

RECORD OF PROCEEDINGS

Minutes of Union Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held November 10, 20 09

Union Township Trustees met in regular session on Tuesday, November 10, 2009. The meeting was opened at 7:00 P.M. with the Pledge of Allegiance.

Roll call: Mr. McGee, Mr. Beamer, Mr. Donnellon, Fiscal Officer, Mr. Campbell, Administrator, Mr. Duckworth, Assistant Administrator/Zoning Director, Cory Wright, Service Director, Matt Taylor, Chief Zinser, and Chief Deimling.

Mr. Beamer made a motion to approve the minutes from the October 27, 2009, regular meeting. Motion seconded by Mr. Donnellon. Mr. Beamer - yea: Mr. Donnellon - yea: Mr. McGee - yea.

Chief Deimling presented his bi-monthly report to the Trustees.

Chief Zinser presented his bi-monthly report to the Trustees.

Mr. Taylor presented his bi-monthly report to the Trustees.

Mr. Wright presented his bi-monthly report to the Trustees.

Mr. Duckworth presented his bi-monthly report to the Trustees.

Mr. Donnellon made a motion to move the Work Session meeting from 7:00 p.m. to 8:00 p.m. on Thursday, November 12, 2009. Motion was seconded by Mr. McGee. Mr. Donnellon - yea: Mr. McGee - yea: Mr. Beamer - yea.

Mr. McGee swore in the people wishing to speak on the following zoning cases.

A Public Hearing was held on Zoning Case #9-09-O, Zoning Case #10-09-O, and Zoning Case 8-04-Z.

John E. Zibulka spoke in favor of case #9-09-O.

Tareq Adwani spoke in favor of case #9-09-O.

Mr. Donnellon in accordance with Section 1310 of the Zoning Resolution, made a motion to approve the application for Focus Area Overlay District in Zoning Case #09-09-O, consisting of a request by John E. Zibulka, owner, to permit the installation of retail car sales facility along with the existing storage use on the subject property as submitted along with the modifications detailed in the staff report. In addition to the modifications, requiring a cross access easement with the parcel immediately to the left and allow ODOT to approve the final modifications. Motion was seconded by Mr. Beamer. Mr. Donnellon - yea: Mr. Beamer - yea: Mr. McGee - yea.

Robert Knight spoke in favor of case # 10-09-O.

Mike Weigel spoke in favor of case # 10-09-O.

Mr. Beamer in accordance with Section 1310 of the Zoning Resolution made a motion to approve the application for the Focus Area Overlay District, Zoning Case #10-09-O, status for the subject property as submitted. Motion was seconded by Mr. Donnellon. Mr. Beamer - yea: Mr. Donnellon - yea: Mr. McGee - yea.

Mr. Greg Holman, 870 Country Club Drive, Cincinnati, Ohio, 45245, owner of Holman Motors, spoke in favor of case #8-04-Z.

Mr. Mike Cornette, 1117 Cypress Street, Cincinnati, Ohio, 45206, spoke in favor of case #8-04-Z.

Mr. Donnellon in accordance with Section 680-687 of the Zoning Resolution, made a motion to approve the application a Major Amendment to an approved PD Planned Development District and the accompanying Formal Development Plans as submitted for Case #8-04-Z with modification that the existing and proposed façade materials should be matched in color and design to present an integrated and planned appearance. Motion was seconded by Mr. McGee. Mr. Donnellon - yea: Mr. McGee - yea: Mr. Beamer - yea.

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Mr. Beamer asked about any feedback on the energy audit. Mr. Duckworth and Mr. Wright informed the Board that there was an upcoming meeting with the consultant and that the Board would be updated at the next meeting.

Mr. Beamer asked about the air cards. Mr. Duckworth informed the Board that the issue has been corrected.

Mr. Donnellon made a motion to pay the outstanding bills. Motion seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

Mr. Beamer made a motion to accept the Monthly Financial report. Motion seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

Mr. Donnellon made motion to approve the purchase orders presented by Mr. Duckworth. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

Mr. Donnellon made a motion to approve Mr. Duckworth, Township Administrator, to begin process to create three new tax increment financing districts, Summerside Woods, Park National Bank, and Beechmont Toyota. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

Mr. Donnellon made a motion to adopt Resolution 2009-28, authorizing the abatement of noxious weeds or the removal of debris pursuant to Section 505.87 of the Ohio Revised Code at the following address: 3945 Hopper Hill Road, Cincinnati, Ohio, 45255. Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

Mr. McGee thanked all the participants of the Veteran’s Day ceremony at the park.

Mr. Donnellon thanked the voters and the other people who ran for Trustee. He also thanked everyone for supporting the safety services levy.

Mr. McGee thanked everyone for their support of the safety services levy.

Mr. Beamer congratulated Mr. McGee and Mr. Donnellon on the recent election.

Mr. Beamer also thanked everyone for their support of the safety services levy.

The Board thanked Mr. Ken Hare for chairing the safety services levy.

Ken Hare, 810 Ohio Pike, thanked Chief Zinser and Chief Deimling and their people for a successful safety services levy.

Mr. James Gagner, 3913 Beekman Lane, Withamsville, Ohio asked the Board again for their help with the water run off issues on his property.

Mr. Ben Joehnk, 1110 Glendale Drive, Batavia, Ohio, congratulated Mr. McGee, Mr. Donnellon, Chief Zinser, Chief Deimling on the recent elections and passage of the safety services levy. He also asked about a police layoff.

The Board said that there would not be any layoffs.

John Becker, 925 Locust Lane, recent graduate from the Citizens Police Academy, congratulated everyone on the elections and levy passage.

John McGraw, 4604 Greenfield, congratulated everyone on the elections and levy passage. He asked the Board to report out on the Ivy Point Project.

Jimmy Link, 4565 English Creek, Cincinnati, Ohio, 45245, thank everyone for what they do for the Township... He thanked everyone with the Citizens Police Academy. He also stated the need to support the Police Department and their financial needs.

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Mr. McGee made a motion to go into Executive Session at 9:10 p.m. pursuant to Section 121.22 of the Ohio Revised Code for the following:

1. To Discuss the Employment of Public Employees Pursuant to Section 121.22 (G)(1) of the Ohio Revised Code
2. To Confer with Legal Counsel for Pending or Imminent Litigation Pursuant to Section 121.22 (G) (3) of the Ohio Revised Code

Motion was seconded by Mr. Donnellon. Mr. McGee – yea: Mr. Donnellon – yea: Mr. Beamer – yea.

Mr. Donnellon made a motion to leave Executive Session at 11:20 p.m. Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

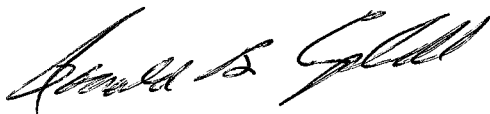
Mr. Donnellon made a motion to make Mr. Duckworth Pro Tem. Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

Mr. Donnellon made a motion to authorize Mr. Duckworth to advertise for a Township Mechanic at rate of between \$22.00 - \$25.00 per hour and to advertise for a part time person for assistant to the Fiscal Officer and to hire a temporary person agency for 5 weeks of work in the post office. Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea:

Mr. Donnellon made a motion to adjourn. Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

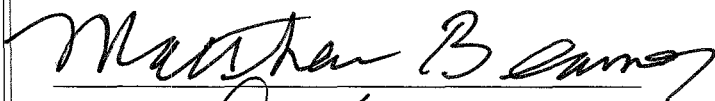
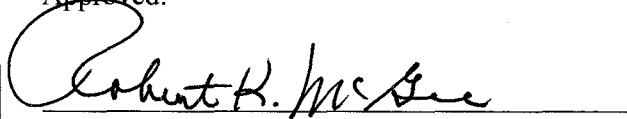
Meeting adjourned at 11:22 p.m.

Respectfully submitted,



Ron Campbell,
Union Township, Fiscal Officer

Approved:



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Zoning

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held November 10, 20 09

A Public Hearing was held on Zoning Case #9-09-O, Zoning Case #10-09-O, and Zoning Case 8-04-Z.

The applicant has submitted an application requesting Overlay District Plan Approval from the Union Township Board of Trustees for a single parcel (PIN 413219.021.), that contains a net lot area of less than 40,000 +/- square feet, seeking relief from the provisions of Section 602 of the Union Township Zoning Resolution. If approved, this Overlay District Application would authorize the installation of a car sales lot on the front (southern) portion of the paved lot and front portion of the existing building. The rear lot enclosed by fencing and the remainder of the building would continue in its present use by the property owner as personal storage of goods and merchandise. The applicant is proposing a Focus Area Overlay – Commercial Corridor {FA-CC) Overlay District classification within the Ohio Pike Corridor.

John E. Zibulka spoke in favor of case #9-09-O.

Tareq Adwani spoke in favor of case #9-09-O.

Mr. Donnellon in accordance with Section 1310 of the Zoning Resolution, made a motion to approve the application for Focus Area Overlay District in Zoning Case #09-09-O, consisting of a request by John E. Zibulka, owner, to permit the installation of retail car sales facility along with the existing storage use on the subject property as submitted along with the modifications detailed in the staff report. In addition to the modifications, requiring a cross access easement with the parcel immediately to the left and allow ODOT to approve the final modifications. Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

The applicant has submitted an application requesting Overlay District Plan Approval from the Union Township Board of Trustees for a single parcel (PIN 413213C326.), seeking relief from various sections of the Zoning Resolution in order to allow the expansion of non-conforming uses within a nonconforming structure and providing for the adaptive reuse of vacant commercial space. The applicant is proposing a Focus Area Overlay – Commercial Corridor {FA-CC) Overlay District classification within the Mt. Carmel Business District Corridor.

Robert Knight spoke in favor of case # 10-09-O.

Mike Weigel spoke in favor of case # 10-09-O.

Mr. Beamer in accordance with Section 1310 of the Zoning Resolution made a motion to approve the application for the Focus Area Overlay District, Zoning Case #10-09-O, status for the subject property as submitted. Motion was seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

The applicant has submitted an application requesting a Major Amendment to an approved PD Planned Development District Formal Plan for PIN 413104B074., in order to authorize a service bay addition to the existing service building up to as much as 12,000 square feet in area, along with other exterior alterations. The proposed major amendment will accommodate similar uses in conjunction with the existing GMC and Recreational Vehicle sales and service facility currently established on the property. Other improvements will include the addition of paved surfaces ancillary to the proposed addition.

Mr. Greg Holman, 870 Country Club Drive, Cincinnati, Ohio, 45245, owner of Holman Motors, spoke in favor of case #8-04-Z.

Mr. Mike Cornette, 1117 Cypress Street, Cincinnati, Ohio, 45206, spoke in favor of case #8-04-Z.

Mr. Donnellon in accordance with Section 680-687 of the Zoning Resolution, made a motion to approve the application a Major Amendment to an approved PD Planned Development District and the accompanying Formal Development Plans as submitted for Case #8-04-Z with modification that the existing and proposed façade materials should be matched in color and design to present an integrated and planned appearance. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

Respectfully submitted,



Ron Campbell,
Union Township, Fiscal Officer

Approved:

