

**MINUTES OF THE REGULAR MEETING  
AMBERLEY VILLAGE COUNCIL  
TUESDAY, OCTOBER 13, 2009**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on TUESDAY, OCTOBER 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  
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:**

Leslie McIntosh

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 September 14, 2009, regular meeting. Mrs. Cohen moved acceptance of the minutes as submitted. Seconded by Mr. Katz. The motion carried unanimously.

**FINANCE REPORT**

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

**SWEARING IN OF NEW OFFICER:**

Mayor Kamine announced that the Village had a retirement earlier this year that created a vacancy in the police/fire department. He commented that this new hire is a first for Amberley Village as this will be the first female fire fighter/officer for the police/fire department. He then asked the Chief to introduce the new officer.

Chief Monahan reported that he was pleased to announce the hiring of Andrea Alt as a police officer and firefighter with the Amberley Village Police/Fire Department. Andrea was born and raised in Shelby, Ohio and was involved in 4-H as she grew up. She graduated from Shelby High School where she participated in volleyball and basketball. She served three years in the United States Army, specializing as a chemical specialist. She has an Associate Degree in Computer Engineering. Andrea worked for the Hamilton County Department of Corrections where she rose to the rank of sergeant.

Chief Monahan stated that Andrea's parents were present and her mother, Julie, would pin the badge on Andrea's uniform. Mayor Kamine then proceeded to conduct the oath of office with Andrea Alt.

## **PRESENTATIONS TO COUNCIL:**

Mayor Kamine stated that with there being several matters on the ballot in November involving taxing issues, there will be presentations from the Hamilton County MR/DD and one by the Cincinnati Museum Center.

Ms. Dawn Freudenberg, Training and Development Coordinator of the Hamilton County Board of MR/DD, reported that the Hamilton County Board of MR/DD has 88 county boards in Ohio and Hamilton County is the third largest in the state. The Hamilton County Board of MR/DD has been recognized statewide and nationally for high quality and effective services. The MR/DD has an early intervention program that serves infants and toddlers. There are two schools that serve children whose disabilities are so severe that they cannot be served in regular school districts. There are four adult centers in operation throughout Hamilton County. The closest one to Amberley Village is the Jackson Center.

Ms. Freudenberg reported that since 2004, the number of people that they have served has increased 45 percent. The number of infants and their families served increased 307 percent. She attributed that to MR/DD doing a great job. She believes that people really want their services as well as a number of other reasons. Medical advances are helping infants and babies; aging parents that require care can no longer take care of their children; and there has been a growth in the number of children diagnosed with autism, that being 1 in 100.

Ms. Freudenberg reported that 57 percent or \$62 million of their budget goes to support the non-profit agencies in the communities, like Goodwill and Jewish vocational services. Only 37 percent of their budget is utilized for staff salaries and fringe benefits. She felt that was efficient in comparison to other service agencies. Their funding is a combination of local, federal and state dollars and, of that funding, the greatest portion is the local portion at 73 percent, so they really depend on the levy. She expressed that everyone's vote is very important to the MR/DD. Issue 5 is the MR/DD levy.

Ms. Diana Mairose, Advocate for the Hamilton County MR/DD, shared five reasons to vote for Issue 5. The first one is Joseph. He lives in Norwood and receives early intervention programs at home. The second one is Makala. She is a teenager who attends Fairfax School, which is operated by the Board. The third one is Juan who works at the support center in East Walnut Hills. He recently just turned 50 years old. The fourth one is Barb. She is in her sixties and lives with her sister. Her sister once said that she is so grateful to know that her sister is in a safe place during the day, which is at the center in Evendale. The fifth one is herself. She lives in Oakley. She has been receiving services since the year 2000. She works at the Home Depot off of Ridge Road. She invited everyone to the November 1<sup>st</sup> celebration from 10 a.m.- 2 p.m. at 1520 Madison Road. In August, she was present when Senate Bill 79 was passed. She stated that it was a great honor to be there and she was introduced on the senate floor. She thanked everyone for their vote. She stated that her father had called her earlier in the evening and invited her to dinner and she had to tell him no because she was on the campaign trail. She then reminded everyone to vote for Issue 5.

Mayor Kamine then noted from the levy facts that were provided that this is a renewal of 3.62 mils, plus an increase of .51 mils for a total of 4.13 mils that is on the ballot. He then announced the next presentation from Katie Denis with the Cincinnati Museum Center.

Ms. Katie Denis stated that she is a visitor with the Cincinnati Museum Center through Election Day. She stated that it has been a remarkable experience to get close to all of the people that

walk into that building every day. Issue 6 is a levy renewal. It is a renewal with a reduction. The levy provides for the preservation and protection of Union Terminal. Union Terminal is a Cincinnati icon, a national historic landmark and is a local treasure.

Ms. Denis invited everyone to go to [myunionterminal.org](http://myunionterminal.org) to enter a personal story about Union Terminal. She stated that Union Terminal is part of Hamilton County's history. Over its 75 years, we have seen it as train travel, as a mall, and now as a museum center. She shared memorable stories that have taken place at Union Terminal.

Next Ms. Denis explained that it is the home to the Cincinnati Museum Center. It is three museums, three research centers, and there are also off-site facilities. The Museum Center is a key regional and national destination. It is the 17<sup>th</sup> most visited museum in the country. It brings in \$15 million in new revenue annually. It also helps to support 1,100 jobs. The Museum just won the National Medal for the Museum and Library Service. It is the nation's highest community service award.

Ms. Denis then explained that the levy will cost \$4.44 for every \$100,000 of valuation, which equates to .37 cents a month. It is the smallest levy in Hamilton County and it is the lifeline for the building, providing maintenance and upkeep. She stated that she would greatly appreciate everyone's support on Issue 6.

## **COMMITTEE REPORTS:**

### **HEALTH, EDUCATION & WELFARE:**

Mayor Kamine stated that Leslie McIntosh was unable to attend the meeting; however, the council would consider resolution 2009-12, which is regarding the contract for the Village's trash removal. Mayor Kamine asked the Village Manager to comment on this matter prior to the reading of the resolution.

Mr. Boraten stated that the Health, Education and Welfare Committee met recently and reviewed the one bid received, which was from Rumpke. The Committee has also been watching closely the development of a possible joint bidding approach by governments for the future through the Center for Local Government. If that proceeds forward, it is unlikely to take effect until sometime next year at the earliest. The Committee recommended, at this time, awarding the contract for Rumpke for a three-year period, commencing January 1, 2010, with an option, at the Village's preference, to extend it for one year. The costs in the first year of the contract would be \$9.40 per household per month for waste collection and \$2.60 per household per month for recycling. Following the first year, there are adjustments for the following three years, which range just slightly above three percent.

Mayor Kamine read RESOLUTION 2009-12, RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO AWARD A CONTRACT TO RUMPKE OF OHIO, INC., FOR FURNISHING SOLID WASTE REMOVAL AND RECYCLING COLLECTION AND DISPOSAL FOR THE VILLAGE. Mrs. Conway moved to approve the resolution. Seconded by Mr. Katz. The motion carried unanimously.

Mayor Kamine reported that there were additional announcements from the Health, Education and Welfare Committee that Mrs. Stillpass would present.

Mrs. Stillpass reported that the Walk to School Day took place on October 7<sup>th</sup>. Four families walked home from school on International Walk to School Day. The group met at Pleasant Ridge Montessori School and this was done in concert with walkers from 5,000 schools around the United States, including 40 countries around the world that observed the day with children and adults. The Walk to School Day event is supported by the U.S. Environmental Protection Agency, the Federal Highway Administration, Institute of Transportation and National Safe Routes to Schools and the Center for Disease Control and Prevention. The occasion works to support the importance of physical activity, pedestrian safety, traffic congestion, concern for the environment, and connections between families and their community.

Mrs. Stillpass then announced, on behalf of Ms. McIntosh, the upcoming Diversity and Sustainable Ecosystem lecture. Scott Beuerlein will be the featured speaker on November 21<sup>st</sup> beginning at 10 a.m. at Village Hall. As an owner of Heritage Gardens, a landscape and gardening company, Scott has installed hundreds of gardens, cleared many acres of honeysuckle and donated time and materials to our community. He will discuss diversity in both our cultivated and wild landscapes, focusing especially on high reward gardens that are easy on the environment and beneficial to wildlife. He will also demonstrate the positive impact that gardeners can play in furthering diversity in the ecosystem and how unsustainable deer numbers are causing harm. Scott is a member of the Ohio Nursery and Landscapers Associations, Professional Grounds Maintenance Society and several other organizations.

#### **PUBLIC BUILDINGS & GROUNDS:**

Mrs. Stillpass reported that the Public Buildings & Grounds Committee met with the Beautification Committee on October 9<sup>th</sup> to discuss the four proposals that were received for the Front Island Landscape area and no additional action will be taken at this time. Discussion will continue on this matter.

#### **BEAUTIFICATION COMMITTEE:**

Mrs. Stillpass reported that the Beautification Committee is pleased to be involved with the Liberty Elm Recognition that will take place on October 25<sup>th</sup> in French Park. There is a flyer that is posted at Village Hall and on the Village website. This is a recognition program that is a ceremony that will include a flag presentation and performance by the Nolan-Carson Lodge, Sons of the American Revolution, and Cub Scout Pack #619. Mrs. Stillpass thanked Nancy Sunnenberg from Roselawn who has coordinated this Liberty Elm tree planting with Roselawn, Golf Manor and Amberley. Ms. Sunnenberg has also coordinated the design of the invitation with Cincinnati Parks, and to have the use of the French House, which is where the celebration will take place. Please mark your calendars for October 25<sup>th</sup> from 2-4 p.m.

Mrs. Stillpass announced that Amberley has been invited to participate in A Green Home workshop on Thursday, October 15<sup>th</sup> from 6:30-8:30 p.m. at Montgomery's City Hall, which is located at 10101 Montgomery Road. Energy expert and guest lecturer, Gerald Checco, who is the superintendent of Park Operations for the Cincinnati Park Board, will provide useful information on cost savings by making adjustments around the house. The event is free and open to the public. Register by calling 891-2424.

Mrs. Stillpass announced that the next Beautification Committee meeting will be held on October 19<sup>th</sup> at 7:30 p.m.

### **STREETS, PUBLIC UTILITIES & SEWERS:**

Mr. Chaiken reported that last month the committee reported that there was a need to perform preliminary roadwork at the intersection of Galbraith and Ridge Roads in preparation for the Galbraith Road resurfacing project that will take place in 2010. Part of the preparation work will take place on the corner of the Amberley Green property. At the recommendation of CDS Engineers, the Village is granting to the Village a permanent roadway, utility and landscape easement. Mr. Chaiken read and moved to approve RESOLUTION NO. 2009-11, RESOLUTION APPROVING PROPOSED ROADWAY, UTILITY AND LANDSCAPE EASEMENT FOR AMBERLEY GREEN. Seconded by Mrs. Cohen.

Mr. Katz commented that he has spoken with a highly regarded real estate attorney and he has provided language that should be included because it should be a declaration imposing perpetual easement. The difference is the Village is basically giving itself an easement. Mr. Katz would like to make sure that this document gets vetted through the Law Committee before it is signed.

Mayor Kamine stated that the resolution is to prepare an appropriate document to make sure that we have the easement in place in time. Mayor Kamine asked the Village Manager if CDS planned to submit this document to the Ohio Department of Transportation by the first week of November. Mr. Boraten confirmed that was correct. Mayor Kamine stated that we would need to have the document done by the end of October. Mayor Kamine recapped that the issue may be that a straight, standard easement from the Village to the Village might not be effective enough, and there is additional language that we can add to make sure that it will work.

Mayor Kamine then asked if there was further discussion. He then called for a vote of council on the resolution. The Resolution was adopted unanimously.

### **FINANCE COMMITTEE:**

Mr. Chaiken reported that the Finance Committee has recommended that the Village's tax rate remain at 7 mils. That recommendation is then reviewed by the Hamilton County Budget Commission and they have approved our 2010 budget documents. Mr. Chaiken read and moved to approve RESOLUTION 2009-13, RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. Seconded by Mrs. Cohen.

Mr. Katz stated that he felt it was important to point out a few things regarding this resolution. He stated that all of the levy is within our existing levy, even though the language says "anything in excess," but on Schedule A it does show that it is within the levy that we currently have, as authorized by law.

Mayor Kamine further explained that the current millage that the Village has assessed is 7 mils. That is the maximum that can be assessed pursuant to the Charter. The Council cannot go any higher than that without a vote of the people. This will be a continuation of the millage that the Village has had for about the last ten years.

Mayor Kamine asked if there were any additional discussion or comments. He then called for a vote of council on the resolution. The Resolution was adopted unanimously.

Mayor Kamine called for the Manager's Report. Mr. Boraten stated that he had no additional reports at this time.

Mayor Kamine stated that he did not have a Mayor's Report at this time and called for any new business.

**NEW BUSINESS:**

Mr. Katz stated that he noticed in the paper that the Mill Creek bike path received \$500,000 towards their fundraising. He then turned to the Village Manger, Mr. Boraten, and stated that he had a meeting with Gary Meisner, and Mr. Meisner had suggested that notwithstanding the fact that we had already applied for the shovel-ready on Galbraith Road, that it might be possible to get an increase for the bike path. Mr. Katz stated that Mr. Boraten was going to look into that and asked Mr. Boraten if he had anything to report on that item.

Mr. Boraten stated that from an engineering point of view, the Village does not have anything prepared at this time and it would not be able to be amended on the current project for Galbraith Road. Mr. Katz asked if Mr. Boraten spoke with Mr. Meisner about it. Mr. Boraten stated that he did not go into detail with Mr. Meisner, however, he has spoken to Mr. Meisner in the last thirty days. Mr. Katz asked if it was regarding this subject. Mr. Boraten stated that they may have touched on it. Mr. Katz stated that Mr. Meisner led him to believe that it was possible and wanted to know if Mr. Meisner had changed his position. Mr. Boraten stated that he had spoken to CDS Engineers.

Mr. Katz stated that the second thing he wanted to call to attention is that he was very pleased to see the Nobel Prize Winner in Economics who is from Indiana University. She received the Nobel Prize in Economics for her study of management of common resources in which people have worked cooperatively to sustain their resources rather than destroying them. He stated that this is what the Village has been doing with Amberley Green, so he was pleased to see this level of recognition.

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

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Nicole Browder, Clerk of Council

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Mayor Charles Kamine