

The regular meeting of the Green Township Board of Trustees held on February 27, 2017 was called to order at 5:30 p.m. with the Pledge of Allegiance.

Roll Call: Trustee Rosiello, present; Trustee Linnenberg, not present; Chairman Callos, present; Fiscal Officer Straus, present.

Chairman Callos moved to approve the minutes for the regular meeting of February 13, 2017. Trustee Rosiello seconded the motion. All voted Yes.

Trustee Linnenberg joined the meeting.

President Ed Wortman and Board of Director members of Mack Fire Incorporated were present to discuss a donation to the Green Township Fire & EMS Department.

Chief Witsken gave a brief history of Mack Fire, Inc. and stated that Mack Fire, Inc. donates approximately \$10,000 of equipment to Green Township each year. The grand total of their Wish List donations since 1984 is approximately \$300,000. This year Mack Fire is funding a smoke detector and carbon monoxide detector program.

Ed Wortman, President, Mack Fire, Inc. introduced the 2017 Board of Directors that were present. Mr. Wortman asked the residents of Green Township to please support their annual raffle. This year the wish list item is a new John Deere gator.

Chairman Callos thanked Mack Fire, Inc. for their contributions to the Township and its residents over many years. Chairman Callos encouraged residents to participate in their annual raffle.

Trustee Linnenberg stated that the Mack Fire, Inc. raffle is a huge help to Green Township and encouraged residents to look for those tickets to come in the mail soon.

Trustee Rosiello expressed his gratitude for all that Mack Fire, Inc. does for Green Township.

**RESOLUTION #17-0227-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 #17-0227-B**

Chairman Callos moved to pass a resolution accepting and approving the Annual Appropriations for 2017. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

**RESOLUTION #17-0227-C**

Chairman Callos moved to pass a resolution to approve the promotion of Alex Seymour to Lieutenant in the Fire and EMS Department effective March 4, 2017 and with a starting salary of \$25.69 per hour. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Fiscal Officer Tom Straus swore in Lieutenant Seymour. Lt. Seymour thanked the Trustees, Administrator, and Chief Witsken for their support. Lt. Seymour introduced his family and friends that were present.

**RESOLUTION #17-0227-D**

Chairman Callos moved to pass a resolution determining nuisance and ordering securance of structure at 5093 Rybolt Road. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Attorney Hyle reported that the Board recently declared the property at 5093 a nuisance for the garbage, refuse and debris that was outside of the home. Attorney Hyle stated that the home on the property is filled with garbage. The Public Health Department has determined that the structure is unfit for human habitation and has issued a Notice of Condemnation. Fire Marshall, Rick Bell, also has determined that the property is insecure and unsafe. Attorney Hyle stated that a notice will be provided to the property owner. The owner can request a hearing within 20 days of days of receipt of the notice. If a hearing is not requested, the Township can proceed with remediating the problem after 30 days. Attorney Hyle asked the Board to declare the property a nuisance and under the authority of Ohio Revised Code §50.586 order that the property be secured and repaired 30 days after notice is provided.

Trustee Rosiello asked what happens at the 31 day mark. Attorney Hyle stated that the Township would enter the property, remove all of the garbage, and secure the property. Costs for the clean-up would be assessed as a lien against the property. Attorney stated that the cost will be certified to the Hamilton County Auditor and assessed as a tax lien against the property.

**RESOLUTION #17-0227-E**

Chairman Callos moved to pass a resolution appointing Dean Ferrier to the Green Township Land Use Planning Committee. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

**RESOLUTION #17-0227-F**

Chairman Callos moved to pass a resolution authorizing out of state travel for Assistant Chief Scott Souders in the Fire & EMS Department to attend the International Association of Fire Chiefs Conference in Charlotte, North Carolina from July 25, 2017 to July 29, 2017. Expenses are estimated at \$1,800 for conference fee, lodging and travel expenses. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Chief Witsken stated that he is anticipating retiring in February, 2018 and would like for Asst. Chief Souders to attend the Chiefs Conference.

**RESOLUTION #17-0227-G**

Chairman Callos moved to pass a resolution authorizing contract with Dennis A. Ziccardi & Associates for acquisition and negotiation services for HAM-CR 73-0.00, CR 73 (PID95282) (Cheviot Road, North Bend to Jessup Improvement Project). Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Development Director Goetzman stated that the above resolution is for the acquisition of right-of-way and temporary construction easements for the Cheviot Road Widening Project that extends from North Bend Road to Jessup. A majority of that funding is from a Federal Grant, therefore, the Township must follow the ODOT acquisition process. This is the last step in the planning stage and the project will begin to move towards appraisal and acquisition of necessary right-of-way. Ziccardi & Associates will be handling the appraisal and negotiation process.

**RESOLUTION #17-0227-H**

Chairman Callos moved to pass a resolution authorizing contract with Integra Realty Resources for acquisition and negotiation services for HAM-CR 73-0.00, CR 73 (PID95282) (Cheviot Road, North Bend to Jessup Improvement Project). Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Integra Realty Resources will be handling the review appraisal process, as the ODOT process requires that appraisals be affirmed by an outside agent.

**RESOLUTION #17-0227-I**

Chairman Callos moved to pass a resolution requesting adoption of a school zone. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Attorney Hyle reported that the Township has been approached by residents in the vicinity of State Route 264 and Virginia Ct., as well as the school, to recommend the establishment of a school zone. The school zone can only be established by the Ohio Department of Transportation. The above resolution requests that ODOT conduct a study and, if determined appropriate, establish a school zone. Administrator Birkenhauer stated that ODOT has preliminarily looked at this and feel it is definitely justified. The cost of necessary equipment is approximately \$5,000. The Oak Hills Local School District will split the cost of the equipment with ODOT. ODOT will install the equipment.

Trustee Linnenberg stated that he was under the impression that a 20 mph school zone could only be established on school property, and stated that Oakdale Elementary School property is not along Bridgetown Road. Police Chief West stated that there is a specific piece of Ohio legislation that allows a school zone on a roadway that is near a school. Chief West stated that the school zone will extend 600 ft. along Bridgetown Road.

**RESOLUTION #17-0227-J**

Chairman Callos moved to pass a resolution authorizing advertising for bids for the 2017 Street Rehabilitation Contract. The Engineer's estimate is \$1,642,000.00. The streets to be repaired are Alphonse Lane, Ashbourne Place, Ballymore Lane, Casa Loma Blvd, Cedaridge Drive, Douglas Fir Drive, Fairhill Drive, Feldkamp Drive, Grove Avenue, Kincora Court, Leona Drive (Relluk Drive to Sidney Road), Lucenna Drive, Penway Court, Relluk Drive, and Sunnywoods Lane. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Chairman Callos stated that the Township is very fortunate to have the funds to rehabilitate numerous streets each year.

Director of Public Services Lambing stated that generally the actual price for street rehabilitation comes in under the Engineer's estimate, and is confident that the actual cost will be much closer to \$1.5 million dollars.

Trustee Linnenberg stated that the list of streets scheduled for rehabilitation in 2017 will likely be printed in the Western Hills Press. He reminded residents that the Township can only rehabilitate Township roads and not roads owned by Hamilton County.

Director of Public Services Lambing stated that they started with a list of 22 streets that were candidates for rehabilitation. He stated that Breezewood and Picwood were candidates for rehabilitation, however, with the construction of the EHRT facility at Werk and Westbourne he did not want to add further construction in that area, so those streets were not included in the 2017 street rehabilitation list. There are also a few streets near the I-74 Bridge Replacement Project that they are holding off on until that construction is completed.

#### **RESOLUTION #17-0227-K**

Chairman Callos moved to pass a resolution authorizing advertising for bids for Bridgetown Road Sidewalk Phase 1-C: South Road to Library. The Engineer's estimate is \$201,147.00. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Public Services Director Lambing stated that he has had conversations with Cincinnati Bell regarding removing the two telephone poles that are in the middle of the sidewalk along Bridgetown Road. He hopes that the work will be done as soon as possible.

Chairman Callos and Trustee Linnenberg stated that they are pleased with the connectivity that the sidewalks are providing along West Fork Road and Bridgetown Road.

#### **RESOLUTION #17-0227-L**

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

1. 5915 Colerain Avenue (550-0011-0031), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Yes.
2. 5217 Leona Drive (550-0042-0278), Motion made by Chairman Callos and seconded by Trustee Linnenberg. All voted Yes.

Trustee Linnenberg gave a presentation regarding nuisance cases for 2016. He stated that in 2016 the Township received 469 nuisance property complaints, of which 26 of those could not be addressed as nuisances, 98 were not nuisances, friendly letters were sent to 18, and nuisance abatement letters were sent to 327. Therefore, 345 residents received an initial letter stating that they need to correct nuisance conditions on their property. Of the 345 letters sent, 246 immediately cleaned up the nuisance condition. Of those, there were 97 nuisance properties that came before the Board of Trustees and were voted upon. Of those, 57 were then cleaned up, 40 did not address the nuisance conditions and the Township had to send contractors out to clean up. The Township assesses the cost of the clean-up on the property owner's tax bill. Therefore, of the over 400 nuisance complaints in 2016, only 40 had to be abated by the Township. Only 3 complaints were regarding properties owned by Cincinnati Metropolitan Housing Authority. All three of those complaints were addressed by CMHA immediately and did not come before the Board of Trustees. Trustee Linnenberg thanked Greg Johnson of CMHA properties for keeping the properties located in Green Township looking nice. Trustee Linnenberg encouraged residents to report unsightly properties in the Township.

Administrator Birkenhauer made the following announcements:

1. The Northeast Green Township Board of Zoning Appeals will hold a public hearing on March 6, 2017 at 4:30 p.m. in the Trustees Meeting Room, Green Township Administration Building, 6303 Harrison Avenue, to hear the following cases:
  - a. Case NEGT BZA #2017-01, Steven J. Klein, Applicant and Owner, 6085 Sheed Road, for approval to construct a freestanding storage garage on a vacant lot which is adjacent to applicant's home. The lot is located in the "A" Single-Family Residence District of the Northeast Green Township Zoning District.
  - b. Case NEGT BZA #2017-02, Lee Schneller, Applicant and Fred Boone, Owner, 6180 Gaines Road, for approval of a variance from required minimum yard setbacks to allow the construction of an attached garage in the front/side yard. The lot is located in the "A" Single-Family Residence District of the Northeast Green Township Zoning District.
2. The Hamilton County Board of Zoning Appeals will hold a public hearing on March 8, 2017 at 1:00 p.m. at the Hamilton County Administration Building, 138 East Court Street, Room 805B, to hear the following cases:
  - a. Case Green #2017-02, Andrea McBride, Applicant and Janet and Dilip Tripathy, Owners, 2990 Werkridge Drive, for approval of a garage located in the front yard.

Development Director Goetzman stated that the applicant is requesting permission to construct a garage in the front yard where one would not be permitted. The applicant is citing topography and location of the principal structure on the lot as the reason for the proposed location. The home is located quite far from the road and would be difficult to construct a compliant garage on the property. The applicant is seeking a variance to construct a 3-car detached garage that will be approximately 1,250 sq.ft., located 60 ft. from the front property line.

The applicant does not currently have a garage on the property and is proposing a brick structure that will be four-sided brick with a pitched roof. The garage will have a storage mezzanine above. Development Director Goetzman recommended approval subject to construction in accordance with the plans submitted.

Trustee Linnenberg stated that he was surprised that the home did not have a garage.

Trustee Rosiello stated that the proposed structure looks nice.

Development Director Goetzman stated that the homes along that area do have some fairly large yards and are set back very far because the septic discharges are in the front yard. He also stated that the garage would be visible from Werkridge and would be benched into the hillside a couple of feet. Development Director Goetzman stated that he has not received any objections from adjoining property owners and recommended approval in accordance with the plans submitted.

**RESOLUTION #17-0227-M**

Chairman Callos moved to pass a resolution recommending approval of Case Green #2017-02 to the Hamilton County Board of Zoning Appeals with the following condition: 1. That the garage be constructed in accordance with the plans submitted. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

- b. Case Green #2017-03, Dennis Tarter, Applicant and Owner, 2900 Kleeman Road, for approval of a variance to allow construction of a detached garage within the side yard in a "B" Residence District.

Development Director Goetzman stated that applicant is seeking permission to construct a garage in the side yard with less than the required side yard setback. The lot is a triangular shaped lot with some topography issues. The applicant does have an existing garage under the house.

Attorney Frank Hyle stated that he is the adjoining property owner and does not have any objections to the proposed garage.

**RESOLUTION #17-0227-N**

Chairman Callos moved to pass a resolution recommending approval of Case Green #2017-03 to Hamilton County Board of Zoning Appeals with the following condition: That the garage be constructed in accordance with the plans submitted. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes.

Fiscal Officer, Tom Straus, reported that he is in the process of working with staff to gather information for the bi-annual audit.

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

Township Administrator, Frank Birkenhauer, reported that the Request for Qualifications (RFQ) for the Interchange Gateway Design was advertised in the Cincinnati Enquirer today. There has already been some interest from some qualified design and engineering firms that may be submitting proposals. The opening date is March 24, 2017.

Director of Public Services, Joe Lambing, reported that bids will be opened for the 5-Points Construction Project on March 2, 2017. Construction is expected to begin in July, 2017.

Fire/EMS Chief, Doug Witsken, reported that there will be a regional training this week at the Nathanael Greene Lodge. C3 Pathways teaches Homeland Security courses through the Federal Government through FEMA Grants. They provide a class that teaches Firefighters, EMS workers, and Police Officers how to work together in unified command environment and successfully manage active shooter incidents. Chief Witsken stated that a problem that has occurred around the County has been that Police, Fire & EMS are not coordinating their efforts and things are not going as smoothly as possible. Chief Witsken stated that he has attended a number of case studies on that problem and the training course seemed like a great opportunity to get the region up to speed on best practices to keep Police, Fire & EMS personnel working together and coordinating their efforts. There will be eleven law enforcement agencies and seven Fire & EMS agencies from all over western Hamilton County attending that training course.

Police Chief, Bart West, reported that the Police Department will be providing the Board with their Annual Report for 2016 later this week.

Director of Development, Adam Goetzman, reported that Scott Braun has made the transition to the Public Services Department and has left a need for some backfilling at the Lodge and Senior Center. He reported that he and Administrator Birkenhauer have discussed the benefits of creating part-time positions to backfill those positions. Posting of those part-time positions will be posted this week.

Linda Louis, Countrywoods Lane, President of the Homeowners Association, asked if the Board of Trustees has a position on the Woodland Golf Course being sold and developed.

Chairman Callos stated that the Woodland Golf Course property is located in the City of Cincinnati and that the Board of Trustees will do their part to ensure the highest quality housing if that project comes to fruition.

Trustee Rosiello stated that he too would like to see the property remain a golf course, however, the property is owned by the City of Cincinnati and there is a developer that is negotiating to allow development of the golf course property. The developer has met with Trustee Rosiello and Development Director Goetzman and explained what he plans to do. Trustee Rosiello stated that the developer does not plan on attached housing or anything sub par. The price range of the homes will be \$300,000+ on patio homes. Trustee Rosiello stated that when permitted they will require proper buffering to make sure the outcome is the best possible one.

Development Director Goetzman stated that the property is zoned for a Single-Family Residential development, and even though it is an undeveloped tract of property there is underlying zoning, so there is the ability to be zoned "as of right", which means that if they meet the minimum subdivision regulations they can propose a subdivision that would go through the Hamilton County Engineer as well as Hamilton County Regional Planning to just subdivide it into a standard lot configuration that meets the minimum lot sizes and the requirements of the subdivision code. That could go forward without any neighborhood input because the the property is permitted to be developed in accordance with those existing rules and regulations. If the developer would deviate from

that with a Planned Unit Development (PUD), where they would be looking into smaller lots and clustering, and/or creating some open space tracts, that would go through a review process and would come before the Board of Trustees for input. Thus far, discussions have only been about detached single-family homes. If any units are attached that would require a zone change, which is a much more rigorous process. However, it seems there is no support for that on the Board of Trustee.

David Luecke, Chair of the Architectural Review Committee for the Homeowners Association, asked Development Director Goetzman if the preliminary development plans are available. Development Director Goetzman stated that the Township was not provided with a copy. That document is a private document that was only shown to him.

Trustee Rosiello stated that in the meeting he and Development Director Goetzman made it very clear what would be acceptable, and not acceptable.

Mr. Luecke stated that he and Ms. Louis were not in attendance to oppose the proposed project, but to ask that the Trustees seek out their input if and when the project does move forward.

Trustee Rosiello stated that if anyone has any questions they are welcome to call him anytime.

Chairman Callos asked Attorney Hyle if the City of Cincinnati would have any preliminary plans. Attorney Hyle stated that the developer did provide some preliminary sketches at a meeting of the Westwood Civic Association. The Westwood Civic Association did approve of the preliminary land swap proposal. Attorney Hyle stated that if any plans have been filed with the City then the plans would be a public record and could be obtained from the City.

Trustee Linnenberg stated that there are many projects that preliminarily come to the Board's attention that do not come to fruition.

The next regular meeting of the Board of Trustees will be held on Monday, March 13, 2017 at 5:30 p.m.

Chairman Callos moved to adjourn the meeting. Trustee Linnenberg seconded the motion. Trustee Rosiello: Yes; Trustee Linnenberg: Yes; Chairman Callos: Yes. Meeting was adjourned at 6:33 p.m.

ATTEST: