

The regular meeting of the Green Township Board of Trustees held on April 13, 2009 was called to order at 4:30 p.m.

Roll Call: Trustee Upton: present; Trustee Linnenberg: present; Chairman Winkler: present.

Chairman Winkler made a motion to recess to Executive Session for the purpose of discussing the acquisition and sale 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 4:31 p.m.

The Trustees Meeting was reconvened at 5:50 p.m. with the Pledge of Allegiance.

Trustee Linnenberg moved to approve the minutes for the regular meeting of March 23, 2009. The motion was seconded by Trustee Upton and all voted aye. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Chairman Winkler announced the "Kite Fly and Pet Parade" that will take place on Sunday, April 19 at 11:00 a.m. in Veteran's Park.

RESOLUTION #09-0413-A

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

RESOLUTION #09-0413-B

Chairman Winkler moved to pass a resolution to approve the agreement with the Oak Hills Local School District for the Township to provide a School Resource Officer for Oak Hills High School for period of January 5, 2009 through December 22, 2009 and authorizing the Township Administrator to sign the agreement after review and approval by the Township Attorney. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0413-C

Chairman Winkler moved to pass a resolution to hire Police Officers Dale Stanley at Step 1 and Troy Biggs at Step 2 with the effective starting date to be determined. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Tom Straus swore in Officer Dale Stanley and Officer Troy Biggs. Each of them thanked Green Township for this opportunity and they introduced the members of their family that were present. Officer Biggs is currently working for the Hamilton County Sheriff's Office and is assigned to Green Township. Officer Stanley has six years of experience with the Hamilton County Sheriff's Office. Chief Bart West is pleased to have their expertise in the Green Township Police Department.

RESOLUTION #09-0413-D

Chairman Winkler moved to pass a resolution to hire the following temporary seasonal summer workers for the Public Services Department: Rachael Ashcroft at \$8.00 per hour; Eric Ballman at \$8.50 per hour; Kyle Brinker (Lodge) at \$8.25 per hour; Brian Bucher at \$8.25 per hour; James Campolongo at \$8.75 per hour; Andrew Dittgen at \$8.00 per hour; Branden Dittgen at \$8.25 per hour; Matthew Flamm at \$8.50 per hour; Joshua Hoffman at \$8.75 per hour; Zachary Jones at \$8.00 per hour; Ryan Pence at \$8.00 per hour; Kevin Sucher at \$8.50 per hour; Matt Taske at \$8.50 per hour; Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Fred Schlimm reported that a few of these seasonal hires will work on litter patrol and removal of hand made signs.

RESOLUTION #09-0413-E

Trustee Upton moved to pass a resolution to approve the Occupational Injury Leave (OIL) for the non-bargaining Township employees with a retroactive effective date of March 1, 2009. Chairman Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0413-F

Chairman Winkler moved to pass a resolution to approve the bid from Welsh Excavation Co., Inc. of \$494,683.90 for the construction of Diehl Road Park Phase II. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0413-G

Trustee Linnenberg moved to pass a resolution to approve the bid from Broshear Constructors, Inc. of \$2,250,148.00 for the construction of Diehl Road Park Phase III. Chairman Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0413-H

Trustee Linnenberg moved to pass a resolution for permission for Fire Marshall, Rick Bell, to travel from May 11 - 15, 2009 to attend the Incident Management and Unified Command (IMUC) course at the National Emergency Response & Rescue Training Center in College Station, Texas with no cost to the Township, as all fees, travel expenses, lodging and meals are paid by the federal government. Trustee Upton seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Chief Witsken pointed out that there will be no cost to the Township for backfill of his shifts.

RESOLUTION #09-0413-I

Chairman Winkler moved to pass a resolution for permission for Fire Inspector, Mike Boeckermann, to travel from April 26 - May 1, 2009, to attend, as a Grant Peer Reviewer Panel Member for the Department of Homeland Security and U.S. Fire Administration, the National Emergency Training Center with no cost to the Township as all travel, lodging, and meals will be paid by the federal government. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Chief Witsken pointed out the Fire Department budget includes money for the backfill of this position. He also pointed out that this is a prestigious honor for Mike Boeckermann and the Township is proud of this accomplishment.

RESOLUTION #09-0413-J

Trustee Upton moved to approve the settlement agreement with Dwyer Companies, Inc. and Green Township. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0413-K

Chairman Winkler made a motion to authorize advertisement for bids for Mask Mounted Regulator Self Contained Breathing Apparatus for the Green Township Fire Department. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

RESOLUTION #09-0413-L

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. 5890 Colerain Avenue (550-0011-0057), Motion made by Trustee Linnenberg and seconded by Trustee Upton. All voted Aye.
2. 6132 Colerain Avenue (550-0011-0046), Motion made by Chairman Winkler and seconded by Trustee Upton. All voted Aye.
3. 5616 Muddy Creek Road (550-0143-0476), Motion made by Chairman Winkler and seconded by Trustee Upton. All voted Aye.
4. 5374 North Bend Road (550-0070-0221), Motion made by Chairman Winkler and seconded by Trustee Upton. All voted Aye.
5. Parkwalk Drive (550-0022-0123, 0124, 0125, 0126, & 0127), Motion made by Chairman Winkler and seconded by Trustee Linnenberg. All voted Aye.

Administrator Celarek announced the following:

1. There will be a Land Use Planning Committee Meeting on Monday, April 20, 2009 at 7:00 p.m. at the Green Township Administration Building, 6303 Harrison Avenue, to review a Land Use Amendment

Request for Cloverleaf Lane/North Bend Road for parcels (550-0071-0093, 0095, 0102, & 0167).

2. There will be a Land Use Planning Committee Meeting on Monday, April 20, 2009 at 8:15 p.m. at the Green Township Administration Building, 6303 Harrison Avenue, to review a Land Use Amendment Request for 6200 & 6222 Harrison Avenue for parcels (550-0020-0048 & 550-0221-0013).

Fiscal Officer, Tom Straus, stated that on Thursday, April 16, 2009, he will attend a seminar in Wilmington, Ohio to be certified in public funds management.

Attorney, Frank Hyle, was not present at the end of this meeting to give a report.

Administrator, Kevin Celarek, stated there will be a Green Township Newsletter detailing Township events occurring in the spring and highlighting the summer concert series. Residents should receive this in mid-May.

Director of Public Services, Fred Schlimm, reported the bids for the Diehl Road Park Development project are lower than were projected. We are benefitting from a sluggish economy and are able to use developers who specialize in residential development. Mr. Schlimm also reported that the Township is continuing to provide free yard-waste drop off at Kuliga Park on Saturdays and Sundays from 11:30 a.m. - 5:00 p.m. Some residents continue to drop off waste at the Reemelin Road Park site, however, this is NOT a location for waste drop off.

Development Director, Adam Goetzman, reported that the Hamilton County Rural Zoning Commission has scheduled a hearing on Thursday, April 16, 2009 at 1:00 p.m. in Room 805B, Hamilton County Administration Building, 138 E. Court Street, Cincinnati, Ohio 45202 to hear the following:

- a. Case # Green 2009-02, applicant is Michael LeValley, Architects Plus, Inc. and Robert C. Brinkmoeller, owners, for West Fork Nursing at 3208-3210 West Fork Road, on the north side of West Fork Road, east of North Bend Road and West of Parkwalk Drive, 550-0074-0007 & 0008. The application is to change zoning designation from "A-2" to "DD" Planned Multiple Residence for the construction of a 99-bed nursing and rehabilitation home on the property to be located in one 80,000 square foot building with associated parking areas and one access point onto West Fork Road.

Director of Development, Adam Goetzman, reported there have been several meetings on this development both for Land Use and for predevelopment analysis. It went before the Hamilton County Regional Planning Commission on April 3, 2009, and it was approved with conditions. This project is for a nursing home on West Fork Road. The site is currently land used for public, semi-public and institutional uses which does include senior housing facilities.

There have been updates to the plan that were originally submitted in 2008. The changes to the final plans have occurred over time and include changes to the final boundaries of the property. There was also the issue of conditions that the Township Trustees had placed on the property. These conditions led to a series of meetings to review progress on the site and to address some of the concerns of neighboring property owners.

The Hamilton County Regional Planning Commission approved the land use change for Case # Green 2009-02 with conditions. The project implementation strategies concentrated on buffers, development limits, and setbacks and building orientation. Specific areas that were looked at were rear buffering on the property, a reconfiguration of the parking lot, the east and west property lines, fencing, and additional landscaping. The building architecture and orientation were also reconfigured. The parking lot was able to be reconfigured as well.

The applicant's attorney, Chris Finney, was present at the meeting and thanked the Township for their help and support during this project. There were not any neighbors present at the meeting.

Mr. Finney introduced Greg Miller. Mr. Miller will be the project manager. He stated that they hope to have the facility open by the end of 2010.

Development Director Goetzman discussed recommendations associated with the compliance.

Staff recommends adoption of Land Use Plan Amendment Case # Green 2009-01, West Fork Institutional, a request to modify the land use designation from Single-Family to Public, Semi-public, & Institutional including the following strategies based on the findings submitted by the Township Trustees and modified by staff.

1. Site development should be consistent with the Hamilton County Thoroughfare Plan.
2. Freestanding signage on the site should be limited to one ground mounted sign no larger than 32 square feet in size and 6" in height and any signage integrated into onsite retaining walls be limited to 50 square feet.
3. Enhanced boundary buffers, including additional width, landscaping, earthen berms, privacy fencing and/or any combination thereof, should be provided on the east and west property lines adjacent to existing residences.
4. Mechanical areas or equipment and dumpster or trash handling areas should not be located within 100' of any property line and should be housed in an enclosure constructed with masonry walls, faced in brick with solid metal doors, surrounded by evergreen landscaping where not adjacent to paved parking or driveways.
5. Buildings on the site should have a masonry brick exterior and should be constructed with at least 65% of its footprint consisting of a single story structure with a pitched roof.
6. Rooftop mounted mechanicals should be discouraged in the building design, and any unavoidable rooftop fixtures or equipment should be fully screened by a solid wall or equipment shed constructed to match the building.
7. Exterior site lighting, including building mounted fixtures, should be designed to limit light escaping from the site, glare, and light encroachment that may be caused by site conditions.
8. Retaining walls constructed on the site should not be higher than 10' without the incorporation of a landscaped step back or break.
9. Site development should include an impervious surface ratio less than 60%.
10. The designation of this property for Public, Semi-Public, & Institutional uses should not be construed as support for correctional facilities or halfway houses on the subject property, as these uses are specifically discouraged in the Land Use Plan Amendment area.

Supplemental Conditions:

11. That the facility be limited to 99-beds, in accordance with the building elevations plans submitted as part of the zone amendment,
12. Mechanical areas or equipment and dumpsters or other trash handling areas should not be located within 100' of any property line and should be housed in an enclosure constructed with masonry walls, faced in brick with solid metal doors, surrounded by evergreen landscaping where not adjacent to paved parking or driveways.
13. That the subject property shall not be used as a homeless shelter, halfway house, alcoholism or drug treatment center, a work release facility for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration.

Green Township resident, Robert Biddle, addressed the Trustees and asked that on the last recommendation a homeless shelter be added into the recommendations. The Trustees agreed to this addition.

Mr. Finney stated that his clients are fine with all of these recommendations.

RESOLUTION #09-0413-K

Chairman Winkler moved to approve Case # Green 2009-01 to the Hamilton County Rural Zoning Commission subject to the 13 conditions listed

above. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Development Director, Adam Goetzman, also discussed the Mercy Hospital Project. At the next meeting they hope to have a strategy from Mercy Health Partners of how they will proceed in the future with this development. All affected residents will be notified when a meeting is scheduled.

Fire Chief, Doug Witsken, thanked the Trustees and Township employees who attended Lieutenant Tom Elsbernd's retirement party. Chief Witsken also reported that they are currently interviewing part-time firefighters.

Police Chief, Bart West, reported that the Hamilton County Sheriff's Office recently pulled three Police Officers out of Green Township. He thanked the Trustees for approving the hiring of four new officers.

Lt. Mike Horton, from the Hamilton County Sheriff's Department, commended the new police hires in the Township.

Trustee Linnenberg thanked the Oak Hills Kiwanis for volunteering at the Easter Egg Hunt in Veteran's Park this past Saturday.

Chairman Winkler read a thank you note to Green Township EMS from a Green Township family who had recently lost their mother. They wanted to thank the EMT's for all of their help over the years with their mother.

Green Township resident, Robert Biddle, addressed the Trustees about the new Diehl Road Park development. He has met with Trustees and understands the community need for ball fields. He appreciates all of the effort that is being made to provide fencing, gates, and the alignment of the entrance. Trustee Winkler stated that she and Fred Schlimm had met with Mr. Biddle last week. The Township is listening to the residents and also considering the need for active recreational space in our community.

The next regular meeting of the Board of Trustees will be held on Monday, April 27, 2009 at 5:30 p.m.

Trustee Linnenberg moved to adjourn the meeting. Trustee Upton seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye. Meeting was adjourned at 6:12 p.m.