

**MINUTES OF THE REGULAR MEETING  
AMBERLEY VILLAGE COUNCIL  
MONDAY, MARCH 14, 2016**

The Council of Amberley Village, Ohio met in regular session at the Amberley Village Municipal Building, 7149 Ridge Road on Monday, March 14, 2016 at 6:30 p.m. Mr. Muething called the meeting to order. The following roll call was taken:

**PRESENT:**

Richard Bardach

Peg Conway

Ed Hattenbach

Thomas C. Muething

Ray Warren

Natalie Wolf

**ALSO PRESENT:**

Scot Lahrmer, Village Manager

Nicole Browder, Clerk of Council

Kevin Frank, Village Solicitor

Lt. Brian Blum, Police/Fire Department

Mr. Muething welcomed everyone to the 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 January 28, 2016 regular meeting. Mayor Muething asked if there were any additions or corrections to the minutes as distributed. There being none, he stated the minutes were accepted as submitted.

Mayor Muething presented the minutes of the February 2, 2016 regular meeting. Mayor Muething asked if there were any additions or corrections to the minutes as distributed. There being none, he stated the minutes were accepted as submitted.

Mayor Muething presented the minutes of the February 8, 2016 regular meeting. Mayor Muething asked if there were any additions or corrections to the minutes as distributed. There being none, he stated the minutes were accepted as submitted.

**FINANCE REPORT**

Village Manager Scot Lahrmer presented the January, 2015, Finance Report (a copy of which is attached hereto). Mr. Lahrmer reported a summary of this report and noted tax collections for the month of January totaled \$605,889. The total general fund revenue for the month of January was \$664,243 while expenses equaled \$288,014. At the end of January, the unencumbered General Fund balance was \$3,819,371. The report was accepted as submitted.

**CITIZENS TO SPEAK**

Mr. Dino Hasson, 9018 Zoellner Drive, stated that he is business partners at EMES Lawn Care with Mendy Kalmanson. He commented that EMES Lawn Care has submitted quotes for the mowing of the Amberley Green for the past few years and has been successful in being selected to cut the property. He stated EMES Lawn Care asked the Council to reconsider EMES as the vendor to cut the Amberley Green and allow EMES to match the bid of Greatful Growers in order to continue the good working relationship EMES Lawn Care has with the Village.

Mayor Muething thanked Mr. Hasson for his input and noted the mowing was going to be considered later on the agenda.

### **APPOINTMENT OF PLANNING COMMISSION MEMBER**

Mayor Muething reported that as a result of Larry McGraw having resigned in December 2015, the Village went through a selection process that he conducted with Planning Commission Chair Rich Bardach and Village Manager Scot Lahrmer. Mayor Muething moved to appoint Scott Rubenstein to fill the vacancy on the Village Planning Commission and Board of Zoning Appeals which expires December 31, 2016. Seconded by Mr. Hattenbach. The motion carried unanimously. Attorney and long-time resident Scott Rubenstein was selected to fill the open seat and will serve the remainder of the term. Mr. Rubenstein thanked the Mayor for the appointment. Village Solicitor Kevin Frank performed the swearing-in for Mr. Rubenstein. Chair Rich Bardach welcomed Mr. Rubenstein aboard.

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

Mr. Warren reported that the committee met on February 9 and March 8 to discuss the purchase of a replacement leaf machine, bridge and culvert repairs, and selection of a vendor for mowing services.

Replacement of the Village's 1987 leaf machine was budgeted for \$61,000. This leaf machine served as the primary unit for 15 years and a back-up for 14 years. The best cost is available through the National Joint Powers Alliance Cooperative Purchasing Program at \$48,234. Delaying the purchase will result in a cost increase of 15% and bring the total near \$55,000. There is no cost to join the purchasing cooperative. The new leaf machine will be purchased through the cooperative from Old Dominion for an amount not to exceed \$48,234.

Mr. Warren presented, read and moved to waive the three readings of Ordinance 2016-7, Ordinance Authorizing Participation in the National Joint Powers Alliance Cooperative Purchasing Program. Seconded by Mrs. Conway and the roll call showed the following vote:

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

Mr. Warren presented, read and moved to approve Ordinance 2016-7, Ordinance Authorizing Participation in the National Joint Powers Alliance Cooperative Purchasing Program. Seconded by Mr. Hattenbach and the roll call showed the following vote:

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

Mr. Warren presented, read and moved to approve Resolution 2016-10, Authorizing the Village Manager to Purchase a Leaf Vacuum through the National Joint Powers Alliance Cooperative. Seconded by Mrs. Conway and the motion carried unanimously.

Mr. Warren reported that bids for bridge and culvert repairs from the 2015 Storm Water Program were rejected and were to be bid again in 2016 with similar projects. The bridge and culvert repairs consist of patching concrete on box culverts and wing walls, replacement of culvert sections of culvert pipe, repairs or replacement of headwalls, filling scour holes with rock, slope and bank stabilization.

The locations of the repairs include: Ridge Road (south of Section), Section Road (east of Kincaid), Section Road (east of French Park entrance), Section Road (west of Beechlands), Beechlands Drive (south of Section), Fair Oaks Drive (south of Section), Ridge Road (south of

Lakeview), Section Road (east of French Park exit), Section Road (east of Ridge), Section Road (west of Fair Oaks), and Fair Oaks Drive (north of Willow Brook).

The Village Engineer's estimate for this work was approximately \$274,000. Four bids were received that ranged from \$171,640 from Smith Construction to \$286,975 from Ford Development. The engineer and the committee recommended Smith Construction.

Mr. Warren presented, read and moved to approve Resolution 2016-11, Authorizing the Village Manager to Enter into a Contract with Smith Construction for the 2016 Storm Water Rehabilitation Program. Seconded by Mr. Hattenbach and the motion carried unanimously.

Mr. Warren reported the Village received quotes for mowing services for the Amberley Green, municipal building and right of ways, and the North Site property. The quotes were received from Fredericks Landscaping, EMES Lawn Care, and Greatful Growers (summarized below):

<u>Property</u>	<u>Company</u>	<u>Base Bid (per cut)</u>	<u>2016 Estimate Based on 2015 Services</u>
Municipal Building	Greatful Growers Frederick's Landscaping	\$300 No bid	\$7,800
North Site and Village-owned right of ways	Fredrick's Landscaping	\$970	\$25,220
	Greatful Growers	\$850	\$22,100
Amberley Green	Greatful Growers	Inner Property: \$1,250 Front fairways and building: \$150 Bush hogging: \$375 ea.	\$24,950
	EMES Lawn Care	Inner Property: \$1,400 Front fairways and building: \$175 Bush hogging: \$850 ea.	\$29,000

The committee recommended the mowing contract for 2016 be awarded Fredericks Landscaping for the North Site and the Village right of ways in the amount of \$25,220 and Greatful Growers for the Amberley Green and Municipal Building in the amount of \$32,750.

Mr. Warren presented, read and moved to approve Resolution 2016-12, Authorizing the Village Manager to Enter into a Contract for Mowing Services for 2016. Seconded by Mrs. Conway.

Council held a discussion on whether a precedent would be set by allowing EMES Lawn Care to match the lower quoted services from Greatful Growers for the Amberley Green property. Vice-Mayor Wolf expressed that in her opinion it was bad policy for the Village to accept new quotes from higher bidders after soliciting quotes and it could lead to collusion in future bidding processes. She also was concerned that it would reflect negatively on our integrity when soliciting quotes. It was clarified that this was not a bidding process. It was concluded that this

would be a cost savings to the Village and by selecting EMES Lawn Care it would continue business with a resident and business within the Village.

Mrs. Conway moved to amend the motion approving Resolution 2016-12 in favor of utilizing EMES Lawn Care for the mowing of the Amberley Green property. Seconded by Mr. Bardach and the motion carried, 1 opposed—Wolf and 1 abstained—Hattenbach.

A vote was held on Mr. Warren's original motion to approve Resolution 2016-02, as amended to award the Amberley Green contract to EMES Lawn Care. The resolution was approved six votes to zero, with one abstention (Hattenbach).

Mr. Warren also reported that staff has been successful in receiving a \$60,000 grant for the Section Road storm water project. He applauded staff for applying and receiving this grant.

### **FINANCE COMMITTEE**

Mr. Hattenbach presented, read and moved to approve Ordinance 2016-8, Ordinance Amending Appropriations for the Fiscal Year 2016 for the purpose of disbursing grant monies to Amberley Village to be used toward the purchase of the Self-Contained Breath Apparatus and cascade system for the Fire Department. Seconded by Mrs. Conway and the roll call showed the following vote:

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

### **POLICE/FIRE COMMITTEE**

Mrs. Conway reported that the police-fire radio system has reached its life expectancy and it is time for the Village to update. The Police-Fire Department has been in negotiations with Mobilcomm and the new system will cost \$77,819 and save \$23,000. This cost was originally budgeted in the capital fund for a total of \$100,000.

Mrs. Conway presented, read and moved to approve Resolution 2016-13, Authorizing the Village Manager to Purchase Police-Fire Radios. Seconded by Mr. Hattenbach and the motion carried unanimously.

Mrs. Conway also shared that the department's K-9 unit will likely start training with the City of Cincinnati at the end of April.

### **COMPENSATION & BENEFITS COMMITTEE**

Ms. Kamine reported the committee met on February 10 to discuss merit compensation for staff. She noted this was the only form of compensation adjustment which occurs in April each year. The committee was presented with historical information noting the last three years at 3% increases and wages were flat in the two years prior to the recent increases. Additionally, eight peer communities' historical data showed over the last several years increases ranged from 2-3%. There was a full presentation from the manager on earnings tax revenues which was the basis for his recommendation of 2% as budgeted. Employees submitted a letter presented by Chief Wallace which detailed cost savings, a total of \$400,000 in grants achieved by staff and a general ask without an amount stipulated for an increase. Ms. Kamine noted that each 1% increase costs \$28,000.

Ms. Kamine moved to waive the three readings for Ordinance 2016-9, Fixing Compensation for Village Employees. Seconded by Mrs. Conway and the roll call showed the following vote:

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

Ms. Kamine presented, read and moved to approve Ordinance 2016-9, Fixing Compensation for Village Employees providing a 2% wage increase. Seconded by Mr. Hattenbach and the roll call showed the following vote:

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

Ms. Kamine moved to pass Ordinance 2016-9 as an emergency measure. Seconded by Mrs. Conway and the roll call showed the following vote:

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

#### **LAND DEVELOPMENT COMMITTEE**

Mayor Muething reported that the committee met in advance of the council meeting and recommended not moving forward with Resolution 2016-14, Authorizing the Village Manager to Execute a Preliminary Development Agreement for Amberley Green. Mayor Muething asked council members to email any suggested changes to the agreement by Wednesday this week. A new draft agreement will be presented to the committee next week to consider those revisions.

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

Mr. Lahrmer reported that some residents have received a letter from Duke Energy outlining the proposed three placement options for the new gas transmission line. He stated Duke will hold public meetings on March 22 at the Sycamore Township Community Center from 5:30-8 p.m. and March 23 from 5:30-8 p.m. at the Pleasant Ridge Montessori School. It was noted that the public meetings are drop-in format. Mr. Lahrmer clarified that the placement of the main is not known yet.

Mr. Lahrmer reported that the print newsletter has been prepared by staff and mailed to residents. He noted this was one of the print newsletters issued twice per year to reach out to all Village residents. He encouraged residents interested in receiving additional news to sign-up for the e-news and connect on the Village's Facebook page.

Mr. Lahrmer shared the Budget in Brief issued by Hamilton County which provides an overview of the county's fiscal and policy issues. He noted one of the Village's 75<sup>th</sup> Anniversary photos was shown on the cover and the Village was highlighted on the inside cover.

#### **CHIEF'S REPORT**

Lt. Blum encouraged residents to continue locking their vehicles and keeping garage doors closed.

Lt. Blum stated that there was a house fire on February 13 on Longmeadow Lane. He noted there was no one home at the time and the fire was reported by a passing motorist. He stated the crew did an outstanding job. Mutual aid was received from a number of departments and a total of 41 fire fighters responded.

### **MAYOR'S REPORT**

Mayor Muething reported on behalf of the Environmental Stewardship Committee:

- The annual One Stop Drop will be held April 10. The Village website has a comprehensive list of acceptable items. There will be paper shredding, electronics recycling and creative re-use materials and fabrics will also be collected. The event hours are noon-4 p.m.
- Amberley Village was awarded its Tree City USA recognition which will be celebrated at the Arbor Day Celebration on April 25.
- The next committee meeting will be March 28 at 7 p.m. in the community room.

Mayor Muething reported the 75<sup>th</sup> Anniversary expenses and donations were reviewed. He noted the budget for the event was \$20,000 and a target of \$12,500 for donations was set. He reported that actual expenses were \$25,000 and donations offset that amount for a net expense of \$6,600.

Mayor Muething stated the committee assignments passed last month contained an error. He moved to amend the Law Committee members to replace Ray Warren with Ed Hattenbach and the Health, Education and Welfare Committee members to replace Ed Hattenbach with Ray Warren. Seconded by Ms. Wolf and the motion carried unanimously.

Mayor Muething referred a complaint on drones flying at the Amberley Green to the Public, Buildings and Parks Committee. He stated that some city and county parks have addressed drones with policy and the Village should review the item. Mr. Bardach noted there are at least 5-10 drones observed on the property at times.

### **NEW BUSINESS**

Mrs. Conway inquired if the Village will be holding an Ice Cream Social event this year. Mr. Lahrmer commented that the event is typically held in August and Amy Rubenstein has previously chaired the event. He noted he would contact her to see if she was interested in volunteering again. Mayor Muething commented that if she is interested and to help lessen the burden on her that she could meet with the Public Outreach Committee.

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

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Nicole Browder, Clerk of Council

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Mayor Thomas C. Muething