

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, JULY 13, 2009**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on MONDAY, JULY 13, 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
Steve Cohen, Village Solicitor
Jack Monahan, Police/Fire Chief
Rick Kay, Village Treasurer
Margie Crowley, Financial Administrator
Nicole Browder, Clerk of Council
Steve Rasfeld, Public Works Supervisor

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 June 8, 2009, regular meeting. Mrs. Stillpass moved acceptance of the minutes as submitted. Seconded by Mrs. Cohen. The motion carried unanimously.

Mayor Kamine presented the minutes of the June 24, 2009, special meeting. Mrs. Cohen moved acceptance of the minutes as submitted. Seconded by Ms. McIntosh. The motion carried unanimously.

FINANCE REPORT

Mr. Boraten presented the Finance Report for the month of June, 2009. Mr. Katz moved acceptance of the June Finance Report (copy attached). Seconded by Mrs. Cohen and the motion carried unanimously.

Mayor Kamine announced that each July a public hearing is required regarding the proposed budget for the coming year. The public hearing has been set for 8 p.m. this evening. The Council meeting will be suspended should business not be concluded at that time.

RESIDENTS TO ADDRESS COUNCIL:

Mayor Kamine noted that Dian Levine had requested to be on the agenda, but was not present in the audience. The Mayor then announced that resident Scott Wolf, as Chair of the Citizen Advisory Committee, was present to provide Council with an update regarding the progress of the work of the committee.

Scott Wolf reported that the committee has met regularly since its formation. There are fifteen members, all of whom are residents. There are three subcommittees: Golf – Chaired by Rick

Lauer, Park – Chaired by Dianna Thiel, and Development – Chaired by J.K. Byar. Mr. Wolf explained that a project of this scope does take some time to organize, which has been the phase of recent meetings. He stated that a letter of engagement has been developed by the Golf Subcommittee and will be sent out to prospective partners as well as posted on the website. Mr. Wolf commented that this is a very exciting opportunity in the Village and the committee supports the idea of the property being open to the public.

COMMITTEE REPORTS:

BEAUTIFICATION:

Mrs. Stillpass congratulated the nine nominees of the garden awards this year: Stuart Holman, Stephen Cushard, Dave & Dianna Tibbetts, Judy Young, Jacob & Ella Moskovich, Chris Bierman & Keith Luckett, Ginny Wright, Terry & Paul Hogan, and Jean & John Wood.

The re-leaf program that is coordinated each year may or may not be available again this year. The details are currently being worked out. Additionally, there has been discussion of the possibility of forming a nursery program to provide residents a discount.

The next Beautification Committee meeting will be held on June 27th at 7:30 p.m. in the community room at Village Hall.

FINANCE

Mr. Chaiken reported that the committee met to discuss the budget. There was a need to appropriate funds for the acquisition of a student intern. Mr. Chaiken read and moved to approve ORDINANCE NO. 2009-13, ORDINANCE APPROPRIATING FUNDS FOR THE FISCAL YEAR 2009. 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. 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, McIntosh, Stillpass	(7)
NAY:	(0)
ABSENT:	(0)

Mr. Chaiken then stated that prior to the public hearing on the 2010 budget, he would like to report that the committee went through the budget, line by line, and examined all items including staffing levels and services to the community, and concluded that the Village is at a minimum across the board. To continue to maintain the level of services provided, it is imperative to understand that the Council and Village staff are dedicated to watching expenses and will continue to do so.

STREETS, PUBLIC UTILITIES & SEWERS:

Mr. Chaiken reported that the 2009 Road Program and Aracoma Forest Drive storm sewer projects have been bid. The committee reviewed the results and has the following resolutions to present for recommendation.

Mr. Chaiken read and moved to approve RESOLUTION NO. 2009-06, RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO AWARD A CONTRACT TO SUNESIS CONSTRUCTION FOR A STORM SEWER REPLACEMENT PROJECT ON ARACOMA FOREST DRIVE. Seconded by Mrs. Cohen and the motion carried unanimously.

Mr. Chaiken commented that the storm sewer project was originally budgeted in excess of \$340,000, and the bid from Sunesis was at \$198,276, which was far less than expected, thereby resulting in a very successful bid process. Additional discussion was held among council regarding the future plans for storm water projects as it pertains to the amount of funds collected for stormwater.

Mr. Chaiken read and moved to approve RESOLUTION NO. 2009-07, RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO AWARD PRUS CONSTRUCTION COMPANY THE 2009 ROAD RESURFACING AND REPAIR PROGRAM. Seconded by Mrs. Conway and the motion carried unanimously.

In order to be timely with the start of the public hearing regarding the budget, Mr. Katz moved to temporarily adjourn the council meeting. Seconded by Mrs. Conway. The motion carried unanimously.

PUBLIC MEETING: 2010 BUDGET

Mayor Kamine called the public hearing to order for the review of the 2010 Budget. The same members were present who were in attendance at the start of the council meeting.

Mr. Chaiken reported that each July the Council goes through a process of reviewing a proposed budget for the following year. Historical data is reviewed with regard to revenue and expenses. The state auditor requires that the Village prepare and submit the proposed budget each July.

Mr. Chaiken stated that the proposed budget for 2010 is a very conservative budget. He stated that the proposed budget does project a deficit, but the Village has been predicting a deficit for the last decade since the Village lost a large earnings tax employer. He stated that the Village has been able to retain the reserve levels over that ten year period without any request to the community to help fund the increases.

Mr. Chaiken reiterated that this is a very lean budget. The Village has multiple departments within its operations that are a department of one person and departments that are staffed at levels lower than what they were five to ten years ago. The Village has combined police and fire services that were considered for outsourcing. It was found that the cost would be twice the current expense for outsourcing such services. He stated that this budget fairly reflects where the Village is at today.

Mayor Kamine stated that copies of budget were available to the audience at the clerk's station. He then invited anyone in the audience to speak regarding the 2010 proposed budget.

Mr. Tom Neuman, resident at 5120 Rollman Estates Drive, stated that he believed the proposed budget to be a realistic budget. He stated that he did have some concerns. He commented that there needs to be an educational process for the community to understand where we are, why we are there and how we got there.

Mr. Neuman then stated that he also has a lot of confidence in the future, but he believed that the Village needs to address more than what we have. He stated that he has spoken to Mr. Chaiken regarding the North Site property. He stated that he understands the limitation with the Gibson property due to the existing lease. He stated that he has been a party to the process of how we are operating here. His real concern is that he is not sure that the Village is addressing the items that need to be addressed in a more aggressive nature.

Mr. Neuman stated that he believed that everyone has had pet projects that should be pulled back on. He has not gone through the budget line by line so he cannot speak to individual line items. He stated that he does know that what he gets a sense of is that it is okay and that the Village is going to be okay in the future, however, he really questions that outcome. He stated that in four years the Village has gone from a balance of \$8,503,000 to a projected \$3,110,000 for 2010. He understands that it is not a reality because if you look at the overall history, the Village does tend to receive inheritance taxes. He stated that his concern is the Village cannot rely on the inheritance tax.

Mr. Neuman stated that he has heard some talk about the possibility of fees going out to the residents to try to cover some shortfalls with either the increase of certain fees or charging for different services. He stated that one of the things that he loves about Amberley is that services is who we are and what we are and he does not want to go to a point where we wind up nickel and diming each other for the sake of the budget.

Mr. Neuman stated that if the Village is going to do it, then the Village should explain the issue. If it is something that is going to hurt and we have to bite the bullet, then let's go ahead and do it. But let us make sure that we understand what we are doing and how we are addressing it. He stated that his concern is that the Village might not address anything until it is at a point of emergency and he does not want to see more emergency measures. He stated that he has come to know a lot of the council members and understands that they are trying to do what is best for the Village, however, he is not sure that the approach is the best approach. He then thanked council for the time to speak.

Mayor Kamine stated that from a philosophical standpoint, Council has taken the position that Amberley residents want and expect a high level of services, and should it come to that, the residents would be willing to pay for those services through additional taxes if that were necessary. The Council has tried to shy away from the kind of financial approach that other communities have used as a way of balancing the budget. The Council, instead, believes that the Villagers want and expect a high level of service. The Village has been able to provide those

services for many years because of the reserve fund and the Council also takes the posture that as long as the Village has a significant reserve fund, it would be premature and inappropriate to ask the residents to increase their taxes. We have avoided that and hope to continue to avoid that, but Council is realistic and understands that if the day comes that the reserve fund falls below a certain point, that may be the option. There are complicated problems there too because the Village tax funds come from three different sources, which effects different residents in different ways, so consideration of how Council could bundle that the most fairly would be important.

Mayor Kamine confirmed that there are a lot of issues out there which are discussed on an ongoing basis. Fortunately, our situation right now is such that to meet all of the high level of services that our residents have come to expect without the need to discuss a tax increase and without the need to significantly cut any services and that is what we hope to be able to do for the near term.

Mr. Katz stated that he appreciated Mr. Neuman's comments, particularly the acknowledgment of the fact that Council is very, very concerned about doing the very best job we can for the Village. There are a number of opportunities that are out there and we are hoping that our ship does come in on one of them or more, which could solve our problem. So to do anything remedial at this point in time, would be premature.

Mr. Katz stated that Mr. Chaiken spent untold hours going over and meeting about the budget. Council is very concerned about it and it is a reality that is striking every community in the entire country and probably in the world at this point in time because of the economy. We are watching our revenues go down because of home values going down. We are watching income tax dropping because of people losing their jobs. We are looking at maybe some foreclosures in the Village, so it is a very trying, difficult time. The Village needs to take a long-range approach. The Council has their eye on 2010 and beyond, but the Council is doing everything within its power now to maintain the level of service, to maintain the level of morale in the Village, and to be the very best Village and community in all of Hamilton County and the Council is doing a very good job. Mr. Katz then thanked Mr. Neuman for his comments.

Mayor Kamine asked the audience if there were any additional comments regarding the proposed 2010 budget before the hearing is closed. There being no further comments, Mayor Kamine adjourned the public meeting on the 2010 Budget and resumed the regular council meeting with roll call showing the same members present from the start of the council meeting.

Mayor Kamine then stated that having had the required public hearing regarding the 2010 budget he invited Mr. Chaiken to present the resolution regarding the budget. Mr. Chaiken read and moved to approve RESOLUTION NO: 2009-08, RESOLUTION APPROVING BUDGET OF ESTIMATED AVAILABLE FUNDS AND ESTIMATED REQUIRED EXPENDITURES FOR THE GENERAL AND NON-GENERAL FUNDS FOR THE CALENDAR YEAR 2010 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 Mrs. Cohen and the motion carried unanimously.

Mr. Katz then pointed out that it is important, as Mr. Chaiken read from the resolution in Section 2, to emphasize that the seven mil tax remains the same and we are not increasing taxes. Mayor Kamine then took a moment to explain that the millage that the residents pay is around 85 mills and only seven mills relates to the Village. All of the rest of the millage is for schools, Hamilton County operations, and all of the special funds for the zoo, Drake hospital, etc. The seven mills, which is about ten percent of your total tax bill, comes back to the Village. Seven mills represents the maximum that Council can impose without further input by the residents, as required by the Charter.

Mr. Boraten then pointed out that the Village Finance Administrator, Margie Crowley, was present and that he wanted to say that every year the budget is a huge process, but this year it has been doubly huge. As Mr. Chaiken pointed out, we went through many exercises of exploring alternatives compared to current spending and Margie was responsible for putting all of the homework together. This budget process started in late April and continues until July and he just wanted to say that it has been a particularly demanding year and he appreciated all of work done by the Finance Administrator.

EVALUATION COMMITTEE:

Mr. Katz reported that the health insurance for the employees will expire on August 1, 2009. Mr. Boraten and Mr. Rinderle from USI Midwest worked long and hard together to find the best program for the Village. Rising costs were a major issue. Mr. Rinderle proposed a number of options for the Village which could have resulted in a 20-30% increase in rates. As a member of the Center for Local Government cooperative, an effort was made to start a self-insurance pool. The total for the insurance under this option is \$389,832.12, which is down from last year's cost of \$403,881. The Village was able to maintain the existing coverage for its employees.

Mr. Katz read RESOLUTION NO. 2009-09, 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.

PLANNING COMMISSION:

Mr. Chaiken reported that the Planning Commission reviewed, at its July meeting, the ordinance proposed by Council to amend the Village Code to include Village owned land and Residence B in its definition for conditional use. Mr. Chaiken reported that the Commission accepted the ordinance and returns it to Council as presented.

Mayor Kamine reported that with the Planning Commission report being in support of the ordinance to modify the conditional use definition, the Mayor conducted the second reading and then stated that a public hearing for comment would be the next step in this process. Mrs. Cohen moved to approve that the public hearing be held on Tuesday, July 28, 2009 at 4 p.m. Seconded by Ms. McIntosh and the motion carried unanimously. Mayor Kamine then stated that Council must designate the way in which the residents will be notified of the public hearing. Mrs. Cohen

moved to post the public hearing meeting notice on the five posting boards in the Village and on the Village website. Seconded by Mrs. Conway and the motion carried unanimously.

PUBLIC OUTREACH COMMITTEE:

Mrs. Conway reminded everyone that the Ice Cream Social is scheduled to be held on Sunday, August 23, 2009. There will be public safety demonstrations, musical and dance entertainment. The Village newsletter will be delivered the first week in August.

MANAGER'S REPORT:

Mr. Boraten provided an update regarding the effort to clean-up the Amberley Green property. He stated that the clean-up is largely completed. Major tree work was necessary. The parking lot has been weeded. An additional security camera has been ordered. The Village staff will continue to clean-up and maintain the property.

CHIEF'S REPORT:

Chief Monahan reported that the Public Safety Department will conduct a concealed carry class on Friday, August 28 and Saturday, August 29. Further details will be in the newsletter and posted to the website as well. The class is four hours on Friday and eight hours on Saturday. Residents must bring their own weapons, which should be 40 calibers or less.

Chief Monahan also announced that the Public Safety Department will install solar panels on the police cruisers as a cost effective and energy efficiency measure.

There being no further business, Mr. Chaiken moved to adjourn the council meeting. Seconded by Mrs. Conway and the motion carried unanimously.

Nicole Browder, Clerk of Council

Mayor Charles Kamine