

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
TUESDAY, OCTOBER 11, 2011**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on TUESDAY, OCTOBER 11, 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	Leslie McIntosh
Fran Cohen	Rich Wallace, Police/Fire Chief	
Peg Conway	Kevin Frank, Village Solicitor	
Ed Hattenbach	Rick Kay, Village Treasurer	
Louis Katz	Nicole Browder, Clerk of Council	
Merrie Stillpass		

Mayor Merrie Stillpass welcomed everyone to the regularly scheduled meeting of the Amberley Village Council, and announced there would be an item under the Mayor's report that she would like to move to the top of the agenda. She then led those in attendance through the pledge of allegiance.

MINUTES

Mayor Stillpass presented the minutes of the September 12, 2011, regular meeting and asked if there were any corrections or additions. Since there were no corrections or additions, Mayor Stillpass stated that the minutes stand approved.

MAYOR'S REPORT

Mayor Stillpass announced that the selection process for hiring a new village manager has concluded. Over the past several months, council conducted a thorough process with Slavin Management to recruit candidates for the position of village manager. 87 candidates responded and the consultant helped narrow the field. After interviewing the top four candidates, council has selected Scot Lahrmer to fill the position.

Mr. Lahrmer brings to Amberley over 30 years of local government experience having served as city manager of Mason, Ohio between 1989 and 2006. He most recently retired as the Assistant County Administrator in Clermont County. Lahrmer holds a bachelor's degree in public administration from Ohio Northern University and a master's degree in public administration from the University of Akron.

Mayor Stillpass read, presented and moved to approve ORDINANCE 2011-14, AUTHORIZING THE MAYOR TO EXECUTE EMPLOYMENT CONTRACT WITH SCOT LAHRMER AS VILLAGE MANAGER. Seconded by Mrs. Conway and the roll call showed the following vote:

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

Mayor Stillpass moved to approve the Ordinance passed as an emergency measure. Seconded by Mrs. Cohen and the roll call showed the following vote:

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

Mr. Lahrmer was then invited to the podium where the Mayor administered the oath of office. After a standing ovation, Mr. Lahrmer shook council members' hands as well as members of the audience, took his seat as Village Manager and gave a brief acceptance speech.

FINANCE REPORT

Mr. Lahrmer presented the September, 2011, Finance Report (copy attached). The following statistics were reported:

September earnings tax collections were \$123,565 which was down 9.57% from September 2010. The earnings tax collection year-to-date total was \$1,769,839 which compared to last year at this time of \$1,900,953. As a reminder, this difference can be attributed to a once in a lifetime event that generated a withholding payment of more than \$170,000 which will not recur, thus, earnings tax collection was even as compared to 2010.

The Village did not receive any property tax dollars this past month. Property tax is typically received a few times each year with the exception of rollback/homestead, which is still expected. The year-to-date real estate tax receipts total \$1,125,811.

The inheritance tax collection will expire next year. The inheritance tax collection year-to-date is \$407,294. The Village has been notified of an inheritance tax refund in the amount of \$389,548 due to an estate improperly being taxed. This results in a deficit of our inheritance tax fund being held by the County. With current receipts and the \$389,548 refund that is due, the Village owes the County/State \$228,353. This will be payable in August 2012 if additional inheritance tax dollars are not received by the County.

The local government fund has netted \$82,093 so far this year. This fund will be reduced by 25% this year and 25% next year.

Interest received year-to-date totaled \$23,127.

Expenditures for September were \$417,949 for a year-to-date of \$3,967,095. The general fund balance at the end of 2010 was \$3,195,750 and the balance at the end of September was \$2,824,101.

Mayor Stillpass asked if there were any questions or comments. Mr. Katz expressed his preference to pay back the inheritance refund as soon as possible in order to avoid paying unnecessary interest, if interest is still being incurred.

Mrs. Cohen then requested to make the following statement:

“Tonight council is taking steps to begin addressing the serious financial issues facing our Village. These issues are solvable and as long as we continue to address the issues, our Village will remain a great place to live. It has come to my attention that some residents want to place the responsibility for these issues with our prior Village Manager. This simply is not the case. The prior Village Manager consistently kept the Council aware of the Village finance situation and was diligent about helping us find solutions. Even if there was a grain of truth to this claim, Council would still be the responsible party because the Village Manager serves at the discretion of Council. Council is responsible for helping to ensure that its citizens are properly informed about important Village matters. Therefore, it is incumbent upon the Council to inform its citizens when it becomes aware that important misinformation is being spread. I am doing so tonight. Thank you.”

There being no additional comments or questions, the finance report will be filed as received.

PRESENTATIONS/GUEST SPEAKERS:

Jennifer Eismeier, Executive Director of the Mill Creek Watershed Council of Communities introduced herself and presented the functions of her organization. The watershed has 37 political jurisdictions; 166 square miles; and 450,000 residents. Their mission is to enable the Mill Creek communities to protect and enhance the value of the Mill Creek, its tributaries, and watershed. Through collaborative action, the Mill Creek Watershed Council strives to make the Mill Creek area a more desirable place to live, work and play. Goals include: watershed and water quality management; public outreach and education; recreational opportunities; storm water management; and flood reduction and flood plain management. Additional information can be found at www.millcreekwatershed.org.

Ms. Beth Schwartz, Executive Director of the Jewish Family Service began her presentation by congratulating Scot Lahrmer on his appointment to village manager. Ms. Schwartz provided a recap of the progression of the collaborative effort to promote the Community for a Lifetime program, which is geared toward assisting residents age in place, rather than moving from their homes. In February, Village Council engaged in this partnership and council approved a workgroup to be formed. Ms. Schwartz then invited Ms. Ann Sutton Burke, Director of Aging and Caregiver Services with the Jewish Family Service to provide an update on the workgroup’s progress.

Ms. Burke stated that since February, the Jewish Family Service (JFS) formed a committee of 11 residents and 3 JFS staff members who met regularly; conducted industry analysis of similar programs across the nation; determined desirable program components; drafted a framework for the program; created a mock up of marketing materials; test marketing of framework and finalized a timeline. The next steps will be to analyze the survey data and seek Council endorsement. The endorsement will be utilized to leverage funding requests to foundations and other funders.

COMMITTEE REPORTS

ENVIRONMENTAL STEWARDSHIP COMMITTEE

Mayor Stillpass provided the committee update on behalf of Ms. McIntosh. Appreciation was expressed to the volunteers and staff that helped at the last clearing event at the Amberley Green.

The old sign for the front of the municipal building will be recycled with new paint and then installed.

The next planning meeting for the Tree City USA 2012 luncheon will be held on Thursday, October 13 at 7:30 p.m. in the community room.

The next Environmental Stewardship Committee will be on October 24 at 7:30 p.m. in the community room.

Those who could not attend the Winterize Your Yard lecture may now view the video on Time Warner Cable's channel 4 or on the village website.

PUBLIC BUILDINGS & PARKS COMMITTEE

Mayor Stillpass also provided this report on behalf of Ms. McIntosh. A recent meeting was held among many parties interested in growing and selling produce on the Amberley Green property. Attendees included: all of Village Council, the Village Manager, representatives of the Hamilton County Public Health, Ohio University Extension, farmers and residents. There is strong interest for this and a local farmer is willing to donate apple and pear trees toward this effort. Insurance and zoning issues are being investigated.

FINANCE COMMITTEE

Mr. Hattenbach read, presented and moved to approve RESOLUTION 2011-15, RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. Seconded by Mr. Katz and the motion carried unanimously.

Mr. Hattenbach read, presented and moved to approve ORDINANCE 2011-13, ORDINANCE AMENDING APPROPRIATIONS FOR THE FISCAL YEAR 2011. Seconded by Mr. Katz and the roll call showed the following vote:

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

Mr. Hattenbach moved to approve the Ordinance passed as an emergency measure with the following correction to Section 2:

Delete: “and to fulfill the Village’s legal obligations in making timely payments to retiring employees.”

Replace with: “and to fulfill the Village’s financial obligation in making timely payments.”

Seconded by Mr. Chaiken and the roll call showed the following vote:

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

Mr. Hattenbach read, presented and moved to approve RESOLUTION 2011-17, RESOLUTION REQUESTING INFORMATION FROM COUNTY AUDITOR FOR PURPOSES OF EVALUATING AND LEVYING A SPECIAL PUBLIC SAFETY LEVY EXCEEDING THE 10-MILL LIMITATION. Seconded by Mr. Katz.

Discussion took place regarding the necessity to respond to the filing deadlines at the Hamilton County Board of Elections. It was explained that the May primary was moved to March and this action was necessary this evening in order to begin the process of placing a safety levy on the ballot in March 2012. Mr. Lahrmer reiterated the dire state of the village’s financial structure, the cutbacks and cost savings measures taken, and how future funding cuts from the state will further exacerbate the problem.

Mayor Stillpass provided an opportunity for council members to express their views on placing a safety levy on the ballot.

Mr. Hattenbach expressed that analysis of the general fund from 2006 through 2010 shows that the inheritance tax has bailed out the Village, otherwise a deficit of \$4 million would exist at this time. The inheritance tax will cease to exist, which makes the deficit a priority and this measure a necessary tax.

Mr. Katz commented that he felt this problem started 15 years ago when Gibson Greetings moved out of the village. Single-family residences do not pay for themselves and must be subsidized with businesses. The Village’s forefathers had a “war chest” of \$9 million and every year it has went down. Three major events have occurred, which have dried up other revenues that covered the shortfall.

He continued by stating that council has not been fiscally responsible as it could have been 15 years ago. The economic blow, the reduction of the Local Government Fund, reduced property values, and elimination of the inheritance tax brought us to this point.

Mr. Lahrmer and Chief Wallace have worked hard on these issues. Passage of a change in reciprocity last year would have only been a small quick fix. The perception was that the Village had not cut the budget. Since that time, there have been serious cuts. At this point, the next cuts will be in services. The unofficial poll is not to cut services.

It would have been easy to leave this issue for the next council; however, it will be dealt with now. If no action is taken, the Village will be out of business in three years. With the help of staff, council has come up with a plan for a safety levy for 10 mills.

Mr. Katz stated the next step is to take the reciprocity ordinance from last November off the table.

Mr. Chaiken stated that the reality is we have been faced with long-term issues, revenues are flat, and previously the estate tax balanced the budget. This issue was conveniently left alone since reserves would get the village by.

The village is losing all its revenue sources and the decision in the near-term is to answer what residents want Amberley to be. Revenue generating sources must be sought.

The goal is to ensure that Amberley Village remains a signature community.

Mrs. Cohen stated that she agreed with everyone's comments as well. She stated that we must make efforts to raise money.

Mrs. Conway also agreed and stated that although she is not running for re-election, she is in support as a resident. She is relieved that action is being taken because she values the services of the village, especially response time for safety matters. A year ago there was a lot of negative feedback, but she is confident that staff has taken cuts and is very supportive of this proposal.

Mayor Stillpass agreed that with the loss of revenue sources and the high value placed on police/fire services a safety levy is appropriate.

It was clarified that if a safety levy passed, the funds would not be received until 2013.

The proposal was put to a vote. The roll call showed the following vote:

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

Mr. Hattenbach moved to approve the Ordinance passed as an emergency measure. Seconded by Mr. Katz and the roll call showed the following vote:

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

Mr. Katz moved to take the tax reciprocity ordinance, tabled last November at the third reading of the ordinance, off the table. Seconded by Mr. Hattenbach and the motion carried unanimously.

Mr. Katz moved to approve the tax reciprocity ordinance, indicating that a new ordinance would be proposed by Council immediately afterwards. Seconded by Mr. Hattenbach. The roll call showed the following vote:

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

Mr. Hattenbach then explained that there will be a first reading of a new ordinance for a change in tax reciprocity. Mr. Hattenbach presented and read ORDINANCE 2011-15, ORDINANCE AMENDING SECTION 93.14 REDUCING THE INCOME TAX CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY.

Mr. Lahrmer provided information on the progression of the reciprocity issue. He stated 7-8 financial options were provided to the Finance Committee. As stated earlier, the various revenue source cuts have brought this forward as a recommended option. The projected revenue to be generated is \$900,000, which is not enough to replace all of the lost revenue sources. Council will be presented with the second reading in November and it is his recommendation to waive the third reading and pass it in order to effectuate this change as of January 1, 2012. Before the November 14 council meeting there will be a public meeting to share information with the residents.

PUBLIC OUTREACH COMMITTEE

Mrs. Conway announced that the upcoming public information meeting for the tax issue will be posted to the website, E-news and the Community Call Safe will also help get the message to residents.

She made a reminder announcement for the October 17 public information meeting regarding the energy aggregation ballot issues. The Village's consultant, Don Marshall with Eagle Energy, will be present to give a presentation.

MANAGER'S REPORT

Mr. Lahrmer stated that the Village has property to be disposed of and must obtain authorization from council to do so. Resolution 2011-16 requests disposal of a 1997 International Model 2700 dump truck with plow and spreader, a 1994 American Roads Model 1500 tow behind leaf machine, and a 2000 Ford Crown Victoria.

Mr. Chaiken moved to approve RESOLUTION 2011-16, RESOLUTION DECLARING CERTAIN VILLAGE PROPERTY UNNEEDED, OBSOLETE, OR UNFIT FOR MUNICIPAL PURPOSES, AND AUTHORIZING THE SALE OF SUCH PROPERTY. Seconded by Mr. Hattenbach and the motion carried unanimously.

Mr. Lahrmer highlighted various items reported in his Village Manager's Report to the village council. He reported that the village's maintenance department will begin leaf collection on October 17. He explained that new signs will be utilized to notify residents on which day their leaves will be collected. This new approach should assist with the reduction of overtime and minimize the amount of phone calls received at village hall asking when leaves will be picked up.

Mr. Lahrmer also announced that due to there being no seasonal employees and the maintenance department down one employee due to a recent retirement, brush collection will be suspended during the months of November and December, resuming in January. Residents can opt to utilize Rumpke for brush pick-up in the meantime.

There will be a special meeting of the Board of Zoning Appeals to hear a variance request for a front yard setback at 6700 Fair Acres.

The stormwater improvements related to erosion protection in the Willowbrook are expected to be completed in the fall. Replacement of a storm pipe on Oakridge, which was contracted with Site Worx has been completed.

Belkay and Hudson Parkway will be scheduled for resurfacing after the Cincinnati Water Works project has been completed, which is expected late this fall or spring.

The maintenance department chipped 140 cubic yards of chips and picked up 2 cubic yards of logs, along with 15 dead animals.

The police department had 1,200 calls in September for a total of 13,600 calls year-to-date.

The fire department took 10 reports in September. No active fires were reported. There were smoke alarms and carbon monoxide alarms calls.

Mr. Lahrmer reported that council should expect insurance renewal in December. Michael Fishel, the village's risk manager, will be shopping the insurance with various carriers and will make a recommendation for the staff and Finance Committee.

He also reported that he attended a government collaboration session presented by Jerry Newfarmer of Management Partners. The focus was on service sharing, mergers and consolidation and cooperation of governments.

He met with Larry Mock, Head of School for Mount Notre Dame High School. Larry was recently placed in this position and is an Amberley resident. Partnering opportunities were discussed.

The North Site, via Andy Radin, has been submitted to a broker looking for 3-4 acres of developable land in the central part of Hamilton County. It could be months or longer before we hear something back.

Work continues on the crafting of a zoning district for the North Site.

The bond anticipation notes for Amberley Green were purchased by DTC and closed on October 6.

Traffic back-ups at Ridge and Galbraith were reviewed, primarily northbound on Ridge in the late afternoon. The signal pattern will be modified to help reduce such backups.

MAYOR'S REPORT

Mayor Stillpass reported that resident Bill Lennard arranged for she, Mrs. Conway and Mr. Lahrmer and herself to meet with Brad Rodgers of Urban Harvest, along with his associate residents to discuss urban aquaponics. A demonstration was viewed on-site at Benkens Nursery. As the business model is built for this project, the Amberley Green site is being looked at a possible site. The demonstration was very interesting. Produce and tilapia were being grown.

She and Mr. Lahrmer met with Nick Nissley Dean of Business Technologies of Cincinnati State and Heather Wiggins of the Horticulture program of Cincinnati State Business Technologies and resident Cynthia Goodman regarding possibilities at Amberley Green.

She and Mr. Lahrmer took a tour of Saturday Knight, Ltd., and met with CEO Frank Kling. Bathroom accessories are designed, packaged and distributed here to Kohl's, Walmart, and Bed, Bath and Beyond. The manufacturing of their products takes place overseas.

An initial application for the Duke Energy Urban Revitalization Plan was prepared and submitted for the Amberley Green, but it was not granted.

NEW BUSINESS

Mr. Katz stated that he recently made a donation to the Shield. It is an organization that was started to help injured officers or those killed in the line of duty. He then asked Chief Wallace to elaborate on the program. Chief Wallace stated that the account is currently at \$170,000. The organization has helped with funeral services, airline tickets, and mortgage payments. There are different levels of contribution statuses and it is tax deductible.

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

Nicole Browder, Clerk of Council

Mayor Merrie Stillpass