

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, JULY 14, 2008**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on MONDAY, JULY 14, 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
Margie Crowley, Finance Administrator
Steve Rasfeld, Public Works Supervisor

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.

Mayor Kamine announced that Amberley's prior Police and Fire Chief, Joseph Truesdell, passed away. He stated that the late Chief Truesdell was employed with Amberley from 1956 through May 1983 and held the position of chief from 1974 to 1983. Chief Monahan stated that he had very fond memories of Chief Truesdell as he was an outstanding chief. Mr. Boraten stated that he worked together with Chief Truesdell for a number of years and was very honored to have worked alongside him. Mrs. Cohen stated that she personally knew Chief Truesdell and he was a wonderful person to have known.

MINUTES

Mrs. Cohen moved acceptance of the minutes of the June 9, 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 June, 2008 (Finance Report attached). Mr. Chaiken moved to approve the June Finance Report. Seconded by Mrs. Cohen. The motion carried unanimously.

INTRODUCTION TO COUNCIL:

Mayor Kamine introduced the new principal of the Pleasant Ridge Montessori School, Maria Lagdameo. Mrs. Lagdameo thanked the community for fighting for this school. It is the first public "green" school. She reported that she and all of the teachers will have their masters in Montessori. Council welcomed Mrs. Lagdameo and wished her much success.

COMMITTEE REPORTS:

BOARD OF ZONING APPEALS/PLANNING COMMISSION:

Mr. Chaiken reported that at the July Board of Zoning Appeals meeting, the Board reviewed two zoning cases. He stated that the Planning Commission also met and recommended the former Crest Hills property be rezoned to Residence A.

Mr. Chaiken reported that the Planning Commission also reviewed the dedication of the Rollman Reserve improvements. Mr. Chaiken moved to approve and read ORDINANCE NO. 2008-14,

ORDINANCE ACCEPTING DEDICATION OF ROLLMAN RESERVE SUBDIVISION PHASES I AND II AND THE PUBLIC IMPROVEMENTS CONTAINED THEREIN. 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)

BEAUTIFICATION COMMITTEE:

Mrs. Stillpass reported that there were 12 garden award nominations, however, one withdrew. She stated that the 11 properties that will be judged, and winners, will be announced at the Ice Cream Social on August 17th.

FINANCE COMMITTEE:

Mr. Chaiken reported the committee met and reviewed the budget for 2009. He stated that the preliminary budget was prepared and will be reviewed again in December. He stated that the budget for 2009 represented a 5.3% decrease which was primarily due to the bond retirement along with the savings that resulted from the choice in the employee health insurance plan.

PUBLIC BUILDINGS AND PARKS COMMITTEE:

Mrs. Stillpass reported that the Village has been pursuing a ‘no further action’ status on the underground fuel storage tanks at the Village Hall site. The Bureau of Underground Storage Regulations has agreed to grant the ‘no further action’ status. As a result, an environmental covenant will be placed upon the parcels which states that no residential use will be permitted on the property. Mrs. Stillpass moved to approve RESOLUTION NO. 2008-09, RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN AN ENVIRONMENTAL COVENANT WITH STATE FIRE MARSHALL RESTRICTING RESIDENTIAL USE BY VILLAGE OF PROPERTY LOCATED AT VILLAGE HALL. Seconded by Mrs. Cohen and the motion passed unanimously.

The Mayor asked for a motion to temporarily adjourn the Council meeting for a public hearing regarding the 2009 budget. Mr. Katz moved to approve adjournment. Seconded by Mrs. Stillpass. The motion carried unanimously.

PUBLIC MEETING: 2009 BUDGET

Mayor Kamine called the public hearing to order for the review of the 2009 Budget. The same members were present which were in attendance at the start of the council meeting.

Mayor Kamine invited those in the audience to comment on the budget. Tom Neuman, resident at 5120 Rollman Estates Drive, stated that he wanted to know what the net effect of the bond payments would be on the budget. Mr. Chaiken commented that the bond payments will retire which will show a \$600,000 reduction in the capital improvements accounts.

There being no further questions, Mr. Chaiken moved to adjourn the public budget meeting. Seconded by Mr. Katz and the motion carried unanimously.

Mayor Kamine called the council meeting back into session. Mr. Chaiken presented and moved approval of RESOLUTION NO. 2008-10, RESOLUTION APPROVING BUDGET OF ESTIMATED AVAILABLE FUNDS AND ESTIMATED REQUIRED EXPENDITURES FOR THE GENERAL AND NON-GENERAL FUNDS FOR THE CALENDAR YEAR 2009 AND AUTHORIZING THE VILLAGE MANAGER TO SUBMIT THE TENTATIVE BUDGET TO THE COUNTY AUDITOR WITH RECOMMENDATIONS FOR CONTINUATION OF THE PRESENT TAX LEVY. Seconded by Mr. Katz and the motion carried unanimously.

LAW COMMITTEE:

Mr. Katz presented an amendment to the property maintenance code. Mr. Katz read and moved to approve ORDINANCE NO. 2008-15, ORDINANCE AMENDING PROPERTY MAINTENANCE CODE, ORDINANCE NO. 2007-16, PASSED JULY 16, 2007. Seconded by Mrs. Conway 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 Mrs. Stillpass and the roll call showed the following vote:

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

Mr. Katz reported that it is necessary to update the Village code from time to time. Mr. Katz read and moved to approve RESOLUTION NO. 2008-11, RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH AMERICAL LEGAL PUBLISHING COMPANY TO REVIEW AND UPDATE THE VILLAGE CODE OF ORDINANCES. Seconded by Mrs. Conway and the motion carried unanimously.

MAYOR'S REPORT:

Mayor Kamine provided an update 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 Council held a public hearing and a special meeting on July 10, 2008 wherein the Council voted to approve the rezoning of the former Crest Hills property from Park P District to Residence A District. He stated that the Council will continue to participate in mediation to purchase the property.

Mayor Kamine reported that he issued a proclamation to Rosa Blackwell upon her retirement. He expressed his gratitude toward Ms. Blackwell for her assistance with the Pleasant Ridge Montessori School.

MANAGER'S REPORT:

Mr. Boraten reported that the majority of the Ridge Road project has been completed. He stated that reflective pavement markers will be installed soon and then the Village will establish a punch list. He reported that curb repair and installation has also commenced as a part of the

2008 road program. The Village will be collaborating with Cincinnati Water Works as it relates to work on Hudson Parkway to possibly install a new water main.

Mr. Boraten then reported that in the 2007 budget the purchase of a dump truck was approved. It is now time to replace that aging vehicle; therefore, the Village will engage in the state bid process to acquire this new truck, which will afford the Village the lowest and best cost.

NEW BUSINESS:

Mr. Chaiken reported that there have been numerous complaints regarding the no brush policy this year. He stated that the reinstatement in early June for storm damage pickup created confusion. He reported there were 177 homes with brush at the curb during the suspension. Mr. Chaiken moved to terminate the no brush pickup program for 2008. Seconded by Mrs. Cohen and the motion carried.

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

Nicole Browder, Clerk of Council

Mayor Charles Kamine