

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, DECEMBER 11, 2017**

The Council of Amberley Village, Ohio met in regular session at the Amberley Village Municipal Building, 7149 Ridge Road on Monday, December 11, 2017 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	Chief Rich Wallace, Police-Fire Department
Peg Conway	Nicole Browder, Clerk of Council
Ed Hattenbach	Kevin Frank, Village Solicitor
Elida Kamine	Scot Lahrmer, Village Manager
Thomas C. Muething	
Ray Warren	
Natalie Wolf	

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

The first order of business was to select the Mayor and Vice Mayor. Tom Muething asked for nominations for Mayor. Ms. Conway stated that Tom Muething has shown a willingness to do whatever is needed for the Village and has provided effective leadership. Ms. Conway moved to select Tom Muething as Mayor for the 2017-2019 term. Seconded by Ms. Wolf and motion carried unanimously.

Mayor Muething asked for nominations for the Vice Mayor. Mr. Hattenbach moved to select Natalie Wolf as Vice Mayor for the 2017-2019 term. Seconded by Mr. Warren and the motion carried unanimously.

Solicitor Kevin Frank administered the oath of office for the Mayor and Vice Mayor.

Mayor Muething next moved to approve the committee listing presented to council to appoint members for this term. He noted that it is the same as the past two years, and continues with Rich Bardach as representative for the Planning Commission/Zoning Board of Appeals, Ray Warren as the representative to the Stormwater board, and him as the representative to the Environmental Stewardship Committee. Seconded by Ms. Wolf and the motion carried unanimously.

Mayor Muething moved to waive the three readings of Ordinance 2017-13, Ordinance Appointing Kevin Frank as the Solicitor for the Village for the 2017-2019 council term. Seconded by Mr. Hattenbach. Mr. Bardach recused himself because he is married to the Village's prosecutor and this ordinance also appoints the prosecutor. The roll call showed the following vote:

AYE: Conway, Hattenbach, Kamine, Muething, Warren, Wolf	(6)
NAY:	(0)
ABSTENTION: Bardach	(1)

Mayor Muething moved to approve Ordinance 2017-13. Seconded by Ms. Conway and the roll called showed the following vote:

AYE: Conway, Hattenbach, Kamine, Muething, Warren, Wolf (6)
NAY: (0)
ABSTENTION: Bardach (1)

Mayor Muething moved to approve Ordinance 2017-13 as an emergency measure for the necessity of maintaining continuity of legal representation for the Village. Seconded by Ms. Conway and the roll called showed the following vote:

AYE: Conway, Hattenbach, Kamine, Muething, Warren, Wolf (6)
NAY: (0)
ABSTENTION: Bardach (1)

Mayor Muething moved to waive the three readings for Ordinance 2017-14, Appointing Rick Kay as the Village Treasurer for the 2017-2019 council term. Seconded by Mr. Hattenbach and the roll call showed the following vote:

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

Mayor Muething moved to approve Ordinance 2017-14, seconded by Ms. Conway and the roll call showed the following vote:

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

Mayor Muething moved to pass Ordinance 2017-14 as an emergency measure for the necessity of immediately providing for the Village the services of the Treasurer. Seconded by Mr. Hattenbach and the roll call showed the following vote:

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

Mayor Muething moved to waive the three readings of Ordinance 2017-15, Appointing Nicole Browder as the Clerk of Council for the 2017-2019 council term. Seconded by Mr. Hattenbach and the roll call showed the following vote:

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

Mayor Muething moved to approve Ordinance 2017-15, seconded by Ms. Conway and the roll call showed the following vote:

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

Mayor Muething moved to pass Ordinance 2017-15 as an emergency measure for the necessity of providing the Village the services of the Clerk. Seconded by Ms. Conway and the roll call showed the following vote:

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

Mayor Muething reported that the Income Tax Review Board has three members, two appointed by council which need appointed, and one appointed by the Village Manager. Mayor Muething moved re-appoint Judy Barron and Ben Hunt for a two year term (2017-2019). The Village Manager has selected Rick Kay to continue as well. Seconded by Ms. Wolf and the motion carried unanimously.

Mayor Muething stated that council approved the appointment of Scott Rubenstein to the Planning Commission/Zoning Board of Appeals, which was partial term. Mayor Muething moved to re-appoint Scott Rubenstein to an additional four term to expire in 2020. Seconded by Ms. Wolf and the motion carried unanimously.

MINUTES

Mayor Muething asked if there were any changes to the November 13, 2017 meeting minutes as distributed. There being none, he stated the minutes were accepted as submitted.

FINANCE REPORT

Village Manager Scot Lahrmer presented the October, 2017, 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 October totaled \$227,439. The total General Fund Revenue for the month of October was \$383,740 while expenses equaled \$618,789. At the end of October, the unencumbered General Fund balance was \$5,845,782. The report was accepted as submitted.

SPEAKERS

Rabbi Daniel Bogard, 7240 Meadowbrook Drive, spoke to council in support of the non-discrimination ordinance and urge council to pass it. He stated that he would like to pass on a legacy to our children to stand up for dignity, equality, and justice.

FINANCE COMMITTEE

Mr. Hattenbach presented, read and moved to approve Ordinance 2017-16, Amending the Income Tax and Fire Appropriations for Fiscal Year 2017. Seconded by Ms. Conway and the roll call showed the following vote:

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

Mr. Hattenbach stated that the Finance Committee met and reviewed appropriations for the General Fund for 2018, and noted the levy fund has decreased \$320,000 along with \$120,000 being transacted for the heroin task force commander position.

Mayor Muething clarified that the heroin task force position is offset by funds from Hamilton County, and the Village is hosting the position.

Mr. Hattenbach summarized the proposed General Fund appropriations as follows:

Fund	Amount
Street Maintenance Repair	\$799,960
Law Enforcement Trust Fund	\$36,914
Vehicle License Tax	\$108,273
Police & Fire Pension	\$51,039
Mayor's Court Computer	\$19,015
Police Levy	\$1,290,400

PSAP 911	\$32,641
Employee Severance	\$175,177
WeThrive	\$3,475
Capital Projects	\$329,49
Storm Water Utility	\$535,060
Unclaimed Monies	\$15,267
Mayor Court Agency	\$140,000
Employee Health Insurance	\$60,0000
Valley Band Escrow	\$23,417
Southwest Kenwood JEDZ Agency	\$1,075,000
Southwest Kenwood JEDZ Escrow	\$25,000
Southwest Kenwood JEDZ Long Term	\$15,000
Maintenance Agency	

Mayor Muething stated that while the amounts have been appropriated, the Finance Committee meets monthly and all expenses are reviewed ongoing each month.

Mr. Hattenbach presented, read and moved to approve Ordinance 2017-17, Making Appropriations for the Expenses of the Village of Amberley for the Fiscal Year 2018 in the amount of \$5,100,000. Seconded by Ms. Conway and the roll call showed the following vote:

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

Mr. Hattenbach presented, read and moved to approve Resolution 2017-36, Authorizing the Village Manager to Enter into a Contract with Argonaut for Property and Casualty Insurance. Seconded by Ms. Wolf and the motion carried unanimously.

Mr. Hattenbach presented, read and moved to approve Resolution 2017-37, Resolution to Authorize Transfer of Unclaimed Monies to the #9101 Unclaimed Monies Agency Fund. Seconded by Ms. Conway and the motion carried unanimously.

PUBLIC BUILDINGS & PARKS COMMITTEE

Ms. Conway reported that the committee met on December 4 where staff presented a proposal for energy efficient lighting on the exterior of the building. This would include a rebate from Duke Energy in the amount of \$2,044 with a net cost to the Village of \$16,657. The project would replace or retro fit incandescent lighting fixtures around the exterior of the Municipal Building as follows:

Replacement

- 15 parking lot pole light fixtures
- 12 building wall pack fixtures
- 4 building flood lights on the front building

Retrofit

- 8 down lights over sidewalks and entrances to the building
- 4 bollard fixtures on the brick plaza in front of the building

The project is estimated to produce an annual energy and maintenance savings of \$4,294.50, with a payback of approximately 3.88 years. Ms. Conway moved to approve Resolution 2017-38, Resolution Authorizing the Village Manager to Enter into a Contract to Purchase Energy

Efficient Lighting for the Municipal Building. Seconded by Mr. Hattenbach and the motion carried unanimously.

Ms. Kamine expressed her support for the energy efficiency effort to reduce energy costs and engaging in green opportunities.

Ms. Wolf commended Scot Lahrmer and Wes Brown for taking this step, and supports retrofitting fixtures for energy efficiency.

POLICE AND FIRE COMMITTEE

Ms. Conway reported that the committee has met two times to discuss several items. She stated the first was the alarm monitoring which is a continuation of what Chief Wallace has been working on for some time to update the alarm monitoring service and make it more widely available.

Ms. Conway stated the council previously approved equipment that the department has been testing and through that process it was realized that alarms need to be also transmitted via cellular service in addition to land lines. The Village would need to contract with a vendor to convert and relay those signals to the Village dispatch. In that process some obstacles were met which related to ensuring that the Village was not assuming any liability that it shouldn't. The Chief and Solicitor Frank have worked diligently with Honeywell/AlarmNet to finalize the contract language.

The Village has also created its own waiver for residents who sign up for monitoring. The Police Department is in the final stages of testing the new system and anticipates going live in February 2018. Ms. Conway moved to approve Resolution 2017-39, Authorizing the Village Manager to Enter into a Contract with AlarmNet to Enable Mobile Alarm Services for Residents. Seconded by Mr. Hattenbach and the motion carried unanimously.

Ms. Conway reported that a cruiser was involved in an auto accident, and while the officers was not injured the vehicle a total loss. Lebanon Ford has a Ford Utility Interceptor for \$32,988, and Camp Safety can install the equipment, some transferred from the old cruiser, in the amount of \$7,000. The total cost being \$40,838. Ms. Conway presented, read and moved to approve Resolution 2017-40, Authorizing the Village Manager to Enter into a Contract to Purchase a Police Cruiser. Seconded by Ms. Wolf and the motion carried unanimously.

Ms. Wolf commented that she was grateful that no one was injured. Mayor Muething stated that this vehicle was in the rotation for replacement in 2018 anyway. Mr. Hattenbach asked about the responsibility of the other driver's insurance to reimburse the Village. It was clarified that this will be the final amount expensed to the Village.

Ms. Conway reported that the contract for EMS services is currently with Golf Manor, which will soon become the Little Miami Joint Fire District. The Village needs to assign its contract for services to that district, and the only change residents will see if the lettering of the name on the responding vehicles will change to the new district name. The agreement states that there is no current need to replace the Golf Manor fire station. Ms. Conway presented, read and moved to approve Resolution 2017-41, Resolution Authorizing the Assignment of the Agreement with Golf Manor Fire Department to the Little Miami Joint Fire District. Seconded by Ms. Wolf and the motion carried unanimously.

LAND DEVELOPMENT COMMITTEE

Mayor Muething presented and read the third reading of Ordinance 2017-10, Declaring to be of Public Purpose Certain Public Improvements which are Necessary for the Further Development

of Certain Parcels with the Village and Establishing a Tax Increment Equivalent Fund. He noted two previous readings of the ordinance took place. He stated the committee has worked throughout 2017 to get educated on TIFs and then moved to place a TIF on the North Site, with the possibility of a TIF at 2100 Section Road. He explained that the TIF is a benefit to the Village which allows funding to accumulate from the improvements of the property, and then can be used for projects close to that property. Mayor Muething moved to adopt Ordinance 2017-10, which includes the 2 acres of the Mercy Health project and approximately 5 acres near the maintenance garage. Seconded by Ms. Wolf and the roll call showed the following vote:

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

Ms. Wolf state that she learned that TIF funding can be used for public improvements contiguous to the property. If residents are wondering what type of projects that can include, it could be pathways, bridges to cross streets, or something near the area to make it safer for pedestrians.

Mayor Muething stated that had the TIF been in place at the time, the new left turn signal could have been funded through the TIF.

Mayor Muething moved to adopt Ordinance 2017-10 as an emergency measure so that the ordinance be effective before January 1, 2018, and before the property value is reassessed so the purpose of the TIF is achieved. Seconded by Mr. Hattenbach and the roll call showed the following vote:

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

Mayor Muething reported that the lease agreement for Mercy Health needed to be amended to clarify language so that any real estate tax payments are the responsibility of the lessee on the property. He stated the amendment equates the term taxes with fees in lieu of taxes. The lessee on the property is agreeable to the change. Mayor Muething moved to approve Resolution 2017-42, Equating Service Payments as Tax Payments in the Lease Agreement. Seconded by Ms. Wolf and the motion carried unanimously.

HEALTH, EDUCATION & WELFARE COMMITTEE

Ms. Wolf reported that the committee met on December 5 to continue discussions regarding a proposed non-discrimination ordinance that would expand the class of individuals protected from discrimination in Amberley. LGBT individuals would be afforded equal protection in the areas of commerce, housing, and public accommodations. Ms. Wolf stated that currently there are no federal or state protections for LGBT-Q individuals.

Ms. Wolf reported that as chair of the HEW Committee she has been representing Amberley at WeThrive! quarterly meetings regarding the learning collaboratives. She shared that each community, at these meetings, has the opportunity learn about current public health initiatives, from opioid crises to infant mortality. To learn about the pathway for the Village, visit watchustrive.org. There is also blog available. She noted that Amberley was highlighted twice this summer by WeThrive! for its pedestrian safety resolution, and for the non-discrimination resolution. She also noted the committee will be meeting to discuss new media content tools available for the Village to communicate our achievements.

Ms. Wolf also reported that WeThrive! holds a recognition event annually to honor work of the participating communities. This year's event is December 13 from 5:30-8 p.m. at the JCC.

MANAGER'S REPORT

Mr. Lahrmer reported that the Maintenance Department will say leaf collection is different each year, and this year the leaves have fallen late. In the collection of leaves it was noticed that November had a lower number of loads which was down 35% over this time last year. The service will continue through December 29.

Mr. Lahrmer stated that the Village has submitted grant requests three years in a row for the funding of street replacement for the concrete streets on Farmcrest. He reported the recent application was not approved. He stated that the application will be applied for again and the amount of local funding will need to be increased this time. He noted that each time the Village has applied, it is a great application, however other communities with streets in worse condition and lower financials are being approved.

CHIEF'S REPORT

Chief Wallace announced the Menorah Lighting at 4 p.m. on December 11, and invited everyone to attend.

He complemented ESP Media for their work on the package delivery video and noted it was picked up by local radio and news stations which is great promotional coverage for the Village. He expressed his appreciation for Rob and his employees.

MAYOR'S REPORT

Mayor Muething stated that ESP Media has been working for the Village for three years and it is a much-improved service at a lower cost. He stated he hopes to continue their use and see more videos.

Mayor Muething stated that next month he will prepare a look back on 2017 from a council perspective and a look ahead at 2018 priorities. He stated that 2017 was a great foundation year for the future. He noted there is a lot to accomplish in 2018 to really move the Village forward.

NEW BUSINESS

Mr. Warren commented on the new traffic signal on Ridge. He stated that he thinks it has been working great, and has really improved traffic flow in that intersection. He thanked Scot Lahrmer for taking the lead, and ultimately getting it installed.

At 7:34 p.m. Mayor Muething moved to adjourn into executive session to consider compensation and employment of the Village Manager. Seconded by Peg Conway and the roll call showed the following vote:

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

Mayor Muething made the motion to adjourn from executive session into regular session. Seconded by Ms. Conway and was approved at 8:12 p.m.

Mayor Muething motioned to approve the performance appraisal of the village manager and seconded by Ms. Conway. All ayes.

Mayor Muething moved to recommend an ordinance be brought to the January council meeting for a 3% pay increase for the village manager with a \$1,500 bonus. Seconded by Ms. Conway and the motion carried unanimously.

Mayor Muething moved to adjourn at 8:14 p.m.

Nicole Browder, Clerk of Council

Mayor Thomas C. Muething