

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, AUGUST 8, 2011**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on MONDAY, AUGUST 8, 2011 at 7:30 P.M. Mayor Merrie Stillpass called the meeting to order. The following roll call was taken:

<u>PRESENT:</u>	<u>ALSO PRESENT:</u>	<u>ABSENT:</u>
Jon Chaiken	Scot Lahrmer, Interim Village Manager	Ed Hattenbach
Fran Cohen	Rich Wallace, Police/Fire Chief	
Peg Conway	Kevin Frank, Village Solicitor	
Louis Katz	Rick Kay, Village Treasurer	
Leslie McIntosh	Nicole Browder, Clerk of Council	
Merrie Stillpass		

Mayor Merrie Stillpass welcomed everyone to the regularly scheduled meeting of the Amberley Village Council, and led those in attendance through the pledge of allegiance.

MINUTES

Mayor Stillpass presented the minutes of the July 11, 2011, regular meeting and asked if there were any corrections or additions. There being none, Mayor Stillpass stated that the minutes stand approved as submitted.

Mayor Stillpass presented the minutes of the July 19, 2011, special meeting and asked if there were any corrections or additions. There being none, Mayor Stillpass stated that the minutes stand approved as submitted.

FINANCE REPORT

Mr. Lahrmer presented the July, 2011, Finance Report (copy attached). He noted that he has included a new report reflecting the village's revenue in a format of charts and graphs to illustrate trending of the major funding sources. The following statistics were reported:

The earnings tax collection represented 55% of the general fund in 2010. July earnings tax collections were \$147,946 which was up 14% from July 2010. The earnings tax collection year-to-date total was \$1,454,468 which was 8% less than 2010. This difference can be attributed to a once in a lifetime event which will not recur, thus, earnings tax collection was even as compared to 2010.

The property tax revenue is received twice a year and currently shows no change. The inheritance tax totaled at \$407,294 to date and has not changed.

The local government fund has netted \$68,766 this year. This fund will be reduced by 25% this year and next.

Interest is at an all-time historic low. 2011 year-to-date interest received totaled \$21,891.

The general fund reflected a declining balance, showing \$2,750,982 at the end of July. Expenditures for July were \$407,674 for a year-to-date of \$3,044,344.

Mayor Stillpass asked if there were any questions or comments. Mr. Katz commended Mr. Lahrmer for his efforts to create this new report which reflects where the village funds have been and where the balances stand now.

Mr. Katz then asked if the contingent liability of the recent retirees has been paid. Mr. Lahrmer reported that the three retirees represented \$150,000 in funds expended from the employee severance fund. There remains an unfunded liability of approximately \$500,000 although Mr. Lahrmer indicated he did not have an exact number at this time. Ms. Conway pointed out that the remaining liability is representative of all village employees collectively.

There being no further comments or questions, Mayor Stillpass announced that the finance report would be filed as received.

COMMITTEE REPORTS

ENVIRONMENTAL STEWARDSHIP COMMITTEE

Ms. McIntosh presented, read and moved to approve the third reading of ORDINANCE NO. 2011-11, ORDINANCE AMENDING SECTIONS 95.40, 95.41, AND 150.79.4 OF THE VILLAGE CODE OF ORDINANCES PROVIDING FOR EXCEPTION TO GRASS AND WEED CUTTING FOR DESIGNATION OF MEADOWLANDS. Seconded by Ms. Conway and the roll call showed the following vote:

AYE: Stillpass, Chaiken, Cohen, Conway, Katz, McIntosh	(6)
NAY:	(0)
ABSENT: Hattenbach	(1)

Ms. McIntosh reported that the recent event—A Green Clearing—on the Amberley Green property resulted in trimmed trees along Ridge Road. She thanked the maintenance department for removing the trimmed branches expeditiously.

She reminded the residents of the brush regulations as follows: longer branches are acceptable; stack along the frontage of the yard, not in one big stack; branches up to 10 inches in diameter accepted; contractors must collect and haul away any trimmed or cut limbs as the village will not pick up after contractor work.

The next meeting of the green clearing group will be on September 1st at 6:30 p.m. The focus will be on mulching at Ridge and Galbraith.

The water quality lecture series was held July 27. There was a good turnout. Brian Bohl with Hamilton County Soil and Water talked about streamside management.

The next lecture series will be held on September 27 at 7 p.m. The topic will be how to winterize your yard.

The next regular meeting of the Environmental Stewardship Committee will be held on August 22nd at 7:30 p.m.

The next meeting of the group planning the 2012 Tree City USA luncheon will be on August 11th at 6:00 p.m.

Ms. Mitzi Miller then requested that the village video record the lectures and place them on the website. Ms. McIntosh stated that she would take it under consideration.

Mr. Katz pointed out that it has been reported that 102 cubic yards of wood chips were delivered by the maintenance department and inquired how this service works. Ms. McIntosh stated that residents may request wood chips online or call Village Hall to receive delivery of free wood chips which are generated from the brush picked up in the village. Mr. Katz commented that this was a great service for residents.

Ms. McIntosh reported that the garden awards were presented at the recent Ice Cream Social and the poster reflecting those winners can be viewed in the lobby at Village Hall and it will be posted online.

FINANCE COMMITTEE

Mr. Lahrmer reported that in 2008, the Village Council approved Ordinance 2008-17, which authorized the issuance of debt for the Amberley Green property, a 133-acre parcel. The first year the interested capitalized in the amount of \$216,895 and refinanced the amount of \$6,220,000. No principal was paid in 2009, but \$18,500 was paid in issuance fees. For 2010, no principal was paid but \$93,040 was paid in interest. For the note coming due in October, the Village will pay \$85,287 in interest via the Village's general fund where \$90,000 was budgeted.

Mr. Katz presented, read and moved to approve ORDINANCE NO. 2011-12, ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$6,220,000 OF RENEWAL NOTES BY THE VILLAGE OF AMBERLEY, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A FINAL JUDGMENT. Seconded by Mr. Chaiken and the roll call showed the following vote:

AYE: Stillpass, Chaiken, Cohen, Conway, Katz, McIntosh	(6)
NAY:	(0)
ABSENT: Hattenbach	(1)

There was discussion among Council regarding the procedure to waive the three readings of this ordinance. Mr. Frank pointed out that a vote of five members would effectuate the waiver. Mr. Katz moved to waive the three readings of Ordinance No. 2011-12, due to the timeframe relating to the process to renew such notes. Mr. Chaiken seconded and the roll call showed the following vote:

AYE: Stillpass, Chaiken, Cohen, Conway, Katz, McIntosh	(6)
NAY:	(0)
ABSENT: Hattenbach	(1)

Mr. Chaiken then reported that the committee continues to meet and review the village budget. He stated that a preliminary tax budget has been submitted, however, the next step is for staff to prepare an operational budget. This work will take place over the next few months.

MAYOR'S REPORT

Mayor Stillpass provided an update on the search process for a new Village Manager. Slavin Management reported that 87 applicants submitted for the position. A short list has been prepared and council will move forward to review those candidates to refine the list further.

Mayor Stillpass stated that she prepared and submitted a grant for the purpose of obtaining funding relating to community based agricultural development on the Amberley Green property.

She reported that she and Scot Lahrmer followed-up on the economic development work plan by meeting with the owners and managers of the businesses in the Village. She stated that such efforts are to strengthen communication and maintain an inventory related to the businesses.

Mayor Stillpass thanked the Environmental Stewardship Committee for their efforts in coordinating the garden awards. She gave special thanks to Jim Kelly and Pam Hessler.

Mayor Stillpass then noted that she received two communications regarding the lack of upkeep by residents and she would like to request a review be conducted regarding the effectiveness of the property maintenance code. Mr. Katz acknowledged and agreed to meet and discuss the code.

Mayor Stillpass reported that the Ice Cream Social was held August 7 and was a great success. She thanked Amy Rubenstein for her hard work. Ms. Rubenstein planned and coordinated the event this year, including sponsorships. Susanna Goering and Shayne Byer also volunteered and assisted. The following businesses and individuals made monetary donations: Gary Vernon of Kiwi Custom Contractors, Jack Rubenstein of Rubenstein Law Offices, Ryan Duebber Architects, Ed Hattenbach of Hattenbach & Company CPA, Inc., Jim Robinson of UBS Financial Services, former Amberley resident Carl Lindner for the UDF ice cream donation and Dr. Pepper and Snapple for the beverage donation. Mayor Stillpass thanked P.O. Chris Fritsch who co-chaired the event and coordinated safety services. She then thanked the residents, Scot Lahrmer and village staff for their participation and assistance as well.

MANAGER'S REPORT

Mr. Lahrmer informed the council that 14 Survivair Self-Contained Breathing Apparatus bottles have expired and need replaced. The bottles have been removed from service and consist of 33% of the inventory. The bottles are needed for firefighters to breathe fresh air in hazardous conditions while functioning at emergency scenes. This expense has been budgeted for \$11,175. The cost will be \$8,300. Council approval is

necessary for such an expense as the village manager is authorized to only expend up to \$7,500. Mr. Chaiken moved to approve RESOLUTION NO. 2011-11, RESOLUTION AUTHORIZING THE INTERIM VILLAGE MANAGER TO PURCHASE SELF-CONTAINED BREATHING APPARATUS BOTTLES (SCBA) FOR THE FIRE DEPARTMENT. Seconded by Mrs. Conway and the motion carried unanimously.

Mr. Katz stated that he would like to bring to the attention of the residents that he has a commitment to the village and will donate \$800 towards such an equipment purchase. Mr. Lahrmer acknowledged and thanked Mr. Katz for his generosity.

Mr. Lahrmer stated that staff will contribute to the work of reviewing the property maintenance code. Various items have been raised regarding trees, boats and RVs.

Staff continues to follow-up on restorations issues from the Galbraith storm sewer and road projects. Such issues relate to last year's drought and this year's heavy rain season, thus preventing successful restoration. Mr. James Coleman was present in the audience. Mr. Coleman is one of the affected residents frustrated by the restoration difficulty. Staff has been working to bring back Broshear to work on the restoration issues and the bond is being pursued. Restoration work will include seeding, weeding, grass and gravel. Staff is sympathetic toward the resident issues and is aware and tracking this item. Mr. Lahrmer then noted that it was Mr. Coleman's 75th birthday and he wished him a happy birthday.

Next Mr. Lahrmer reported that the maintenance department works regularly to remove litter from the village right-of-ways. Since January, 200 bags of litter have been removed from the right-of-ways, in addition to other large items.

Staff is focused on identifying cost savings measures. Most recently, Chief Wallace renegotiated the Cincinnati Bell voice lines thereby achieving a \$395 monthly cost savings for the village. Wes Brown, the Maintenance Department Supervisor, negotiated a uniform contract with Cintas that resulted in annual savings of \$600. It also provides higher quality service and replacement, rather than repair of damaged uniforms.

Mr. Lahrmer stated that there is a consensus that the mailbox area at Willowbrook and Fair Oaks is less than desirable aesthetically. There has been discussion of plantings and tree donations, however, variables of overhead wires and underground utilities have impeded progress. He stated that improving this area would not be a significant expense. Ms. McIntosh pointed out that this item is on the agenda for the upcoming Environmental Stewardship Committee (ESC). Mr. Lahrmer stated that, if acceptable, staff would submit a plan for the ESC to review at its next meeting. Ms. McIntosh agreed to this approach.

NEW BUSINESS

Mr. Chaiken commented that council adopted the report and recommendation of the Long Range Planning Committee which recommended that council engage a professional broker regarding the Amberley Green and North Site properties. Mr. Chaiken stated that he would like council to proceed in order to generate interest on

North Site. Mr. Chaiken moved to approve that the Interim Village Manager proceed to hire a broker to perform commercial real estate services relating to the North Site property. Seconded by Mrs. Cohen.

Mr. Katz then pointed out that he would like it clarified as to what the broker is to perform. Mr. Chaiken stated that the intent is to generate interest to offer the site for development and start such a process. Mrs. Conway stated that she agreed that the intent would be to authorize the Village Manager to put this process in motion. Mr. Katz stated that he would like to direct the Village Manager to interview brokers and return to council with the results from which council will select the broker to be hired. Mr. Chaiken was agreeable to the amendment. There was a discussion regarding leasing versus owning options. Mr. Lahrmer informed the council that he has followed-up up with a contact that Mr. Katz provided in the way of reviewing the feasibility of hotel development on the North Site.

The motion to hire a broker was amended to authorizing the Interim Village Manager to interview brokers and return to council with the results from which council will select the broker to be hired. The amended motion was moved by Mr. Katz and seconded by Mr. Chaiken and it carried unanimously.

There being no further business, Mayor Stillpass adjourned the meeting.

Nicole Browder, Clerk of Council

Mayor Merrie Stillpass