

The regular meeting of the Green Township Board of Trustees held on February 09, 2009 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 January 26, 2009. Trustee Upton seconded the motion. All voted Aye.

Chairman Winkler announced that 2009 is the Bicentennial year for Green Township and introduced Jack Snyder, VFW Post #10380, to report on the many activities that are being planned for the Bicentennial celebration.

Mr. Snyder reported that a 12 member Bicentennial Committee has been formed to plan the Bicentennial celebration. Trustee Winkler is Chairman of that committee. Mr. Snyder stated that among the many events will be a Dog Parade, Kids Fun Day, Historical Tour, Health Fair, etc. He also asked that if anyone in the community has any suggestions or would like to help with these events to please call the Green Township Administration office.

RESOLUTION #09-0209-A

Chairman Winkler moved to pass a resolution setting a public hearing to be held on March 23, 2009 for the purpose of considering the adoption of Limited Self Government. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

ANNUAL MEETING OF THE TAX INCENTIVE REVIEW COUNCIL REGARDING THE GREEN TOWNSHIP TAX INCREMENT FINANCING PROGRAM

Chairman Winkler began the meeting by asking Administrator Celarek to introduce the members that were present: Chris Langford, Assistant Treasurer, Northwest Local School District; Steve Bain, Assistant Treasurer, Oak Hills Local School District; Mike Behr, Great Oaks School District and Dusty Rhodes, Hamilton County Auditor. Chairman of the Tax Incentive Review Council, Hamilton County Auditor, Dusty Rhodes, called the meeting to order.

RESOLUTION #09-0209-B

Trustee Upton moved to pass a resolution appointing Chairman Tracy Winkler as Vice President of the Tax Incentive Review Council. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Fiscal Officer Straus gave a report on the 2008 TIF receipts and service payments. He reported that Green Township received approximately \$18.4 million dollars. Approximately \$7.7 million dollars went to Green Township. Approximately \$196,000 was paid in Auditor and Treasurer Fees. Approximately \$6.6 million dollars was paid to the Oak Hills Local School District. Approximately \$2.5 million dollars was paid to the Northwest Local School District. Approximately \$791,000 was paid to the City of Cincinnati School District and approximately \$539,000 to the Great Oaks School District.

Major Green Township expenditures were road, street and curb rehabilitation projects, as well as the purchase of property.

Total expenditures in 2008 from the TIF Fund were approximately \$5.5 million dollars with approximately \$2.2 million dollars in outstanding purchase orders to be paid in 2009.

Auditor Rhodes commended the Green Township Board of Trustees for the way that they have allocated TIF Funds to help the community.

Future expenditures that are planned include road projects, capital improvement projects, and park projects.

RESOLUTION #09-0209-C

Chairman Rhodes moved to adjourn the meeting. Trustee Upton seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Hamilton County Auditor, Dusty Rhodes, reported that Ohio law does require dog licensing. The Hamilton County Commissioners have extended the date to license your dog until February 28, 2009. The cost before that deadline is \$13.00 per dog, the cost after that date will be double.

Auditor Rhodes also reported that residents have until March 31, 2009 to

appeal their property value.

Marty Kunkel addressed the Board regarding her mother's property located at 4344 Marcrest. Ms. Kunkel stated that her mother lives in the cul-de-sac and that the snow plow drivers have at times left piles of snow at the end of her driveway that are up to 3 ft. high and 6 ft. wide. Ms. Kunkel asked the Board if they could look at the situation and see if they can find a better way to plow in the cul-de-sac. Chairman Winkler stated that the Board will look into the situation.

RESOLUTION #09-0209-D

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 #09-0209-E

Chairman Winkler moved to pass a resolution to appoint Frank Hyle as the Green Township representative to the Tax Incentive Review Council. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0209-F

Trustee Upton moved to pass a resolution to suspend the billing for vehicular accidents when a Fire Truck is dispatched to an accident. Chairman Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0209-G

Trustee Upton moved to pass a resolution to extend the agreement with Dominion Retail for Electric Aggregation for an additional 2 years until 2012 and authorize that the Township Administrator approve the extension agreement after review by the Township Attorney. Chairman Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Trustee Linnenberg stated that the Dominion Retail program will be a good program for most of the Township residents. However, residents should call Duke Energy at #421-9500 to see if Dominion Retail will be the best option for them, especially if they have electric heat. He also reported that if you want to opt-out of the Dominion Retail program you can do so by sending in the opt-out card or you can call #1-888-216-1006 to opt-out by phone.

RESOLUTION #09-0209-H

Chairman Winkler moved to pass a resolution to approve the contract with the Queen City HiRailers and include a \$600 donation from the Township for the event on November 21 - 22, 2009 at the Township Senior Center and authorizing that the Township Administrator sign the contract after review and approval from the Township Attorney. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0209-I

Chairman Winkler moved to pass a resolution to hire the Rusty Griswolds for the Green Township 2009 Summer Concert Series to perform on Saturday, August 15, 2009 and authorize that the Township Administrator sign the contract after review and approval by the Township Attorney. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0209-J

Chairman Winkler moved to pass a resolution to approve travel for Assistant Fire Chief, Scott Souders, to attend the International Association of Fire Chief's Conference, "Fire Rescue 2009", from August 26 - 29, 2009 in Dallas, Texas at an approximate total cost of \$1,395. Trustee Upton seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0209-K

Chairman Winkler moved to pass a resolution to approve the promotion of Jill Jansen to Event Coordinator at Pay Grade 2 Step 7 effective January 31, 2009. Trustee Upton seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0209-L

Trustee Linnenberg moved to pass a resolution delegating authority to make declarations of official intent and allocations with respect to reimbursements of temporary advances made for expenditures for capital improvements in the Township in fiscal year 2009 to be made from

subsequent borrowings.

RESOLUTION #09-0209-M

Trustee Linnenberg moved to pass a resolution authorizing the Green Township Police Department to use prepaid credit cards currently valued at \$324.53 to purchase police equipment and supplies at Roy Taylor's Uniform Company. The cards were seized from a suspect during an undercover drug arrest and were subsequently forfeited to the Police Department by the court. Trustee Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Administrator Celarek made the following announcements:

1. There will be a Public/Staff Review conference on a zoning amendment on Thursday, February 12, 2009 at 7:30 p.m. at the Green Township Administration Building, 6303 Harrison Avenue, 45247, concerning an application for a zone change from "A-2" Residence to "DD" Planned Multiple Residence for two properties located on the north side of West Fork Road located at 3208 & 3210 West Fork Road (550-0074-0007 & 0008) for the purpose of constructing a 99-bed, single story nursing home facility. Purpose of the conference is to gather information and facts on how the proposed change will affect the general welfare of the community. Information from the conference will be utilized in the staff's recommendation to the Hamilton County Regional Planning Commission, Rural Zoning Commission and Board of County Commissioners should the applicant choose to proceed.

The complete application may be reviewed at the Hamilton County Rural Zoning Commission between 8:00 a.m. and 4:00 p.m. in Room 807 at the Hamilton County Administration Building, 138 E. Court Street, 45202. Staff members are available to answer questions at #946-4451.

2. On February 9, 2009, at the conclusion of the Trustees meeting, the Trustees will hold a Land Use Plan Meeting at the Green Township Administration Building for property located at 6946 Harrison Avenue (550-0320-0034), filed by John Anevski, to review a Land Use Plan Amendment request for the above referenced property. The site is currently designated as Transitional Mixed Use; the request would change the site to Neighborhood Retail.

Fiscal Officer, Tom Straus, stated we have taken in \$4.2 million dollars in revenue and spent \$2.7 million dollars. The Fiscal Officer stated that he is concerned about the economy and therefore did move \$4 million dollars from one account into a Star Ohio account which is the Treasurer's State of Ohio Account. Fiscal Officer Straus did talk to Fifth Third Bank about the security of Township investments and was told that the Township is collateralized at 106% of deposits.

Township Attorney, Frank Hyle, stated need for Executive Session for the purpose of discussing pending litigation, personnel issues, and acquisition of property. Action may be anticipated.

Administrator, Kevin Celarek, stated that the Township is using only salt on Township roads, unlike the County, who is using grits and ash mixed with a little bit of salt.

Administrator Celarek also reported that the number for residents to call if they want to opt-out of the Dominion Retail Electric Aggregation Program is #1-888-216-1006.

Chairman Winkler stated that the Township is plowing and using salt on Township roads and that the County is plowing and using ash on County roads. She further stated that the Township has received many complaints this year in regards to the conditions of roadways, however, those complaints were mostly limited to County roads that the Township has no jurisdiction over.

Director of Public Services, Fred Schlimm, stated that there were many complaints regarding road clearing this year. Many of those complaints were regarding County roads. Mr. Schlimm stated that in an effort to help residents, a listing of which roads are County roads and which are Township roads has been added to the Public Services portion of the Township website.

Mr. Schlimm reported on how salt is purchased in the State of Ohio. He stated that there is language in the Ohio Revised Code that dictates how salt must be purchased by the Ohio Department of Transportation. That language states that if a bid submitted by a salt supplier in the State of

Ohio, who mines salt in the State of Ohio, that that bid must be accepted, even though an out of State supplier may have submitted a lower bid. Mr. Schlimm has contacted State Representatives to see if they can look into having that language in the ORC changed. That ORC language is also relevant to the Township because the Township does not get salt bids until a contract has been let by ODOT. If the ORC law can be changed it would allow a more competitive bidding process which may lead to lower salt prices.

Mr. Schlimm also reported on the progress of the 2009 Street Rehabilitation Project. Mr. Schlimm hopes to have a street list ready for the Board before their March 9, 2009 meeting.

Chairman Winkler reported that she did engage in discussions with the Hamilton County Engineer's Office about the unacceptable conditions on County roads following the snow storm.

Chairman Winkler discussed the Bicentennial banners that will be going up throughout the Township. Development Director Goetzman displayed a few pictures of some of those signs and banners. Chairman Winkler stated that the Bicentennial motto will be "200 Years of Community".

Director of Development, Adam Goetzman, stated that there will be a Land Use Hearing at the conclusion of this meeting.

Fire Chief, Doug Witsken, stated that he has been approached again this year by Mack Fire, Inc. in regards to a fundraising raffle. Mack Fire, Inc. sends out raffle tickets to Township residents. The funds raised are used to purchase "wish list" items for the Fire Department.

Police Chief, Bart West, reported on personnel cuts of Hamilton County Sheriff's Officers that are being made in Green Township by the Sheriff's Office. Chief West assured residents that police coverage will remain the same and stated that personnel will be hired to replace the County Officers that are currently being removed from duty in Green Township.

Lt. Mike Horton, Hamilton County Sheriff's Department, reported on the cuts in personnel being made by the Hamilton County Sheriff's Department.

Trustee Upton read several thank you letters.

Chairman Winkler recognized Boy Scout Sean Messerschmidt from Troop #298 who was present working on a Communications merit badge.

LAND USE PLAN HEARING

The Green Township Board of Trustees conducted a Land Use Plan Amendment hearing at the conclusion of their regular meeting, the subject of the meeting was a request to change property located at 6946 Harrison Avenue (550-0320-0034) from Transition Mixed-Use to Retail.

Development Director, Adam Goetzman made a PowerPoint presentation that provided an overview of the proposed change. The presentation identified the property under consideration and provided an overview of the recommendations of the Green Township Land Use Planning Committee. He noted that the Green Township Land Use Planning Committee reviewed this case at a meeting held on January 19, 2009, and that a motion to adopt the proposed amendment subject to the conditions of the Harrison Avenue Plan and additional Township staff recommendations was passed by a vote of 7-0 with one member abstaining.

The Trustees found that new information (proposed development of the Tri-Health site) was not available when the plan was adopted, and substantially altered the basis or rationale for this portion of the Land Use Plan (Site 275).

Mr. Goetzman noted that this is what is likely to be the first of several potential land use amendments for this sub-area (Site 275) of the Land Use Plan, and because the underlying standards for development have been previously adopted by the Trustees (with the adoption of the Harrison Avenue Plan) he recommended that all of LUP Site #275 be subject to consideration for change from Transitional Mixed Use to Low Intensity Retail.

Mr. Goetzman made the following staff recommendations for the site

Recommended Implementation Strategies -

1. Site Development should be limited to an impervious surface ratio (ISR) of .60 or less and that no more than 25% of the net site be

- covered by the building footprint.
2. That an ingress/egress easements be established on the south and north property lines to facilitate access to adjacent undeveloped parcels.
 3. That a minimum of 4 10' wide landscape islands be placed in the parking lot adjacent to Harrison Avenue (2 @ Harrison Ave + 2 @ front façade).
 4. That the site be limited to one access point on Harrison Avenue designed for "right in right out" traffic ingress and egress.
 5. Final development concepts should conform to the following applicable design guidelines of the Harrison Avenue Plan.

Harrison Avenue Corridor Plan Recommendations

General Corridor Regulations / Site Development

6. Where hillsides are impacted by development, they should be stabilized and restored through replanting of appropriate vegetation to create a natural setting similar to what existed prior to development.
7. Vertical slopes in excess of ten (10) feet in height should be landscaped or terraced with landscaping to break up the visual impact of the slope.
8. Vertical slopes in excess of fifty (50) lineal feet should be landscaped to break up the visual impact of the slope.
9. Fill should be placed to blend with the natural contour of surrounding properties. The maximum slope achieved should be 3:1.
10. In mixed use environments, structures located downslope of slopes over thirty-three (33%) percent should be terraced to better integrate the built environment into the hillside.
11. No more than twenty-five (25) percent of a site should be covered by a building footprint.
12. All on site utilities should be located underground.
13. A maximum of one (1) driveway opening should be permitted to a particular site from each of any one or two abutting streets for every 250 linear feet of frontage.
14. As properties develop or redevelop to uses other than single family residential, properties should provide for cross easement access to adjoining properties and consolidate curb cuts.
15. Outdoor storage and service structures (dumpsters, mechanical equipment, etc.) shall be regulated as established in Section 10-5 of the Hamilton County Zoning Resolution. In addition to those regulations, such wall or fence and gate should be constructed of, or painted in a similar color to, the primary building or structure. When viewed from a residential district, the outdoor storage or service structure screening should also incorporate evergreen plantings to soften the wall or fence and should be sited to provide the least disruption to any adjacent residential district.
16. All pervious areas of the site should be adequately landscaped with a mix of trees, shrubs, plants and grass and maintained in good condition free of weeds and debris. Furthermore, healthy mature trees should be protected and preserved as much as possible rather than eliminating mature trees and replacing them with smaller, younger trees.
17. Parking areas on contiguous commercial sites should be separated by landscaped areas.
18. Drive through facilities should not be located on the front facade of a building. Furthermore, no drive through facility should be oriented towards Harrison Avenue or adjacent residential districts.
19. A drive through facility should not be permitted as a separate curb cut for the drive through window or facility.
20. Maneuvering spaces and lanes for drive through facilities should be to the side and rear of the building.
21. Where abutting a residential district, a drive through facility should be fully screened from view using landscaping and fencing.
22. Zone Change applications should provide for a right-of-way dedication to comply with the Hamilton County Thoroughfare Plan.

General Corridor Regulations / Building Design

23. Façade colors should not include metallic, black or fluorescent colors. Building trim may include brighter colors than the façade colors.
24. Building or structure entrances should be physically separated from the vehicular use areas by a raised sidewalk and planted areas.
25. Blank, uninterrupted facades should be discouraged on all stories of the building. The use of windows, doors and other architectural features should be required at regular intervals to break up a blank wall. The use of false windows as an architectural feature or planting areas may be permitted upon

review.

26. Side and rear yard setback requirements for buildings and structures should be on a sliding scale based on the building height and length. Buildings exceeding 35 feet in height or exceeding 100 linear feet in length on the side or rear façade should be setback from the respective property line beyond the minimum setback requirement as established for that district.

General Corridor Regulations / Signage

27. At a minimum, when a sign or sign structure is attached to the ground all signage should be landscaped at the base of the sign in an area equal to twice the total square footage of the faces of the sign.
28. Materials and colors used for freestanding signage should match or compliment the principal building.

General Corridor Regulations / Off-Street Parking

29. The number of parking spaces in vehicular use areas should not exceed more than ten (10) percent the minimum required number of parking spaces as required Zoning Resolution unless additional interior landscaping and perimeter parking screening is incorporated into the vehicular use area.
30. Where feasible no more than sixty (60) percent of all required off-street parking should be located between the front façade of the primary building and the right-of-way unless additional interior landscaping and perimeter parking screening is incorporated into the vehicular use area.
31. Landscaping immediately around the perimeter of off-street parking lots should be installed.
32. Landscaping and/or walkways should be provided within parking lots to provide ease of pedestrian access through lots to facilitate pedestrian safety.

Concept Area Recommendations/ Taylor Creek Redevelopment Area

33. All sides of a building or structure that are visible from any public right-of-way (excluding I-74) or residentially zoned property should be finished with the same materials utilized on the front façade of the building.
34. The predominant exterior building material (greater than 60%) should be brick, wood, natural stone, smoked or non-reflective glass, or tinted/textured concrete masonry units or similar material. Vinyl, smooth faced concrete block, tilt up concrete panels, mirrored glass or prefabricated steel panels should be prohibited as exterior building materials.
35. The primary building or structure should be oriented toward Harrison Avenue.
36. Buildings with facades greater than fifty (50) feet in length should incorporate recesses or projections of a minimum of three (3) feet in depth for a minimum of twenty (20) contiguous feet within each fifty (50) feet of façade length.
37. Rooflines should have a change in height at least every fifty (50) lineal feet in building length. Parapets, hip roofs, gable roofs or dormers should be used to conceal flat roofs and rooftop mechanical equipment from public view.
38. Where multiple tenants are located in one building or on one property, one ground mounted sign should be permitted to identify all tenants. Ground mounted sign structure materials should be similar to those used in the primary building or structures and should be landscaped as referenced in the General Recommendations. Ground mounted sign heights should be measured from the crown of Harrison Avenue if the sign is mounted below the elevation of the crown of Harrison Avenue. If the sign is mounted at a location above the crown of Harrison Avenue, the sign should be no higher than twelve (12) feet in height if feasible.

RESOLUTION #09-0209-N

Chairman Winkler moved to pass a resolution recommending approval of L.U.P. Case #275 to the Hamilton County Regional Planning Commission to change the designation of Land Use Plan site #275 from Transitional Mixed-Use to Retail, citing new information that was not available when the plan was adopted that substantially altered the basis or rationale for the site's current designation, subject to the specific recommendations presented applicable to the site listed above. 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, February 23, 2009 at 7:00 p.m.

Chairman Winkler moved to recess into executive session for the purpose of discussing pending litigation, personnel issues, and acquisition of property. Action may be anticipated. Trustee Linnenberg seconded the

motion. Trustee Linnenberg: Aye; Chairman Upton: Aye; Trustee Winkler: Aye. The meeting was recessed at 6:42 p.m.; reconvened at 6:54 p.m.

Chairman Winkler moved to adjourn the meeting. Trustee Upton seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye. Meeting was adjourned at 6:55 p.m.