

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, JANUARY 14, 2019**

The Council of Amberley Village, Ohio met in regular session at the Amberley Village Municipal Building, 7149 Ridge Road on Monday, January 14, 2019 at 6:30 p.m. Not in attendance: Council Member Rich Bardach.

Mayor Muething called the meeting to order. The following roll call was taken:

PRESENT:

Peg Conway
Ed Hattenbach
Elida Kamine
Thomas C. Muething
Ray Warren
Natalie Wolf

ALSO PRESENT:

Lt. Brian Blum, Police-Fire Department
Kevin Frank, Village Solicitor
Nicole Browder, Clerk of Council
Scot Lahrmer, Village Manager
Rick Kay, Treasurer

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 changes to the December 10, 2018 meeting minutes as distributed. There being none, he stated the minutes were accepted as submitted.

FINANCE REPORT

Village Manager Scot Lahrmer presented the November 2018, 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 November totaled \$99,354. The total General Fund Revenue for the month of November was \$207,248 while expenses equaled \$408,501. At the end of November, the unencumbered General Fund balance was \$6,075,603. The report was accepted as submitted.

LAW COMMITTEE

Ms. Wolf gave the Law Committee report on behalf of Chair Rich Bardach who was not able to attend the meeting. She conducted the second reading of Ordinance 2018-13 Amending Zoning Code and Regulation of Accessory Structures.

Mayor Muething opened the public hearing on Ordinance 2018-13 at 6:39 p.m.

Beth Hammergren, 8435 Lynnehaven Drive, posed questions to better understand how much of a property can be covered with structures, whether drainage plans or foundations were required, and if landscaping will be required where large expansions of a single material existed for proposed accessory structures.

Ms. Wolf explained that the Planning Commission recommendations were reviewed by Council and some items were too rigid, such as a detailed list of what is or isn't allowed. Mayor Muething commented that the approval of such structures are going to be processed as a conditional use which would allow the Planning Commission to require landscaping that must be maintained.

Solicitor Frank added that foundations were discussed, and some structures can be well-anchored to the ground without a foundation, so specific foundation requirements are not included in the proposed ordinance. He clarified that structures over 200 square feet would have to adhere to Hamilton County's requirements whereby they determine foundation requirements.

Solicitor Frank stated that the Village would not typically dictate landscaping or whether owners can take down trees. Landscaping and trees are only an option to apply through conditional use where it can be required to help screen neighbors from a large plain wall. He noted that common law of Ohio says a homeowner cannot put more water onto a neighbor's property, and that is not specifically addressed in this ordinance because of existing Ohio law.

As to multiple structures on a property, it was clarified that anything attached, such as a three-season room, is not considered an accessory structure by Village Code.

Mayor Muething recalled that he was aware of at least one instance in the past two years where someone was doing something on their property which caused water to increase onto their neighbor's property and the Village assisted in the matter ultimately resulting in the installation of additional drainage solutions. There was discussion on the difficulty in measuring the before and after of water drainage.

After additional discussion and no additional residents wishing to speak, the public hearing was closed at 6:51 p.m.

Mayor Muething announced the third reading of Ordinance 2018-13 would be conducted at the February council meeting. Discussion was held as to whether the ordinance would be reviewed again by the Law Committee in advance of the February council meeting.

FINANCE COMMITTEE

Mr. Hattenbach reported that the committee met to discuss a new credit card policy which was introduced by the Ohio legislature to regulate the use of debit and credit cards by municipalities. Amberley has had a policy in place for several years and this new policy is drafted in accordance with House Bill 312. Mr. Hattenbach moved to approve Resolution 2019-1, Resolution Adopting Policy for the Use of Credit Cards. Seconded by Ms. Conway and the motion carried unanimously.

Mr. Hattenbach reported that the Village passed the appropriations for 2019 last month and since then an uncashed check was cashed which caused for the appropriations for unclaimed funds to be adjusted. Mr. Hattenbach moved to approve Ordinance 2019-1 Amending Appropriations for the Fiscal Year 2019. Seconded by Ms. Conway and the roll call showed the following vote:

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

STREETS, PUBLIC UTILITIES & SEWERS COMMITTEE

Mr. Warren reported on the rate schedule for CT Consultants. He stated the Streets, Public Utilities & Sewers Committee met and received information that CT Consultants proposed a rate increase. He noted CT Consultants (formerly CDS & Associates) has been the village engineer for over 20 years. He stated that they have provided the Village with several professional engineering services such as in the area of storm water, street infrastructure improvements, architecture structure, and grant funding for public works projects (Amberley Green dam).

Mr. Warren stated that the 2019 rate increase, depending on the type of service, would range from 2.4% to 3%. He noted that this is the second year they have proposed a rate increase and previously rates were flat for a period of time.

Mr. Warren presented, read and moved to approve Resolution 2018-2 Authorizing Professional Service Rate Schedule for the Village Engineer. Seconded by Mr. Hattenbach and the motion passed unanimously.

LAND DEVELOPMENT COMMITTEE

Mayor Muething reported the committee met last in December and the purpose of the meeting was to consider and discuss the JCC's proposal for the Amberley Green. It noted the Village has been working with the JCC for two years as to whether it makes sense to consider something with the JCC at Amberley Green.

Mayor Muething commented that the meeting in December included some changes in the JCC's plan on the property. Previously, the JCC had talked of utilizing the clubhouse and spending substantial money to refurbish the structure into an event center. The JCC concluded that does not make sense and revised their plans which included changing the placement of what they would like on the property. Still involved in the proposed construction would be two new outdoor pools, amphitheater, and facilities for summer camp for children. The plans presented to the Land Development Committee were observed as more park-like than the previous plan. The committee recommended that council endorse this plan with four conditions:

1. Proceed to continue working up agreements;
2. Work internally to determine what the Village will do with zoning on the property;
3. Meet with residents to gather input on plans; and
4. Ensure property access is correct.

Mayor Muething stated that park-like features in the plan include a multi-purpose field and access for residents when not in use by summer camp. He stated the intent is for the current cart paths within the 25 acres to be refurbished.

Mayor Muething commented that the clubhouse remains a liability because of its condition. He stated the fact that the JCC was considering refurbishing was a benefit, and while they no longer plan to utilize the structure, the JCC will pay for its demolition costs.

Mayor Muething stated that property access must be correct. The JCC plan had the access to the property coming in from Fairhaven but the Village would also like to make sure that we have access correct for pedestrians.

Mayor Muething moved that Council endorse the JCC plan with the same conditions above and continue over the next 4-6 months to get to the next stage as to whether we can move forward. Seconded by Ms. Wolf and the motion carried unanimously.

Ms. Kamine noted that one of the differences in the plan with the building being removed was that a structure would be put up that would have bathrooms available at all times for everyone to utilize. She noted this was huge for the utilization of the property. She also stated that there has been misinformation circulating and clarified that the Village is not selling the Amberley Green to the JCC by this Council action. She expressed that the Council would stay committed to obtaining community input. She noted this was a process with stages and this is a great first step for park

assets. She stated that during the Land Development Committee meetings the JCC has tried to listen to the comments heard from council and the community.

Ms. Conway stated that this was very exciting. She stated that in terms of the process she would like to recommend that other council committees be engaged around the assessment of the project and its components, public uses of different amenities and she feels strongly about this. She expressed that she is supportive of the project and extremely grateful for all of the work that has been completed.

Mr. Warren stated that he attended the Land Development Committee meeting and thanked all of the committee for their diligence and hard work and working with the JCC. He stated that he shared a couple of concerns of which to be aware. He stated that going into this many thought there might be revenue generation for the Village from the JCC's development, in the way of a clubhouse or event center. He stated that is no longer going to happen. He stated the type of revenue that the Village can expect to get from this is going to be minimal—that's the quantitative piece. He stated there is certainly going to be qualitative value to assess over the next few months, and how to define those benefits for residents (for example improve property values).

Mr. Warren stated there will also be a cost to the Village. He noted while it may be negotiated, the JCC is expecting to build an outdoor pool there and the Village would pay \$50,000 annually toward maintenance costs of the pool. He stated that in return the JCC would give the Village homeowners several passes to utilize the facility in the summer months. He shared that it may be similar to having a country club pass if you are not already a member of the JCC. He stated that over the next few months the Village should sort out what the values are in terms of quantitative and qualitative.

Mayor Muething commented that the JCC has stated there will be additional revenues for the Village from the standpoint of additional camp staff as well as additional jobs because the expansion of the existing offerings to the Amberley Green location. He recalled a potential revenue of \$15,000-20,000 for the Village related to job creation.

Ms. Wolf stated that she is really glad that the Village is moving forward and agreed that the qualitative value could not be understated. Next she acknowledged the Village maintenance staff for the existing portable bathroom at Amberley Green, and noted it is handicap accessible, and always clean and well-stocked with toiletries.

Mayor Muething stated that it has been moved and seconded to endorse the expansion plan of the JCC at Amberley Green. The motion passed unanimously.

MANAGER'S REPORT

Mr. Lahrmer reported that the Village concluded leaf collection with a banner year collected with over 5,000 cubic yards of leaves. He stated the last time the Village collected that number of leaves was 2009. He gave kudos to the maintenance department for their ice and snow control response over the weekend.

Mr. Lahrmer lastly covered the 2019 council meeting calendar dates which were shared in the council packet. He stated there were some Jewish holidays that fell during council meeting dates and stated if there are other conflicts the council may make a motion to reschedule. Mayor Muething moved to reschedule the June meeting to June 17 and the October meeting to October 16. Seconded by Mr. Hattenbach and the motion carried unanimously.

Mr. Lahrmer presented the 2019 codification of the Village's ordinances passed in the previous year for adoption. Ms. Conway moved to waive the three readings of Ordinance 2019-2, Adopting and Enacting a Supplement to the Code of Ordinances of Amberley Village. Seconded by Mr. Hattenbach and the roll call showed the following vote:

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

Ms. Conway moved to adopt Ordinance 2019-2, Adopting and Enacting a Supplement to the Code of Ordinances of Amberley Village. Seconded by Mr. Hattenbach and the roll call showed the following vote:

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

CHIEF'S REPORT

Lt. Blum referenced the trying week in law enforcement with the fatal incident of Colerain Officer Dale Woods. He stated he wanted to let council know the department has had some involvement in assisting Colerain, and several officers were sent there during the week. He noted at least six officers attended the funeral procession and the Shield has been with the family assisting. He recognized Chiefs Wallace, Snow and Heinz, along with Rabbi Mendy for supporting the family all week. He stated several departments assisted Colerain through mutual aid during the funeral.

MAYOR'S REPORT

Mayor Muething reported that the review of the Village Manager has been completed, and he moved to waive the three readings of Ordinance 2019-3 Authorizing an Addendum to Village Manager's Employment Agreement to increase base pay by 2% and authorize a one-time bonus of \$2,000. Seconded by Ms. Conway and the roll call showed the following vote:

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

Mayor Muething moved to approve Ordinance 2019-3, seconded by Mr. Hattenbach and the roll call showed the following vote:

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

Mayor Muething moved to pass Ordinance 2019-3 as an emergency measure to timely effect a retroactive change in the Manager's compensation and to ensure the continued efficient operations of the Village. Seconded by Ms. Wolf and the roll call showed the following vote:

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

Mayor Muething reported that the Environmental Stewardship Committee's first meeting of 2019 would occur at 7 p.m. on January 28 in the community room. The group will begin planning for this year's One Stop Drop event.

NEW BUSINESS

Ms. Wolf reported that on January 16 at 6 p.m. there will be an initial convening of a WeThrive! working group committee that will work on the Chronic Disease Pathway. She stated this is an initiative of Hamilton County Public Health which strives to create healthier communities.

Ms. Kamine mentioned that on January 27 Wise Temple will have its annual chicken soup cook-off from 12:15 – 2:15 p.m.

Ms. Conway asked if the municipality group will be re-activating with the forward movement of the gas pipeline project. Solicitor Frank confirmed a meeting was set for Friday, January 18.

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

Nicole Browder, Clerk of Council

Mayor Thomas C. Muething