

**MINUTES OF THE PUBLIC HEARING AND SPECIAL MEETING  
AMBERLEY VILLAGE COUNCIL  
TUESDAY, JULY 28, 2009**

The Council of Amberley Village, Ohio held a public hearing and special meeting at the Amberley Village Hall, 7149 Ridge Road on TUESDAY, JULY 28, 2009 at 4:00 P.M. Mayor Charles Kamine called the meeting to order. The following roll call was taken:

<u>PRESENT:</u>	<u>ALSO PRESENT:</u>	<u>ABSENT:</u>
Charles Kamine	Bernie Boraten, Village Manager	Peg Conway
Jon Chaiken	Steve Cohen, Village Solicitor	Rick Kay, Village Treasurer
Fran Cohen	Lt. Brian Blum, Police/Fire Dept.	Jack Monahan, Police/Fire Chief
Louis Katz (arrived late)	Nicole Browder, Clerk of Council	
Leslie McIntosh	Steve Rasfeld, Public Works Supervisor	
Merrie Stillpass	Kathy Harcourt, Tax Administrator	

Mayor Kamine welcomed everyone to the public hearing and special meeting of the Amberley Village Council.

Mayor Kamine announced that the Council will consider proposed language to modify the Village Code section pertaining to conditional use. A public meeting is required as a part of the consideration and approval process as provided for in the Village Charter. He then read the proposed language which is shown in bold below:

Section 154.25(C) *Conditional Use*. Buildings, **and Village owned land**, designed to be occupied by or to serve the general public may be constructed **and/or utilized** in Residence A **and Residence B** Districts provided they are authorized pursuant to a conditional use permit granted by the Board of Zoning Appeals.

Mayor Kamine reported that the Planning Commission, at its July 6, 2009 meeting, reviewed and returned a recommendation to Council to accept the proposed language change to the Village Code. He then asked if any members of the audience would like to comment regarding the proposed language. No persons from the audience requested to speak on the matter.

Mr. Chaiken moved to approve ORDINANCE NO. 2009-14, ORDINANCE AMENDING A SECTION OF THE VILLAGE ZONING CODE AS TO CONDITIONAL USE PERMITS IN THE VILLAGE as submitted. Seconded by Mrs. Cohen and the roll call showed the following vote:

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

Mayor Kamine stated with this language approved, Council will next seek a conditional use permit for the Amberley Green property in order to proceed with the necessary steps to open the

property to the public as a park. The next Board of Zoning Appeals meeting will take place on August 3, 2009.

Mayor Kamine informed the Council that the next two issues would be regarding developments within the Citizen Advisory Committee. Distributed to the Council was a draft letter of proposal developed by the Golf Subcommittee. The letter was created by Rick Lauer and will be slightly modified. The purpose of the letter is to invite potential golf course developers to make proposals for the Amberley Green property. Mayor Kamine stated that he wanted to provide Council with the opportunity to express their support for this concept letter and also approve the letter for posting to the Village website.

Mr. Scott Wolf, Chair of the Citizen Advisory Committee, informed the Council that the Citizen Advisory Committee as a whole has worked on the letter and approved the letter at their last meeting. He stated that the Citizen Advisory Committee agreed to refinement of the document based on suggestions, which were not substantial, in the recent committee meeting. It was also agreed that it was important to have this letter and additional information regarding the Amberley Green property posted to the Village website. He noted that, of course, any and all proposals would be subject to Council approval.

General discussion was held regarding the logistics of the final content of the letter as well as placing the information on the Village website.

Mayor Kamine asked for a resolution to authorize the concept letter of invitation, to be finalized by the Citizen Advisory Committee, which will be sent out to prospective golf course developers to request golf course development proposals for the Amberley Green property and place the invitation letter along with supporting documents to the Village website, subject to a final vote of Council as is typically required for website content. Mr. Katz moved to approve the motion. Seconded by Mrs. Cohen and the motion carried unanimously.

Mayor Kamine then introduced the next item for consideration which was a draft lease agreement from Mt. Notre Dame High School that would allow the school to pay for rehabilitation of the tennis courts on the Amberley Green property and in exchange permit the school's tennis team to practice there and hold tennis matches for a period of five years with the option to renew.

Mr. Wolf reported to Council that he had met with representatives of Mt. Notre Dame and learned of their land-locked situation which causes the school to seek utilization of tennis facilities each season. To develop this opportunity between the Village and Mt. Notre Dame, an expert by the name of Tennis Court & Track Construction completed an assessment of the old deteriorated tennis courts at the Amberley Green property. A proposal to convert 5 of the 7 clay tennis courts to hard tennis courts was prepared and distributed to Council for review and it was pointed out that option two in the proposal would be utilized.

Mr. Wolf stated that the school would convert the three courts closest to the street view first. Prior to any work, the Village will have the opportunity to accept the design of the courts. He continued to inform the Council that the school would be required to maintain the courts. He

stated that the Citizen Advisory Committee has agreed to this proposal as it aligns with the overall goals of the committee, which is to keep any development on the property cost neutral and green. It was also noted that the insurance language proposed by Mr. Boraten and Mr. Cohen has been incorporated in the agreement.

Mayor Kamine confirmed that the Village would need to rethink some of the logistics, such as day passes for the school's matches which would place vehicles in the parking lot that did not have the Amberley Village vehicle identification sticker. The vehicle identification sticker was originally proposed as a way of identifying non-residents since the intention is to keep the park an amenity to residents only. Mr. Wolf stated that could certainly be worked out.

Mayor Kamine also confirmed that there would be no concession operating at the matches. Mr. Wolf stated that he did not believe so, although it could be considered if the Village would like to accommodate such in the future. There was a brief discussion regarding the structure near the tennis courts which currently houses old pool equipment. Mr. Wolf stated that this structure could be checked for suitability for the purpose of concession or equipment storage, although there is nothing in the lease agreement that obligates the Village to do so.

Mayor Kamine asked if the school would have bleachers for spectators. Mr. Wolf commented that there may be a design for that because there will be a space between the courts which could provide that option. If that is in the design, it will be subject to Council approval.

Mayor Kamine then asked if the school would need restrooms other than portable. Mr. Wolf stated that he believed the portable restrooms would be the only option at this time since there are not established facilities on the property.

Ms. McIntosh asked if the school would be utilizing any signage on the property. Mr. Wolf stated that if the school does need signage, it would be temporary signage only displayed during tennis matches, which would then be taken down after the game.

Mr. Chaiken asked if lights would be utilized. Mr. Wolf stated that there will be no evening play, so lights will not be necessary.

Ms. McIntosh suggested that that game schedule be posted to the Village website. Mr. Wolf stated that it would be his suggestion to have a representative of the Village in attendance at the tennis committee meetings so that an open line of communication exists as we proceed.

Mr. Katz asked if the Village would make the tennis courts near Village Hall available if the construction on the tennis courts at Amberley Green is not ready in time for their tennis season. Mr. Wolf stated that if the courts are not ready in time then the Village may consider that option if they so chose.

Mr. Katz then complimented Mr. Wolf and Mr. J.K. Byar for their efforts to bring this opportunity forward. Mr. Katz moved to approve that the Council authorize the Village Manager to enter into the lease agreement with the final negotiations to be completed by the Village Manager. Seconded by Mrs. Stillpass and the motion carried unanimously.

Mr. Wolf thanked Mr. Byar for all of his time and effort. Mr. Wolf stated that it was Mr. Byar who should be credited for bringing this opportunity together.

There being no further business, Mrs. Cohen moved to adjourn the council meeting. Seconded by Mr. Katz and the motion carried unanimously.

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Nicole Browder, Clerk of Council

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Mayor Charles Kamine