

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, JUNE 9, 2008**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on MONDAY, JUNE 9, 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

Mr. Katz moved acceptance of the minutes of the May 12, 2008, regular meeting as submitted. Seconded by Mrs. Stillpass. The motion carried unanimously.

FINANCE REPORT

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

RESIDENTS TO ADDRESS COUNCIL:

Mrs. Elizabeth Farians, resident at 8540 Lynnehaven, expressed to Council her concerns as an environmentalist. She reminded everyone that the earth is precious and we have to change how we treat the environment. She stated that we have experienced abnormal flooding, which is a sign from the earth that we must change. She pleaded that we have a chance with the Crest Hills property to save the green space. She expressed that she felt development would be further destruction to the environment. Mrs. Farians then thanked Council for allowing her the opportunity to speak.

ANNOUNCEMENT:

Mayor Kamine announced that there was a fire in the Village today which required a majority of our resources to respond. He stated that some of the fire responders for the Village have a dual role as they are also members of the service department. Therefore, there was a delay and cessation of brush pick-up in order to fight the fire. He stated one of the service department members was injured. The Mayor asked Chief Monahan to further explain the incident. Chief Monahan reported that the employee was taken to Jewish Hospital where his injury was treated. He stated that several of the fire fighters were suffering from heat exhaustion; however, all did a great job in responding.

COMMITTEE REPORTS:

BEAUTIFICATION COMMITTEE:

Mrs. Stillpass reported that the Village received the Tree City USA award for the fourth year in a row as well as the Growth Award for the second year in a row. She stated that the Village Manager, Clerk, and Tom Karr from the service department attended the award ceremony on behalf of the Village.

Mrs. Stillpass reported that garden nomination ballots are available in the newsletter, at Village Hall or on the website. Winners will be announced at the Ice Cream Social. She stated that the next Beautification Committee meeting will be held on June 23rd at 7:30 p.m. and the committee will discuss Ice Cream Social displays and fall programming.

BOARD OF ZONING APPEALS:

Mr. Chaiken reported that at the June Board of Zoning Appeals meeting the new Jewish Community Center proposed entrance and interior signage to the Board. The signage was approved subject to the Village Engineer's review. Mr. Chaiken reported that the Planning Commission also met in June. The Planning Commission met to discuss the acceptance of the improvements in the Rollman Reserve subdivision. He stated that the Planning Commission is awaiting information from the developer in order to proceed.

PUBLIC OUTREACH:

Mrs. Conway reminded everyone that July 3rd would be the deadline to submit information for the August newsletter. She stated that the committee would be utilizing new options for printing the newsletter in a more cost-effective manner. She also invited residents to submit names and information for high school graduates to be included in the next newsletter.

FINANCE COMMITTEE:

Mr. Chaiken reported the committee met and reviewed bids from various banking institutions regarding the Village's depository. Mr. Chaiken moved to approve RESOLUTION NO. 2008-05, RESOLUTION DESIGNATING FIFTH THIRD BANK AS THE PUBLIC DESPOSITORY FOR THE VILLAGE'S ACTIVE FUNDS, AND FIFTH THIRD BANK, HUNINGTON BANK AND US BANK AS THE PUBLIC DEPOSITORIES FOR THE VILLAGE'S INTERIM AND INACTIVE FUNDS. Seconded by Mr. Katz and the motion carried unanimously.

Mr. Chaiken reported that the depositories were selected through the Village's bidding process in which there were a lot of responses. He stated the committee recommended the best options for this service.

Mr. Chaiken stated that from time to time the Village must transfer funds so that efficient monies are available for obligations to be met. Mr. Chaiken moved to approve ORDINANCE NO. 2008-04, ORDINANCE TRANSFERRING FUNDS FOR THE YEAR 2008. Seconded by Mr. Katz and the roll call showed the following vote:

AYE: Kamine, Chaiken, Cohen, Conway, Katz, Stillpass	(6)
NAY:	(0)
ABSENT:	(0)

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

AYE: Kamine, Chaiken, Cohen, Conway, Katz, Stillpass (6)
NAY: (0)
ABSENT: (0)

EVALUATION COMMITTEE:

Mr. Katz reported that the committee met to discuss the employee healthcare renewal options. He stated that there were a number of plans competitively bid through the Center for Local Government Healthcare Cooperative. Mr. Katz moved to approve RESOLUTION NO. 2008-06, RESOLUTION TO PROVIDE FOR VILLAGE EMPLOYEES A RENEWED AND UPDATED HEALTH INSURANCE PLAN, A CONTRIBUTION OF FUNDS TO EMPLOYEES' HEALTH SAVINGS ACCOUNTS, CONTRIBUTION OF FUNDS FOR HEALTH REIMBURSEMENT, AND RENEWING THE DENTAL PLAN FOR EMPLOYEES. Seconded by Mrs. Conway and the motion carried unanimously.

Mr. Katz reported that the committee also met regarding employee compensation. He stated that based on inflation, the economic environment as well as gas prices, the committee recommended a four percent increase across the board for all employees. He stated that all employee pay ranges will increase by exactly four percent retroactive to an effective date of April 1, 2008. Mr. Katz moved to approve this increase and read the positions as titled in the prepared ordinances as follows: Members of the Police Department; Police Department Dispatchers; Fire Fighting Duties; Maintenance I and II Employees; Maintenance Supervisor, Maintenance Foreman, and Crew Leader; Public Works Supervisor; Village Financial Administrator; Administrative Clerk/Bookkeeper, Executive Assistant to the Village Manager, and Income Tax Administrator. Seconded by Mr. Chaiken and the roll call showed the following vote:

AYE: Kamine, Chaiken, Cohen, Conway, Katz, Stillpass (6)
NAY: (0)
ABSENT: (0)

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

AYE: Kamine, Chaiken, Cohen, Conway, Katz, Stillpass (6)
NAY: (0)
ABSENT: (0)

MAYOR'S REPORT:

Mayor Kamine provided a brief background on the Crest Hills property. He stated that the court had ruled that the Village's denial of a request for a zone change from Park P Zoning was unconstitutional. He stated that the Village has exhausted its appeal process. He informed residents that the Village must now comply with the trial judge's court order. Therefore, the judge scheduled a meeting with Village Council, Hal Homes, and The Ridge Club which took place on May 21, 2008. Mayor Kamine stated that the judge expected proven efforts towards resolution of this matter. It was expressed that if the Village wanted to retain the property as a park, the Village must proceed to purchase the property. The Mayor stated that there are two resolutions being proposed to Council to move forward in order to be in compliance with the court order.

The first resolution will refer the proposed zone change to the Planning Commission for review. Mr. Chaiken moved to approve RESOLUTION NO. 2008-07, RESOLUTION REFERRING TO

THE PLANNING COMMISSION, FOR ITS RECOMMENDATION, A CHANGE OF THE ZONING OF THE PROPERTY FORMERLY KNOWN AS CREST HILLS COUNTRY CLUB FROM "PARK P DISTRICT" TO "RESIDENCE A DISTRICT." Seconded by Mr. Katz and the motion carried unanimously. Mayor Kamine stated that the Planning Commission will review and return to Council a recommendation for Council to review. He stated that there will be a public hearing announced after the Planning Commission returns their recommendation for Council. He stated that a postcard notice of the public hearing will be sent to all residents advising them of the public hearing and inviting residents to express their views.

The second resolution will authorize the Village Manager to obtain an appraisal of the Crest Hills property. Mayor Kamine stated if in the long-term Amberley should desire to own the property for park and recreational usage, an action of eminent domain must proceed, which would require an appraisal of the property prior to filing an eminent domain action. Mr. Katz moved to approve RESOLUTION NO. 2008-08, RESOLUTION RETAINING AN APPRAISER TO PROVIDE AN APPRAISAL OF THE PROPERTY FORMERLY KNOWN AS THE CREST HILLS COUNTRY CLUB. Seconded by Mrs. Conway and the motion carried unanimously.

SOLICITOR'S REPORT:

Mr. Cohen reported to Council that each member had been provided a copy of a memo with a map attachment regarding residents in the Village, Ira and Miriam Younger, who have offered to give to the Village a parcel of real estate adjoining the parcel containing their residence. The parcel offered contains a private drive providing access to the Younger's residential property as well as access to two other residences. Mr. Cohen stated that the Younger's have proposed to give the property to the Village as long as it is not opened up as a public street, although a walk and bike path is acceptable, and the area can be adapted by the Village to be used by emergency vehicles.

Mayor Kamine stated that this area allows for a connection between Willowbrook and Aracoma. He stated that the area was originally platted to be a street. He stated this would give the Village authority to allow for a walk/bike path joining two neighborhoods.

Mayor Kamine reported that the roads committee had previously met to discuss the possibility of the safety hazards for walkers and determined that a review of possibilities for pathways in the Village was important. The Younger's offer does facilitate this opportunity. He stated that there would be a restriction for vehicular traffic, although the Village would reserve the right to allow emergency vehicles.

Mr. Cohen stated the Council can take this matter under review for these points and concerns regarding emergency traffic and maintenance responsibilities. Mrs. Stillpass stated that she would like improvements made to open and clear the area for safety and beautification purposes as there are walkers already passing through.

After other discussion among Council, Mayor Kamine tabled the offer and requested that the Law Committee take this matter under review to ensure that the Village would not be creating a land-locked parcel without the required frontage and that the Village would not be accepting obligations to maintain the driveway.

CHIEF'S REPORT:

Chief Monahan reported that the fire on Esther Drive was a grueling effort in the heat. He stated that all responders did an excellent job. Many were fatigued within fifteen minutes due to heat

exhaustion. He stated that Golf Manor assisted and did a great job. Chief Monahan stated that the fire was due to a loose connection in a bathroom light fixture. He reminded everyone to check their smoke alarms and batteries as this resident's alarm did not work in this incident.

MANAGER'S REPORT:

Mr. Boraten provided an update to the Council regarding the grant received in the amount of \$5,000.00 for the installation of a rain garden near the walking track. He stated that it is a highly visible area and will serve as an educational project. He stated that the Village partnered with the Mill Creek Watershed Council to accomplish this project. He reported that two wall combinations have been constructed and the third wall and plant plugs will be the next step. He stated signage would come later in the fall. He stated that he is hopeful that the plantings will be installed by the Ice Cream Social on August 17.

Mr. Boraten provided an update on the road program. He stated that the paving has been completed and the next phase will be asphalt rejuvenation which prolongs the life of the streets. He stated a preconstruction meeting was held on June 4th with Barrett Paving and work should commence around June 16th.

There being no further business, Mrs. Conway moved to adjourn. Seconded by Mrs. Stillpass. The motion carried unanimously.

Nicole Browder, Clerk of Council

Mayor Charles Kamine