

The regular meeting of the Green Township Board of Trustees held on January 10, 2011 was called to order at 5:30 p.m. with the Pledge of Allegiance.

Roll Call: Chairman Winkler, present; Trustee Linnenberg, present; Trustee Upton, present; Fiscal Officer Straus, present.

Trustee Linnenberg moved to approve the minutes for the regular meeting of December 13, 2010. Trustee Upton seconded the motion. All voted Aye.

Chairman Winkler recognized three Boy Scout Troops that were present.

**RESOLUTION #11-0110-A**

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

**RESOLUTION #11-0110-B**

Trustee Linnenberg moved to pass a resolution to approve the estimated resources for 2011. Chairman Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

**RESOLUTION #11-0110-C**

Trustee Linnenberg moved to pass a resolution designating U.S. Bank as a Public Depository for Green Township. Trustee Upton seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

**RESOLUTION #11-0110-D**

Chairman Winkler moved to pass a resolution declaring a Sony 3CCD Video Camera with Tri-pod, a JVC Professional CCD Camera with Tri-pod, a Bogen Tri-pod Caster Stand, a Panasonic Special Effects Generator WJ-5600, two JVC RM-P200 Remote Control Units, a Laird Character Generator with Keyboard CG7000 with Modules, twelve AKG-D310 Microphones, a Catel Model PS 2500 A Power Supply, a Grommes Power Amplifier, a Grommes G222 Pre, a TOA 900 Series Graphic Equalizer EQ-910A as surplus and authorizing the sale of these items on the Hamilton County Online Auction Service. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

**RESOLUTION #11-0110-E**

Trustee Linnenberg moved to pass a resolution to reappoint Tony Upton, Kevin Celarek, Mike Kluener, Chris Handley and Jack Snyder to the Volunteer Fire Fighters' Dependents Fund Board of which Tony Upton will serve as Chairman and Chris Handley will serve as Secretary. Chairman Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

**RESOLUTION #11-0110-F**

Chairman Winkler moved to pass a resolution approving the hiring of Mike Schaffer as a part time seasonal custodial employee for the Green Township Senior Center at a rate of \$15.00 per hour. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

**RESOLUTION #11-0110-G**

Chairman Winkler moved to pass a resolution approving the hiring of Cindy Tabler as an Assistant Lodge Manager at Pay Grade 5, Step 3 with an effective start date of January 11, 2011. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

**RESOLUTION #11-0110-H**

Trustee Linnenberg moved to pass a resolution establishing new rates for EMS Billing effective April 1, 2011, Basic Life Support (BLS) Runs at \$650, Advanced Life Support (ALS) Runs at \$750, Advanced Life Support 2 (ALS 2) Runs at \$850, and the mileage rate at \$12 per mile. Chairman Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

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

- a. Ameri Retail, Inc., DBA Ameristore, 6545 Harrison Avenue, 1<sup>st</sup> Floor, Cincinnati, OH 45247. Police Chief, Bart West, had no objection. The Trustees did not request a hearing.

Administrator Celarek made the following announcements:

1. The Hamilton County Board of County Commissioners has scheduled a public hearing on January 12, 2011 at 10:00 a.m. in Room 605B, Hamilton County Administration Building, 138 East Court Street, to hear the following case:
  - a. Case Green #2010-06 Beau Vita, Anne McBride, McBride Dale Clarion, applicant, and New Hope Community Church, for approval to construct an institutional campus consisting of six residential buildings. For more information call Bryan Snyder at Hamilton County 946-4550.
  
2. The Hamilton County Rural Zoning Commission will hold a public hearing on January 20, 2011 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 #2000-15 Oakview Park LASR-Holthaus Signs, applicant, Oakview Park LLC & Beacon West Properties LLC, owner, 6470 and 6480 Harrison Avenue for approval to modify the signage requirements to allow for construction of a new sign.

Development Director Goetzman stated that the Hamilton County Zoning Resolution has a provision in it that establishes Local Alternative Sign Regulations (LASR) which permits the sign regulations to be modified but in the context of a plan for an entire site. The Oakview Park property is home to the Beacon Orthopedic building and the Huff building on Harrison Avenue. Currently they have two temporary non-conforming signs that have been up for years and those signs are located in the public right-of-way. The property owners are seeking to establish a permanent sign on Harrison Avenue. Since this is a suburban office park there are some changes to the standard sign regulations to permit those. The applicant is seeking permission to install a permanent monument tile sign on a brick base that would match the Beacon building in architectural detail. They are seeking permission to install a 28-ft. high, 150 sq.ft., backlit sign, which is consistent with the establishments of the Hamilton County Zoning Resolution. Mr. Goetzman noted that the Harrison Avenue Corridor Plan for that section of Harrison Avenue prefers to see signs that are architecturally matched to the site, located in a landscaped area that is equal to twice the size of the area in the sign, and that the plan recommends the use of ground mounted signs. He noted that due to the width of the right-of-way, and sightline restrictions for eastbound Harrison Avenue traffic, a variance from the height standards of the Corridor Plan is justifiable.

Trustee Winkler asked for specifics about the height recommendations. She noted that the size of the sign makes it very visible and that ground mounted signs are more aesthetically pleasing. She did not endorse a variance beyond the required 12 foot height.

Director Goetzman recommended approval subject to conditions.

Don Johnson, owner, gave some background information and a brief description of the proposed sign.

#### **RESOLUTION #11-0110-I**

Trustee Upton moved to pass a resolution recommending approval of Case Green #2000-15 to the Hamilton County Rural Zoning Commission subject to the following conditions: 1. That there be compliance with the applicable standards of the Hamilton County Zoning Resolution for height and size restrictions; 2. That the sign shall be installed in accordance with the plans submitted; and 3. That a landscaped bed equal to twice the total square footage of the sign shall be installed at the base of the sign. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: No.

Fiscal Officer, Tom Straus, stated that last year the Township received \$53,000,000 and expended approximately \$46,000,000. The General Fund had positive cash flow. The TIF Fund went up. The EMS fees have gone from \$210,000 in 2003 to \$1,100,000 in 2010. The Nathanael Greene Lodge revenues have gone up 30%. He also reported that the Township purchased a \$1 million dollar Fannie Mae Bond at a small discount, it is callable, but if it does not get called, the Township will receive a 1.7% yield.

Township Attorney, Frank Hyle, stated need for executive session for the purpose of discussing collective bargaining strategy, pending litigation, and acquisition of property.

Township Administrator, Kevin Celarek, stated that he had nothing to report.

Director of Public Services, Fred Schlimm, was not present.

Fire Chief, Doug Witsken, reported that the Severe Weather Spotters Course will be held on February 16, 2011 at 7:00 p.m. at the Nathanael Greene Lodge. This class is open to the public. Information regarding the course can be located on the Township's website.

Police Chief, Bart West, thanked Glenway Animal Hospital for their donation of a scanner that will allow the Police Department to read information chips that may have been implanted in pets. This will allow the Police Department to notify an owner regarding an injured, deceased, or lost pet.

Trustee Upton read a thank you letter.

**LAND USE AMENDMENT HEARING:**

Director of Development, Adam Goetzman, began the Land Use Amendment Hearing regarding Case #Green 2010-01, Harrison Avenue, Parcel 550-0183-0351 (partial), Applicant, Al Neyer, to consider a Land Use Plan Amendment from Multi-Family to Office in advance of seeking a zone change with Hamilton County. Mr. Goetzman stated that the property is currently zoned "DD" Multi-Family; the Clearwater Crossing condominium project has stalled and is in receivership at this time. The property is currently Land Use Planned for Multi-Family, matching the underlying zoning on the site. There was a Land Use Plan Amendment submitted at the meeting with the Land Use Planning Committee on Dec. 14, 2010. The developer was represented as well as representatives from the adjacent condominiums. The LUPC meeting reviewed the Land Use implications of a potential redevelopment of a portion of the condominium site for a use other than residential. The original Clearwater Crossing project consisted of 128 condominium units of which 64 have been constructed. Mr. Goetzman stressed that the change being considered does not change the zoning, and that a developer could come in and finish the condominiums even with a change in Land Use. That condition will not change until the zoning on the property is changed. He noted that the Land Use process looks at an alternative future use for the property, in an effort to establish the most desirable alternative use on a piece of property. Mr. Goetzman indicated that there are issues that will need to be reconciled between the contract purchasers, the potential developer, and the homeowners, with respect to some unfinished units in the buildings and an additional building. It would be appropriate to address those issues as conditions of a zone change on the subject parcel. At this juncture several untitled units in the existing complex are under review by a developer interested in finishing the project, so there will be additional opportunities to discuss the specifics of a potential alternative development on this site.

Doug Kramer, Senior Design Associate with Neyer Architects & Engineers, presented information regarding the site plan concept and how the site is envisioned to develop. He stated that the first phase would be a 68,000 sq.ft. building. There is another building that would come in not too far from that one. There is a future phase to the south, and then a future phase in addition to the building to the north. The two hospital groups would own the land. Neyer is assisting with the development services.

Development Director Goetzman stated that the existing frontage of this property is currently zoned "F" Light Industrial so the proposed office uses would be a permitted use within that existing district. What is not permitted is the parking lot as a permitted use within that Multi-Family district. Residentially zoned property cannot serve as a commercial parking lot.

Trustee Linnenberg asked about the adjacent railroad right-of-way and the potential for a bike path on the property. Mr. Goetzman stated that the existing condominium project does not specifically address the issue of a pathway; however, dedicated open space on the site could be looked at if plans for a pathway are considered.

Jim Auer, Homeowners Representative, 4504 Clearwater Place, Unit #15, stated that their concerns are related to the driveway into the site, what kind of natural barrier might separate the condominium community from the new use, how will sewage be shared and will the existing pumping station be affected, and the possible installation of a traffic light.

Tony Hall, 4512 Clearwater Place, Unit #9, stated that the construction will be right next to his condominium. He asked about barrier/ buffer issues. He also expressed his concern about crime issues.

Development Director Goetzman stated that the discussion at the Land Use

phase is that there is a finding of need to change the plan. He noted that the Green Township Land Use Plan is adopted by the Regional Planning Commission, so it is actually their plan for the Township, and the Township is the body that makes recommendations to the Hamilton County Regional Planning Commission for consideration. In this instance there was new information that was not available when the plan was adopted that substantially altered the basis or rationale for this portion of the plan and that was that this had been viewed as an ongoing residential project and we didn't know that the adjoining property was going to be able to be developed in a manner that could incorporate this section. If the adjoining commercially zoned property had been developed as a commercial use, such as a retail strip center, there would be a different set of discussions because that would be a much more intensive use that would be less compatible with adjacent residential uses. There has been a finding from staff that there is new information to justify the change. Mr. Goetzman noted the property falls within the Harrison Avenue Corridor and therefore development of the site should conform to the applicable standards for the Harrison Avenue Corridor Plan (HACP). Since no formal development plan exists for the property, compliance with specific elements of the Harrison Avenue Corridor Plan for the Filview Redevelopment Sub-Area will need to be reviewed when the appropriate development plan is available

Mr. Goetzman provided an overview of development implementation strategies for the site.

The site should be developed in conformance with the applicable standards of the Harrison Avenue Corridor Plan.

Development of the site for an office use should occur in conjunction with the development of the adjacent Harrison Avenue "frontage" parcels.

Cross-easement access with adjacent uses shall be secured and recorded prior to any zone change for the subject property.

Direct vehicular access between the subject property and adjacent condominium parking areas should be limited to emergency purposes and that enhanced buffers should be considered between office parking areas and existing residential development to minimize potential adverse impacts.

**RESOLUTION #11-0110-J**

Chairman Winkler moved to pass a resolution recommending approval of a land use change from Multi-Family to Office for Case #Green 2010-01, Harrison Avenue, Parcel 550-0183-0351 (partial) in compliance with the Development Directors findings and the following recommendations: 1. The site should be developed in conformance with the applicable standards of the Harrison Avenue Corridor Plan; 2. Development of the site for an office use should occur in conjunction with the development of the adjacent Harrison Avenue "frontage" parcels; 3. Cross-easement access with adjacent uses shall be secured and recorded prior to any zone change for the subject property; and 4. Direct vehicular access between the subject property and adjacent condominium parking areas should be limited to emergency purposes and that enhanced buffers should be considered between office parking areas and existing residential development to minimize potential adverse impacts. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

The next regular meeting of the Board of Trustees will be held on Monday, January 24, 2011 at 5:30 p.m.

Chairman Winkler made a motion to recess into Executive Session for the purpose of discussing collective bargaining strategy, pending litigation, and acquisition of property. Action may be anticipated. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye, Chairman Winkler: Aye. The meeting was recessed at 6:26 p.m.; reconvened at 6:56 p.m.

Chairman Winkler moved to adjourn the meeting. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye. Meeting was adjourned at 6:57 p.m.

ATTEST: