

RECORD OF PROCEEDINGS

Minutes of Union Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held May 12,

2009

Union Township Trustees met in regular session on Tuesday, May 12, 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, Service Director, Mr. Taylor, Assistant Administrator, Mr. Wright, Police Chief, Terry Zinser, and Fire Chief, Stan Deimling.

Mr. Beamer made a motion to approve the minutes of the April 22, 2009, work session. Motion was seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

Mr. Donnellon made a motion to approve the minutes from the April 28, 2009, regular meeting. Motion seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

Mr. Beamer made a motion to approve the April 28, 2009, zoning meeting. Motion was seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

Beechmont Racquet Club, Inc., 435 Ohio Pike, Union Township, Cincinnati, Ohio 45255, has applied for a liquor permit. Union Township Police Department has no objections.

The Trustees recognized Mr. Tom Estep, Retiring Maintenance Worker.

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. McGee thanked the Service, Police, and Fire Departments for their support at the military funeral.

Mr. McGee swore in everyone wishing to speak on the Public Hearings.

A public hearing was held on Zoning Case #03-09-O.

Mr. Chris Wunnenberg, Director of Development for Schumacher Dugan Construction spoke in favor of Zoning Case #03-09-O.

Mr. Beamer in accordance with Section 1310 of the Zoning Resolution made a motion to approve the application for Focus Area Overlay District status, for the subject property as submitted, and with modification #1 of the staff report for Zoning Case #03-09-O for Woeste Investments LTD. Motion was seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

A public hearing was held on Zoning Case #07-00-Z.

Daniel Breyer, 4998 Mallet Hill Drive, spoke in favor of the project.

Doug Bowers, 4712 Tealtown Road, spoke in favor of the project.

Gary Denton, 4640 Summerside Road, spoke in favor of the project.

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20 09

Debbie Hines, 1251 Duncan Drive, spoke against the project.

Kerry McMahon, 905 Surrey Trail, spoke in favor of the project.

Mr. Donnellon in accordance with Section 680-687 of the Zoning Resolution made a motion to approve a Major Amendment to the PD Planned Development District and accompanying Formal Plan for Union Township Zoning Case #7-00-Z, consisting of a request to amend a list of principally permitted uses to include "Drive-Thru Beverage" operations, as documented within the site plan and development narrative submitted April 10, 2009 with the following modifications:

1. Requiring an 8 ft. privacy fence around the North, South, and West borders of the property.
2. Provide details as to the types of landscaping materials to be utilized along planned landscaping berms along Tealtown Road prior to Final Development approval. A mix of evergreen and aesthetically pleasing plantings should be installed along both sides of the entryway in order to enhance the visual impact of the property. The dumpster enclosure should also be constructed to blend with the 8' wood perimeter privacy fencing.
3. Relocate development signage to outside of 40' half ROW dedication, as required by the PD District Regulations. Signage should be located in accordance with provisions of Article 9 of the Zoning Resolution.
4. Additional restriction of the hours of operation stated in the staff review between 11:00 am – 7:30 pm (M-TH), and 11:00 am – 8:30 pm (F-S) and closure on Sunday.

Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – no.

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

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

Mr. Donnellon made a motion to accept the service retirement of Mr. Estep effective May 19, 2009. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea:

Mr. Donnellon made a motion to approve the procurement of easements for the Schoolhouse Road construction project. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – 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 adopt the new credit card policy. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

Mr. Donnellon made a motion to adopt the new travel policy presented by Mr. Duckworth. Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

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

Mr. Beamer, Mr. McGee, and Mr. Donnellon thanked the Service Department, Police Department, and Fire Departments for their support at the military funeral services.

Jack Haigwood, 1387 Naegels Drive, Representative from Vietnam Veterans, Chapter 649 thanked the Board of Trustees for their support. He spoke on the Gold Star Mothers Memorial Project.

Alex Lambros, 1069 Clough Pike, spoke on the legality issues at Ivy Pointe, cost of the property purchased, and the use of the attorney with CUC, Records retention policy regarding Doug Walker and Mr. Geis' emails, and attorney/client privileges versus public records requests.

Mr. McGee made a motion to go into Executive Session at 9:46 p.m. pursuant to Section 121.22 of the Ohio Revised Code for the following:

1. To Discuss the Employment and Compensation of Public Employees Pursuant to Section 121.22 (G) (1) of the Ohio Revised Code.
2. To Review Collective Bargaining Sessions with Public Employees Pursuant to Section 121.22 (G) (4) of the Ohio Revised Code.

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

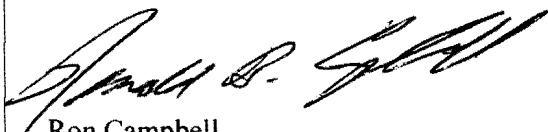
Mr. Donnellon made a motion to leave Executive Session at 10:40 p.m. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

Mr. Donnellon made a motion to create the position of Service Department Supervisor. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

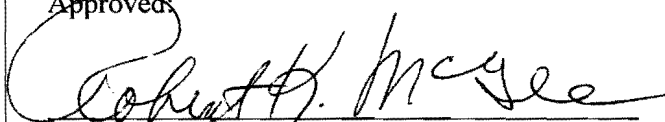
Mr. Donnellon made a motion to adjourn. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

Meeting adjourned at 10:41 p.m.

Respectfully submitted,


Ron Campbell,
Union Township, Fiscal Officer

Approved:





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A Public Hearing was held on Zone Case #3-09-O.

The applicant has submitted an application requesting Overlay District Plan Approval from the Union Township Board of Trustees for a single parcel (PIN 413216A207.), seeking relief from Section 602 of the Zoning Resolution in order to allow for the demolition and reconstruction a new Beechmont Toyota dealership at a zero-lot line setback, with additional construction occurring adjoining Anderson Township, Hamilton County. The applicant is proposing a Focus Area Overlay – Commercial Corridor {FA-CC} Overlay District classification within the State Route 125/Ohio Pike Corridor.

Mr. Chris Wunnenberg, Director of Development for Schumacher Dugan Construction spoke in favor of Zoning Case #03-09-O.

Mr. Beamer in accordance with Section 1310 of the Zoning Resolution made a motion to approve the application for Focus Area Overlay District status, for the subject property as submitted, and with modification #1 of the staff report for Zoning Case #03-09-O for Woeste Investments LTD. Motion was seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

A public hearing was held on Zoning Case #07-00-Z.

The applicant has submitted an application requesting that the existing PD Planned Development District plan for PIN 414216B048, total 0.761 +/-acres, originally approved by the Board of Trustees in 2000 to accommodate a number of requested commercial uses on the subject property, be amended to allow the conversion of the existing block building into a “drive thru” style beverage sales facility. At present, the proposed retail operation is not permitted under the 2000 PD Planned Development District approval.

Daniel Breyer, 4998 Mallet Hill Drive, spoke in favor of the project.

Doug Bowers, 4712 Tealtown Road, spoke in favor of the project.

Gary Denton, 4640 Summerside Road, spoke in favor of the project.

Matthew Motz, 2050 Sportys Drive, spoke in favor of the project.

Dennis Hines, 1251 Duncan Drive, spoke against the project.

Bob Lally, 1250 Duncan Drive, spoke against the project.

Vicky Totton, 1248 Duncan Drive, spoke against the project.

Ruth Lally, 1250 Duncan Drive, spoke against the project.

Debbie Hines, 1251 Duncan Drive, spoke against the project.

Kerry McMahon, 905 Surrey Trail, spoke in favor of the project.

Mr. Donnellon in accordance with Section 680-687 of the Zoning Resolution made a motion to approve a Major Amendment to the PD Planned Development District and accompanying Formal Plan for Union Township Zoning Case #7-00-Z, consisting of a request to amend a list of principally permitted uses to include “Drive Thru Beverage” operations, as documented within the site plan.

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Minutes of Union Township Trustees

Zoning Meeting

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3. Relocate development signage to outside of 40' half ROW dedication, as required by the PD District Regulations. Signage should be located in accordance with provisions of Article 9 of the Zoning Resolution.
4. Additional restriction of the hours of operation stated in the staff review between 11:00 am – 7:30 pm (M-TH), and 11:00 am – 8:30 pm (F-S) and closure on Sunday.

Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – no.

Respectfully submitted,



Ron Campbell,
Union Township, Fiscal Officer

Approved:

