

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, NOVEMBER 10, 2008**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on MONDAY, NOVEMBER 10, 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
Leslie McIntosh
Merrie Stillpass

ALSO PRESENT:

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

ABSENT:

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 the passing of Lt. Guy Bloomfield. Lt. Bloomfield was a former officer with the Amberley Village Police Department. Mr. Boraten added that Lt. Bloomfield worked with Amberley for many years and was highly respected. Mr. Boraten commented that Lt. Bloomfield had unique skills, worked well with people and had exceptional negotiating skills. Mr. Boraten stated that Lt. Bloomfield will certainly be missed.

MINUTES

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

FINANCE REPORT

Mr. Boraten presented the Finance Report for the month of October, 2008 (Finance Report attached). Mr. Chaiken moved to approve the October Finance Report. Seconded by Mrs. Conway. The motion carried unanimously. Mr. Boraten informed the Council that the Capital Projects – Village Land line item was newly created to be the designated fund for the transactions associated with the purchase of the former Crest Hills Country Club.

RESIDENTS TO ADDRESS COUNCIL:

Mr. Stan Cohen, resident for 45 years at 2301 Royal Oak Court presented for donation to the Village staff a high-precision engineer's 18-inch dumpy level with a tri-pod. He stated that the level, which was in good condition, would be worth \$3,500 if it was purchased new today. The instrument is approximately 60 years old, however, it will provide accurate service for many years to come.

The Mayor and Mr. Boraten thanked Mr. Cohen for this very much appreciated donation. Mr. Boraten stated that there are several employees on staff that already know how to use this type of tool and it will be beneficial to have it as part of the Village's on-hand equipment.

COMMITTEE REPORTS:

BEAUTIFICATION COMMITTEE:

Mrs. Stillpass thanked Joann Gerson and 30 Rockdale volunteers who planted 175 rain garden plants on October 26, 2008. The assistance and effort was much appreciated.

Mrs. Stillpass reported that Amberley Village has been invited to be a sponsor and partner with Montgomery, Blue Ash and, possibly, Symmes Township to provide Green Landscaping Workshops. There will be five workshops pertaining to green landscaping techniques that will be free to residents of the partnering municipalities. The workshops begin in March. Information will soon be posted to the Village website.

Mrs. Stillpass announced that the next Beautification Committee (AVBC) meeting will be held on November 17th at 7:30 p.m. The committee will work on the Tree City USA and Growth Award renewal applications. The committee will also continue discussing as a group our work with Meisner and Associates regarding their recent presentation on gateways and connectivity.

Mrs. Stillpass stated that the gateway enhancements will reinforce the identity of the Village at the entrance from Ronald Reagan at Ridge Road which the AVBC considered to be a high priority. The entrance at Ridge Road has been widened, houses have been removed and a new destination has been opened at this corner. Mrs. Stillpass explained that it is the first image and maybe the only impression that people who come to Amberley may receive. The plan calls for a low wall feature with new signage and a signature tree with other low maintenance plantings. Meisner and Associates have met with the AVBC and others to work through a process and create a look and feel for Amberley. Design elements are also to be used at other gateways and crossroads. The design elements have worked their way through the Beautification Committee and will be presented at the Finance Committee later in November when the budgets are discussed.

PUBLIC BUILDINGS & PARKS:

Mrs. Stillpass reported that the Public Buildings and Parks Committee recently met and reviewed the community room rental and usage policy. She reported that the use of the community room has increased along with wear and tear on the room and pilfering of supplies. The committee reviewed other community policies and practices and found that several were charging for room usage. The committee passed a motion to establish a charge for use of the community room. Mrs. Stillpass recommended to Council to adopt a fee of \$25.00 per hour with a minimum two hour reservation and reduce the deposit to \$100. Mrs. Cohen moved to approve the recommendation be adopted. Seconded by Mrs. Conway and the motion carried unanimously.

PUBLIC OUTREACH:

Mrs. Conway reported that there have been discussions with the Amberley Village Beautification Committee regarding the Village identity and logo. She stated that the committee would like to propose that a new identity be associated with the former Crest Hills Country Club property by renaming it The Amberley Green. Mrs. Conway stated that this new name should be utilized in all Village materials.

Mayor Kamine commented that the reason for renaming the Club property was to try not to reference an old name since it is no longer a golf course, nor is it a park. This new name will be a neutral reference to the site.

Mrs. Conway then reported that she and Mrs. Stillpass recently attended a seminar sponsored by Hamilton County called the Hamilton County Climate Initiative. She stated that it was well attended with 32 of 49 municipalities present. Thane Maynard shared what the Cincinnati Zoo does to reduce energy usage which was an avenue pursued not only for energy efficiency, but as a long-term cost management program as well. Mrs. Conway reported that this was the kick-off meeting and there will be five meetings total.

Mayor Kamine announced that the new Village Code update has arrived. He informed Council to bring in their Code books to the staff for updating. The Mayor stated that it is now appropriate for Council to adopt the update prepared by American Legal Publishing. Mr. Katz read and moved to approve ORDINANCE NO. 2008-22, ORDINANCE ADOPTING AND ENACTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF AMBERLEY VILLAGE. Seconded by Mrs. Stillpass and the roll call showed the following vote:

AYE: Kamine, Chaiken, Cohen, Conway, Katz, McIntosh, Stillpass	(7)
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, McIntosh, Stillpass	(7)
NAY:	(0)
ABSENT:	(0)

HEALTH, EDUCATION & WELFARE:

Ms. McIntosh reported that the committee met on October 28, 2008, and reviewed data relating to deer vehicular collisions, accidents and strikes as well as resident complaint reports. Deer vehicular reduction techniques, such as fencing along the roadway, were also discussed. Ms. McIntosh stated that the committee would like to incorporate a long term deer reduction program at a later date. In April 2008, an infrared fly-over was conducted over French Park and that data along with other population data was reviewed by the committee. The committee recommended a culling be conducted as the data reflected overpopulation. Ms. McIntosh read and proposed RESOLUTION 2008-16, RESOLUTION ESTABLISHING SUBURBAN DEER MANAGEMENT/REDUCTION MEASURE. Seconded by Mrs. Conway and the motion carried. Mr. Katz abstained. Ms. McIntosh clarified that as in past practice, the meat will be given to the free store to feed the homeless.

Mr. Katz commented that he has wrestled with this issue extensively. He stated that last year the Council agreed to perform the culling if the count was conducted and showed overpopulation data. He stated that he was not opposed to the culling if the count produced data that supported overpopulation. Mr. Katz stated that he performed his own research and learned that deer culling was merely a short-term fix to overpopulation. He stated that he also felt that the Cincinnati Park Board should pay for the culling in French Park.

Mr. Katz stated that Ms. McIntosh provided a fair report to the committee and did a good job with presentation of the data. He then stated that there are five reasons to address the deer herd population: reducing overpopulation, protecting plants from over-browsing, accidents, ecosystem balance and control of lime disease. He stated that there is a concept called the

rebound effect. He stated that unless 75% of the herd is taken out, then births of twins and triplets can result to replenish the herd. He stated that he felt that we are the ones who have created a network of roads and development that have trapped the environment. He felt that driver education was needed as he witnesses speeders often.

Mr. Katz then addressed a resident complaint that deer cause lime disease. He stated that the Deer Tick is a misnomer and that the Black Leg Tick actually carries the disease. Black Leg Tick can be found in leaf litter, dogs, cats, and birds. He stated that he does, however, agree that Amberley needs a long-term deer management policy.

Mayor Kamine reported that there was a count performed in 2007 and there were 115 deer in Amberley Village. He stated that the acceptable population for 3.5 square miles would be 60-100; therefore, the Village is clearly overpopulated.

Mrs. Conway thanked Ms. McIntosh for the amount of work and research conducted for the committee to review. Mrs. Conway reported that since the most recent deer culling performed by the Village that accidents have declined.

EVALUATION:

Mr. Katz reported that the Evaluation Committee recently met to discuss compensation for the Chief and Village Manager. Mr. Katz read and moved to approve ORDINANCE NO. 2008-23, ORDINANCE FIXING COMPENSATION TO BE PAID TO THE VILLAGE POLICE/FIRE CHIEF. Seconded by Mrs. Conway and the roll call showed the following vote:

AYE: Kamine, Chaiken, Cohen, Conway, Katz, McIntosh, Stillpass	(7)
NAY:	(0)
ABSENT:	(0)

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

AYE: Kamine, Chaiken, Cohen, Conway, Katz, McIntosh, Stillpass	(7)
NAY:	(0)
ABSENT:	(0)

Mr. Katz read and moved to approve ORDINANCE NO. 2008-24, ORDINANCE FIXING COMPENSATION TO BE PAID TO THE VILLAGE MANAGER. Seconded by Mrs. Conway and the roll call showed the following vote:

AYE: Kamine, Chaiken, Cohen, Conway, Katz, McIntosh, Stillpass	(7)
NAY:	(0)
ABSENT:	(0)

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

AYE: Kamine, Chaiken, Cohen, Conway, Katz, McIntosh, Stillpass	(7)
NAY:	(0)
ABSENT:	(0)

STREETS, PUBLIC UTILITIES & SEWERS:

Mr. Chaiken reported that the committee met to review minutes from the quarterly meeting of the Storm Water Utility Advisory Board, which is comprised of a councilmember, a business owner, and two residents and that this Board is charged with reviewing storm water project recommendations.

The Board recommended that the Village Manager be authorized to move forward with the easement acquisition and engineering for the Aracoma Forest project, continue with the 12 smaller projects identified as part of the 2008 Roads Program, request a study and repair as needed of the Class 1 dam hazard on the NE lake on the Amberley Green, and request CDS to prepare a recommendation on potential retention ideas for the lake in the SE portion of the Amberley Green.

The Committee agreed with the Board's recommendations and would like Council to approve same. Mr. Chaiken moved to approve the Committee's recommendations. Seconded by Mrs. Cohen and the motion carried unanimously.

MAYOR'S REPORT:

Mayor Kamine announced that each year since the Village no longer hosts an employee holiday party, that the employees are provided gift cards in lieu of the holiday party. He proposed council authorize an amount not to exceed \$6,000 for holiday gift cards to be issued to the employees. The motion was made by Mr. Chaiken and seconded by Ms. McIntosh. The motion carried unanimously.

Mayor Kamine referenced the donations that Village residents used to make toward the Deer Park life squad services. He stated that the donation program was a successful one and then Deer Park preferred to be paid by contract and the Village obliged. Resident donations were no longer made toward this service thereafter.

The Village has wish list items that are unable to be budgeted and donations would certainly assist with the ability to purchase certain items. Mayor Kamine stated that in June several donation accounts were established separately for departments such as the police department, fire department, maintenance, and the Beautification Committee. These accounts can receive donations that are specifically earmarked for the department in which it is donated. Mayor Kamine encouraged residents to make donations and receive the tax deduction.

Mayor Kamine stated that donations have also been discussed regarding The Amberley Green. He stated that for the purposes of enhancing the property he proposed a line item account to receive donations. It would be a #100 Fund named H838 Amberley Village Green Enhancement. Moved by Mr. Chaiken and seconded by Mr. Katz. The motion carried unanimously.

MANAGER'S REPORT:

Mr. Boraten reported that the Village has nearly completed the final number calculations of the storm cleanup. He stated that the total estimated cost would be \$125,000. He stated that Steve Rasfeld and Wes Brown have met with the Federal Emergency Management Association (FEMA) and the process of approval of expenses for reimbursement from FEMA has been very extensive and specific.

Mr. Boraten reported that a total of 2, 624 cubic yards of material was collected during the storm event, of which 2,054 was collected by Amberley crews. For comparison, Mr. Boraten reported that the annual average of brush pickup over the last five years was 2,200 per year. He reported that the Village has been working with FEMA regarding reimbursement and it is possible to receive up to 75% reimbursement. He stated that he learned the state could have covered the other 25%, however, chose not to do so. Mr. Chaiken asked when the Village would find out if reimbursement funding would be granted. Mr. Boraten reported that this is a slow and long process. Mr. Boraten also reported that the tub grinders that Hamilton County intended to share with municipalities to grind up all of the larger brush and logs are out to bid currently.

Mr. Katz asked if the Village had acquired a salt contract for the season. Mr. Boraten reported that the Village has entered into a contract with Evans Landscaping to provide 300 tons in addition to the 400 tons already in the salt bin. Mr. Boraten reported that 25 counties in Ohio are currently without salt contracts.

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

Nicole Browder, Clerk of Council

Mayor Charles Kamine