

The regular meeting of the Green Township Board of Trustees held on August 13, 2007 was called to order at 7:00 p.m. with the Pledge of Allegiance.

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

Trustee Winkler moved to approve the minutes for the special meeting of July 23, 2007. Chairman Upton seconded the motion and all voted aye.

Trustee Mitchell moved to approve the minutes for the regular meeting of July 23, 2007. Trustee Winkler seconded the motion and all voted aye.

The Trustees thanked the members of the Mack Gardners for their beautification efforts at Fire Station 54 on Bridgetown Road and Fire Station 107 on Sylved and presented them with a Certificate of Appreciation.

Mike Scherer introduced the graduates of the Citizens Emergency Response Training Program (CERT) and presented them with certificates of graduation.

RESOLUTION #07-0813-A

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

RESOLUTION #07-0813-B

Trustee Winkler moved to pass a resolution to enter into an agreement to provide the School Resource Officer from the Green Township Police Department for Great Oaks Institute of Technology and Career Development beginning August 22, 2007 through June 2, 2008 and authorizing the Township Administrator to sign the agreement. Trustee Mitchell seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye.

RESOLUTION #07-0813-C

Chairman Upton moved to pass a resolution recommending parcels be removed from the list of exempt property approved for the Green Township TIF (Tax Increment Financing). Trustee Mitchell seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye.

RESOLUTION #07-0813-D

Chairman Upton moved to pass a resolution to approve travel for firefighters Rob Kitchen and Mark Hetzel to attend the Hazardous Materials Radiation Course from September 30 through October 5, 2007 at the Department of Energy's Nevada Test Site. All course tuition, travel, lodging and meals will be paid by the Federal Government. Trustee Winkler seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye.

RESOLUTION #07-0813-E

Chairman Upton moved to pass a resolution to approve travel for Steve Claytor and his certified arson dog, Maverick, to attend the re-certification course from October 23 through October 26, 2007 in Orlando, Florida. Mack Fire, Inc. will sponsor Steve and Maverick by paying all course fees, lodging and travel expenses. Trustee Winkler seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye.

RESOLUTION #07-0813-F

Trustee Winkler moved to pass a resolution approving the Township Administrator to attend the International City/County Management Association (ICMA) Conference in Pittsburgh, Pennsylvania from October 7 through October 10, 2007. Chairman Upton seconded the motion. Trustee Mitchell: No; Trustee Winkler: Aye; Chairman Upton: Aye.

RESOLUTION #07-0813-G

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. 5221 Arrow Road (550-0072-0141), Motion made by Trustee Mitchell and seconded by Trustee Winkler. All voted Aye.
2. 5507 Eula Avenue (550-0120-0174), Motion made by Trustee Mitchell and seconded by Trustee Winkler. All voted Aye.
3. 3901 Gary Court (550-0170-0237), Motion made by Trustee Winkler and seconded by Trustee Mitchell. All voted Aye.

4. 3456 & 3458 Kleeman Lake Court (550-0063-0222 and 0221), Motion made by Chairman Upton and seconded by Trustee Mitchell. All voted Aye.
5. 4981, 4983, 4991 & 4993 Molly Green Court (550-0063-0257, 0258, 0255, 0256), Motion made by Trustee Mitchell and seconded by Trustee Winkler. All voted Aye.
6. 5428 North Bend Road (550-0070-0135), Motion made by Trustee Winkler and seconded by Chairman Upton. All voted Aye.
7. 5644 Reemelin Road (550-0180-0126 and 0006), Motion made by Chairman Upton and seconded by Trustee Mitchell. All voted Aye.
8. 5325 Sidney Road (550-0142-0062), Motion made by Trustee Winkler and seconded by Chairman Upton. All voted Aye.
9. 2261 Sylved Lane, Motion made by Chairman Upton and seconded by Trustee Mitchell. All voted Aye.
10. 5248 Valley Ridge Road (550-0193-0089), Motion made by Trustee Winkler and seconded by Trustee Mitchell. All voted Aye.
11. 4491 West Fork Road (550-0102-0017), Motion made by Trustee Mitchell and seconded by Trustee Winkler. All voted Aye.

Administrator Celarek made the following announcements:

1. The Hamilton County Board of Zoning Appeals has scheduled a hearing for Wednesday, August 22, 2007 at 1:00 p.m. in Room 805, County Administration Building, 138 E. Court Street, Cincinnati, Ohio 45202 to hear the following cases:
 - a. Case # Green 07-18, applicant is D.L. Taylor, 4054 Boomer Road, Cincinnati, Ohio 45247, for approval of the construction of an accessory structure with less setback than required on an irregularly shaped lot in the B Residence District.

Development Director Goetzman presented information regarding Case # Green 07-18. The applicant was not present.

RESOLUTION #07-0813-H

Chairman Upton moved to pass a resolution recommending approval of Case # Green 07-18 to the Hamilton County Board of Zoning Appeals with the following conditions: 1. That the accessory garage be constructed in accordance with the plans submitted, a minimum of 10' from the western property line and 2. That the garage be used for residential purposes only. Trustee Mitchell seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye.

- b. Case # Green 07-19 (ZVG T200719), applicant is Michael Bailey for 2761 Falconbridge, Cincinnati, Ohio 45238, for approval of the construction of a 6 ft. privacy fence in the rear and side yards in the B2 Residence District.

Development Director Goetzman presented information regarding Case # Green 07-19. The applicant was not present.

Rita Tucker, 2737 Falconbridge Drive, speaking on behalf of several neighbors, expressed opposition to the proposed variance.

Dennis Penderghast, 2790 Topichills Drive, also spoke in opposition to the proposed variance.

Trustee Mitchell stated that several neighbors had also sent letters and/or e-mails expressing opposition to the proposed variance.

RESOLUTION #07-0813-I

Chairman Upton moved to pass a resolution recommending denial of Case # Green 07-19 to the Hamilton County Board of Zoning Appeals. Trustee Mitchell seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye.

- c. Case # Green 07-20, applicant is Chris Bujnak, MSA Architects, appellant for Oak Hills School District, owner, at 3200 Ebenezer Road for the approval of a Conditional Use Certificate for the construction of a new scoreboard, storage structure, and an addition to the existing weight training facility on property in the B Residence District.

Chris Bujnak, Michael Schuster Associates (MSA), 316 W. 4th Street, Cincinnati, OH 45202, addressed the Board to present information regarding the request by Oak Hills School District.

RESOLUTION #07-0813-J

Chairman Upton moved to pass a resolution recommending approval of Case #

Green 07-20 to the Hamilton County Board of Zoning Appeals according to the plans submitted. Trustee Winkler seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye.

2. The Hamilton County Rural Zoning Commission has scheduled a hearing at 1:00 P.M. on Thursday, August 16, 2007 in Room 805B, Hamilton County Administration Building, 138 E. Court Street; Cincinnati, Ohio 45202 to hear the following cases:

- a. Case # Green 2007-04 Kemba Credit Union, 5840 & 5848 Bridgetown Road; applicant, Ben Eilerman, from Hub & Weber Architects wants to demolish two single-family homes and construct a new 3,910 square foot bank building with drive-thru lanes and a 34 space parking lot with one full access point on Bridgetown Road. Application would change zoning from "C" Residence to "00" Planned Office.

Ben Eilerman, Hub & Weber Architects, was present to answer any questions from the Board.

RESOLUTION #07-0813-K

Chairman Upton moved to pass a resolution recommending approval of Case # Green 07-04 to the Hamilton County Rural Zoning Commission subject to the following conditions: 1. That the development shall include a maximum of 4,000 square feet of gross building area; 2. That there shall be a maximum of one curb-cut onto Bridgetown Road for the site; 3. That the northern 300+/- feet of the property shall be maintained in an undeveloped state and not used for additional parking or building expansion; 4. That the site meet all parking lot design standards for interior parking isle dimensions and for interior landscaping per Chapter 12 of the Zoning Resolution; 5. That the boundary buffer on the eastern property line, south of the undeveloped portion of the site shall be 20' in width, with a 6' privacy fence located no closer than 5' from the center of the buffer and shall include landscape materials that meet or exceed the Boundary Buffer "A" requirements of Chapter 14 of the Zoning Resolution; 6. That the fence be installed with a perpendicular section at its southern end extending to the east property line; 7. That the required landscape material for the 20' eastern buffer be installed on both sides of the fence, unless a specific written waiver is provided by adjoining property owners excluding landscaping on their side of the fence for the width of their lot; 8. That the landscape area on the western boundary of the site shall include materials that meet or exceed the Boundary Buffer "A" requirements of Chapter 14 of the Zoning Resolution; 9. That a detailed landscape plan in compliance with Sections 12-6, 14-7, and 14-8 of the Zoning Resolution and with Conditions 4, 5, 6, and 7 (above), shall be as part of the Zoning Compliance Plan; 10. That the building shall be constructed with a brick exterior and shall have a pitched shingled roof; 11. That the dumpster enclosure shall be constructed of brick and shall include a solid door; 12. That the development shall include one freestanding ground mounted sign not to exceed 6 feet in height and 50

square feet in size; 13. That an easement for future vehicular use shall be identified to the eastern property line to allow for a future parking lot connection to the properties to the east if/when they are developed for other than residential use; and 14. That a detailed lighting plan indicating compliance with the requirements of the Zoning Resolution shall be submitted as part of the Zoning Compliance Plan. Trustee Winkler seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye.

- b. Case # Green 3-75 Imperial House West, 5510 Rybolt Road, on the east side of Rybolt, north of Hearne Road and west of Harrison Avenue; applicant is Dan Barney of Arkinetics Inc., requesting a major adjustment to an existing "EE" Planned Retail District. Applicant wants to modify a previous major adjustment from May of 2007 to expand the hotel, remodel its exterior, reconfigure the parking areas, install new landscaping, replace building signage and construct new freestanding signage.

Development Director Goetzman presented information regarding Case # Green 03-75. The applicant was not present.

RESOLUTION #07-0813-L

Trustee Mitchell moved to pass a resolution recommending approval of Case # Green 03-75 to the Hamilton County Board of Zoning Appeals according to the plans submitted. Chairman Upton seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye.

3. The Green Township Board of Trustees will hear a Land Use Amendment Request for 5721 and 5729 Bridgetown Road (550-0170-0128 and 0129) from Douglas Lindle of Bridgetown Hardware requesting a change in the Land Use Plan from Transitional Residence to Neighborhood Retail. The hearing will be at 7:45 p.m. on August 13, 2007 after the regularly scheduled Trustee's meeting.
4. The Green Township Records Commission will hold a meeting at 4:30 P.M. in the Trustees' Conference Room on August 27, 2007 to review the Township's Departmental Record Retention schedules and to assess Township compliance with H.B.9 effective for September 29, 2007.

Fiscal Officer Straus reported that so far this year the Township has received approximately \$28.8 million in revenue, with expenses of approximately \$19.7 million.

Attorney Frank Hyle stated the need for executive session for the purpose of discussing sale of real property and collective bargaining strategy. Action may be anticipated.

Administrator Celarek requested that the Trustees look over next year's liability insurance information from Murphy Insurance.

Director of Public Services Schlimm reported on the Township's first "Movie in the Park".

Director of Development Goetzman stated that he had nothing to report.

Police Chief West announced that the Police Department is now taking applications for its fifth Citizen's Police Academy Class to begin in September.

Chairman Upton read a thank you letter from the City of Cheviot thanking Detective Mike Lampe for his part in a Police investigation.

Sgt. Walt Bally of the Hamilton County Sheriff's Department stated that he had nothing to report.

Fire Chief Witsken stated that he has given the Trustees a memo with excerpts from the 2007 Southwest Ohio Benchmarking Report. Chief Witsken stated that Green Township did very well and that he has the full report available if the Trustees wish to see it.

LAND USE PLAN HEARING

The Trustees opened the Land Use Plan Hearing to hear a Land Use Amendment Request for 5721 and 5729 Bridgetown Road (550-0170-0128 and 0129) from Douglas Lindle of Bridgetown Hardware requesting a change in the Land Use Plan from Transitional Residence to Neighborhood Retail.

Tony Terentowicz, Integrated Development Services, 6845 Cheviot Road, Cincinnati, Ohio addressed the Board to provide background information regarding the case. Mr. Terentowicz stated that the plan has been modified to request Mixed Use instead of Neighborhood Retail.

Trustee Mitchell stated that if the proposal being presented at this time is Mixed Use instead of Neighborhood Retail then it should go back before the Land Use Planning Committee.

Chairman Upton and Trustee Winkler agreed that the modified plan should go back to the Land Use Planning Committee for their next meeting.

Don Keller, 3862 Powner Road, addressed the Board to discuss the original intent of the Land Use Plan for Bridgetown Road.

The next regular meeting of the Board of Trustees will be held on Monday, August 27, 2007 at 5:30 p.m.

Trustee Mitchell moved to recess into executive session for the purpose of discussing sale of real property and collective bargaining strategy. Action may be anticipated. Trustee Winkler seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye. The meeting was recessed at 8:16 p.m.; reconvened at 9:03 p.m.

Chairman Upton moved to adjourn the meeting. Trustee Winkler seconded the motion. Trustee Mitchell: Aye; Trustee Winkler: Aye; Chairman Upton: Aye. Meeting was adjourned at 9:05 p.m.