence supporting the variance request.

Development Director Goetzman recommended that the Trustees simply state that the proposal has been reviewed by the Trustees with no recommendation. Chairman Callos stated that the applicant for this property is not present. Attorney Hyle asked if there is a reason the Board would not oppose the matter as opposed to taking no position. Development Director Goetzman stated that the Board did not have the benefit of the applicant being able to state rational for the request.

Trustee Linnenberg suggested denial as opposed to sending no opinion to the Hamilton County Board of Zoning Appeals. Chairman Callos agreed.

**RESOLUTION #16-0509-I**

Chairman Callos moved to pass a resolution recommending denial of Case Green #2016-02 to the Hamilton County Board of Zoning Appeals. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Fiscal Officer, Tom Straus, reported that he recently met with two Banking Officers at Fifth Third Bank to go over investments and banking services provided. Currently the Township has \$28,750,000 invested through Fifth Third Securities in various investments.

Township Attorney, Frank Hyle, stated that the White Oak Marathon, 6050 Cheviot Road, "D1" permit application came before the Board on April 11, 2016. Attorney Hyle requested, on behalf of the Board, that the Ohio Department of Liquor Control request a hearing because the Township did not know if St. James Church and school would oppose it, or not. Reverend Thomas C. Nolker at St. James has assured me that they have indicated that they have consented to the permit request. There are no current zoning issues at that location. If the Board of Trustees concur, then Attorney Hyle will move forward with a letter to the Ohio Department of Liquor Control withdrawing the Township's request for a hearing. The Board gave permission to withdraw its request for a hearing.

Attorney Hyle stated need for Executive Session for the purpose of discussing personnel compensation.

Township Administrator, Kevin Celarek reported that Hamilton County Great Parks will host Adventure Fest on May 14, 2016 from 8:00 a.m. to 5:00 p.m. This is a free admission to all of the Great Parks in the Hamilton County Park District. That event will include fishing derby for children aged 5-12, paddle board and kayak demonstrations, kids fun run, animal encounters, nature walks, food trucks, live music, and local craft beer. Administrator Celarek also reported that on Saturday, May 21, 2016 at 11:00 a.m. Miami Township will be dedicating a new park called the Miami Township West Park, located at 4063 East Miami River Road.

Director of Public Services, Joe Lambing, reported that on May 6, 2016 they have gone out to bid for the Harrison Avenue Hike/Bike Trail. Bid opening will be held on May 20, 2016. Hopefully, they will be able to start that project in late May or early June. Construction would begin near Oakdale School and head towards Lee Ct. or the Harrison Greene Development. He also reported that they have begun the clearing of Veterans Park for the expansion of the lower field to accommodate both football and lacrosse, which has required installation of a retaining wall and adjust the walking path slightly. That project started this week with tree removal and preparation work.

Fire/EMS Chief, Doug Witsken, announced that the Fire & EMS Department just received notification that they will be receiving the American Heart Association's Missions Lifeline Award for the third straight year. Due to the consistency of the department meeting their award criteria the department has now reached the Gold level for the Mission Lifeline Award. The department has previously won the Silver and Bronze level awards. Representatives from the Fire & EMS department have been invited to an awards ceremony on June 16, 2016. Chief Witsken stated that he is very proud that the department has received this recognition and will be presenting the Board with additional information at a future meeting. Chief Witsken thanked EMS District Chief Tom Dietz for his efforts. The

award from the American Heart Association can not be received unless you keep very detailed data to submit to the American Heart Association every year. Chief Witsken also thanked District Chief Dietz for his efforts in making sure that the highest standards of care are met by the firefighter/paramedics in the field.

Police Chief, Bart West, reported that the Touch-A-Truck event was a complete success. The event was packed. Approximately 1,300 hot dogs were passed out, 925 ring flyer Frisbees were passed out, and approximately 400 pictures were taken and given away. Many trucks were on display as well as the Air Care helicopter. Police Chief West also reported that this afternoon there was a robbery where someone had their car stolen at gunpoint. A Green Township Officer arrived there quickly, put out a description of the car. Colerain Township Officers located and began following the vehicle in Colerain Township. As soon as the Officer got the plate number, he attempted to pull the vehicle over. A pursuit started, the Hamilton County Sheriff's helicopter went up and helped watch the car. The two suspects eventually bailed out of the vehicle and were apprehended. Police Chief West thanked everyone involved for their team work.

Police Chief West announced that "in-car" video in police cruisers went live on May 1, 2016. So far that system is working perfectly.

Chairman Callos thanked Special Projects Coordinator Jennifer Barlow for her efforts and Kroger for their sponsorship of the Touch-A-Truck event. Chairman Callos also thanked Green Township employees Chief West, District Chief Tom Dietz, Mike Upton, Glenn Caminiti, Randy Ludwig, and other support staff who helped make that event very successful.

Director of Development, Adam Goetzman, reported that he has received a request for reconsideration of the scope of an approved variance to Section 5-1.2g of the Zoning Resolution granted in the approval of Case Green #2016-01, North Bend Road Lawn Care. There has been a request from Mike Randall for some seasonal produce sales on the site. Mr. Goetzman noted that Mr. Randall was present at the meeting.

Development Director Goetzman made a brief PowerPoint presentation outlining the request for a reconsideration, noting that the property had recently concluded the Zone Change process to a Planned Retail/Commercial zoning, and that one of the conditions of that approval included restrictions on outside sales on the property. The zoning was approved with a provision that "only landscape materials shall be permitted to be displayed within the front yard south of the existing building and behind the streetscape buffer where outside displays of merchandise is prohibited within the required front yard". Produce sales would be restricted on this site.

The applicant is working with the property owner, Mr. Chris Gum, to provide seasonal sales for corn. Mr. Goetzman stated that because limitation on outdoor sales is part of the legislation approving the Zone Change, any modification of that legislation can only be heard by the Hamilton County Commissioners. Only the Commissioners can amend the language of the Zone Change Resolution.

Director Goetzman recommended some changes that would allow a temporary 12 ft. x 12 ft. tent or awning structure. There may be a couple of banner signs on that awning or tent structure that would be permitted to be for periods not to exceed 75 consecutive days of operation. That could go in front of the building or on the side. Any additional outdoor sales would be required to go back through a Major Adjustment process.

Mike Randall, 3145 Cameo Lane, Colerain Township, addressed the Board regarding Burwinkle produce stands. Mr. Randall previously operated produce stands in the surrounding area. Mr. Randall went to Hamilton County Zoning to inquire about use of the Upscale Landscape property. Bryan Snyder stated that the property cannot be used for produce sales, unless the County Commissioners specifically allow it. Mr. Randall stated that he has received support from Hamilton County Commissioner Todd Portune.

Trustee Linnenberg asked where parking would be located if the produce stand is in the corner of the property. Mr. Randall indicated that there are a few parking spaces in front of the building and some on the left side of the building above the driveway.

Chairman Callos asked if Upscale Landscaping would be open on the weekends when the produce stand would be open. Development Director Goetzman stated that they are typically not open on the weekends. Chairman Callos

asked if the temporary banner signs would be obstructing the current businesses there. Mr. Randall stated that signage would be off the roadway.

Trustee Rosiello stated that Upscale Landscaping must be in favor of the produce stand at their location. Trustee Rosiello stated that the corn stand is a west side tradition and he would be in favor of the Board considering approval for the produce stand.

**RESOLUTION #16-0509-J**

Chairman Callos moved to pass a resolution recommending approval of variance to Section 5-1.2g of Case #Green 2016-01, North Bend Road Lawn Care to the Hamilton County Board of Zoning Appeals as submitted by Development Director Goetzman. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Development Director Goetzman stated that he will send a letter to Hamilton County recommending approval of the modification of variance #5-1.2g for Case #Green #2016-01.

Development Director Adam Goetzman announced that the Marathon station located on Cheviot Road will have to meet zoning requirements. Just because hearing is not requested by the Trustees does not mean that they do not have to comply with the zoning code.

Development Director Goetzman announced lane switch closures for the North Bend Road Bridge Replacement Project over I-74. That project is Hamilton County project #74-14.4.2 with an ODOT project identification number 93079. He stressed that the project is an Ohio Department of Transportation (ODOT) project. Mr. Goetzman encouraged residents to have weekly updates sent to them via ODOT's website at ODOT Cincinnati District 08. Residents may also get information and weekly updates at D08PIO#dot.ohio.gov, or simply call #(513) 933-6517 and ask to be placed on the list to get weekly updates sent to them. The ODOT website would have their Twitter and Facebook feed contact information.

Trustee Rosiello asked what date traffic will be down to one lane through the area. Director of Public Services, Joe Lambing, stated that lane closures will begin Friday evening on May 15, 2016.

Chairman Callos asked Administrator Celarek to have the ODOT information regarding the project added to the Township website so they may get progress information and updates.

Trustee Linnenberg read several thank you letters.

Trustee Rosiello expressed congratulations to Trustee Linnenberg who will be getting married this weekend.

The next regular meeting of the Board of Trustees will be held on Monday, May 23, 2016 at 5:30 p.m.

Chairman Callos made a motion to recess into Executive Session for the purpose of discussing personnel compensation. Trustee Linnenberg seconded the motion. Trustee Rosiello, Aye; Trustee Linnenberg, Aye; Chairman Callos, Aye. The meeting was recessed at 6:13 p.m.; reconvened at 7:25 p.m.

Chairman Callos moved to adjourn the meeting. Trustee Linnenberg seconded the motion. Trustee Rosiello: Aye; Trustee Linnenberg: Aye; Chairman Callos: Aye. Meeting was adjourned at 7:25 p.m.

ATTEST: