

The regular meeting of the Green Township Board of Trustees was held on August 08, 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 welcomed back Township Administrator, Kevin Celarek, who has been out of the office recovering from an accident.

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

**RESOLUTION #16-0808-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 #16-0808-B**

Chairman Callos moved to pass a resolution appointing Frank A. Birkenhauer as Township Administrator effective September 1, 2016 and approving the Employment Agreement. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Chairman Callos stated that an extensive interview process was undertaken that included many fine candidates for this position. Mr. Birkenhauer will be coming to Green Township with 22 years of experience. Mr. Birkenhauer was most recently the Assistant Administrator and Economic Development Director in Colerain Township. Chairman Callos, on behalf of the Board, welcomed Mr. Birkenhauer to Green Township. Chairman Callos stated that he looks forward to Mr. Birkenhauer leading the team at Green Township beginning September 1<sup>st</sup>, 2016.

Trustee Linnenberg welcomed and congratulated Mr. Birkenhauer.

Trustee Rosiello stated that he is looking forward to having Mr. Birkenhauer lead Green Township into the future.

Fiscal Officer Thomas J. Straus swore in Frank A. Birkenhauer as Green Township Administrator.

Administrator Birkenhauer thanked the Elected Officials for the opportunity to serve Green Township and stated that he looks forward to getting started. Administrator Birkenhauer introduced his wife, Leanne, and his son, Cole.

**RESOLUTION #16-0808-C**

Chairman Callos moved to pass a resolution authorizing purchase of real property located at 2101 South Road for park or greenspace purposes. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Township Attorney Hyle stated that the property listed above is 7+ acres of vacant land, adjoined by 2+ acres of land located in Miami Township. The property is the former site of the Deer Run Country Club. The contract is contingent upon the Township receiving a 75% grant from Clean Ohio. The purchase price for the 7+ acres is \$90,000. Miami Township has a similar contract for the 2+ acres located in Miami Township. The deadline for filing the grant application is November 1, 2016. The results from Clean Ohio will be received in December, 2016 or early January, 2017. Closing would take place after January, 2017. Attorney Hyle stated that both contracts are contingent upon both Townships being approved for grant funds.

**RESOLUTION #16-0808-D**

Chairman Callos moved to pass a resolution authorizing advertising for bids for the Senior Center Parking Lot Expansion Project. The engineer's estimate is \$210,236.00. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Chairman Callos stated that attendance at the Green Township Senior Center is very good and has over 900 members, and while some communities are closing their centers, Green Township is expanding their center.

**RESOLUTION #16-0808-E**

Chairman Callos moved to pass a resolution assenting to the acceptance of Rose Petal Drive in the Rosewood Subdivision. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

**RESOLUTION #16-0808-F**

Chairman Callos moved to pass a resolution authorizing out-of-state travel for Lieutenant Mitch Hill and Detective James Conforti to attend Fire Arms Training Simulation, Train the Trainer Course in Golden, Colorado from August 22, 2016 to August 25, 2016. The total cost to the Township will not exceed \$2,500. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Chairman Callos asked Lt. Jim Vetter if Lt. Hill and Det. Conforti will return from the training with the ability to train other officers in the Police Department. Lt. Vetter stated that they will be able to train every officer in the Police Department how to use the "Shoot/Don't Shoot" simulator. That simulator allows officers to train for real life scenarios and split second decision making. There is no cost for the actual training. The only cost to the Township is for travel and lodging.

**RESOLUTION #16-0808-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. 6296 Bridgetown Road (550-0242-0306), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
2. 3313 Ebenezer Road (550-0252-0164), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
3. 5454 Edger Drive (550-0021-0203), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
4. 4436 Grove Avenue (550-0120-0059), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
5. 3868 Maywood Court (550-0121-0397), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.
6. 5093 Rybolt Road (550-0310-0231), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Aye.

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

- a. Joes Watermill LLC, DBA Joes Watermill 1<sup>st</sup> Floor and Patio Unit B, 5753 Harrison Avenue, Cincinnati, Ohio 45248. Lt. Jim Vetter had no objection. The Trustees had no objection.
- b. Walgreen Co, DBA Walgreens 04245, 5403 North Bend Road, Cincinnati, Ohio 45247. Lt. Jim Vetter 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 August 10, 2016 at 1:00 p.m. in Room 801, Hamilton County Administration Building, 138 East Court Street, to hear the following cases:
  - a. Case Green #2016-08, Gene Maier, United Maier Signs, Applicant, and Archbishop of Cincinnati, Owner, 5924 Bridgetown Road, for approval of a Conditional Use approval for a church use in an existing "B" and "C" Residence District to permit the construction of a new electronic message center sign to replace the existing manual reader board sign.

Development Director Goetzman stated that the applicant, St. Jude Church, is requesting that an approximately 26 sq. ft. electronic message sign to replace an existing message board sign. There will be a fixed St. Jude Parish element, as well as a 20 sq. ft. electronic message board.

Schools/Churches/Institutional/Private Clubs are permitted in residential districts as a conditional uses.

Conditional uses are those uses having some special impact or uniqueness which require a careful review of their location, design, configuration and special impact to determine, against fixed standards, the desirability of permitting their establishment on any given site. Any improvement or change and/or expansion of an existing conditional use requires the issuance of a Zoning Compliance Certificate, requiring review by the Board of Zoning Appeals against a fixed set of standards per the applicable standards of Chapter 17 Conditional Uses (specifically outlined in Table 17-12).

1. Spirit and Intent of the Code
2. No Adverse Effect
3. Protection of Public Interest

#### 4. Consistency with Adopted Plans

The County has reviewed those and found it to be a worthwhile application with some conditions and constraints. The applicant is proposing mounting the new sign inside the two existing brick columns supporting the existing sign on Bridgetown Road.

Mr. Goetzman noted that the site is located in a residential district, with a fair amount of office development in the area. The Land Use Plan would support more office uses in this portion of the Township. Office uses are not permitted electronic signs. Churches or schools are not permitted electronic signs as of right, unless they are located within a commercial district. The Conditional Use process provides an avenue for institutional use to seek electronic signage. The property has been subject to previous Conditional Use approvals, it was discovered that for a previous conditional use a streetscape buffer that the landscaping was never installed.

Development Director Goetzman recommended approval subject to several conditions and two variances.

##### **RESOLUTION #16-0808-H**

Chairman Callos moved to pass a resolution recommending approval of Case Green #2016-08 to the Hamilton County Board of Zoning Appeals subject to the following conditions and variances: 1. That the electronic message sign shall not be permitted to be installed until an inventory of existing directional signage has been submitted verifying compliance with the Zoning Resolution and all modifications to the directional signage necessary to comply with the Zoning Resolution shall be completed prior to the Final Zoning Certificate being issued for the electronic message sign; and 2. That a streetscape buffer in compliance with Figure 14C of the Zoning Resolution shall be installed prior to the Final Zoning Certificate being issued for the electronic message sign. Variances: 1. That the site shall be permitted to have an electronic message sign on the property where such signs are prohibited; and 2. That the site be permitted to exceed 32 sq. ft. of site signage, including the existing free standing signs and the proposed electronic sign where a maximum of 32 sq. ft. is permitted. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

- b. Case Green #2016-07, Kurtis Tenhundfeld, Applicant and Owner, 6138 Taylor Road, for approval of a variance to allow for construction of a detached garage that exceeds the height permitted in a "B" Residence District.

Development Director Goetzman stated that this is a case that is a follow-up on a 2014 case where the applicant was permitted the construction of an oversized barn. After receiving Board of Zoning Appeals approval for a specific structure the applicant modified his plans and ended up building a 900 sq. ft. garage, which is compliant with the size requirements, but exceed the 14½ ft. mean gable height limits established by the Zoning Resolution. Since the garage was not constructed in accordance with the approval requirements of the 2014 BZA case, the variance from the height standards of the Zoning Resolution must be approved by the BZA. Development Director Goetzman recommended approval as submitted.

##### **RESOLUTION #16-0808-I**

Chairman Callos moved to pass a resolution recommending approval of Case Green #2016-06 to the Hamilton County Board of Zoning Appeals as submitted. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

- c. Case Green #2016-06, Bob Carpenter, Carpenter Signs, Applicant, and Oak Hills Local School District, Owner, 3850 Virginia Court, for approval of a Conditional Use approval for a school use located in an existing "C" Residence District to permit construction of an electronic message sign to replace an existing manual reader board.

Development Director Goetzman stated that the request is a Conditional Use. The applicant is proposing to change their manual board that is located in the landscape island in front of Oakdale School to an electronic message board. It is located over 150-ft. from the closest residential structure (multi-family condominium) and over 200 feet from the closest single-family residence. The sign will have little or no direct impact on adjacent residential properties or the motoring public.

Development Director Goetzman recommended approval in conformance with the plans submitted and the two variances.

**RESOLUTION #16-0808-J**

Chairman Callos moved to pass a resolution recommending approval of Case Green #2016-06 to the Hamilton County Board of Zoning Appeals in conformance with the plans submitted, and the following two variances: 1. That the site shall be permitted to have an electronic message sign on the property where such signs are prohibited; and 2. That the site be permitted to exceed 32 sq. ft. of collective signage, to include the proposed free standing sign and existing building wall signs where only 32 sq. ft. is permitted. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Trustee Linnenberg stated that the electronic reader boards make sense for Township applications also, and may be a choice in the future.

- d. Case Green #2016-05, LaSalle High School, Applicant, and Archdiocese of Cincinnati, Owner, 3091 North Bend Road, for approval of Conditional Use approval for a school use located in an existing "C" Residence District to install a previously approved wall sign to replace the existing sign on the front of the building with a sign that is 10 sq. ft. larger.

Development Director Goetzman noted that there was another conditional use review on the BZA agenda. He stated that this final case was a follow-up to a previous signage review for LaSalle High School. The previous review included specific standards for a new identification sign to be attached to the school. The applicant wishes to enlarge approved sign somewhat.

Development Director Goetzman recommended approval as submitted.

**RESOLUTION #16-0808-K**

Chairman Callos moved to pass a resolution recommending approval of Case Green #2016-05 to the Hamilton County Board of Zoning Appeals as submitted. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

2. The Hamilton County Rural Zoning Commission will hold a public hearing on August 18, 2016, at 1:00 p.m. at the Hamilton County Administration Building, 138 East Court Street, Room 805B, to hear the following case:

- a. Case Green #2016-03, Bob Rothert, Abercrombie and Associates, Applicant, and BBF Investments LLC, Owner, 6084 Ebenezer, for approval of a request to permit the construction of a 1,920 sq. ft. addition to an existing retail gas station building to include retail and tap room area, and to demolish an existing car wash to expand parking.

Development Director Goetzman stated that this is a PUD application for an existing "E" Retail District. The applicant is seeking permission to remove the car wash to create a new parking area and expand the building by about 2,000 sq. ft. They are also going to construct an 800 sq. ft outdoor patio area. A PUD is required because the redevelopment proposal exceeds the 60% ISR (Impervious Surface Ratio) level. A proposed site plan was presented.

Chairman Callos asked if any residents expressed concerns at the Hamilton County Public Staff Conference. Development Director Goetzman noted that one immediate neighbor was in attendance. He stated that she had raised concerns about an existing fence separating the two properties, asking that that the fence be maintained in a good workman like manner. Pictures were presented.

Trustee Linnenberg asked Development Director Goetzman if the Board of Trustees is voting at this meeting to determine if the building can turn into a Tap Room, or whether they can tear down the car wash and build the new extension. Development Director Goetzman stated that the Board is voting on the extension. Trustee Linnenberg stated that even if the building addition is approved, the Ohio Department of Liquor Control may deny their request to use the space as a tap room.

The applicant, Bob Rothert, Abercrombie and Associates, was present. Trustee Linnenberg asked how many parking spots will be left when the car wash is removed and the extension built. Bob Rothert stated that there will be 22 parking spaces available, which is 2 above the zoning requirement.

Andrea Weitzel, Trustee for the property adjoining 6084 Ebenezer Road, asked about buffer landscaping and placement of the driveway. Mr. Rothert

explained the plan for landscaping. Ms. Weitzel asked what type of trees will be planted. Mr. Rothert explained that the landscaping plan does list the type of trees that will be planted. Ms. Weitzel expressed concerns about lighting on the property that is a safety hazard. Mr. Rothert stated that they can resolve that matter.

Trustee Linnenberg asked what the difference is between a tap room and a bar. Ron Sweeney, 8331 Mapleleaf Drive, Brookville, IN, stated that the trend is called a "growler fill" station. A person can come into the tap room to refill their growler, get a beer, shop, and sit on the patio. The tap room and patio would be closed when the store closes at 11:00 p.m. When the Liquor License is applied for, the parameters will be further defined. Alcohol items will likely be moved to the new portion of the building to give the store a more "kid-friendly" appearance. There will not be wine or liquor available.

Mr. Sweeney clarified that there will be a total of 42 parking spaces in total, 8 of those are located at the gas pumps. 42 are required, there are 44 on the plan.

Trustee Rosiello asked if there is a "Plan B" if they go through the expansion process and do not receive their Liquor License. Mr. Rothert stated that there is not a "Plan B" at this time, however, they may decide to proceed for purposes of making the store larger.

Trustee Rosiello stated that the Reed Family, owners of the store, are good business owners and do a great deal for the community.

Chairman Callos stated that he would like Mr. Rothert and Mr. Sweeney to work with neighboring property owner to resolve any concerns.

**RESOLUTION #16-0808-L**

Chairman Callos moved to pass a resolution recommending approval of Case Green #2016-03 to the Hamilton County Rural Zoning Commission as submitted subject to standard compliance conditions associated with landscape material (streetscape & boundary buffers), site lighting, parking-lot design, site & building signage and dumpster screening. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Administrator Celarek made the following announcement:

1. Kids Fun Day will take place on August 27, 2016, from 11:00 a.m. to 2:00 p.m. at Veterans Park. Kids Fun Day is a free event sponsored by Cincinnati Children's Hospital and the Green Township Board of Trustees.

Chairman Callos stated that Kids Fun Day is a quality event offered in Green Township that families can enjoy.

Fiscal Officer, Tom Straus, reported that the Township recently purchased a \$2 million dollar Federal Home Loan Bank Bond. It is a callable bond. The worst case scenario will be 1%, best case scenario is 1.93%. Mr. Straus also stated that he met again with two Bank Officers from Huntington Bank about moving funds there, which the Township would manage individually. There would not be any asset management fund. Mr. Straus also reported that he is looking at Star Plus, which is currently only giving the Township 38 basis points. Mr. Straus stated that he may consider moving those funds since the interest rate is very low.

Township Attorney, Frank Hyle, stated need for executive session to discuss acquisition of property.

Township Administrator, Kevin Celarek, asked everyone to please wear bicycle helmets whenever bicycling. He was recently involved in a serious bicycling accident that likely would have killed him had he not been wearing a helmet.

Director of Public Services, Joe Lambing, announced that Bridgetown Road is closed just west of Tower Road, in Miami Township, and that Dog Trot, Taylor, and Powner Roads are the only options for getting around that closure. The closing is scheduled to last for five days but may be completed earlier. Mr. Lambing reported that work has begun on the Westbourne/Werk Road EHRT (Efficient High Rate Treatment) facility being constructed by the Metropolitan Sewer District. The project is scheduled to be completed in June, 2018. Mr. Lambing also reported that construction on Harrison Avenue is scheduled to begin on Monday, August 15, 2016. Mr. Lambing announced that there will be a pre-bid meeting on Friday, August 12, 2016 for the Sidewalk Replacement Project along

Bridgetown Road.

Chairman Callos asked what the schedule will be for construction on the Westbourne/Werk EHRT facility. Mr. Lambing stated that construction is scheduled to take place Monday thru Friday from 7:00 a.m. to 7:00 p.m. MSD will make a request if a Saturday is needed. Trustee Linnenberg reported that MSD has leased some property around the site for storage of vehicles and equipment during construction.

Asst. Chief Scott Souders reported in the absence of Fire/EMS Chief, Doug Witsken. Asst. Chief Souders stated that there are ten full-time firefighters that have applied for the three vacant Lieutenant positions. The selection process will begin on August 19, 2016. The process will include a written test, oral interviews, and an assessment. Asst. Chief Souders hopes to have those three candidates presented to the Board for approval at the September 26, 2016 Trustees Meeting. Asst. Chief Souders also reported that this year the Fire/EMS Department has lost five part-time firefighters, therefore, they are currently seeking applicants to fill those vacant positions.

Chairman Callos asked how transition is going in the Fire/EMS Department following a number of retirements over the last few months. Asst. Chief Souders stated that it has been a very smooth transition.

Lt. Jim Vetter reported in the absence of Police Chief, Bart West. Lt. Vetter reminded residents that school will be back in session next week and asked residents to slow down in school zones and watch for children.

Trustee Linnenberg stated that if you are driving on a four-lane road and a bus is traveling in the opposite direction you do NOT have to stop. If you are traveling in the same direction as a bus you DO have to stop.

An unknown resident asked about fill work being done along Werk Road. Public Services Director, Joe Lambing, stated that there is an inspector from Hamilton County Soil and Water that is monitoring that fill work. There will be piping installed in that valley were the fill is occurring.

Trustee Linnenberg read several thank you letters.

The next regular meeting of the Board of Trustees will be held on Monday, August 22, 2016 at 5:30 p.m.

Chairman Callos made a motion to recess into Executive Session for the purpose of discussing acquisition of property. Trustee Linnenberg seconded the motion. Trustee Rosiello, Aye; Trustee Linnenberg, Aye; Chairman Callos, Aye. The meeting was recessed at 6:20 p.m.; reconvened at 7:09 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 7:09 p.m.

ATTEST: