

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, JANUARY 13, 2014**

The Council of Amberley Village, Ohio met in regular session at the Amberley Municipal Building, 7149 Ridge Road on Monday, January 13, 2014 at 6:30 P.M. Mayor Muething called the meeting to order. The following roll call was taken:

<u>PRESENT:</u>	<u>ALSO PRESENT:</u>
Richard Bardach	Scot Lahrmer, Village Manager
Peg Conway	Chief Rich Wallace, Police/Fire
Bill Doering	Nicole Browder, Clerk of Council
Ed Hattenbach	Kevin Frank, Village Solicitor
Thomas C. Muething	Rick Kay, Treasurer
Ray Warren	
Natalie Wolf	

Mayor Muething welcomed everyone to the regularly scheduled meeting of the Amberley Village Council. He then led those in attendance through the pledge of allegiance.

MINUTES

Mayor Muething presented the minutes of the December 9, 2013 regular meeting. He noted minor changes were distributed prior to the meeting. Mayor Muething asked if there were any corrections or additions. Since there were none, Mayor Muething stated that the minutes were accepted.

FINANCE REPORT

Village Manager Scot Lahrmer presented the November, 2013, Finance Report (a copy of which is attached to these minutes). A summary of this report noted total tax collections for the month of November totaled \$195,013 and the total year-to-date collections are up 13% over the November 2012 year-to-date. The total general fund revenue for the month of November was \$276,201 while expenses equaled \$204,128. At the end of November, unencumbered General Fund balance was \$2,937,954. The report was accepted as submitted.

CITIZENS TO ADDRESS COUNCIL

Mr. Bill Lazarus, 2502 Oakridge, expressed his concerns with areas of the proposed panhandle lot ordinance which he felt were subjective and created additional requirements for property owners. A detailed handout of his concerns was distributed to council and is attached hereto. He requested council modify the panhandle ordinance prior to passage.

Ms. Sara Lazarus, 2502 Oakridge, expressed her preference for the Village to utilize a method of notification to reach lot owners whose lot size has the potential to be impacted by the proposed ordinance, which she noted as 90 properties. She submitted a handout to council that detailed her specific points of concern and her preference to have the 90 properties specifically notified of the proposed ordinance and its recent revisions.

Council members responded to the citizen comments by explaining that the proposed ordinance had followed an extensive review process according to Village Code that included public hearings and public notifications. It was pointed out that the Planning Commission was desirous of criteria to assist in the process of reviewing such requests for panhandle lots after handling cases on the matter and concluding that the existing code was vague. Mr. Warren expressed his concerns which favored changing the ordinance further.

LAND DEVELOPMENT COMMITTEE

Mayor Muething provided the background on the process that was followed prior to Council receiving the proposed ordinance pertaining to panhandle lots. He noted that the Council tabled the ordinance in November after and in response to the public hearing comments received so that the Land Development Committee could meet to address the concerns from the public.

The Land Development Committee met and, in response to the public input received, made the following changes to the language:

- Deleted references to “not favored” or “generally discouraged”;
- Deleted the requirement of a legal description;
- Deleted the 150% minimum zoning requirement;
- Deleted references to construction; and
- Deleted references to noise.

The Land Development Committee recommends the modified version to Council for adoption. Mayor Muething moved to approve Ordinance 2013-17, Ordinance Amending Section 154.15 of the Village Code Pertaining to Panhandle Lots as modified by the Land Development Committee. Seconded by Ms. Wolf. Mayor Muething asked if there was discussion for the ordinance.

Mr. Warren shared a detailed review of his perspective on the ordinance and called for further modification to the ordinance to remove various sections of language (handout attached).

Council members Doering, Bardach, Conway along with Vice Mayor Wolf expressed their support for the ordinance and noted that the Planning Commission utilized their experience of cases heard for review to develop a set of criteria that would put clarity to the review process.

Mr. Michael Rosenbaum, resident at 7116 Fair Oaks, shared his experience of his new neighbor clearing numerous trees that changed wooded views next to his property and impacted his enjoyment of the property. He noted after the experience that he realized it was not his decision to impose his preference on his neighbor.

Mayor Muething stated that Ordinance 2013-17 had been moved and seconded and asked for the roll call which showed the following vote:

AYE: Bardach, Conway, Doering, Hattenbach, Muething, Wolf	(6)
NAY: Warren	(1)

Mayor Muething presented, read and moved to approve Resolution 2014-01, Resolution Authorizing the Village Manager to Enter into a Memorandum of Understanding with JDL Warm Construction for Marketing Amberley Green for Development. He noted this was a 90-day agreement to allow for the site to be marketed, specifically targeting consideration by Catholic Health Partners. Seconded by Mr. Hattenbach and the motion carried unanimously.

LAW COMMITTEE

Mr. Bardach presented, read and moved to approve Ordinance 2014-01, Ordinance Amending the Village Code Pertaining to Hunting and Discharge of a Firearm within the Village Limits. He reported that the goal of the proposed revisions to the code is to clearly state that it is illegal to hunt or discharge a firearm in the Village with exceptions provided by law. Ms. Conway seconded the ordinance and the roll call showed the following vote:

AYE: Bardach, Conway, Doering, Hattenbach, Muething, Warren, Wolf (7)
NAY: (0)

Mr. Hattenbach moved to approve Ordinance 2014-01 as an emergency measure for the immediate preservation of public peace, health and safety. Seconded by Ms. Conway and the roll call showed the following vote:

AYE: Bardach, Conway, Doering, Hattenbach, Muething, Warren, Wolf (7)
NAY: (0)

POLICE/FIRE COMMITTEE

Ms. Conway presented, read and moved to approve Resolution 2014-02, Resolution Adopting the Hamilton County Natural Hazard Mitigation Plan. Seconded by Ms. Wolf and the motion carried unanimously.

Ms. Conway presented, read and moved to approve Resolution 2014-03, Resolution Authorizing the Village Manager to Enter into a Contract to Purchase Equipment for Police Cruisers. Seconded by Mr. Warren and the motion carried unanimously.

STREETS, PUBLIC UTILITIES AND SEWERS COMMITTEE

Mr. Doering presented, read and moved to approve Resolution 2014-04, Resolution Approving and Adopting Proposal of CDS Associates, Inc., to Amend its Schedule of Fees. Seconded by Ms. Conway and the motion carried unanimously. Mr. Warren made a request for the Village to consider, in the future, competitively bidding these services.

MANAGER'S REPORT

Mr. Lahrmer read an ordinance presented for council's adoption, Ordinance 2014-02, Ordinance Adopting and Enacting a Supplement to the Code of Ordinance of Amberley Village. Ms. Conway moved to approve Ordinance 2014-02, seconded by Mr. Warren and the roll call showed the following vote:

AYE: Bardach, Conway, Doering, Hattenbach, Muething, Warren, Wolf (7)
NAY: (0)

Mr. Hattenbach moved to approve Ordinance 2014-02, as an emergency measure for the necessity of bringing current at the earliest possible time the Village Code of Ordinances. Seconded by Ms. Conway and the roll call showed the following vote:

AYE: Bardach, Conway, Doering, Hattenbach, Muething, Warren, Wolf (7)
NAY: (0)

Mr. Lahrmer next reported that the Village has secured a 38-month electric rate of \$.046 for its public facilities. The supplier is Constellation. He noted this would not impact residents and is specifically for the municipal buildings.

Leaf collection restarted after the snow and ice melted. The collection should conclude this week. Residents should have all leaves at the curb now for pick-up.

Brush collection restarted today. There is one crew working on this service.

The maintenance department was commended for their response to the snow and ice events this winter season. They have done an excellent job.

Two employees are in leadership positions outside of the Village—Tony Chesney has been seated as President of the Public Works of Southwest Ohio organization and Chief Wallace has been seated as Secretary of the Hamilton County Police Chief's Association.

The Manager's Report in the council packet details the activity on grant applications. There is an ongoing effort in pursuit of grants and the list shows the breadth and depth of grants being sought to financially assist the Village.

The Village Municipal Building experienced multiple water breaks in the fire suppression system last week. Half of the building has been impacted by the water leaks. Damaged was mitigated by staff's excellent response to the event. ServPro has been contracted to assist with clean-up.

The Elected Officials Guide has been distributed to council and Page 7 includes a new legislative calendar that should be helpful to committee chairs planning ahead for meetings.

MAYOR'S REPORT

Mayor Muething reported that he would like to assign "pedestrian safety" to the HEW Committee for future agendas and business.

There will be an ESC Committee meeting on January 27 at 7:30 p.m. Sign-ups for garden plots will be available for the Amberley Green community garden on the Village website.

Mayor Muething commented that over the past month he observed the quality of the Village employees firsthand. For example, in response to the robbery on Elbrook—it was solved in 2 days. He stated the officers are diligent in their work and well trained. He stated the maintenance department is also well trained. He was on-site promptly after the water leak and observed the staff team up and address the issue. He stated that the Village has a quality staff, especially noted in a crisis response, and they do an outstanding job.

NEW BUSINESS

Ms. Conway announced the next Women's Forum will be held at Merrie Stillpass' home on January 22 at 7 p.m. and the topic will be the ESC Committee.

Ms. Wolf encouraged attendance at the next First Suburbs meeting on January 29 at 6 p.m. and the location was TBA, but usually meets at the Blue Ash Fire Stations on Kenwood. The topic will be regional transportation.

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

Nicole Browder, Clerk of Council

Mayor Thomas C. Muething