

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, FEBRUARY 8, 2010**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on MONDAY, FEBRUARY 8, 2010 at 7:30 P.M. Mayor Merrie Stillpass called the meeting to order. The following roll call was taken:

PRESENT:

Jon Chaiken
Fran Cohen
Peg Conway
Ed Hattenbach
Leslie McIntosh
Merrie Stillpass

ALSO PRESENT:

Bernie Boraten, Village Manager
Jack Monahan, Police/Fire Chief
Rick Kay, Village Treasurer
Kevin Frank, Village Solicitor
Nicole Browder, Clerk of Council

ABSENT:

Louis Katz

Mayor Merrie Stillpass welcomed everyone to the regularly scheduled meeting of the Amberley Village Council, and led those in attendance through the pledge of allegiance.

Mayor Stillpass announced that several council members recently attended a parliamentary workshop where they learned of new procedures that would expedite the approval of the minutes and finance report. She stated that council is not required to make a motion for these items, rather they are considered to be filed, therefore, the audience will notice that there will not be motions to approve the minutes and finance report.

MINUTES

Mayor Stillpass presented the minutes of the January 11, 2010, regular meeting and asked if there were any corrections or additions. Mrs. Cohen stated that the adjournment should reflect that the Mayor asked for a motion to adjourn the meeting. There being no objections, Mayor Stillpass stated that the minutes shall be corrected. Mayor Stillpass asked if there were any other corrections or additions. There being none, Mayor Stillpass stated that the minutes stand approved as corrected.

FINANCE REPORT

Mr. Boraten presented the January 2010 Finance Report (copy attached). Mayor Stillpass asked if there were any questions. There being none, Mayor Stillpass announced that the finance report would be filed.

COMMITTEE REPORTS

CITIZEN ADVISORY

Mayor Stillpass invited Mr. Scott Wolf to present an update to the Council regarding the progress of the Citizen Advisory Committee. Mr. Wolf reported that there have been several meetings of the Citizen Advisory Committee. A home builder made a presentation to the committee and the committee has received several emails suggesting land use ideas. Some of the ideas include keeping the property as a park. Mr. Wolf stated that recently an arborist visited the property with the Mayor. The arborist pointed out several trees of interest. Mr. Wolf stated that all of the suggestions received come with a cost to the Village. He stated that he met with individuals regarding development of the North Site, however, financing could not be obtained.

Mr. Wolf stated that the committee would continue to entertain presentations for development ideas.

Mr. Wolf also reported that he has learned that Mt. Notre Dame High School has planned an event for the seniors that helped raise the funds for rehabilitation of the tennis courts on the Amberley Green. Mt. Notre Dame is also interested in additional projects on the property which may include preparing a field for use. Mt. Notre Dame will prepare plans for council review and consideration.

The next meeting of the Citizen Advisory Committee will be on March 2 at 7 p.m. in the Village Hall Community Room. A presentation will be made by Dan Case with Cincinnati State. Representatives from Cincinnati State toured the property and have an interest, however, are financially challenged. Mr. Wolf stated that one idea is to grow food on the Amberley Green in the interim while the future of the property is being determined.

Mr. Wolf asked if there were any questions. There being none, Mayor Stillpass thanked Mr. Wolf for his report.

FINANCE

Mr. Hattenbach read and moved to approve ORDINANCE NO. 2010-05, ORDINANCE AMENDING APPROPRIATIONS FOR THE FISCAL YEAR 2010. Seconded by Mr. Chaiken and the roll call showed the following vote:

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

Mr. Hattenbach moved to approve this ordinance as an emergency measure. Seconded by Mr. Chaiken and the roll call showed the following vote:

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

It was noted that this ordinance provides for the payment of the property taxes on the Amberley Green property. The Village is awaiting a ruling from the Hamilton County Auditor that is expected to exempt the property from future taxes.

STREETS, PUBLIC UTILITIES & SEWERS COMMITTEE

Mr. Chaiken reported that the Village must pass final legislation with regard to the Galbraith Road project being funded by the American Reinvestment and Recovery Act. Mr. Chaiken read and moved to approve RESOLUTION NO. 2010-02, RESOLUTION ADOPTING FINAL LEGISLATION IN CONNECTION WITH OBTAINING FINANCING FROM THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE GALBRAITH ROAD PROJECT. Seconded by Mr. Hattenbach and the motion carried unanimously.

Mr. Chaiken then reported that there was additional work to be performed with regard to the Aracoma Forest Storm Sewer Replacement project; therefore, a resolution to approve the change orders for this particular project was necessary. Mr. Chaiken read and moved to approve RESOLUTION NO. 2010-03, RESOLUTION AUTHORIZING THE VILLAGE MANAGER

TO APPROVE CHANGE ORDERS BY SUNESIS CONSTRUCTION FOR A STORM SEWER REPLACEMENT PROJECT ON ARACOMA FOREST DRIVE. Seconded by Mrs. Cohen and the motion carried unanimously.

Mr. Chaiken pointed out that the project is substantially complete. The project was a unit based contract with the materials being calculated on a cost plus basis. Some items came in higher while others came in lower. The initial cost was projected to be \$198,000.00 and the final cost was \$214,800.00. Mr. Chaiken also noted that the original estimate on the project was \$380,000.00, therefore, the final cost is certainly under that estimate.

HEALTH, EDUCATION & WELFARE COMMITTEE

Ms. McIntosh reported that the next committee meeting will be on Tuesday, February 16th at 7 p.m. She stated that the mission will be to institute a deer population evaluation program and a deer management program. There will be speakers at the meeting. The committee will also discuss alternatives to deer culling. The community is invited to attend.

Ms. McIntosh announced that there will be another Backyard Diversity seminar on April 17th. The speakers will be Stanley D. Gehrt, PhD, an Associate Professor of Wildlife Ecology, School of Environment and Natural Resources and Marne Titchenell, Wildlife Program Specialist, OSU Extension, School of Environment and Natural Resources. The speakers will share information about coyote and geese management. Information on this seminar can be found in the Village newsletter.

ENVIRONMENTAL STEWARDSHIP COMMITTEE

Ms. McIntosh announced that the Amberley Village Beautification Committee has renamed itself to the Environmental Stewardship Committee. The group decided upon the new name in an effort to encompass its entire scope, which is not limited to just beautification projects.

Ms. McIntosh announced that Arbor Day will be celebrated in the Village on May 2nd from 1-4 p.m. at Village Hall. There will be tree plantings, tours of the rain garden and history room; garden award winners will be honored; and there will be an opportunity for residents to bring their old documents for on-site confidential shredding for free. Afterward, a chili cook-off contest will take place. Chief Monahan will be the judge.

The next meeting of the committee will take place on February 22nd at 7:30 p.m.

Mayor Stillpass then asked Ms. McIntosh if volunteers were needed for the Arbor Day event. Ms. McIntosh confirmed that all are welcome to attend and that volunteers for various tasks will be needed.

CHIEF'S REPORT

Chief Monahan reported that over a three-night period, 26 deer were culled, nine of which were from the Amberley Green property; and 17 from French Park.

Chief Monahan also took a moment to commend the Village's service department for their hard work and effort for the recent snow removal. He stated that the service department employees ran 12-hour shifts and did an excellent job.

MAYOR'S REPORT

Mayor Stillpass stated that the Village administration office will be closed on October 11 in observance of Columbus Day. The regular council meeting in October falls on that date, therefore, the Mayor asked for a motion to move the October council meeting from October 11 to October 12. Moved by Mrs. Conway, seconded by Mr. Hattenbach and the motion carried unanimously.

Mayor Stillpass then reported that there is a new type of street sign at the corner of Burning Tree and Ridge Road. She stated that this was a prototype for the major roadways. The new sign has green letters and numbers on a white background with the Village leaf logo. The no outlet sticker is attached and eliminates the need for additional posts. She stated that she is interested in hearing comments from the residents and the input received thus far has been positive.

MANAGER'S REPORT

Mr. Boraten reported that the Village has responded to 13 weather events this season. The last event utilized 118 tons of salt and 483 tons have been utilized to date.

Mr. Boraten stated that everyone may recall that Amberley Village embarked on the North Site clean-up project some time ago. There was 22,000 tons of buried material removed from the site with only a small portion of that which could not be excavated. The Ohio EPA determined that monitoring of possible methane generation would be required for the unexcavated portion of the site. The Village continued to monitor the site for methane generation and found that all readings taken resulted in zero methane. The Village applied to stop the monitoring program based on the results of the readings. The Ohio EPA has given notice that the site is now 100% clean. The site is now considered build-ready.

NEW BUSINESS

Mayor Stillpass announced that earlier in the day she met with the Village Manager and Vice Mayor to discuss a document prepared by the Village Solicitor. Based on the results of that meeting, she asked for a motion to go into executive session to discuss litigation. Moved by Mrs. Conway, seconded by Mr. Chaiken and the motion carried unanimously. The Council then left council chambers and went into a conference room to consult with the Village Solicitor.

Council reconvened the regular session of the council meeting with the same members being present from the start of the regular meeting. Mrs. Conway moved to go back into public session. Seconded by Mr. Hattenbach and the motion carried unanimously.

Mr. Chaiken commented that based upon the discussion held in executive session, he moved to authorize the Village Solicitor to pursue the steps necessary to protect the Village's interests regarding issues related to the construction of the Village's municipal hall building and that the Village Solicitor is to report back to council prior to next month's meeting. Seconded by Mrs. Conway and the motion carried unanimously.

Mayor Stillpass stated that there being no other business the meeting is adjourned.

Nicole Browder, Clerk of Council

Mayor Merrie Stillpass