

**MINUTES OF THE REGULAR MEETING  
AMBERLEY VILLAGE COUNCIL  
MONDAY, AUGUST 8, 2016**

The Council of Amberley Village, Ohio met in regular session at the Amberley Village Municipal Building, 7149 Ridge Road on Monday, August 8, 2016 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	Lt. Brian Blum, Police-Fire
Peg Conway	Nicole Browder, Clerk
Ed Hattenbach	Kevin Frank, Solicitor
Elida Kamine	Rick Kay, Treasurer
Thomas C. Muething	Scot Lahrmer, Village Manager
Ray Warren	

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

**MINUTES**

Mayor Muething asked if there were any additional changes to the minutes as distributed. There being none, he stated the July 11, 2016 regular minutes were accepted as submitted.

**FINANCE REPORT**

Village Manager Scot Lahrmer presented the June, 2016, 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 June totaled \$244,933. The total General Fund Revenue for the month of June was \$895,157 while expenses equaled \$303,489. At the end of June, the unencumbered General Fund balance was \$5.2 million. The report was accepted as submitted.

**CITIZEN TO SPEAK**

Ms. Annie Cummins from U.S. Representative Brad Wenstrup's office was present to avail liaison services to residents. She also announced an invitation for residents to attend an informal forum with Mr. Wenstrup on August 11, 2016 at 8:30 a.m. at the Bluebird Restaurant in Norwood.

**STREETS, PUBLIC UTILITIES & SEWERS COMMITTEE**

Mr. Warren reported that the committee met and discussed the street rehabilitation projects totaling \$155,000, including stormwater projects for a total of \$396,000. He noted there were more projects than last year due to postponements. He provided a summary of the projects, as listed below:

- **3305 Lamarque:** clean and install concrete line in the 42" concrete pipe to seal cracks. Work began May 31 and was completed June 3. The project cost is \$43,750.
- **Section and Farm Acres Drive:** Replace pipe and install plastic pipe, manhole and headwall. Work to be completed by Smith Construction. The Village received \$60,000 in stormwater grant funds, and will return the unused portion to Hamilton County. The project cost is \$27,700.

- **3361-3381 Galbraith Road:** Replace 233' of deteriorated pipe. The project cost is \$35,000.
- Continue televising of storm water pipe system. The cost is \$25,000.
- Catch basin repairs to be completed by maintenance department and contractors. The cost is \$40,000.
- Payment of various organizational fees; \$20,000 annual fee to Hamilton County Stormwater Fund, and charges for stormwater repairs completed by the maintenance department in the amount of \$50,000.

The total stormwater program costs are \$396,000.

Mr. Warren read, presented and moved to approve Resolution 2016-29, Resolution Authorizing an Agreement between the Village of Amberley and the Board of Hamilton County Commissioners Relative to the Improvements of Kincaid Road. Seconded by Ms. Conway and the motion carried unanimously. Mr. Warren commented that the Village applied for and received grant funds for this project through the Municipal Road Fund (MRF) in the amount of \$95,000. The actual cost of the improvements is \$102,000.

Mr. Warren read, presented and moved to approve Resolution 2016-30, Resolution Authorizing the Village Manager to Enter into a Contract Extension with the City of Cincinnati for Furnishing Salt for Snow and Ice Control Purposes. Seconded by Ms. Conway, and the motion carried with five yes votes. Ms. Kamine recused herself as she is employed by the City of Cincinnati. The cost for salt per ton is \$75.86 and the Village will contract to purchase 1,400 tons.

Mr. Warren reported that staff identified 16 catch basins for major repair. Two quotes were sought and one reply was received from Adleta Construction in the amount of \$35,328. Mr. Warren read, presented and moved to approve Resolution 2016-31, Resolution Authorizing the Village Manager to Enter into a Contract with Adleta Construction to Perform Repairs on Catch Basins as Part of the Storm Water System. Seconded by Mr. Hattenbach and the motion carried unanimously.

Mr. Warren reported the committee discussed renewal of the Village's natural gas aggregation and reviewed the program which expires in October 2016. He provided a summary of savings achieved over recent years utilizing the program and noted a total savings to residents in the amount of \$1 million in electricity costs. He stated at the July 25 meeting the committee discussed whether or not to continue aggregation and it was believed that residents have come to expect the Village to identify the best option and individuals being solicited was not appealing.

Requests for proposals were pursued and four replies were received. Don Marshall with Eagle Energy, the Village's energy consultant, recommended to continue with IGS Energy but with a variable rate instead of a fixed rate. The program will be an opt-out if residents do not want to participate and the Village can also change to a fixed rate at any time.

Mr. Warren moved to waive the three readings of Ordinance 2016-12 due to the current program set to expire in October and ensure there will be no break in service. Seconded by Mr. Hattenbach and the roll call showed the following vote:

AYE: Bardach, Conway, Hattenbach, Kamine, Muething, Warren (6)  
 NAY: (0)

Mr. Warren moved to approve Ordinance 2016-12. Seconded by Mr. Hattenbach and the roll call showed the following vote:

AYE: Bardach, Conway, Hattenbach, Kamine, Muething, Warren (6)  
NAY: (0)

Mr. Warren moved to pass Ordinance 2016-12 as an emergency measure. Seconded by Mr. Hattenbach and the roll call showed the following vote:

AYE: Bardach, Conway, Hattenbach, Kamine, Muething, Warren (6)  
NAY: (0)

**PUBLIC BUILDINGS & PARKS COMMITTEE**

Ms. Conway reported the committee met August 1 to discuss the proposal for a new salt building. She commented that staff has been researching the replacement options for several years. The current building has a 400 ton capacity. She reported that in 2014, the building itself was identified as having structural issues and repair costs ranged from \$140,000 to \$275,000 while building replacement costs ranged from \$176,000 to \$300,000. She noted after staff attended a public works conference a lower cost option was discovered. The new application was a galvanized frame with a fabric cover through BrightSpan. It has been working well for other communities, costs less, and has the storage capacity of 1,000 tons of salt. It comes with a 100-year warranty on the frame.

Several contractors will be involved with the project—Evans Landscape will perform demolition for \$7,805, the walls and footers will be performed by Central Concrete for \$75,625, the frame and fabric from BrightSpan will cost \$38,750, for a total project cost of \$122,180. It was noted that \$200,000 was appropriated and this new option is well under the original estimates. Ms. Conway presented, read and moved to approve Resolution 2016-32, Resolution to Approve Construction of a Replacement Salt Storage Facility. Seconded by Ms. Kamine and the motion carried unanimously.

Ms. Conway noted that the bids to repair the asphalt would be considered at a later date as part of the street repair program to achieve better pricing.

Mr. Warren commended the maintenance department for finding cost effective options.

Ms. Conway reported that the committee also discussed the repair of the tennis courts next to the municipal building. The estimate from Ewers to complete repair, repaint and resurface of the courts was \$17,500. This was last performed in 2004 and some crack repair and cleaning has been performed by staff since then. She noted discussion on the pine trees which provide shade but also obstruct the sun from getting to the courts to dry them as well as the pine needles that fall onto the courts. Mayor Muething noted that the discussion regarding the pine trees will be brought through the Environmental Stewardship Committee.

Ms. Conway presented, read and moved to approve Resolution 2016-33, Resolution Authorizing a Contract for the Resurfacing of Tennis Courts at the Municipal Building. Seconded by Mr. Hattenbach and the motion carried unanimously.

## **LAND DEVELOPMENT COMMITTEE**

Mayor Muething presented and conducted the first reading of Ordinance 2016-13, Ordinance Amending Zoning Map to Rezone 17.6 Acres Located at 2100 Section Road Owned by The Port Authority from Residential "A" and "B" to Industrial "A".

Mayor Muething announced that a public hearing on the rezoning of 2100 Section Road will occur on September 12 at the next council meeting. He summarized that Council received the rezoning application from the Port Authority which was referred by Council to the Planning Commission. The Planning Commission recommended rezoning at its August 1 meeting. The Mayor then asked Mr. Lahrmer to provide an update on the project.

Mr. Lahrmer reported that staff continues to work with the Port Authority to transition the redevelopment of the 56 acre site. He stated two public information meetings were held July 20 which were coordinated by staff and the Port Authority was invited to make a presentation to residents about the redevelopment. He noted 220 invitations were sent to households. The presentation was very informational letting adjacent property owners know what kind of work will be transitioning over the next year, including demolition, work hours, stormwater improvements, and asbestos removal.

Mr. Lahrmer commented that one of the items that came up during the meeting was regarding stormwater work along Elbrook, the property line north and west of the Gibson building. He stated the Port's initial plans were to create a channel along that area which would take out a number of trees. The Port has listened to the residents and a tentative agreement has been worked out that will redesign the stormwater infrastructure 20' away from the property line and utilize a pipe versus a channel. He noted this along with other aspects of the project will require some financial participation from the Village. The preparation of the agreement is underway.

Mr. Lahrmer reported that the rezoning of the 17 acres has been recommended by the Planning Commission. The next step is a public hearing at the council meeting on September 12. He mentioned there has been a lot of discussion regarding the 17 acres and most assumed it was already industrial. He summarized encumbrances on the area including slopes, a creek running through it, and location in a floodway. He stated the Village Code is not the most up to date; however, one of the restrictions of the industrial zoning is that only 50% of the area can be built upon. This would limit construction to 28 acres unless a variance is granted.

Mr. Lahrmer stated rezoning is the next step for the site along with vacation of the paper streets on the property so the site can be marketed as one tract of land. He stated overall this is moving the Village forward economically with the advancement of this industrial area, which is 1 of only 7 industrial sites in the Village. He stated the goal is to return the property to a higher and better use. He commented that the Port Authority has agreed to work together with the Village and their objective to revitalize the property. Private sector companies would likely do all of this work on their own and it fits nicely into the Village's objectives as well. He stated the Port Authority has agreed to continue communications with the Village and residents. He then thanked the Port Authority for making an investment in the Village.

Ms. Conway asked for clarification of the new stormwater plan as it relates to a buffer remaining for the Elbrook residents. Mr. Lahrmer confirmed that the trees along the 15-20 homes at the property line would remain. Mayor Muething also noted the 5-10' of trees by the road will not be disturbed. The agreement is separate from the pending rezoning for the front of the property.

Ms. Kamine commented she was thankful that the Port Authority heard the residents' concern and that the Village is lucky to have them involved with the processes as well as a partner invested in getting the area revitalized. She asked that a cheat sheet be prepared to assist council members with questions related to the industrial code. She commented that the hearing was a good process and would have liked a broader audience invited to the informational meetings. She noted her point of concern is that the Port is not the end-user and also would like to see REDI invited to help answer questions as well.

Mr. Warren commented that he was at the zoning hearing and referred to Ms. Kirshner's concern which he felt was shared by many residents, and that was the need for pedestrian safety. He stated there will be more cars on Section Road and walkways or sidewalks that could border the property should be considered by the Port Authority. Mr. Lahrmer clarified that the Port Authority is the interim preparing the property for site readiness. He noted that discussion would be with an end-user.

Mayor Muething stated that because of the adjustment to the stormwater plan, the option to exit the back of the property remains because of the pipe installation versus a channel.

Mayor Muething announced the second reading and public hearing on Ordinance 2016-13 will be held on September 12.

Mayor Muething reported that there are paper streets on 2100 Section Road property. The Port Authority has requested those streets be vacated to maximize the development potential on the property. Mayor Muething moved to waive the three readings of Ordinance 2016-14, Ordinance Vacating Paper Streets at 2100 Section Road. Seconded by Ms. Conway and the roll call showed the following vote:

AYE: Bardach, Conway, Hattenbach, Kamine, Muething, Warren (6)  
NAY: (0)

Mayor Muething moved to pass Ordinance 2016-14. Seconded by Mr. Hattenbach and the roll call showed the following vote:

AYE: Bardach, Conway, Hattenbach, Kamine, Muething, Warren (6)  
NAY: (0)

### **MANAGER'S REPORT**

Mr. Lahrmer announced the installation of temporary speed humps on Sagamore Drive. He commented that it was part of the overall effort to bring awareness to safety on our roadways. The speed humps will be removed in advance of inclement weather.

Mr. Lahrmer thanked resident Amy Rubenstein for coordinating the Ice Cream Social. He also thanked staff that follows up with heavy lifting on the event.

### **CHIEF'S REPORT**

Lt. Blum introduced the new K-9 unit Creed with Officer Andrea Alt. A badge ceremony and presentation of the K-9 was conducted by the Mayor and Chief Wallace.

### **MAYOR'S REPORT**

Mayor Muething reported that he attended the K-9's graduation ceremony this past Friday as well as three other K-9 units. He stated this would not have been possible without assistance from Village businesses as well as organizations like the Haverkamp Foundation. He noted the foundation provided the funds to purchase all four of the dogs for the county. He also commented that K-9s now come from Europe as all of the aggressiveness has been bred out of U.S. breeds. He stated the city hosted the training which saved the Village money. Thank you letters will be sent out on behalf of council to all organizations that made this possible.

Mayor Muething credited Chief Wallace for identifying and implementing another tool to make our police force outstanding and even better. The Mayor also explained that the Haverkamp Foundation was created for Officer Haverkamp who was an officer in Golf Manor that passed away. Mayor Muething commented that the Village will be able to assist surrounding communities that have assisted us in the past and is a great example of police working together to deliver services. He also commended Officer Alt for her efforts and passion as a K-9 officer.

### **NEW BUSINESS**

Ms. Kamine thanked Amy Rubenstein and staff for a successful Ice Cream Social. She mentioned that Greater Cincinnati Energy Alliance had a table there for solar energy which is gaining interest. She also commented that Pleasant Ridge Montessori School has invited Amberley residents to its Ice Cream Social on Sunday, August 14 from 2-4 p.m. She then encouraged residents to write letters to the Ohio Power Siting Board opposing the natural gas pipeline extension project as the deadline nears for the application process.

Ms. Conway stated that a table at the Ice Cream Social with information about the pipeline project was steady all evening. She stated most folks had not written their letters and were encouraged to do so. Duke has until September 15 to file the application.

Mr. Warren commented that it was his understanding that the Ohio Power Siting Board has received more comments for this project over any other submitted.

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