

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, MAY 12, 2008**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on MONDAY, MAY 12, 2008 at 7:30 P.M. Mayor Charles Kamine called the meeting to order. The following roll call was taken:

PRESENT:

Charles Kamine
Jon Chaiken
Fran Cohen
Peg Conway
Louis Katz
Merrie Stillpass

ALSO PRESENT:

Stephen Cohen, Village Solicitor
Chief Monahan, Police/Fire Chief
Bernie Boraten, Village Manager
Nicole Browder, Clerk of Council

ABSENT:

Rich Batterberry, Treasurer

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

MINUTES

Mrs. Cohen moved acceptance of the minutes of the April 14, 2008, regular meeting as submitted. Seconded by Mrs. Conway. The motion carried unanimously.

FINANCE REPORT

Mr. Boraten presented the Finance Report for the month of April, 2008 (Finance Report attached). Mr. Chaiken moved to approve the March Finance Report. Seconded by Mrs. Stillpass. The motion carried unanimously.

RESIDENTS TO ADDRESS COUNCIL:

Mayor Kamine announced to the number of residents in attendance that it is the policy of the Village Council to place speakers on the agenda of the council meetings; however, all individuals desiring to be on the agenda must contact the clerk in advance of the meeting.

Mayor Kamine stated that he was aware that residents have distributed flyers to urge residents to attend the council meeting regarding the matter of the Crest Hills litigation. Mayor Kamine stated that a proposal for a zone change would require a public hearing. He stated that only regular business was on the agenda for this council meeting. He reported that the Council has been in negotiations with the Ridge Club in an effort to reach a resolution of the litigation; however, there would not be a vote this evening for action in this matter.

Mayor Kamine announced that a new meeting timer had been installed that will time meeting speakers and he invited the first speaker on the agenda to address Council.

Mr. Mike Gersen, a 23-year resident at 6700 East Beechlands, stated that he owns and develops real estate. He was concerned that the current market was a bad environment for development. He felt that a very conservative approach was necessary at this time. He stated that he felt the Village should buy the property utilizing funds in the same manner that financed the new municipal building.

Ms. Bonnie Burte, a 17-year resident at 7017 Clearwood Drive, stated that she moved to Amberley for its central location, large lots and excellent resident services. She stated that she

felt that the Council should conserve the green space. She stated that the Rollman subdivision is over 10 years old and not fully developed. She urged Council to take control of the Crest Hills property. She stated that she has the confidence that Council will do what is right for the Village.

Mr. Al Lane, a resident at 7200 Fair Oaks Drive, stated that he proposed that the Council purchase the property and create a pavilion similar to the Drees pavilion that is utilized for weddings. He stated that he envisions a pavilion on the top level of the facility and a golf course on the bottom level. He stated that bonds and stormwater funds could be utilized for financing.

Ms. Diane Levine, a resident at 6770 Fair Acres Lane, thanked the Council, Village Manager and Police Chief for doing a good job. She stated that there are presently fifty properties for sale in the Village and several are in foreclosure. She stated that she felt the market would not support new inventory.

Mr. Ahron Leichtman, a 30-year resident at 8660 Lynnehaven, introduced himself and explained his professional association with the smoke-free coalition. He stated that he felt it would not be proper to develop Crest Hills. He stated that he was in favor of a tax increase, if needed, to acquire the property. He felt that the Council should take a long-term perspective and realize that the most positive impact on the residents' property values and health would be to keep the green space.

Mr. Tom Neuman, resident at 5120 Rollman Estates Drive, stated that he has a broad concern and was not interested in whether or not Crest Hills was developed. He stated that the important issue was that Council has the right to make a zone change and the resident survey showed development was desired. He stated that he felt Council has the responsibility to ask residents to vote to approve new taxes if the Council intends to proceed with the purchase of Crest Hills.

Mr. Herb Reisenfeld, a resident at 5015 Rollman Estates Drive, stated that he was not concerned about Crest Hills development either way. He felt that the Village has the highest taxes around. He stated that most children in the Village go to private schools and new taxes would be burdensome for residents. He stated that the property has now become a blight and the Village has become the laughing stock of the area as we have pitted neighbor versus neighbor over this issue. He stated that he felt the Jewish Community Center would be a nice addition to the community for family activities and if the municipal building is almost paid in full, then taxes should be reduced. He then commended and praised the police department for a job well done in response to a call at his residence recently.

Dr. Ed Desatnik, a resident at 5083 Rollman Estates Drive, stated that he agreed that control must be exercised over the Crest Hills property. He stated golf courses are losing money. He questioned why Council would go into debt again. He felt that taxes should be reduced. He stated that a majority of residents do not want to purchase the property and this was confirmed in the resident survey.

Mayor Kamine thanked all of the residents for sharing their viewpoints with Council. He encouraged all other residents who did not get a chance to speak at the meeting to express their thoughts through the contact button on the Village website that will send an email to the entire Village Council at once.

Mayor Kamine stressed to the residents that the Council has been negotiating the matter of the Crest Hills litigation. He stated that on April 9, 2008, the Ohio Supreme Court denied to hear the

case. Mayor Kamine expressed that the Council defended this matter in good faith to protect property values. He stated that the Council has been diligently working to find out the steps involved in all present options, including the purchase of the property. He informed the residents that financial issues are the only matters that can be put on the ballot. He stated that he hoped that this matter would be resolved long before November, which would be the point in time wherein any proposed issues would be placed on the ballot. Mayor Kamine stated that a conference has been scheduled with the trial judge to report on this case. He stated that if the Planning Commission were to hold a meeting on this matter it would be a public hearing and all proper notification procedures would be followed.

COMMITTEE REPORTS:

BEAUTIFICATION COMMITTEE:

Mrs. Stillpass reported that the Village's Arbor Day event was a success. She reported that there were 35 participants who assisted with the installation of a rain barrel and garden, mulch around the track and clean-up of the right-of-way on Section Road at French Park. She thanked the Amberley Village staff members, Steve Rasfeld, Tom Karr and Wes Brown, for their work on the rain garden. She stated that there will be 500 plant plugs arriving soon. Residents interested in assisting with the planting of the plugs should contact Nicole at Village Hall. Mrs. Stillpass thanked the following residents for their special assistance: Regina Radin, Jim Kelly, Josephine Rosenblum, Jane and Kevin Murphy.

Mrs. Stillpass reported that garden nomination ballots are now available in the newsletter, at Village Hall or on the website. She stated that the next Beautification Committee meeting will be held on June 23rd at 7:30 p.m.

Mrs. Stillpass then announced that Beautification Committee members Pam Hessler and Jane Murphy drafted the Heritage Tree Program which had been requested by the residents. There will be a workshop planned soon.

LONG RANGE PLANNING COMMITTEE:

Mrs. Stillpass reported that the committee had its third meeting and the main identity goals the group identified are environment, economy, community and identity. She stated that strategies for these goals as well as a vision statement will be defined at the next meeting in June.

STREETS, SEWERS & PUBLIC UTILITIES COMMITTEE:

Mr. Chaiken reported that the Roads Committee met to discuss and authorize the balance of the 2008 Roads Program. He stated that the committee reviewed five options and approved Option 4 which included the repavement of Arborcrest Drive, Sorrento Drive, Lynnehaven Drive, Lynnehaven Court, Hudson Parkway, Larkfield Drive and spot repairs along E. Galbraith Road. He stated that the best and most economical bid was submitted by Barrett Paving. Mr. Chaiken moved to award Barrett Paving the contract for the 2008 Road Program. Seconded by Mr. Katz and the motion carried unanimously.

BOARD OF ZONING APPEALS

Mr. Chaiken reported that the Board of Zoning Appeals heard two cases at the May meeting. A variance request for a fence height above 4.5 feet was not approved. A variance request for a detached garage to be placed closer to the side lot line was approved. Mr. Chaiken then reported that the Board had received complaints about a resident interfering with the construction project for Kneseth Israel. Mr. Chaiken read the following statement into the record.

After various discussions with the Village Manager, past and present Board of Zoning Appeals members, representatives from Kneseth Israel and careful review of all prior Board of Zoning Appeals matters related to the project currently underway on this site, I have determined that:

1. The planned driveway was placed in its current position after open hearings, and comments from residents, the Board of Zoning Appeals, the Village staff, and the police and fire departments.
2. Our paid engineers from CDS Associates were then asked to evaluate, and subsequently approved, the plan taking into consideration existing Amberley zoning requirements, the conditional-use permit issued for the site, and with respect to the driveway all applicable ODOT and Hamilton County requirements for entrance/exits and required site-lines.
3. According to a Kneseth Israel representative, "There is no desire on the part of Kneseth Israel to change the placement of the driveway for their project."
4. Residents with questions or comments about specific projects going on within Amberley should address them to the Village Manager ONLY. Contact with the owner of the property or the property owner's contractors and crew is inappropriate and in no way condoned by the Board of Zoning Appeals.

Rest assured the Board of Zoning Appeals, and Amberley Village monitor progress of all projects that take place within Amberley to be sure construction meets the plans approved by the Board of Zoning Appeals, and any and all permits issued by Amberley or Hamilton County.

Mrs. Stillpass then amended her Arbor Day event review to include a thank you to Mitzi Miller for all of her assistance with the history room.

MANAGER'S REPORT:

Mr. Boraten provided an update to the Council regarding the Ridge Road widening. He stated that Barrett Paving has been contracted for the work and the Jewish Community Center will cover the expenses for this project.

Mr. Boraten reported that the Ridge Road resurfacing project will encompass Ridge Road from the Jewish Community Center to the Village's southern corporation line. He stated that Mt. Pleasant has been contracted to mill the pavement and install base repairs.

SOLICITOR'S REPORT:

Mr. Cohen reported that the Kneseth Israel project has been making progress. The houses on the property have been torn down, trees removed and heavy earthwork performed.

There being no further business, Mr. Chaiken moved to adjourn. Seconded by Mrs. Cohen. The motion carried unanimously.

Nicole Browder, Clerk of Council

Mayor Charles Kamine

