

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, SEPTEMBER 14, 2009**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on MONDAY, SEPTEMBER 14, 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
Nicole Browder, Clerk of Council
Margie Crowley, Finance Administrator

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 August 10, 2009, regular meeting. Mrs. Cohen moved acceptance of the minutes as amended, to correct the spelling of 'Susan' to 'Suzanna' on page one. Seconded by Mrs. Stillpass. The motion carried unanimously.

FINANCE REPORT

Mr. Boraten presented the Finance Report for the month of August, 2009. Mr. Chaiken moved acceptance of the August Finance Report (copy attached), as amended to correct the net unencumbered balance, adjusting the pre-2009 encumbered funds. Seconded by Mrs. Cohen and the motion carried unanimously.

COMMITTEE REPORTS:

PUBLIC OUTREACH COMMITTEE

Mrs. Conway reported that the deadline for the content for the next Village newsletter would be October 3rd. She also reported that the recent fundraiser by Pleasant Ridge Montessori School was a success and \$1,500 was raised for additional supplies for the teachers. She announced, as a reminder, that the Pleasant Ridge Montessori will host a spaghetti dinner on September 25th to raise additional funds for the school.

Mrs. Conway reported that there was a large turnout for the 2009 Ice Cream Social event hosted by the Village. Photos of the event are posted to the Village website. There were police safety, SWAT, and rescue boat displays as a part of the event. She expressed her deep appreciation to all of the officers and employees that assisted with the event. This year's event marked the seventh annual event and a part of the event's continued success should be attributed to the dedicated efforts of the Moran family. Mayor Kamine read and presented a proclamation to

Nancy Moran for her volunteer work and dedication to help coordinate the Village's Ice Cream Social for the past several years.

CITIZEN ADVISORY COMMITTEE

Mr. Scott Wolf, Chair of the Amberley Village Citizen Advisory Committee, provided a progress report regarding the committee's efforts since its formation earlier this year. He reported that the property has been opened as a park. There is one partner, Mount Notre Dame High School, with which the Village has contracted to rehabilitate five tennis courts on the property. Mr. Wolf pointed out that the Village Manager, Bernie Boraten, did an excellent job in assisting and working with Mount Notre Dame to finalize the contract.

Mr. Wolf reported that a letter which requests proposals for development of the property has been posted to the Village website, Facebook and distributed to prospective golf course management developers. He asked that Council consider extending the work of the committee until the end of the year. He stated that he felt the committee has been functional and should continue its work for an additional six months.

Mr. Katz moved to approve a six-month extension for the Citizen Advisory Committee to meet its goals as outlined in Resolution 2009-02. Seconded by Mrs. Conway and the motion carried unanimously.

Mayor Kamine reminded everyone that the park is open from dawn until dusk and that an Amberley Village Vehicle Identification Sticker is required to be on cars parked in the parking lot of the park. He stated that the tennis courts that are being rehabilitated by Mount Notre Dame High School will become the school's home courts for practices and matches.

LAW COMMITTEE

Mr. Katz read an ordinance which would implement additional regulations pertaining to the Village tennis courts and park property. Such rules and regulations include that a vehicle identification sticker would be required to park at the Amberley Green park property and use of the tennis courts, currently restricted to residents, would be extended to non-residents as authorized by Village Council. Mr. Katz moved to approve ORDINANCE NO 2009-15, ORDINANCE AMENDING SECTIONS OF THE AMBERLEY VILLAGE CODE OF ORDINANCES. 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 this ordinance 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)

EVALUATION COMMITTEE

Mr. Katz read and moved to approve ORDINANCE NO. 2009-17, 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 this ordinance 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. 2009-18, 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 this ordinance 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)

FINANCE COMMITTEE

Mr. Chaiken reported that last year the Village settled a lawsuit regarding the property now known as the Amberley Green. As a result, the Village entered into a one-year note to fund the settlement. Since there has not been a long-term decision made regarding the property's future, an ordinance was presented that rolls over the bond for an additional year.

Mr. Chaiken read and moved to approve ORDINANCE NO. 2009-16, AN ORDINANCE PROVIDING FOR THE ISSUANCE OF, NOT TO EXCEED, \$6,220,000 OF RENEWAL NOTES, BY THE VILLAGE OF AMBERLEY, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A FINAL JUDGMENT. 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. Katz moved to approve this ordinance 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 AND SEWERS COMMITTEE

Mr. Chaiken reported that the committee met and received an update regarding the stimulus funding for the Galbraith Road project, now being referred to as the American Recovery and Reinvestment Act (ARRA) funding. He invited the Village Engineer, John Eisemann to provide a report to council on the progress of this project.

Mr. Eisenmann, with CDS Associates, Inc., reported that the Village was successfully awarded ARRA funding, which was awarded through the Ohio Kentucky Indiana Regional Council of Governments (OKI). The Ohio Department of Transportation will dispense \$1 million for the Galbraith Road project. Any dollars above that figure will be paid by the Village.

He also report that there are a number of ongoing projects on Galbraith Road, such as the gas improvements and a new water main line installation, which should be completed by this fall. The water main will be a 12-inch pipe.

Additionally, there will be needed modifications to the traffic signal at the intersection of Ridge and Galbraith, which needs council authorization. The signals will include pedestrian movements and changes will be made to the signal controller so that it will run more efficiently.

Mr. Eisenmann stated that he has projected \$1 million, but bids have been coming in much lower. He confirmed that the Village would have to pay any excess over \$1 million. Mr. Katz questioned Mr. Eisenmann on the need for repaving Galbraith Road and the timing of the bidding March when rates are favorable now. Mr. Eisenmann stated that Galbraith is desperately in need of repair and that the State will bid it and they have set the bid date for March. We have no input as to when they bid it. Mr. Kamine said that we had an expert in attendance and asked Carl Fritschi, a resident and a road contractor, to give us an opinion. Mr. Fritschi stated that labor costs are fixed and that he felt certain that the cost of materials will not go up and that March would be a very good time to bid the project.

The Galbraith Road project's current schedule would place the contract out for bid in March 2010 and the job may begin by April-May 2010.

Mr. Chaiken moved to approve the preparation work as described by the Village Engineer on the traffic signal at the intersection of Ridge and Galbraith Roads which has been estimated not to exceed \$25,000 and which was previously approved as part of the overall project. Seconded by Mrs. Cohen and the motion carried unanimously.

Mr. Chaiken moved to approve RESOLUTION NO. 2009-10, A RESOLUTION ADOPTING PRELIMINARY LEGISLATION IN CONNECTION WITH OBTAINING FINANCING FROM THE OHIO DEPARTMENT OF TRANSPORTATION FOR GALBRAITH ROAD PROJECT. Seconded by Mrs. Conway and the motion carried unanimously.

HEALTH, EDUCATION AND WELFARE COMMITTEE

Ms. McIntosh reported that the committee has completed its review of the waste removal bids and will have a resolution for council at next month's meeting.

BEAUTIFICATION COMMITTEE

Mrs. Stillpass recapped the Amberley Village Beautification Award winners: Jacob & Ella Moskovich for Best Overall Established Landscape by Professional and Owner; Ginny Wright for Best Genre/Overall Theme by Owner; Judy Young for Best Green Curb Appeal by Professional and Owner; Stephen Cushard for Best Backyard Haven by Professional; Chris Bierman and Keith Luckett for Best Overall New Landscape by Owner; Terry and Paul Hogan for Best Backyard Haven by Owner; Jean and John Wood for an Honorable Mention in the Backyard Haven by Owner category; and Dave and Dianna Tibbetts for an Honorable Mention in the Backyard Haven by Owner category. Mrs. Stillpass thanked all of the homeowners for participating in the contest.

Mrs. Stillpass next reported that the Village has provided an opportunity for residents to participate in a ReLeaf Program that allows residents to purchase trees from TLC Landscape and the City of Cincinnati for a discounted price. The ordering information is available on the website.

Mrs. Stillpass provided an update regarding the Front Island Landscape project, which has also been known as the meter pit and the slab garden. She stated that the plans for this project were drawn up in 2006 and council approved \$20,000 toward this project in the 2008 budget, however, it did not carry over into the next budget year. Sharon Floro prepared the plans for bid. The project was bid in June with five alternate plans. Nine bids were received ranging from \$20,000 to \$53,000 for the minimal plan.

The Beautification Committee board met and discussed the bid results. Cost and timing were the major concerns of the committee. The committee was not comfortable moving forward on the bids and moved to reject all bids. The committee recommended to incrementally implement the plans.

Mrs. Stillpass announced that the City of Montgomery will host a "Green Home Energy" seminar on October 15th from 6:30 p.m. to 8:30 p.m. at 10101 Montgomery Road for those who may be interested.

Mrs. Stillpass announced that the next Beautification Committee meeting will be held on Monday, September 21 at 7:30 p.m. in the community room at Village Hall. Also, Albert Tomasi has volunteered to be sent to the Tree Commission Academy, a unique educational

opportunity designed to give the citizens who are responsible for planning and managing community trees the skills and knowledge they need to be successful. The program is available through the Ohio Department of Natural Resources. After completion of this program, Mr. Tomasi will be able to train other residents on how to properly care for their trees. Mrs. Stillpass explained that the program will take several years to complete as it is building coursework.

PUBLIC BUILDINGS AND PARKS

Mrs. Stillpass reported that the committee discussed and reviewed the bids for the Front Island Landscape project. The committee supported the intent of the project, however, recommended to reject the bids. Mrs. Stillpass moved to reject all bids received for the Front Island Landscape project. Seconded by Mrs. Conway and the motion carried unanimously.

MANAGER'S REPORT

Mr. Boraten provided updates regarding the Village's road projects. He reported that the curb work, which is a part of the 2009 Road Program, will be underway soon by Prus Construction. Work will start this week on the stormsewer project on Aracoma Forest Drive.

MAYOR'S REPORT

Mayor Kamine informed council that the October council meeting falls on the Columbus Day holiday, therefore, a date must be selected to reschedule the meeting. Mrs. Cohen moved to approve Tuesday, October 13, 2009, as the October meeting date due to the Columbus Day holiday. Seconded by Mrs. Stillpass and the motion carried unanimously.

Mayor Kamine reminded everyone that the Pleasant Ridge Montessori School has scheduled a spaghetti dinner on September 25, 2009, to raise funds for the school. Tickets are \$8.00.

Mayor Kamine then wished all of the Jewish residents a Happy New Year.

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

Nicole Browder, Clerk of Council

Mayor Charles Kamine