

**MINUTES OF THE REGULAR MEETING  
AMBERLEY VILLAGE COUNCIL  
MONDAY, FEBRUARY 11, 2013**

The Council of Amberley Village, Ohio met in a regular session at the Amberley Municipal Building, 7149 Ridge Road on Monday, February 11, 2013 at 4:00 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  
Ray Warren  
Natalie Wolf

**ALSO PRESENT:**

Scot Lahrmer, Village Manager  
Kevin Frank, Village Solicitor  
Nicole Browder, Clerk of Council  
Lt. Brian Blum, Police/Fire

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 January 14, 2013, regular meeting. He asked if there were any additional corrections or additions. Since there were none, Mayor Byar stated that the minutes stand approved.

**FINANCE REPORT**

Mr. Lahrmer presented the December, 2012, Finance Report (a copy of which is attached to these minutes). A summary of this report noted total general fund revenue for the month of December of \$244,256 while expenses equaled \$505,979. At the end of December, the unencumbered General Fund balance was \$1,881,984. The report was accepted as submitted.

**GUEST SPEAKER**

Mr. Marc Fisher introduced himself as the new CEO of the Jewish Community Center. He expressed his appreciation for the Village's relationship with his organization and desire to continue their joint efforts for the betterment of the community. In response to a question from Ms. Wolf, Mr. Fisher noted that the J'café is now open longer hours and has a new chef. He encouraged Amberley residents to come and try the café.

**LAW COMMITTEE**

Mr. Bardach presented and conducted the second reading of Ordinance 2013-02, Ordinance Revising Procedures for Enforcement and Abatement Nuisances and Violations of the Property Maintenance Code.

**FINANCE COMMITTEE**

Mr. Hattenbach reported that the committee recently met and reflected on the 2012 financials. He noted that the Village spent less than 88% of its budget for 2012.

Mr. Hattenbach commented that the process for approving the Joint Economic Development District (JEDZ) was moving forward and this pursuit was another example of the Village collaborating with area communities to provide services.

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

Mr. Doering gave a report on the committee's recent meeting and recommendations. The committee recommended the following projects requiring funding of \$422,142 in street repairs and \$307,184 in storm water funding (adding the previously approved storm water projects of \$193,275):

1. 2013 Streets Program: patching of Ridge Road (north of Village Hall), Section Road (various sections), Elbrook (north), Rolling Ridge Court, Appleridge Lane (\$352,248). Curb and miscellaneous repairs include Appleridge Lane, Laurel Oak, Longmeadow, Kentland Court, Patrisal Court, Hudson Parkway, and Twigwood (\$94,519)
2. Amberley Green Dam: CDS estimate for two options: return to creek or create a retention pond (\$19,500)
3. Traffic Signal at Ridge & Section: replacement of signal, battery back-up and handicapped access (\$68,000)
4. Core samples of Farmcrest and Farmacres (\$29,200)

Ms. Wolf moved to approve the projects as recommended. Seconded by Mr. Warren and the motion carried unanimously.

### **COMPENSATION & BENEFITS COMMITTEE**

Mr. Warren presented and conducted the first reading of Ordinance 2013-05, Ordinance Amending Section 35.06 of the Village Code of Ordinances Relating to Longevity Pay. He noted that longevity pay was essentially a pay increase that was unable to be controlled during times of financial difficulty. The committee's intention was not to reduce the employee wages. In comparison to other communities, the longevity pay scale was on the higher end. The proposed ordinance would eliminate longevity pay for new employees.

Mr. Warren presented and conducted the first reading of Ordinance 2013-04, Ordinance Amending Section 35.04 of the Village Code of Ordinances Relating to Sick Leave. He noted that the sick leave allowance was being reduced; the 10-year separation provision was being eliminated, and new employees will have a reduced and modified separation formula equivalent to the state minimum for handling accumulated sick leave.

Ms. Wolf expressed concern for the suggested changes to the Village's longevity pay for new hires and suggested that it was premature to make any changes unless they were part of an entire compensation package for new hires. Additionally, Ms. Wolf noted that it could be difficult to recruit and retain the best employees if we do not offer competitive compensation and benefits.

### **ENVIRONMENTAL STEWARDSHIP COMMITTEE**

Ms. Wolf reported that the next committee meeting would be held February 25 at the French House in collaboration with the women's forum. Mr. Willie Carden will be the speaker.

The One Stop Drop: Amberley Recycles event will be held on May 19 in the Amberley Green parking lot. Electronics recycling and secure document shredding will be available.

A composting seminar will be held on May 14 in the Amberley Village community room. Attendees will receive a free kitchen collector.

### **MANAGER'S REPORT**

At its February 4 meeting, the Planning Commission/ZBA took the following action:

- Denied a request to establish a panhandle lot on Knoll Road.
- Approved a restroom addition to the west end of the Jewish Community Center education wing.
- Informally recommended modifications to the North Site Zoning District, which included recommendations from the Land Development Committee; formal action will likely be taken next month when Planning Commission can make a recommendation back to Council.

The Village's natural gas rate of \$0.463 remains lower than Duke Energy's price-to-compare of \$0.520 ccf. Eagle Energy, the Village's consultant, reported the residents have saved \$227,064 and non-residential entities have saved \$231,078 via the electric aggregation program from June through December 2012.

A water main replacement project will be underway this week on Section Road. Avoid this area if possible. Traffic will be maintained.

The 2012 leaf season has concluded. Leaf crews collected 3,980 cubic yards. This amount would fill 27,969 brown paper lawn and leaf bags. Residents had 12 opportunities this season to have their leaves collected. The composting location at the North Site provides the efficiency of minimizing travel time and productivity which allows crews to spend less time hauling and dumping collected leaves and more time on the route providing service.

Residents have been notified by Rumpke of the 65 gallon wheeled recycle tote that will be provided to them. The process of delivering the totes, which will take 10-14 days, begins the week of March 11. This wheeled tote will provide a convenient way for residents to get recycling materials to the curb, offer increased capacity for recyclables and prevent the recyclables from being blown out of the bin since the tote has a lid. If residents would like to opt-out of receiving the larger recycling container, they should contact Amberley Village at 531-8675.

### **NEW BUSINESS**

Mr. Doering provided an update regarding HB5 to unify the collection of Ohio income taxes. He noted that council, last year, had passed a resolution opposing this action. He has attended meetings in Columbus in an effort to influence revisions to the bill as he believes the legislation will pass and it is a matter of achieving the best version of the bill.

Ms. Wolf reported that she attended the required Ohio sunshine law training that was presented by the Ohio Attorney General's office on January 24 along with Tom Muething and Nicole Browder. The sunshine law training is required for all elected officials. She noted that she continues to attend training sessions available to council members and encouraged all to attend such workshops.

Ms. Wolf next moved to dispense with Section 31.23 of the Village Code. She noted she was in disagreement with the Mayor imposing this rule, without notice to council, requiring members to stand to be recognized by the Mayor prior to being permitted to speak. She added that it was disruptive and antiquated, and questioned why it was not required of all council members and speakers, and only required of her.

Council discussed this section of code and suggested that it could be referred to the Law Committee for revision. After some discussion and suggestions for potential amendments to the pending motion, including a motion by Mr. Muething to amend Ms. Wolf's motion that was not acted upon, Ms. Wolf reiterated and restated her motion to dispense with Section 31.23 until

such time as the Law Committee recommends revisions to council. Seconded by Mr. Hattenbach and the motion carried unanimously.

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

---

Nicole Browder, Clerk of Council

---

Mayor J.K. Byar