

The regular meeting of the Green Township Board of Trustees held on July 12, 2010 was called to order at 5:30 p.m. with the Pledge of Allegiance.

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

Chairman Linnenberg stated that the June 28, 2010 meeting of the Board of Trustees got a little out of hand, therefore, Resolution #98-0209-I, which was adopted in 1998, will be followed from this point forward. Chairman Linnenberg read the Resolution Establishing Policies for the Conduct of the Meetings of the Board of Trustees.

Trustee Upton moved to approve the minutes for the regular meeting of June 28, 2010. Trustee Winkler seconded the motion. All voted Aye.

Boy Scout Troop 471, from Our Lady of Lourdes, was present at the meeting to complete one of their Scouting requirements. Also, Troop member Joseph Maly was recognized for earning the Boy Scout's Highest Rank of Eagle Scout.

Trey Prybal, Troop 850, from St. Ignatius, was present at the meeting working on his Communications merit badge.

RESOLUTION #10-0712-A

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

RESOLUTION #10-0712-B

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. 1391 Beechmeadow Lane (550-0041-0525), Motion made by Trustee Winkler and seconded by Chairman Linnenberg. All voted Aye.
2. 6331 Bridgetown Road (550-0242-0119), Motion made by Trustee Winkler and seconded by Chairman Linnenberg. All voted Aye.
3. 3382 Citrus Lane (550-0080-0409), Motion made by Trustee Upton and seconded by Trustee Winkler. All voted Aye.
4. Hickory Place Drive (550-0203-0181, 0182, 0183, 0184, 0185, 0219, 0220, 0225, 0217, and 0218), Motion made by Trustee Winkler and seconded by Chairman Linnenberg. All voted Aye.
5. Hickory Place Drive (550-0203-0221, 0222, and 0223), Motion made by Trustee Upton and seconded by Trustee Winkler. All voted Aye.
6. 3362 Kleeman Road (550-0074-0026), Motion made by Trustee Winkler and seconded by Chairman Linnenberg. All voted Aye.
7. 4167 Quakerhill Drive (550-0112-0011), Motion made by Trustee Upton and seconded by Trustee Winkler. All voted Aye.
8. 3951 Rybolt Road (550-0290-0018), Motion made by Trustee Upton and seconded by Chairman Linnenberg. All voted Aye.
9. 5065 Valley Ridge Road (550-0193-0021), Motion made by Trustee Upton and seconded by Trustee Winkler. All voted Aye.
10. 3856 Virginia Court (550-0170-0271), Motion made by Trustee Winkler and seconded by Chairman Linnenberg. All voted Aye.
11. 4443 Raceview Avenue (550-0121-0356), Motion made by Chairman Linnenberg and seconded by Trustee Upton. All voted Aye.

Administrator Celarek made the following announcements:

- 1 The Hamilton County Board of Zoning Appeals will hold a public hearing on July 14, 2010 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 #2010-10, Daniel Turner, applicant and owner, 5792 Luclare Drive, for approval to construct a detached garage in the rear and side yard.

Development Director, Adam Goetzman, was not present at the meeting, therefore, Township Administrator, Kevin Celarek, gave a brief Powerpoint presentation regarding the proposed project.

RESOLUTION #10-0712-C

Chairman Linnenberg moved to pass a resolution recommending approval of Case Green #2010-10 to the Hamilton County Board of Zoning Appeals subject to the approval of the LuClare Homeowners Association and subject to the following conditions: 1. That the garage be used for residential storage and maintenance purposes only; and 2. That any exterior lighting attached

to the building be of a residential character, directed toward the interior of the property away from neighboring residences.

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

- b. Case Green #2010-11, Michael LeVally, Architects Plus, Inc, applicant for owners Ronald and Carole Lynch, 4083 Rybolt Road, for approval of an addition which exceeds the rear yard setbacks.

Township Administrator, Kevin Celarek, gave a brief Powerpoint presentation regarding the proposed project.

Robert Lynch, 4083 Rybolt Road, addressed the Board to provide the Board with background information regarding the proposed project.

Kent & Karen Neyer, 4065 Rybolt Road, stated that they are opposed to the granting of a variance for property located at 4083 Rybolt Road.

The Board of Trustees decided that since they are aware of opposition from neighboring property owners that it would be best not to take a position on this case and not to send a recommendation to the Hamilton County Board of Zoning Appeals.

- c. Case Green #2010-12, Margo and Roy Schooley, applicants and owners, 6991 Sandal Court, for approval of an above ground pool partially located in the front yard of a corner lot.

Township Administrator, Kevin Celarek, gave a brief Powerpoint presentation regarding the proposed project.

RESOLUTION #10-0712-D

Trustee Winkler moved to pass a resolution recommending approval of Case Green #2010-12 to the Hamilton County Board of Zoning Appeals subject to the following conditions: 1. That the pool shall be installed in the location indicated on the site plan submitted with the appeal application; 2. That evergreen bushes be planted along the existing fence to supplement existing trees planted next to Sandal Ct.; and 3. That if the subject property is ever served by a public sewer that the pool shall be relocated to conform to the setback and the requirements of the Zoning Resolution. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Aye; Chairman Linnenberg: Aye.

2. The Hamilton County Rural Zoning Commission will hold a public hearing on July 15, 2010 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 #2010-02, Steven Geluso, CSG Enterprises LLC, applicant and owner, property located at the intersection of Blue Sky Drive and Harrison Avenue, for approval of a Major Revision to cases Green 80-04 and Green 88-04 and change from "E" Retail and "DD" Planned Multiple Residence to "EE" Planned Retail and "E" Retail to construct a two-story bank building on property currently zoned for a planned apartment complex and revise existing private streets and an adjacent office parking lot to allow for the bank construction with 57 parking spaces and one access drive onto Blue Sky Drive.

Steven Wapinsky and David Kitzmiller, Core Resources, Inc., 7795 Five Mile Road, addressed the Board regarding the proposed project. Mr. Wapinsky stated that the parking spaces that were shown to be built behind Huff Realty will not be built by Core Resources as part of the project, they will be swapping land with Huff Realty so that Huff Realty could add those at a later date. Huff Realty will come before the Board at a later date regarding those improvements. Mr. Wapinski stated that Northcrest Drive will be relocated and a driveway for ingress and egress will be added to Bluesky.

The proposed project is a relocation of Merchants Bank. The building will be a two-story building with Merchants Bank headquarters on upper level, and a branch bank on lower level. There will only be 50 parking spots on their property instead of 57. The building is 9,600 sq. ft. and will have a brick and glass façade with stone accents. Merchants bank is requesting a monument sign that is 12ft. high, with 100 sq. ft. per side. A flash reader is included in that total.

Steve Grote, 4941 N. Arborwoods Ct., cited the Harrison Avenue Corridor Study, and read a section of the corridor wide recommendations "Introducing a coordinated system of aesthetic streetscape elements, developing a palate of streetscape elements. Developing a palate of streetscape elements and installing those elements along the corridor will create continuity in design along the corridor. Streetscape elements include, but are not limited to, sidewalks, decorative streetlights, traffic signal poles, street trees, benches, trash receptacles, landscaping". Mr. Grote stated that there should be sidewalks.

RESOLUTION #10-0712-E

Chairman Linnenberg moved to pass a resolution recommending approval of Case Green #2010-02 to the Hamilton County Rural Zoning Commission subject to the following conditions: 1. That the conditions and requirements of the Board of County Commissioners Resolutions #624 and #808 shall remain in effect for the areas governed by Zone Amendment Cases Green 80-4 and Green 88-4 respectively; 2. That no more than 71 additional dwelling units shall be permitted on the undeveloped portion of Green 88-4; 3. That the building be constructed with a brick and glass exterior in conformance with the plans submitted with the Zone Change Application; 4. That no signage be permitted on the northeast façade of the building (facing Northcrest Lane) and that all other building signage conform to the standards of the Zoning Resolution; 5. That a lighting plan in compliance with the requirements of the Zoning Resolution shall be submitted as part of the Zoning Compliance Plan; 6. That the site shall provide a Streetscape Buffer along Harrison Avenue, Bluesky Drive, and along both sides of the relocated Northcrest Lane where the zone amendment area abuts these streets; 7. That the streetscape buffer on the relocated Northcrest Lane shall include a minimum of an additional 10 evergreen trees above the minimum landscape requirements of the Zoning Resolution; 8. That the site shall provide additional landscaping throughout the interior of the parking lot and in the area to the north of the parking lot that meets the numerical landscaping requirements of Section 12-6.4 (b); 9. That a landscaping plan in compliance with the requirements of Section 12-6, 14-7, and 14-8 of the Zoning Resolution, and with above Conditions, shall be submitted as part of the Zoning Compliance Plan. The landscape plan should include perimeter site landscaping in accordance with the preliminary landscape plan submitted to the Township, with the minimum requirement equivalent to one tree per every 25 lineal feet and one shrub per every 3 lineal feet in accordance with the Harrison Avenue Corridor Plan; 10. That the site shall be permitted to have a maximum of one freestanding sign with a maximum height of 10 feet and a maximum size of 95 square feet per side; 11. That a 30 foot access easement for vehicular use shall be identified to the south property line and shown on the Zoning Compliance Plan and that the driveway connection shall be constructed at such time that a corresponding drive is constructed on the property to the south; 12. That Bluesky Drive be improved to a tree lane configuration at its intersection with Harrison Avenue where three lanes at least 10' in width, to provide one inbound and two outbound lanes onto Harrison Avenue, and that if adequate width does not exist to accommodate these three lanes, Bluesky Drive shall be widened. The final design of the drive should encompass the entire length from the relocated Northcrest Lane to Harrison Avenue, with appropriate tapers and stacking in conformance with applicable standards of the Hamilton County Engineer's Office for commercial roadways; and 13. That the development shall include construction of a sidewalk along the entire Harrison Avenue frontage of the site. Trustee Winkler seconded the motion. Trustee Winkler: Aye; Trustee Upton: Aye; Chairman Linnenberg: Aye.

- b. Case Green #2010-06, John Anevski, applicant and owner, for property located at 6701 Ruwes Oak Drive on the southwest corner of the Old Rybolt Road/Ruwes Oak intersection, for approval of a Major Revision to an existing "A2" PUD Residence Planned Unit Development for construction of a 342 sq.ft. outdoor smoking patio on front of existing structure.

Township Administrator, Kevin Celarek, gave a brief Powerpoint presentation regarding the proposed project. Mr. Celarek stated that the outdoor smoking patio was installed without prior approval.

RESOLUTION #10-0712-F

Chairman Linnenberg moved to pass a resolution recommending approval of Case Green #2010-06 to the Hamilton County Rural Zoning Commission subject to the following conditions: 1. That all conditions and requirements of the BCC Resolution of Approval for the site shall remain in effect; 2. That the outdoor patio shall include a maximum of 342 square feet in area as currently configured with an internal landscape planter area, not to extend more than 18' from the front of the building; 3. That there shall

be no use of the patio area for live or amplified music, and outdoor speakers shall not be permitted on the subject site; 4. That pavement shall be removed from the northeast corner of the parking lot to provide the required 10-foot wide minimum streetscape buffer; 5. That three additional columnar type evergreen shrubs be planted in the interior landscape bed located in the patio area; 6. That no temporary roof structure over the patio shall be permitted and any permanent awning or roof structure shall be submitted to the Rural Zoning Commission for approval; and 7. That table umbrellas shall be permitted. Trustee Winkler seconded the motion. Trustee Winkler: Aye; Trustee Upton: Aye; Chairman Linnenberg: Aye.

Fiscal Officer, Tom Straus, stated that he had nothing to report.

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

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

Director of Public Services, Fred Schlimm, was excused from the meeting due to illness.

Chairman Linnenberg stated that the July 3rd Concert in the Park and fireworks were fantastic. Chairman Linnenberg thanked Randy Ludwig and Glenn Caminiti for all of their efforts. He also thanked Chief Witsken and Chief West for all the work that their departments did. Chairman Linnenberg reported that the next Concert in the Park is Saturday, August 14, 2010 at Kuliga Park.

Police Chief, Bart West, introduced Lt. Chris Ketteman from the Hamilton County Sheriff's Department. Lt. Ketteman is replacing Sgt. Matt Guy, who has been reassigned. Lt. Ketteman will be the Officer in Charge for the Sheriff's Office. Chief West thanked Sgt. Matt Guy for his service to Green Township.

Fire/EMS Chief, Doug Witsken, reported that the Fire and EMS Department successfully submitted a grant application to the Ohio Department of Public Safety for money that is collected for seat belt violations. Green Township received \$3,500 in grant money that can be used to purchase EMS equipment and fund training.

Development Director, Adam Goetzman, was excused from the meeting due to vacation.

Chairman Linnenberg reported on Green Township's Electric Aggregation Program. Chairman Linnenberg reminded residents to call Duke Energy and Dominion Retail to find out which rate is better for them.

Mr. Jeff Smith, 2810 Mt. Airy Avenue, addressed the Board regarding evasiveness in responding to records requests. Mr. Smith stated that at a Trustees Meeting on May 24, 2010 Chairman Linnenberg had stated that Jennifer Triantafilou oversees the Concerts in the Park and that donation money is up significantly over previous years. Mr. Smith stated that he made a records request for that information and found that donations are significantly down from previous years. Mr. Smith cited this as just another instance that required multiple requests for documents before he was given all the documentation requested. Mr. Smith asked the Board what is necessary to get all of the information requested at an initial request. Chairman Linnenberg stated he was incorrect when he made the statement that concert donations are up from previous years. As far as public records requests are concerned, Chairman Linnenberg assured Mr. Smith that they are trying to get him all the information requested as soon as possible, and will make every attempt in the future to get him all of the information on the first request.

Mr. Gary Dressler, 5742 Sidney Road, addressed the Board regarding signage at the Green Township Parks. Mr. Dressler stated the rules currently posted in the park regarding guns and/or firearms are in violation of Ohio law. Mr. Dressler stated that he spoke to the Director of Public Services, Fred Schlimm, two months ago regarding the matter, and it still has not been corrected. Chairman Linnenberg stated that the Ohio Supreme Court did rule that you may carry a gun in a park and that the Township will address all of the signage in all of the parks and update those as soon as possible.

Mr. Dressler stated that he too has had difficulty obtaining complete information when filing a public records request. Chairman Linnenberg

apologized and stated that he will make sure that all information requested is received the first time it is requested.

The next regular meeting of the Board of Trustees will be held on Monday, July 26, 2010 at 5:30 p.m.

Trustee Winkler made a motion to recess into Executive Session for the purpose of discussing collective bargaining strategy and sale of real property. Action may be anticipated. Trustee Upton seconded the motion. Trustee Winkler: Aye; Trustee Upton: Aye, Chairman Linnenberg: Aye. The meeting was recessed at 6:23 p.m.; reconvened at 6:55 p.m.

Trustee Upton moved to adjourn the meeting. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Aye; Chairman Linnenberg: Aye. Meeting was adjourned at 6:56 p.m.

ATTEST: