

The regular meeting of the Green Township Board of Trustees held on November 9, 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 Upton congratulated Chairman Winkler and Trustee Linnenberg for their election success on November 3, 2009.

Trustee Linnenberg moved to approve the minutes for the regular meetings of October 12, 2009 and October 26, 2009. Trustee Upton seconded the motion. All voted Aye.

Chairman Winkler gave an overview of upcoming Bicentennial events. Chairman Winkler reported that on Wednesday, November 11, 2009 at 11:00 a.m. the Veteran's Day ceremony will take place in conjunction with the dedication of the Veterans Tribute Tower. Chairman Winkler invited residents to attend this event to honor our Veterans. Chairman Winkler reported that the Old Fashioned Family Winterfest Celebration will be held on Friday, December 4, 2009 from 6:00 to 9:00 p.m. at the Nathanael Greene Lodge and the Bicentennial Winterfest Ball will be held on Saturday, December 5, 2009 at the Nathanael Greene Lodge at 7:00 p.m. The Pete Wagner Band will be performing. Appetizers and drinks will be available. Everyone is invited to come in black tie or period costume to celebrate Green Township's Bicentennial. The cost of tickets are \$75.00 per couple, or \$40.00 per person.

Trustee Upton announced that the Western Hills Exchange Club has donated a Freedom Shrine to Bridgetown Middle School. It is in their library and will be dedicated on Tuesday, November 10, 2009 at 9:00 a.m.

**RESOLUTION #09-1109-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 #09-1109-B**

Trustee Upton moved to pass a resolution to approve the donation of fifteen (15) Self-Contained Breathing Apparatus Units to the Butler Technology and Career Development School for use in firefighter training. The units consist of a harness, regulator, and PASS device. The units are obsolete and have no value due to their non-compliance with current Ohio Industrial Commission Standards. Chairman Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

**RESOLUTION #09-1109-C**

Trustee Linnenberg moved to pass a resolution to amend the Estimated Resources for 2009. Chairman Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

**RESOLUTION #09-1109-D**

Chairman Winkler moved to pass a resolution to amend the Appropriations for 2009. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

**RESOLUTION #09-1109-E**

Trustee Linnenberg moved to pass a resolution hire Amy Aker, Josh Bunnell, Nancy Holthaus, Anthony Knapp, Tracy Knapp, Becky Lipp, Deborah Moak, Jessica Nanney, Catherine Nash, Katrina Robison, Barbara Schallick, and Lisa Volker as Event Attendants at both the Senior Center and the Nathanael Green Lodge at a rate of \$8.50 per hour. Chairman Winkler seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

**RESOLUTION #09-1109-F**

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. 4267 Marcrest Drive, (550-0110-0093), Motion made by Trustee Upton and seconded by Trustee Linnenberg. All voted Aye.
2. 3356 Tallahassee Drive, (550-0080-0127), Motion made by Trustee Linnenberg and seconded by Trustee Upton. All voted Aye.

Items for discussion:

On Thursday, November 19, 2009 at 1:00 p.m. the Hamilton County Rural Zoning Commission will consider a request for approval of a Major

Adjustment to an existing "OO" Planned Office and "EE" Planned Retail district for the installation of an 800 square foot temporary sign on property located at 6926 Harrison Avenue. The hearing will be held at the Hamilton County Administration Building, 138 E. Court Street, Cincinnati, OH 45202.

Development Director Goetzman stated that this request is the Good Samaritan project on Harrison Avenue where Good Samaritan Drive is going in. The building is currently under construction. The owners have requested permission to construct a large temporary sign on the site. The proposal calls for an 800 square foot sign. Hamilton County Zoning would only approve a 32 square foot sign, therefore, this request is substantially larger than what would normally be permitted and would be approximately 16 feet high about 50 feet wide, which is the equivalent to approximately 25 sheets of plywood. Due to the extreme size of the requested sign, Development Director Goetzman recommended that the request not be endorsed by the Green Township Board of Trustees, however, Mr. Goetzman did recommend that Good Samaritan return with a comprehensive sign plan. No action was taken by the Board of Trustees.

Administrator Celarek made the following announcement:

1. The Green Township Land Use Planning Committee will hold a public meeting on Monday, November 16, 2009 at 7:00 p.m. at the Green Township Administration Building to consider a Land Use Plan Amendment for property located at 5633-5705 Harrison Avenue (550-0181-0020-22, 0052, 0057, 0108, 0202, & 0205) to consider a change to the Adopted Green Township Land Use Plan for the referenced parcels. Neyer Properties has requested consideration of a proposal that would change the current land use designation of Transitional Residence (*low density multi-family*) to Retail & Office, in advance of seeking a zone change with Hamilton County. The development concept calls for the frontage of the site to be designated for retail use with potentially two freestanding outlot type uses, the rear of the site would be designated for office use, supporting a multi-story medical office use.
2. On Monday, November 23, 2009 at 5:30 p.m. the Green Township Trustees will hold a public hearing to consider establishing a Joint Economic Development District at the Westin Ridge site of Good Samaritan Hospital which is off of Harrison Avenue.

Fiscal Officer, Tom Straus, stated the Township has had a \$600,000 bond called and \$500,000 in Certificates of Deposit mature. The Township has invested \$1,000,000 in Freddie Mac, which is currently yielding 1.5%, callable on May 15, 2010. If it is not called, it will receive a yield of 191 basis points. Compare that to Star Ohio you're getting 10 basis points, which is 1/10<sup>th</sup> of 1%, so he is trying to invest in bonds that get a better return. The Township also has a \$2,000,000 bond that may be called this week. The interest rates are at all time lows, but we do what we can. If the Township sold all of its bonds today we would make \$28,000 and get a better return than from Star Ohio. The problem is that the return on investments is at an all time low.

Township Attorney, Frank Hyle, stated that the Township has received notice from Time Warner that they are, in accordance with Ohio law, discontinuing the Franchise Agreement that they have with the Township. Time Warner will not provide video service under the State authorization, which they are entitled to do. The Township has an obligation that once notice is received that they intend to be a State franchise to give them notice of the provider fee which the Township has adopted. We did adopt a Resolution on March 31, 2008 which enacted provisions for fees for any video service provided that began to operate under a State franchise, and that is a 5% fee, and includes advertising revenues, which we are currently not receiving. Attorney Hyle asked the Board to consider once again the Resolution Enacting Provisions for Competitive Video Service Authorization and Establishing Fees. These fees would be 5% of revenues of Time Warner, which would include advertising fees.

**RESOLUTION #09-1109-G**

Chairman Winkler moved to pass a resolution Enacting Provisions for Competitive Video Service Authorization and Establishing Fees. These fees would be 5% of revenues of Time Warner, which would include advertising fees. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye.

Township Administrator, Kevin Celarek, reported that the Veterans Day celebration will be attended by six of the oldest Veterans in Green Township. All six Veterans are in their 90's. He also reported that

Congressman Steve Driehaus, State Representative Bob Mecklenborg, and Rob Portman will be guest speakers during the ceremony. Jerry Rowland will be the Keynote Speaker.

Director of Public Services, Fred Schlimm, reported that letters have gone out to developers, and residents that live on unaccepted streets within the Township, regarding salting and snow removal.

Director of Development, Adam Goetzman, reported that there is a Land Use Plan Amendment Hearing at the end of the meeting. Development Director Goetzman updated the Trustees on the progress that the Northeast Green Township Zoning Commission is making on some code adjustments. The NEGT Zoning Commission met on Thursday, November 5, 2009 to review adjustments to the Northeast Green Township Zoning Resolution. The adjustments were provided to the Zoning Commission in advance of the meeting for review. During the meeting they made some minor modifications to the recommendations, and those have been endorsed unanimously by the Zoning Commission. The code amendments will now be sent to Hamilton County Regional Planning for their review. The County will likely review them in January. The recommended changes will go before the Green Township Board of Trustees for approval.

Fire Chief, Doug Witsken, reported on the fire hydrant painting program that has been ongoing during the summer of 2008 and summer of 2009. Over 1,000 of the Township's 3,000 fire hydrants have now been painted, and they look very nice. The State and County roads are being done first. Approximately 500 fire hydrants are painted each summer; therefore, it should take approximately another four years to get every hydrant painted.

Police Chief, Bart West, mentioned that there will be a meeting with Mercy Hospital security officials to begin discussing security arrangements.

Lt. Matt Guy, Hamilton County Sheriff's Department, stated that the Sheriff's Department is in its third week of 12 hour shifts, and reported that the transition has been going well.

Trustee Linnenberg stated that there is an extensive Letter to the Editor that goes into great detail about the light at Old Rybolt and New Rybolt Road, and how it's not solving any of the traffic problems.

Public Services Director Fred Schlimm stated that it has been determined that the light is not functioning the way that it should. He stated that he spoke with officials from the Hamilton County Engineer's Office and that they are going to make some timing adjustments in the near future.

Chairman Winkler read several thank you letters.

#### **LAND USE PLAN AMENDMENT HEARING**

The Green Township Board of Trustees will consider a recommendation by the Green Township Land Use Committee to amend the Adopted Green Township Land Use Plan for 5458 Rybolt Road (550-0220-0201 and 550-0220-0207). The site is currently designated as Single-Family. The request would change the site to Neighborhood Retail. The applicant is Paul Ruthemeyer, 5458 Rybolt Road. The approximately .5 acre lot is located north of the relocated Rybolt Road on the east side of the street.

Development Director Goetzman gave an overview of the proposed change, he noted that the Land Use Planning Committee had recommended that all of the parcels north of the new portion of Rybolt Road be changed from Single-Family to Neighborhood Retail. The applicant, Paul Ruthemeyer, was present to answer any questions from the Board of Trustees. Development Director Goetzman recommended approval subject to the following conditions: 1. That 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 unless consolidated with adjacent parcels; 2. That a streetscape buffer be provided on both Rybolt Road and relocated Rybolt Road; 3. That within the planning area no disturbed slopes be graded to exceed 3:1, and that all graded slopes should be planted in such a manner as to create a natural setting comparable with existing conditions; 4. That ingress/egress easements be established to facilitate access between adjacent parcels upon development unless consolidated with adjacent parcels; 5. That site signage within the amendment area shall be limited to 80 square feet in total; 6. That individual developments within the planning area shall be permitted one ground mounted sign not to exceed 40 square feet in size and 8' feet in height when located in a landscaped area twice the size of the sign, with the exception that a single 80 square foot 12 foot high, ground mounted sign located in a landscaped area twice the size of the sign may be installed provided the Planning Area is developed as a single zoned planned district (w/double

letter zoning); 7. That final development concepts should conform with the applicable design guidelines of the Harrison Avenue Corridor Plan; and 8. That if the property is consolidated into one development the resulting development will only be permitted one curb cut to Rybolt Road.

**RESOLUTION #09-1109-G**

Trustee Linnenberg moved to pass a Resolution amending the Adopted Green Township Land Use Plan for 5458 Rybolt Road (550-0220-0201 and 550-0220-0207) per the recommendations of the Green Township Land Use Planning Committee subject to the conditions listed above. Trustee Upton 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, November 23, 2009 at 5:30 p.m.

Trustee Upton moved to adjourn the meeting. Trustee Linnenberg seconded the motion. Trustee Upton: Aye; Trustee Linnenberg: Aye; Chairman Winkler: Aye. Meeting was adjourned at 6:11 p.m.

ATTEST: