

**MINUTES OF THE REGULAR MEETING  
AMBERLEY VILLAGE COUNCIL  
MONDAY, JULY 9, 2012**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Village Hall, 7149 Ridge Road on MONDAY, JULY 9, 2012 at 6:30 P.M. Mayor J.K. Byar called the meeting to order. The following roll call was taken:

**PRESENT:**

Richard Bardach  
J.K. Byar  
Bill Doering  
Ed Hattenbach  
Tom Muething  
Natalie Wolf

**ALSO PRESENT:**

Scot Lahrmer, Village Manager  
Kevin Frank, Village Solicitor  
Nicole Browder, Clerk of Council  
Rick Kay, Village Treasurer

**ABSENT:**

Ray Warren  
Rich Wallace, Police/Fire Chief

Mayor Byar welcomed everyone to the regularly scheduled meeting of the Amberley Village Council and led those in attendance through the pledge of allegiance. Ms. Betty Whitaker then sang the National Anthem.

**MINUTES**

Mayor Byar presented the minutes of the June 11, 2012, regular meeting. He asked if there were any corrections or additions. Since there were no corrections or additions, Mayor Byar stated that the minutes stand approved as submitted.

**FINANCE REPORT**

Mr. Lahrmer presented the May, 2012, Finance Report (a copy of which is attached to these minutes). A summary of this report noted total revenue for the month of May of \$416,212 while expenses equaled \$312,988. At the end of May, the unencumbered General Fund balance was \$2.8 million. The report was accepted as submitted.

**GUEST SPEAKERS/PRESENTATIONS:**

**State Representative Peter Beck** addressed council regarding the municipal tax reform, which he supports in order to make it easier for individuals and businesses to comply with filing requirements. He also commented that he is not in favor of centralized tax collection. He extended an invitation to anyone interested to attend the meetings on this issue in Columbus.

**Pamula Thomas**, addressed council to announce that she is a candidate for the Hamilton County Clerk of Courts. She shared that her prior work experience with the clerk's office has prepared her for the role and her goal is to reduce the budget by a half-million dollars.

**Jenny Mauch**, Principal at Pleasant Ridge Montessori, introduced herself as the new principal. She noted her 14 years with the Cincinnati Public School District and expressed community involvement as a priority. She invited interested individuals to participate in an online survey on the school's website intended to collect parent and community input.

## **PUBLIC HEARING: NORTH SITE ZONING DISTRICT REGULATIONS**

Mayor Byar opened the public meeting regarding the proposed North Site Zoning District Regulations at 6:55 p.m. Mr. Bardach conducted the second reading of ORDINANCE 2012-05, ORDINANCE ADOPTING NORTH SITE ZONING DISTRICT REGULATIONS.

Mayor Byar asked if there were any residents present who would like to comment. Mr. Ron Regula, 3225 North Whitetree Circle, asked if Reading is supportive of the zoning regulations. Mr. Lahrmer commented that the City of Reading is supportive and is interested in developing the adjacent property located in the city's jurisdiction in a joint development.

Since there were no additional resident comments, Mayor Byar closed the public hearing at 6:57 p.m.

## **PUBLIC BUILDINGS & PARKS COMMITTEE:**

Ms. Natalie Wolf presented a PowerPoint presentation outlining the progress made and projects completed since the We Thrive grant had been approved. She noted the scope and process procedures followed to qualify for the grant as well as the various projects completed since the grant was awarded. Some of the We Thrive projects were: a shared use agreement to allow non-resident use of the Village's tennis courts, community garden, rest area, trail enhancement, cross walk installation, wooden bridge construction to connect trails and exercise station installation. A metro bus stop with a shelter and bench are currently being pursued. Ms. Wolf gave special recognition to the Village's maintenance department for all of their assistance and ingenuity related to the completion of the We Thrive projects.

Ms. Wolf presented, read and moved to approve RESOLUTION NO. 2012-41, PROCLAIMING JULY AS PARKS & RECREATION MONTH. Seconded by Mr. Hattenbach and the motion carried unanimously.

~~Mr. Muething~~ Mr. Muething Wolf conducted the second reading of ORDINANCE 2012-04, ORDINANCE ESTABLISHING PARKING PERMIT FOR AMBERLEY GREEN FOR 2012-2013. Mr. Muething moved to waive the third reading, Mr. Hattenbach seconded, and the motion carried unanimously.

Mr. Muething moved to approve ORDINANCE 2012-04, ORDINANCE ESTABLISHING PARKING PERMIT FOR AMBERLEY GREEN FOR 2012-2013 to include the proposed changes. Seconded by Mr. Hattenbach and roll call showed the following vote:

AYE: Byar, Bardach, Doering, Hattenbach, Muething, Wolf (6)  
NAY: (0)

Mr. Muething moved to approve the ordinance passed as an emergency measure. Seconded by Ms. Wolf and the roll call showed the following vote:

AYE: Byar, Bardach, Doering, Hattenbach, Muething, Wolf (6)  
NAY: (0)

**Mr. Colin Driscoll**, 6600 Ridge Road, commented that he felt a fee should be charged for a permit to access the Amberley Green. He expressed his desire for non-residents accessing the property to share in the cost of the property. He expressed his concern regarding liability issues related to non-resident use of the Amberley Green.

Ms. Wolf noted that originally the committee recommended a fee; however, to avoid any liability insurance premium increase the fee was waived.

Mr. Muething also commented that security is a concern, which can now be addressed since users of the property have to provide their personal information upon issuance of a permit.

#### **PUBLIC OUTREACH COMMITTEE:**

Ms. Wolf announced that the Ice Cream Social is scheduled for August 19. The next Environmental Stewardship Committee meeting will be July 23 at 7:30 p.m. in the community room. The next Health, Education and Welfare Committee meeting regarding deer management will be July 13 at 3 p.m.

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

Mr. Doering presented, read and moved to approve RESOLUTION 2012-42, RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO AWARD PRUS CONSTRUCTION THE CONTRACT FOR THE AMBERLEY VILLAGE 2012 ROAD PROGRAM. Seconded by Mr. Muething and the motion carried unanimously.

Mr. Doering reported the following improvements to be completed:

Repaving: Beechlands Drive, East and West Beechlands, East Winding Way and Dot Drive between Ridge Road and Hudson Parkway.

Patching: Certain locations on Fair Oaks Lane, Fair Oaks Drive (south of Section Road), Farm Acres, East and West Farm Acres, Kincaid (between Section Road and Kincaid Lane), Rollman Estates Drive, Ambercreek Drive, Ridgeway Close, South Farmcrest Drive, Fair Acres Drive and Dot Drive (near 3080 Dot).

Curbing: Replace deteriorated sections of the curb and gutter on Sagamore Drive, Dot Drive (at 3080), Crestdale Court and North and South Whitetree Circle.

#### **PUBLIC HEARING: 2013 TAX BUDGET**

Mayor Byar opened the Public Hearing regarding the 2013 Tax Budget at 7:34 p.m. Mr. Hattenbach reported that the committee has reviewed and recommended the tax budget. This tax budget is required to justify receipt of local government monies and must be adopted by July 15 and submitted to the Hamilton County Auditor's Office by July 20 of each year. The committee will continue working on the 2013 budget will be presented to council in December.

Mr. Muething commented that this budget is another step forward. It represents a substantial reduction in expenses from 2012. He noted the ingenuity of the maintenance and police department staff has demonstrated new ways of doing business. The We Thrive grant was another example of how much can be accomplished utilizing grant funds. He noted he was looking forward to continuing to find new ways to share services.

Mayor Byar asked if there was anyone in attendance that would like to speak regarding the tax budget.

**Mr. Ron Regula**, 3225 North Whitetree Circle, agreed that passing the tax budget was a good step. He noted the Ad Hoc Committee spent a lot of time on their report and would like to know how the committee could assist. He commented that he would like a detailed explanation of the Village's financial status. He asked what the projected 2013 revenues were with the police levy.

Mr. Hattenbach commented that the expenditures are down; 40% of the year has passed and 34% of the funds have been expended. He noted the 2013 tax budget included \$450,000 for debt service to Amberley Green.

Mr. Muething commented that the Village has to meet the requirement of passing the tax budget in July. The entire budget will be presented in December. He stated there will be upcoming Finance Committee meeting to prepare the entire budget and invited Mr. Regular to attend.

Mr. Doering noted that the position of the newly announced retirement in the police department will not be replaced, the employee share of healthcare premium cost will increase to 15%, and the sick leave day accrual will likely be reduced to 15 days, as well as a modified sick leave payout plan, which will reflect as a savings in the 2013 budget and in the future.

Since there were no additional resident comments, Mayor Byar closed the public hearing at 7:47 p.m.

#### **FINANCE COMMITTEE:**

Mr. Hattenbach presented, read and moved to approve RESOLUTION NO. 2012-43, RESOLUTION APPROVING BUDGET OF ESTIMATED AVAILABLE FUNDS AND ESTIMATED REQUIRED EXPENDITURES FOR THE GENERAL AND NON-GENERAL FUNDS FOR THE CALENDAR YEAR 2013 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 Mr. Doering and the motion carried unanimously.

Mr. Hattenbach presented, read and moved to approve ORDINANCE NO. 2012-06, ORDINANCE AMENDING APPROPRIATIONS FOR THE FISCAL YEAR 2012. Seconded by Mr. Muething and the roll call showed the following vote:

AYE: Byar, Bardach, Doering, Hattenbach, Muething, Wolf	(6)
NAY:	(0)

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

AYE: Byar, Bardach, Doering, Hattenbach, Muething, Wolf	(6)
NAY:	(0)

#### **MANAGER'S REPORT**

Mr. Lahrmer reported that the Village residents are saving an average of \$175 annually from the current Duke Energy rate through the Village's electric aggregation program with DP&L. Enrollment is excess of 95%, which is considered excellent and well above the norm of 75-80%.

The next step is to have the natural gas aggregation in place towards September. The City of Springdale and Amberley Village both are aggregating natural gas in the same time frame.

The recommendation from Eagle Energy is to enter into the Master Service Agreement with Interstate Gas Supply (IGS). This agreement will establish IGS as the supplier. Then IGS and Eagle Energy will monitor the rates and recommend an opt-out strategy for timing and rates for a 12 and/or 24 month rate

Mr. Doering moved to approve RESOLUTION NO. 2012-44, RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH IGS TO PROVIDE NATURAL GAS TO THE VILLAGE AND ITS RESIDENTS UNDER THE NATURAL GAS AGGREGATION PROGRAM. Seconded by Mr. Hattenbach and the motion carried unanimously.

Next, Mr. Lahrmer announced that the Village is embarking on the 2012 street program. This promotes safer travel and public safety and we show residents and businesses that we are willing to invest in our community and provide the right conditions for economic growth. Eight zoning certificates were issued last month, which also shows residents investing in the community.

Mr. Lahrmer noted that during a water shortage at the Amberley Green community garden, the maintenance department was able to pump the water from the old pool to the gardens, which is another example of staff's ingenuity. He also noted that brush pick-up is only a day behind after the storm damage.

Mr. Lahrmer announced the kick-off of the shared services study with Management Partners.

A letter was sent to the Ohio Department of Developmental Disabilities regarding the proposed group home on Longmeadow. I also notified Ms. June Jacobs, a neighbor to the proposed home, and worked with her to state her objections.

#### **MAYOR'S REPORT**

Mayor Byar read a proclamation to be presented to choir groups who performed at the Jewish Community Center as part of the World Choir Games Day. He proclaimed July 9, 2012, World Choir Games Day in Amberley Village.

Mayor Byar then read a proclamation to be presented to retiring Lt. Richard Caudill, who will retire on July 28. The proclamation will be presented at a later date during a retirement luncheon. Mayor Byar proclaimed July 28, 2012, Lt. Richard Caudill Day in Amberley Village and expressed his appreciation for Lt. Caudill's 29 years of services to the Village.

#### **NEW BUSINESS**

Mr. Doering commended the Village Solicitor, Kevin Frank, for having recently made partner at his law firm of Wood & Lamping.

There being no further business, Mayor Byar adjourned the meeting.

---

Nicole Browder, Clerk of Council

---

Mayor J.K. Byar