

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, FEBRUARY 9, 2009**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on MONDAY, FEBRUARY 9, 2009 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.

MINUTES

Mayor Kamine presented the minutes of the January 12, 2009, regular meeting. Mrs. Stillpass pointed out a correction on page three, in the fifth paragraph, which read: "...a high priority as well **an** open space, landscape..." The word "an" should be replaced with the word "as" to make the sentence grammatically correct. Mayor Kamine asked if there were any other corrections or revisions. Mrs. Cohen moved acceptance of the January minutes as revised. Seconded by Mrs. Stillpass. The motion carried unanimously.

FINANCE REPORT

Mr. Boraten presented the Finance Report for the month of January, 2009 (Finance Report attached).

Mr. Katz asked how the Village finances are running as compared to last year and also inquired as to the projected real estate revenue. Mr. Boraten reported that based on information from the Hamilton County Auditor, the Village should expect \$1.2 million with an additional \$156,000 related to the rollback. General discussion was held and it was also determined that the Village could expect a decrease of one percent in real estate taxes.

Mr. Kay asked if the personal property tax shown was still arriving as such because he thought that the personal property tax was being phased out. Mr. Boraten confirmed that the transitioning of the personal property tax is ongoing and will eventually show as the Commercial Activity Tax (CAT).

Mr. Katz then asked if Mr. Boraten had any projections with regard to layoff plans for business within the Village. Mr. Boraten reported that there has been a gain with the new Jewish Community Center and its related subcontractors. He also stated that no other employers in the

Village have reported decreases at this time. There was general discussion regarding the employer filings and quarterly withholding reports of the businesses with the Village, which could provide information regarding any decreases in employees.

Mr. Chaiken moved to approve the January Finance Report. Seconded by Mrs. Cohen. The motion carried unanimously.

COMMITTEE REPORTS:

LONG RANGE PLANNING:

Mrs. Stillpass reported that at the January Council meeting, Frank Davis presented to Council for consideration the Vision Plan for 2018 as developed by the Long Range Planning Committee. She reported that the Committee met on January 27th to discuss the plan. Revisions were made to the plan and a motion was passed at the committee meeting to recommend Council adopt the revised plan. Mrs. Stillpass moved to approve Council's adoption of the document entitled, "Vision Pillars for Amberley Village – 2018". Seconded by Mrs. Conway and the motion carried unanimously.

Mayor Kamine pointed out that the pages attached to the Vision Pillars page were internal assignment pages that were not a part of the motion passed. He then thanked Mrs. Stillpass and her committee for all of their hard work.

Mr. Katz reiterated that it was his understanding that in addition to the Vision Pillars page, the document entitled, "Goals-Objectives-Strategies" was also being passed. The internal committee assignments, which were listed separately on additional pages in the council packet, would be determined by Council at a future date.

BEAUTIFICATION COMMITTEE:

Mrs. Stillpass reported that Regina Radin has submitted her resignation as a board member of the Beautification Committee. Mrs. Radin was one of the founding members of the Committee. Mrs. Stillpass stated that her resignation has been accepted and thanked Mrs. Radin for her service.

Mrs. Stillpass then announced that Scott Heizman would like to join the Beautification Committee Board and is recommended for the vacancy. Mrs. Conway moved to approve the recommendation of Scott Heizman as the replacement board member on the Beautification Committee. Seconded by Ms. McIntosh and the motion carried unanimously.

Mrs. Stillpass announced that Arbor Day will be held on May 3rd this year and Sgt. Rock will be returning to perform DJ entertainment. She stated that there will be a recycling program and we will again work with French Park. She also announced that the Green Landscape Workshops, which will be free to Village residents, will begin on March 5th. The workshops will provide green gardening techniques. More information can be found in the upcoming newsletter and on the Village website.

Mrs. Stillpass announced that the next Beautification Committee meeting will be held on February 23rd. The Committee will discuss plans for Arbor Day and Sharon Floro will present plans for the slab garden in front of Village Hall.

Mr. Katz then expressed his concern for the budget regarding Arbor Day. He asked if there was a charge for Sgt. Rock's DJ services. Mrs. Stillpass reported that Sgt. Rock has volunteered his services to the Village for several years and continues to do so. Sgt. Rock is a resident from Reading who likes being involved with French Park, so he has donated his services each year. Mr. Katz stated that Sgt. Rock should certainly be commended for donating his time and services, which should serve as an example to others.

PUBLIC BUILDINGS AND GROUNDS COMMITTEE:

Mrs. Stillpass reported that the Committee met on January 15th and discussed the recent policy change regarding a new community room rental fee which was passed in November 2008. She stated that the Committee recommended and passed a motion to authorize the Village Manager to utilize his discretion as to whether the rate should be charged to nonprofit applicants, based on a certain list of criteria, which would exclude non-profit organizations from paying the rental fee. Mrs. Stillpass moved to approve this revision to the community room policy. Seconded by Mrs. Cohen and the motion carried unanimously.

Mrs. Stillpass reported that the Committee also discussed energy usage at Village Hall. She reported that Lt. Wallace conducted a window film test to reduce the ultraviolet light entering the windows on the building. Should the window film be applied to all windows, a portion of the expense would be offset by an incentive program from Duke Energy that will reimbursement the Village for one-third of the expense.

STREETS, PUBLIC UTILITIES & SEWERS COMMITTEE:

Mr. Chaiken reported that the Committee met and discussed the 2009 stormwater utility projects and it was determined that there were 12-14 stand-alone projects that could be bundled to receive a more competitive bid. The Committee recommended that the Village Manager proceed with engineering of those projects.

Mr. Chaiken reported that the Committee discussed the 2009 Road Program and recommended that the dollars this year will be best spent completing a large-scale curbing program. There will be approximately 7,000 feet of curb replaced and/or repaired, which has not been done in ten years. Mr. Chaiken stated that the Committee recommended that the Village Manager proceed with engineering so that we can bid in the next month or two.

Mr. Chaiken reported that a previous ordinance passed regarding the right-of-way standards was discussed by the Committee. He stated that the Committee requested that the Village staff continue to adhere to standards in the right-of-way ordinance that encourages sign consolidation onto utility poles, which will remove metal posts and enhance the visual appearance of the roadways.

Mr. Chaiken also reported that speeding was another point of discussion at the committee meeting. He stated that a number of emails from residents have been received regarding

speeding on the off-main streets which has become a problem. He stated that with spring approaching and residents heading outside to walk with their families, there is a growing concern that accidents may occur due to speeding vehicles. Options like speed bumps, speed humps, signs, and rumble strips were discussed. The Committee requested that the Village engineer consider these options and make a recommendation to the Committee. Upon receiving that recommendation, the Committee will then present options to the residents in these problem areas. Mr. Chaiken asked that everyone make an effort to slow down and adhere to the speed limit.

HEALTH, EDUCATION & WELFARE COMMITTEE:

Ms. McIntosh reported that the Committee had not met since the last meeting; however, a meeting is scheduled for February 20th at 1 p.m. She stated the next agenda will include discussion regarding waste removal. There will be videos regarding alternative waste removal programs and ways to connect with residents with city, county and state assistance programs regarding health related issues.

Mr. Katz then requested a report on the deer culling. Chief Monahan reported that 61 deer have been culled and there will be one additional culling scheduled. To date, the expenses have totaled \$5,052.99 which had been previously turned in to the Mayor.

There was discussion among the Council regarding the number of deer allowed on the permit and the number of deer that the Council thought was authorized. Mr. Katz pointed out that he felt that the \$10,000 authorization equated to 50 deer culled. Mr. Katz expressed his desire to cease the culling at this time, as he felt 61 deer was more than enough to thin the herd. After additional discussion regarding the number of deer to be culled and the expenses associated, Mayor Kamine recommended that Council take a vote to cease culling and not to perform the final cull. A “yes” vote would stop the culling and a “no” vote would not stop the culling. Mr. Katz moved to stop the deer culling. Seconded by Mrs. Cohen and the results of that vote showed the following:

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

LAW COMMITTEE:

Mr. Katz reported that the Committee met and discussed recommended amendments made by Solicitor Steve Cohen and Tax Administrator Kathleen Harcourt. He stated that this ordinance will be read three times before it is passed. Mr. Katz proceeded with the first reading of the ordinance amending sections of the tax code. Mr. Katz stated that Judy Barron and Kathleen Harcourt made positive suggestions in regards to the amendments. This ordinance will be read again at the March Council meeting. The proposed ordinance will be on the Village website for review and questions or comments should be directed to the Law Committee.

MAYOR'S REPORT:

Mayor Kamine reported that the new Pleasant Ridge Montessori School will hold an open house on February 12th from 6-8 p.m. He encouraged all of the Council Members to attend and view the LEED (Leadership in Energy and Environmental Design) certified building. The green school building design was recently featured as the cover story in the American Federation of Teachers Magazine. The PRM School was the first school in Ohio to be built LEED certified.

MANAGER'S REPORT:

Mr. Boraten reported that FEMA has required a letter be sent by the Village from the Mayor which will authorize the Village Manager to receive the reimbursement funds on behalf of the Village. Mr. Chaiken asked where the reimbursement funds will show on the financial report. Mr. Boraten reported that the 2008 expenses related to the storm will be noted for reimbursement in 2009. Mr. Boraten reported that there has been an adjustment in the reimbursement amount to the Village which FEMA previously reported on their media release. The media release showed \$114,000 and now paperwork from FEMA has reflected \$106,000. Mr. Boraten reported that he will update Council once the funds are received.

Mrs. McIntosh then asked about the remains of several trees that have been taken down in the Village by a certain contractor. She asked if the remaining wood was to be picked up by the Village or if it was the contractor's responsibility. Mr. Boraten stated that if the trees are in the right-of-way, the Village is working with contractors to remove all wood associated with those trees. Removal of other trees not located in the right-of-way would be by private contractors hired by residents.

Mrs. Cohen then asked about the trees that are down on the French Park property. Mr. Boraten reported that the park typically allows any fallen tree to remain on the ground as it provides for natural habitat for other animals and eventually decays into the ground, which is considered a natural lifecycle event.

Mrs. Stillpass commented that once spring is here and the foliage develops, a lot of downed trees on properties will not be visible from the street. She also stated that there were downed trees in or near the right-of-way and the Village worked with French Park to remove approximately 30 trees last year.

Mr. Boraten stated that over the years, the Village has not tried to enforce downed trees in woodland areas. However, if Council would like to proceed with enforcement, he can be directed to do so.

Mrs. Stillpass and Mr. Katz expressed that they felt it was only necessary to address trees visible from the street after the trees and bushes leaf out. Mr. Katz stated that all residents and property owners should have to adhere to the property maintenance code, including the Park Board.

Mrs. Conway stated that it may be necessary to hold another meeting with the park to determine which downed trees need to be considered for removal. Mayor Kamine asked Mr. Boraten to contact the Park Board and follow-up on this item. Mr. Katz stated that he felt committee work needed to be completed on this item. The Mayor assigned this matter to the Beautification Committee for review and recommendation on how to proceed.

NEW BUSINESS:

Mr. Chaiken reported that he anticipated a complete review of the finances for 2008 by the end of the month. A report will be made as to the results of the 2008 fiscal year.

Mr. Katz stated that he understood that the Police/Fire Department currently has one vacancy. He stated that after conversations with the Chief, Village Manager and the Mayor, he requested that no additional officers be hired without Council approval.

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