



COUNCIL MEETING AGENDA
September 14, 2020 at 6:30 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES

1. Regular Council Meeting of August 10, 2020

FINANCE REPORT

1. Month of July 2020

CITIZENS TO SPEAK

1. Carole Donnellon, WeTHRIVE! Health & Wellness Committee, *Topic: Request to Become Committee of Council*
2. Steve Cushard, 3205 North Whitetree Circle, *Topic: Amberley Green Zoning Text*
3. Louis Katz, 6785 Beechlands Drive, *Topic: Amberly Green Zoning Text*
4. Colin Driscoll, 6600 Ridge Road, *Topic: Planning Commission & AG Zoning Recommendation*

RECOGNITION OF AMBERLEY VILLAGE POLICE-FIRE OFFICERS

COMMITTEE REPORTS:

POLICE AND FIRE COMMITTEE

1. Resolution 2020-26, Authorizing a Contract with Cost Recovery Corp for the Collection and Reimbursement of Certain Public Safety Expenses

FINANCE COMMITTEE

1. Ordinance 2020-14, Adopting Policy Allowing Use of Employee Dishonesty and Faithful Performance of Duty

STREETS, PUBLIC UTILITIES & SEWERS COMMITTEE

1. Ordinance 2020-15, Agreement Between the Village and the Board of Hamilton County Commissioners to Make Improvements to Kincaid Road

PLANNING COMMISSION

1. First Reading: Ordinance 2020-16, Adding Chapter 154.84 to Title IV of the Village of Amberley Codified Ordinances Regarding Amberley Green Zoning District Regulations and Set Public Hearing

COMPENSATION & BENEFITS COMMITTEE

MANAGER'S REPORT

1. Resolution 2020-27, Requesting the Hamilton County Auditor to Place Lien Against Property
2. Village Manager's Report

CHIEF'S REPORT

MAYOR'S REPORT

NEW BUSINESS

EXECUTIVE SESSION

1. Employment & Compensation of Public Employees

ADJOURNMENT

**MINUTES OF THE REGULAR MEETING
AMBERLEY VILLAGE COUNCIL
MONDAY, AUGUST 10, 2020**

The Council of Amberley Village, Ohio met in regular session at the Amberley Village Municipal Building, 7149 Ridge Road and via phone conference on Monday, August 10, 2020 at 6:30 p.m. Mayor Muething called the meeting to order, and the following roll call was taken:

PRESENT

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

ALSO PRESENT

Scot Lahrmer, Village Manager
Chief Richard Wallace, Police/Fire
Rick Kay, Village Treasurer
Andrew Kaake, Village Solicitor
Tammy Reasoner, Clerk of Council

Mr. Bardach and Mr. Warren were not in attendance. Mr. Warren did join the meeting later as noted below. Mayor Muething welcomed everyone to the meeting of the Amberley Village Council and went through protocols for both in-person and phone-in participants. He led those in attendance through the Pledge of Allegiance.

MINUTES

Mayor Muething asked if there were any changes to the minutes of the Regular Council Meeting of July 13 as distributed. There being no changes to the minutes, Mayor Muething stated the minutes were approved as distributed.

APPOINTMENT OF SOLICITOR

Vice-Mayor Wolf said the Law Committee had met with Mr. Andrew Kaake and recommended that council approve Mr. Kaake as the Village's new law director. Ms. Wolf then introduced and read Ordinance 2020-12, which would appoint Mr. Kaake as the new solicitor for the Village and declare an emergency to ensure continuity in the Village's legal services. Ms. Wolf moved to waive the three readings of Ordinance 2020-12, which was seconded by Ms. Conway and the roll call showed the following vote:

AYE: Conway, Hattenbach, Kamine, Muething, Wolf	(5)
NAY:	(0)

Ms. Wolf then moved to adopt Ordinance 2020-12, which was seconded by Ms. Conway. Mr. Warren joined the meeting via telephone, and the roll call showed the following vote:

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

Ms. Wolf moved to approve Ordinance 2020-12 as an emergency measure. Seconded by Mr. Hattenbach, the roll call showed the following vote:

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

Mayor Muething welcomed Mr. Kaake to Amberley Village. Mr. Kaake said it was his honor to serve.

FINANCE REPORT

Village Manager Scot Lahrmer reviewed both the UAN Report and the June Finance Report, and stated earnings tax collections for the month of June were approximately \$234,647, or a 10.65% decrease from June of 2019's collection of \$262,604.

Mr. Lahrmer stated Village expenses for June totaled \$456,457. Year to date expenditures as of June totaled \$2,491,965, leaving an unencumbered balance for the year at the end of June of \$5,103,565.

CITIZENS TO SPEAK

Ms. Renee Lemberg of 7400 Fair Oaks Drive shared her background of involvement in the community, highlighting roles that emphasized the importance of diversity and inclusion. She stated she felt bullied at the July meeting of council, and was offended to have been accused of being insensitive to people with differences. She felt she shouldn't have had to defend herself in a Village where she has lived for more than 45 years.

Dr. Bradley Lemberg of 7400 Fair Oaks Drive stated he and Mrs. Lemberg had lived in the Village since 1973, and loved the neighborhood so much that they had rebuilt three times rather than relocating. He stated the remarks made about his wife at the previous meeting of council were erroneous in their presentation. He said his medical practice embraces all members of the community, and he and his wife enjoy learning about other cultures. He stated his wife's use of "they" was not indicative of bigotry, and felt the comments made about her at the last meeting were inflammatory and slanderous.

Mr. Steve Cushard of 3205 N. Whitetree Circle stated he wished to address the topic of proposed Amberley Green Zoning Text, which he felt was too restrictive. He said the proposed text was piecemeal, and he had concerns this would open the Village up to legal problems or could be detrimental to the goals of the property.

Rabbi A.D. Motzen of 2179 Blue Grass Lane stated citizens should be allowed to speak up, however, he felt there had been derogatory comments made about his street at the June council meeting. He thanked Mr. Warren for addressing the statements at the July meeting, and pointed out that several properties on his street have gone up in value. He asked that council meetings not be used to disparage blocks of residents.

Ms. Larisa M. Vaysman of 7435 Fair Oaks Drive also thanked Mr. Warren for his comments at the July meeting. She felt Ms. Lemberg had made false statements about her and her family, and hoped that council would consider Mr. Warren's remarks.

Ms. Wolf thanked residents in attendance for coming and expressing their concerns. She said it seemed to have become dangerous for residents to complain against their neighbors. She stated that council meetings are not the proper forum, and cautioned against airing grievances in public. She stated the Human Rights Commission would be presenting new rules of discourse later in the meeting.

Ms. Conway said this portion of the meeting was for feedback, and no legislative changes were made based on the feedback regarding Blue Grass Lane. She emphasized that council members act as individuals, and comments made by one member are not reflective of the rest.

Mayor Muething said council could do a better job of expecting respectful discourse and speaking out when it isn't happening. He said council should try to learn from these experiences, and emphasized the importance of learning to work together. He said Councilmember Warren had several years ago stated it was okay to disagree, but it was not okay to be disagreeable. This is a good thing to keep in mind. The Mayor apologized for allowing "disagreeable" to happen.

Mr. Warren said he had been approached by another member of council, saying they felt he should apologize for his comments at the July meeting. He offered to speak to the Lembergs, but felt the only apology was due to the residents of Bluegrass. He said we must be careful of the words we speak.

HUMAN RIGHTS COMMISSION

Ms. Nancy Warren, representing the Human Rights Commission (HRC), spoke to Council regarding the mission of the HRC, which is to promote diversity and combat disrespect. She said the Commission wished to infuse positivity into the neighborhood, and wants Amberley Village to be proactive. Therefore, she stated, the HRC had developed guidelines for respectful discourse (see attached).

Mayor Muething asked if there were any questions. There being none, the Mayor stated this item would be referred to the Public Outreach Committee.

COMMITTEE REPORTS:

FINANCE COMMITTEE

Chairman Hattenbach introduced and read Ordinance 2020-13, which would appropriate funds from the Federal CARES Act. He then moved that council adopt the ordinance, which was seconded by Ms. Wolf. The roll call showed the following vote:

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

PUBLIC BUILDINGS & PARKS COMMITTEE

Chairperson Conway said the air conditioning compressor at the Municipal Building had failed and needed replacement, but could not wait until the council meeting to address. She said work had been completed, but approval was still required to authorize payment for the work. She introduced Resolution 2020-24, Authorizing the Village Manager to Contract for Replacement Compressor for the Municipal Building. Seconded by Ms. Wolf, the motion passed unanimously.

Ms. Conway then introduced Resolution 2020-25, which would renew the lease of the Amberley Village tennis courts at Amberley Green to Mount Notre Dame High School. Seconded by Mr. Hattenbach, the motion passed unanimously.

Chairperson Conway stated the committee also discussed the replacement of a faulty electrical panel at Amberley Green, which would need to be moved from the old clubhouse to the small structure alongside the tennis courts. As the cost was within the parameters for the Village Manager to authorize without council approval, the committee approved the cost.

Ms. Conway said the committee also discussed dogs under control at Amberley Green. She said staff had increased communication to residents to raise awareness. Chief Wallace reported some injuries to the committee. Residents also expressed concerns regarding loose dogs, safety issues and interest in developing some sort of hybrid response to the problem, such as setting times for when dogs could be off leash. The committee will consider creative approaches to avoiding a public safety issue.

VILLAGE MANAGER'S REPORT

Mr. Lahrmer reported on the Amberley Village Gas & Electric Aggregation Program, which saved residents \$53,000 in total for the first half of 2020. He also reported on park improvements and stated fences had been painted, saving the Village from the full cost of replacement.

Finally, Mr. Lahrmer announced plans to hold a drive-thru version of the annual Ice Cream Social on August 23, 2020 from 1 – 4 p.m. and invited all residents and members of council to attend the event.

CHIEF'S REPORT

Chief Wallace reported that there had been a rash of car thefts and break-ins, but that the Amberley Village Police Department had been able to apprehend a suspect. The investigation resulted in four suspects in jail after a search warrant was served.

He said plans were underway to recognize Sergeant Shaw and Officers Sumler and Faehr, who provided care in a recent anaphylactic reaction case. Their actions were recognized in a letter of thanks from Reading Fire Chief Todd Owens.

Chief Wallace also reported the K-9 team has been active on a multitude of cases, including a stop on August 4 that resulted in the recovery of 28g of cocaine and \$700 in cash.

MAYOR'S REPORT

Mayor Muething said there would be a meeting of the ESC in two weeks, and announced there would be no One Stop Drop this year, but plans are underway to host the event again in 2021. He said he had been walking the Village a lot, and was impressed with the outstanding work of the Police and Maintenance Departments. He said he sees staff talking to residents, and reads positive comments on Nextdoor. He used the example of painting Village fences at a cost savings while improving the aesthetics to emphasize the hard work of staff.

NEW BUSINESS

Ms. Wolf commented she had been running at French Park, and was impressed at how well-maintained it was. She said she also wanted to work to preserve a stand of milkweed at Amberley Green, as monarch butterflies are attracted to it.

Mr. Warren said the ESC met with the Cincinnati Park Board, and asked if trail upgrades at French Park were the result of a donor. Mayor Muething stated they were, and there is signage recognizing the Amberley Village families who contributed to the project. Mr. Warren suggested recognizing them publicly at an upcoming council meeting.

There being no further business, Mayor Muething adjourned the meeting of Amberley Village Council at 7:55 p.m.

Tammy Reasoner, Clerk of Council

Thomas C. Muething, Mayor

Thank you for the opportunity to speak on behalf of the Human Rights Commission representing myself, Monica Lira, Matthew Kraus, Jim Boney and Evelyn Jones.

Each one of us is unique. There is value in that diversity of different backgrounds, experiences, perspectives and opinions. However, examples abound of racism and other “isms”, disrespect, and microaggressions against individuals and opinions that are regarded as “less” valued, less important, etc. because of differences. For the past 9 months, the Human Rights Commission has been discussing strategies to facilitate positivity around diversity in Amberley Village. Fundamentally we believe any and all strategies around diversity must be driven by being careful about the words we choose to use and considering how they could be interpreted and misinterpreted by others.

AV has the opportunity to be proactive by setting simple expectations for AV staff, volunteers and members of our public around *speaking to one another respectfully*. The Human Rights Commission developed a short blurb regarding discourse in the public domain, which pertains to private discourse as well. This language is based on the work of experts. We suggest using this language in AV documents internally as well as for setting the stage for discourse at Council and AV committee meetings.

I will read the *Guidelines for Respectful Discourse* that we developed. A copy was sent to all AV Council members before this meeting.

Guidelines for Respectful Discourse

Amberley Village welcomes everyone. The Village encourages residents to share their ideas and opinions at Council and Committee meetings. Hearing diverse perspectives and voices is vital to improving the Village. When conducting Village business members of AV Council, AV staff, and the public are expected to use respectful discourse. We expect everyone to be respectful when speaking about others, especially when opinions and perspectives differ. Please state your perspectives without stereotyping other people (by race, religion, sexual orientation, or other parameters of difference).

Speak for yourself and use “I” sentences. Do not refer to “them” or “those people.” For example:

- YES: “I prefer...” “I support...”
- NO: “They think...” “They should...”

Focus on the issue and not on other peoples’ perceived character. For example:

- YES: “I support the ordinance limiting the height of grass because I believe that well-attended yards enhance the value of housing on the block.”
- NO: “The people across from me don’t take care of their property. They don’t care what their house looks like. Their yard is like a jungle. We’ve been here for decades; it was so nice before they moved in. They are ruining the neighborhood.”

Please prepare/deliver your comments in accordance with these general guidelines. Language or behaviors that overtly or subtly denigrate or negatively characterize other opinions, individuals, or

groups of people will not be tolerated. If this occurs, the speaker will be asked to modify or clarify his/her language and/or leave the meeting.

In conclusion, the Human Rights Commission ordinance states that the Commission “may recommend to Village Council policies, procedures and practices” and we may also make recommendations around ‘implementation of programs of formal and informal education and public awareness’. Recommending these minimal guidelines fits well within our scope. We encourage Amberley Village to adopt this language as a fundamental, and important step, in creating a safe and welcoming environment for everyone. Having guidelines helps keep the focus on the issues and empowers everyone to get the discourse back on track when mistakes happen. We believe that Amberley Village can, and should, lead by example by using these simple points when conducting Village business. The Human Rights Commission would be happy to further discuss elaboration, implementation, and/or next and additional steps around encouraging respectful discourse.

Thank you for the opportunity to present at Council.

TO: Village Council

FROM: Scot F. Lahrmer, Village Manager

DATE: August 10, 2020

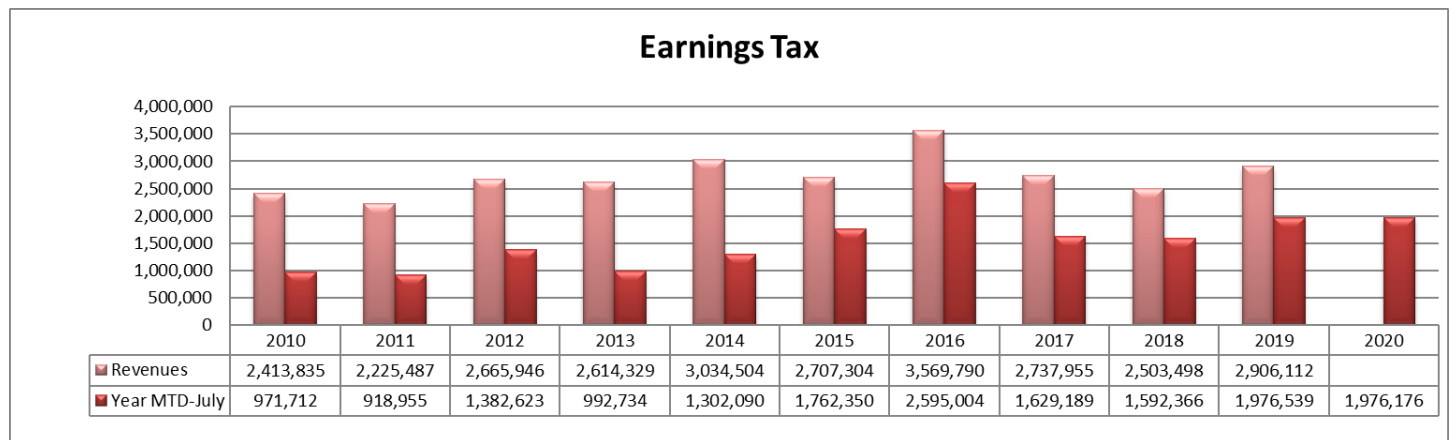
RE: Finance Report for July 2020

The UAN report has been included in your packet. Some of the highlights from the General Fund have been summarized and described below:

General Fund Revenue

Earnings Tax

Earnings Tax collections for the month of July totaled \$758,930. This is up 522.25% from July 2019's collection of \$145,318. The earnings tax collection estimate for 2020 is \$3,000,000. Earnings tax continues to be the Village's primary revenue source. This chart shows how the earnings tax has tracked since 2010 and also reflects the amount collected year to date for each of the last 10 years.

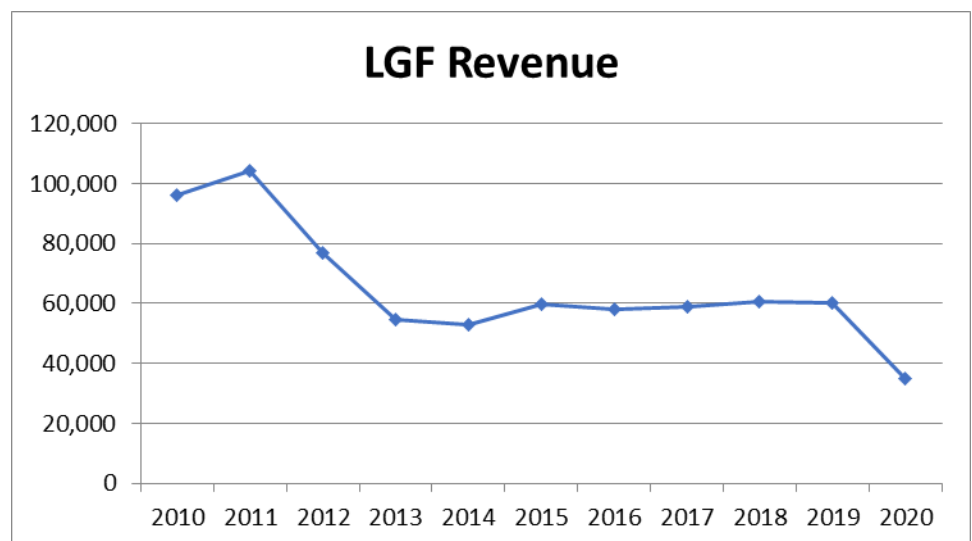


Property Tax

The Village received no real estate property tax in the month of July.

Local Government Fund

The Local Government Fund netted \$6,068 for July. The graph highlights the LGF Revenue for the years 2010-July 2020. The projection for 2020 is \$64,118.



General Fund Summary

Revenue for the month of July totaled \$850,440

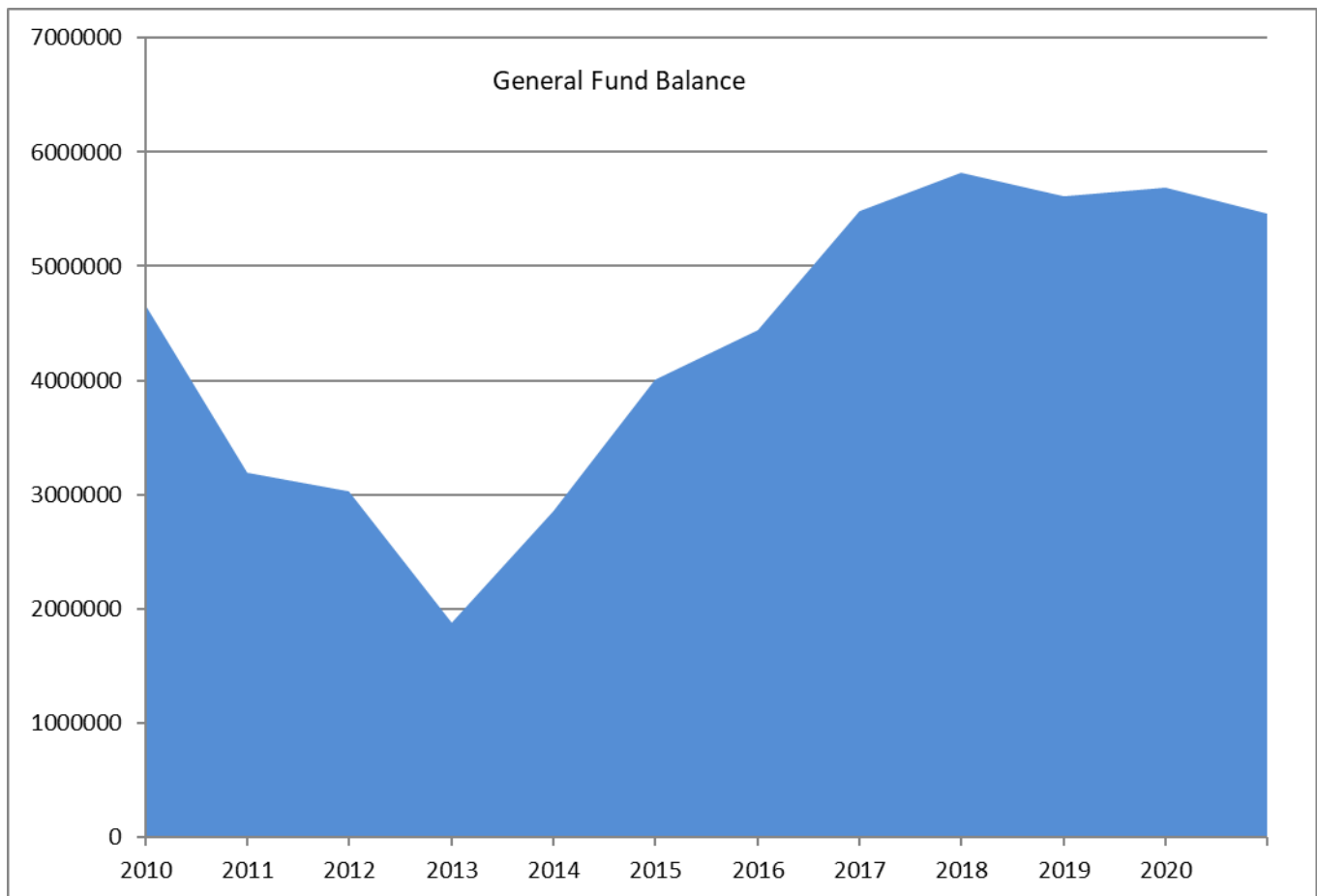
2020 Earnings Tax Estimate:	\$3,000,000	
Earnings Tax Collected (as of 7/30/20)	\$ 1,976,180	65.873% collected

2020 Revenue Estimate:	\$5,621,752	
Revenue Collected (as of 7/30/20)	\$3,448,313	61.339% collected

Expenses for July totaled:	\$ 561,379	
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2020 Budget:	\$5,647,500	
Expenditures (as of 7/30/20)	\$3,053,344	53.345% spent

The unencumbered General Fund balance as of the end of July is \$5,455,745.



Revenue Status
By Fund Then Revenue
As Of 7/31/2020

UAN v2020.3

Fund: 1000 General

Account Code	Account Name	Final Budget	Revenue	Budget Balance	YTD % Received
1000-110-0000	General Property Tax - Real Estate	\$1,014,715.00	\$560,756.27	\$453,958.73	55.262%
1000-120-0000	Tangible Personal Property Tax	\$0.00	\$0.00	\$0.00	0.000%
1000-130-0000	Municipal Income Tax	\$3,000,000.00	\$1,976,180.42	\$1,023,819.58	65.873%
	Property and Other Local Taxes Sub-Total:	\$4,014,715.00	\$2,536,936.69	\$1,477,778.31	63.191%
1000-211-0000	Local Government Distribution	\$64,118.41	\$34,886.44	\$29,231.97	54.409%
1000-224-0000	Liquor and Beer Permit Fees	\$1,500.00	\$0.00	\$1,500.00	0.000%
1000-231-0000	Property Tax Allocation	\$157,115.00	\$78,258.95	\$78,856.05	49.810%
1000-290-0000	Other - State Shared Taxes and Permits	\$15,000.00	\$7,241.73	\$7,758.27	48.278%
1000-290-0011	Other - State Shared Taxes and Permits{JEDZ}	\$120,000.00	\$60,481.92	\$59,518.08	50.402%
	State Shared Taxes and Permits Sub-Total:	\$357,733.41	\$180,869.04	\$176,864.37	50.560%
1000-390-0000	Other - Special Assessments	\$0.00	\$0.00	\$0.00	0.000%
1000-390-0071	Other - Special Assessments{Property Maintenance}	\$0.00	\$1,679.36	-\$1,679.36	0.000%
	Special Assessments Sub-Total:	\$0.00	\$1,679.36	-\$1,679.36	0.000%
1000-411-0000	Federal - Restricted	\$0.00	\$0.00	\$0.00	0.000%
1000-422-0000	State - Restricted	\$0.00	\$0.00	\$0.00	0.000%
1000-422-0015	State - Restricted{HTF COMMANDER}	\$11,000.00	\$19,267.40	-\$8,267.40	175.158%
1000-422-0021	State - Restricted{OAC 109:2-18-04 TRAINING}	\$0.00	\$0.00	\$0.00	0.000%
1000-422-0022	State - Restricted{FIRE TRAINING}	\$0.00	\$0.00	\$0.00	0.000%
1000-422-0041	State - Restricted{K-9}	\$0.00	\$0.00	\$0.00	0.000%
1000-440-0000	Grants or Aid (Non-Federal and Non-State)	\$43,200.00	\$43,200.00	\$0.00	100.000%
1000-440-0041	Grants or Aid (Non-Federal and Non-State){K-9}	\$0.00	\$0.00	\$0.00	0.000%
1000-490-0000	Other - Intergovernmental	\$13,000.00	\$14,188.67	-\$1,188.67	109.144%
1000-490-0015	Other - Intergovernmental{HTF COMMANDER}	\$113,000.00	\$19,044.32	\$93,955.68	16.853%
1000-490-0017	Other - Intergovernmental{HC REA DISTRIBUTION}	\$0.00	\$0.00	\$0.00	0.000%
	Intergovernmental Sub-Total:	\$180,200.00	\$95,700.39	\$84,499.61	53.108%
1000-512-0000	Contracts for Police Protection	\$8,500.00	\$6,588.63	\$1,911.37	77.513%
1000-514-0000	Garbage and Trash	\$226,000.00	\$116,793.38	\$109,206.62	51.678%

Revenue Status
By Fund Then Revenue
As Of 7/31/2020

UAN v2020.3

Fund: 1000 General

Account Code	Account Name	Final Budget	Revenue	Budget Balance	YTD % Received
1000-523-0000	Recreation Entry Fees	\$1,800.00	\$898.00	\$902.00	49.889%
1000-529-0000	Other - Cultural and Recreational Programs	\$1,800.00	\$700.00	\$1,100.00	38.889%
1000-541-0000	Consumer Rent	\$220,000.00	\$193,321.37	\$26,678.63	87.873%
1000-541-0025	Consumer Rent{Mercy Land Lease}	\$12,500.00	\$3,125.00	\$9,375.00	25.000%
1000-541-0035	Consumer Rent{COMMUNITY ROOM}	\$0.00	\$0.00	\$0.00	0.000%
1000-590-0000	Other - Charges for Services	\$3,000.00	\$79.00	\$2,921.00	2.633%
Charges for Services Sub-Total:		\$473,600.00	\$321,505.38	\$152,094.62	67.885%
1000-612-0000	Court Fines	\$70,000.00	\$28,690.00	\$41,310.00	40.986%
1000-612-0051	Court Fines{MAYOR'S COURT CREDIT CARD FEES}	\$700.00	\$306.00	\$394.00	43.714%
1000-619-0000	Other - Fines and Forfeitures	\$0.00	\$200.00	-\$200.00	0.000%
1000-624-0000	Street Opening	\$0.00	\$0.00	\$0.00	0.000%
1000-625-0000	Cable Franchise Fees	\$59,000.00	\$29,844.85	\$29,155.15	50.584%
1000-629-0000	Other - Licenses and Permits	\$55,000.00	\$28,465.95	\$26,534.05	51.756%
1000-629-0027	Other - Licenses and Permits{CELLULAR UNITS-ALARMS}	\$4,000.00	\$1,697.00	\$2,303.00	42.425%
1000-690-0000	Other - Fines, Licenses and Permits	\$0.00	\$0.00	\$0.00	0.000%
Fines, Licenses and Permits Sub-Total:		\$188,700.00	\$89,203.80	\$99,496.20	47.273%
1000-701-0000	Interest	\$120,000.00	\$79,998.37	\$40,001.63	66.665%
Earnings on Investments Sub-Total:		\$120,000.00	\$79,998.37	\$40,001.63	66.665%
1000-820-0000	Contributions and Donations	\$0.00	\$710.00	-\$710.00	0.000%
1000-820-0023	Contributions and Donations{HC DIVE TEAM}	\$0.00	\$0.00	\$0.00	0.000%
1000-820-0030	Contributions and Donations{ICE CREAM SOCIAL}	\$8,000.00	\$5,000.00	\$3,000.00	62.500%
1000-820-0041	Contributions and Donations{K-9}	\$0.00	\$125.00	-\$125.00	0.000%
1000-892-0000	Other - Miscellaneous Non-Operating	\$3,000.00	\$134,530.58	-\$131,530.58	4484.353%
Miscellaneous Sub-Total:		\$11,000.00	\$140,365.58	-\$129,365.58	1276.051%
1000-931-0000	Transfers - In	\$0.00	\$0.00	\$0.00	0.000%
1000-961-0000	Sale of Fixed Assets	\$275,804.00	\$2,054.40	\$273,749.60	0.745%
1000-981-0000	Special Items	\$0.00	\$0.00	\$0.00	0.000%

Revenue Status
By Fund Then Revenue
As Of 7/31/2020

UAN v2020.3

Fund: 1000 General

Account Code	Account Name	Final Budget	Revenue	Budget Balance	YTD % Received
1000-982-0000	Extraordinary Items	\$0.00	\$0.00	\$0.00	0.000%
1000-999-0000	Other - Other Financing Sources	\$0.00	\$0.00	\$0.00	0.000%
	Other Financing Sources Sub-Total:	\$275,804.00	\$2,054.40	\$273,749.60	0.745%
	Fund 1000 Sub-Total:	\$5,621,752.41	\$3,448,313.01	\$2,173,439.40	61.339%
	Report Total:	\$5,621,752.41	\$3,448,313.01	\$2,173,439.40	61.339%

AMBERLEY VILLAGE, HAMILTON COUNTY

8/19/2020 8:08:41 AM

Fund Summary

UAN v2020.3

July 2020

Fund #	Fund Name	Starting Fund Balance	Month To Date Revenue	Year To Date Revenue	Month To Date Expenditures	Year To Date Expenditures	Ending Fund Balance	Current Reserve for Encumbrance	Unencumbered Fund Balance
1000	General	\$5,874,923.28	\$850,440.36	\$3,448,313.01	\$561,379.02	\$3,053,344.09	\$6,163,984.62	\$708,239.33	\$5,455,745.29
2011	Street Construction, Maint. and Repair	\$787,442.79	\$19,557.81	\$334,801.60	\$164.75	\$41,899.91	\$806,835.85	\$110,722.57	\$696,113.28
2051	Federal Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2081	Equitable Sharing Fund	\$1,492.18	\$0.00	\$1,492.18	\$0.00	\$0.00	\$1,492.18	\$0.00	\$1,492.18
2091	Law Enforcement Trust	\$32,004.10	\$494.00	\$10,514.00	\$5,287.00	\$16,145.70	\$27,211.10	\$8,266.44	\$18,944.66
2101	Permissive Motor Vehicle License Tax	\$27,414.75	\$2,468.56	\$16,747.17	\$0.00	\$0.00	\$29,883.31	\$0.00	\$29,883.31
2131	Police Disability and Pension	\$33,809.85	\$0.00	\$28,612.63	\$0.00	\$401.17	\$33,809.85	\$0.00	\$33,809.85
2151	Coronavirus Relief Fund	\$0.00	\$77,642.60	\$77,642.60	\$0.00	\$0.00	\$77,642.60	\$0.00	\$77,642.60
2901	MAYOR'S COURT COMPUTER FUND	\$1,848.55	\$500.00	\$3,010.00	\$155.33	\$4,422.33	\$2,193.22	\$776.67	\$1,416.55
2902	POLICE LEVY FUND	\$37.79	\$0.02	\$710,704.41	\$0.00	\$711,715.21	\$37.81	\$0.00	\$37.81
2903	PSAP 911 FUND	\$438.39	\$0.00	\$0.00	\$0.00	\$0.00	\$438.39	\$0.00	\$438.39
2904	EMPLOYEE SEVERANCE FUND	\$208,591.23	\$0.00	\$0.00	\$0.00	\$6,586.58	\$208,591.23	\$0.00	\$208,591.23
2905	WE THRIVE GRANT FUND	\$3,121.71	\$0.00	\$0.00	\$0.00	\$0.00	\$3,121.71	\$0.00	\$3,121.71
2906	NATURE WORKS GRANT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2907	Mercy Tax Increment Equivalent Fund	\$83,264.18	\$143.59	\$42,501.55	\$0.00	\$443.02	\$83,407.77	\$0.00	\$83,407.77
3101	Bond Retirement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4901	CAPITAL PROJECTS	\$109,447.99	\$0.00	\$200,000.00	\$0.00	\$126,308.91	\$109,447.99	\$0.00	\$109,447.99
4902	Capital Projects-PUBLIC FACILITIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4903	Capital Projects-VILLAGE LAND	\$1,204.12	\$0.00	\$0.00	\$0.00	\$0.00	\$1,204.12	\$0.00	\$1,204.12
5901	STORM WATER UTILITY	\$112,044.48	\$189.81	\$102,048.20	\$3,264.52	\$90,116.17	\$108,969.77	\$15,356.12	\$93,613.65
9101	Unclaimed Monies	\$15,267.33	\$0.00	\$0.00	\$0.00	\$0.00	\$15,267.33	\$0.00	\$15,267.33
9901	MAYOR'S COURT Agency	\$4,744.52	\$10,768.00	\$45,776.00	\$7,721.00	\$45,720.00	\$7,791.52	\$0.00	\$7,791.52
9902	EMPLOYEES HEALTH INSURANCE Agency	\$0.00	\$5,116.92	\$34,992.84	\$5,116.92	\$34,992.84	\$0.00	\$0.00	\$0.00
9903	VALLEY BAND ESCROW	\$20,709.33	\$0.00	\$0.00	\$0.00	\$336.63	\$20,709.33	\$1,163.37	\$19,545.96
9904	Kenwood SWJEDZ Agency	\$117,478.17	\$107,074.98	\$616,503.88	\$53.90	\$532,830.86	\$224,499.25	\$302.60	\$224,196.65
9905	Kenwood SWJEDZ Escrow Agency	\$5,825.13	\$0.00	\$21,993.80	\$0.00	\$22,107.79	\$5,825.13	\$0.00	\$5,825.13
9906	Kenwood SWJEDZ Long-Term Maint. Agency	\$7,491.80	\$0.00	\$1,516.35	\$0.00	\$1,524.60	\$7,491.80	\$1,975.40	\$5,516.40
Report Total:		<u>\$7,448,601.67</u>	<u>\$1,074,396.65</u>	<u>\$5,697,170.22</u>	<u>\$583,142.44</u>	<u>\$4,688,895.81</u>	<u>\$7,939,855.88</u>	<u>\$846,802.50</u>	<u>\$7,093,053.38</u>

Last reconciled to bank: 06/30/2020 – Total other adjusting factors: \$0.00

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	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
1000 - General								
Security of Persons and Property								
Police Enforcement								
Personal Services	\$4,501.00	\$1,110,982.00	\$1,115,483.00	\$170,651.95	\$653,578.96	\$24,106.34	\$437,797.70	58.592%
Employee Fringe Benefits	\$0.00	\$454,795.00	\$454,795.00	\$90,456.64	\$301,816.23	\$8,554.77	\$144,424.00	66.363%
Contractual Services	\$1,267.80	\$202,655.00	\$203,922.80	\$9,322.36	\$88,544.09	\$41,608.48	\$73,770.23	43.420%
Supplies and Materials	\$1,880.68	\$114,445.00	\$116,325.68	\$12,483.77	\$81,542.50	\$31,372.20	\$3,410.98	70.098%
Capital Outlay	\$0.00	\$48,914.00	\$48,914.00	\$0.00	\$0.00	\$33,007.00	\$15,907.00	0.000%
Total Police Enforcement	\$7,649.48	\$1,931,791.00	\$1,939,440.48	\$282,914.72	\$1,125,481.78	\$138,648.79	\$675,309.91	
Fire Fighting, Prevention and Inspection								
Personal Services	\$0.00	\$245,940.00	\$245,940.00	\$12,814.45	\$115,408.15	\$1,645.30	\$128,886.55	46.925%
Employee Fringe Benefits	\$0.00	\$54,469.00	\$54,469.00	\$3,908.35	\$22,478.83	\$0.00	\$31,990.17	41.269%
Contractual Services	\$1,329.01	\$49,265.00	\$50,594.01	\$1,661.11	\$23,196.06	\$12,340.95	\$15,057.00	45.847%
Supplies and Materials	\$279.14	\$47,500.00	\$47,779.14	\$8,372.29	\$19,739.51	\$8,190.20	\$19,849.43	41.314%
Capital Outlay	\$768.00	\$4,500.00	\$5,268.00	\$3,776.00	\$4,544.00	\$0.00	\$724.00	86.257%
Total Fire Fighting, Prevention and Inspection	\$2,376.15	\$401,674.00	\$404,050.15	\$30,532.20	\$185,366.55	\$22,176.45	\$196,507.15	
Total Security of Persons and Property	\$10,025.63	\$2,333,465.00	\$2,343,490.63	\$313,446.92	\$1,310,848.33	\$160,825.24	\$871,817.06	
Public Health Services								
Payment to County Health District								
Contractual Services	\$0.00	\$11,906.00	\$11,906.00	\$0.00	\$5,952.96	\$0.00	\$5,953.04	50.000%
Total Payment to County Health District	\$0.00	\$11,906.00	\$11,906.00	\$0.00	\$5,952.96	\$0.00	\$5,953.04	
Other Public Health Services								
Contractual Services	\$0.00	\$180,000.00	\$180,000.00	\$0.00	\$45,000.00	\$135,000.00	\$0.00	25.000%
Total Other Public Health Services	\$0.00	\$180,000.00	\$180,000.00	\$0.00	\$45,000.00	\$135,000.00	\$0.00	
Total Public Health Services	\$0.00	\$191,906.00	\$191,906.00	\$0.00	\$50,952.96	\$135,000.00	\$5,953.04	
Leisure Time Activities								
Other Leisure Time Activities								
Contractual Services	\$0.00	\$2,550.00	\$2,550.00	\$250.00	\$437.24	\$750.00	\$1,362.76	17.147%
Total Other Leisure Time Activities	\$0.00	\$2,550.00	\$2,550.00	\$250.00	\$437.24	\$750.00	\$1,362.76	
Total Leisure Time Activities	\$0.00	\$2,550.00	\$2,550.00	\$250.00	\$437.24	\$750.00	\$1,362.76	
Basic Utility Services								
Waste Collection - Refuse Collection and Disp								
Contractual Services	\$6,796.00	\$225,960.00	\$232,756.00	\$19,049.68	\$153,046.40	\$79,709.60	\$0.00	65.754%
Total Waste Collection - Refuse Collection and Disp	\$6,796.00	\$225,960.00	\$232,756.00	\$19,049.68	\$153,046.40	\$79,709.60	\$0.00	
Total Basic Utility Services	\$6,796.00	\$225,960.00	\$232,756.00	\$19,049.68	\$153,046.40	\$79,709.60	\$0.00	
Transportation								
Other Transportation								
Personal Services	\$1,850.00	\$448,139.00	\$449,989.00	\$32,611.13	\$261,038.96	\$3,974.97	\$184,975.07	58.010%
Employee Fringe Benefits	\$0.00	\$184,922.11	\$184,922.11	\$27,088.01	\$105,578.10	\$3,071.87	\$76,272.14	57.093%
Contractual Services	\$1,580.01	\$125,940.00	\$127,520.01	\$13,607.03	\$46,447.18	\$39,685.83	\$41,387.00	36.423%
Supplies and Materials	\$3,795.59	\$240,100.00	\$243,895.59	\$15,600.79	\$159,454.30	\$50,454.80	\$33,986.49	65.378%
Capital Outlay	\$827.75	\$14,500.00	\$15,327.75	\$0.00	\$0.00	\$827.75	\$14,500.00	0.000%
Total Other Transportation	\$8,053.35	\$1,013,601.11	\$1,021,654.46	\$88,906.96	\$572,518.54	\$98,015.22	\$351,120.70	

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	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Total Transportation	\$8,053.35	\$1,013,601.11	\$1,021,654.46	\$88,906.96	\$572,518.54	\$98,015.22	\$351,120.70	
General Government								
Mayor and Administrative Offices								
Personal Services	\$600.00	\$385,553.00	\$386,153.00	\$27,157.98	\$202,615.14	\$3,365.06	\$180,172.80	52.470%
Employee Fringe Benefits	\$0.00	\$115,879.35	\$115,879.35	\$15,208.64	\$62,488.91	\$1,197.78	\$52,192.66	53.926%
Contractual Services	\$621.18	\$112,353.00	\$112,974.18	\$4,129.59	\$48,430.11	\$39,640.33	\$24,903.74	42.868%
Supplies and Materials	\$0.00	\$5,300.00	\$5,300.00	\$279.61	\$2,109.70	\$2,950.18	\$240.12	39.806%
Total Mayor and Administrative Offices	\$1,221.18	\$619,085.35	\$620,306.53	\$46,775.82	\$315,643.86	\$47,153.35	\$257,509.32	
Legislative Activities								
Personal Services	\$0.00	\$10,800.00	\$10,800.00	\$882.00	\$6,182.00	\$68.00	\$4,550.00	57.241%
Employee Fringe Benefits	\$0.00	\$1,985.00	\$1,985.00	\$107.85	\$677.26	\$0.00	\$1,307.74	34.119%
Contractual Services	\$6,700.00	\$68,835.00	\$75,535.00	\$3,505.67	\$40,572.43	\$11,984.57	\$22,978.00	53.713%
Supplies and Materials	\$0.00	\$12,750.00	\$12,750.00	\$0.00	\$92.33	\$11,407.67	\$1,250.00	0.724%
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Legislative Activities	\$6,700.00	\$94,370.00	\$101,070.00	\$4,495.52	\$47,524.02	\$23,460.24	\$30,085.74	
Mayor's Court								
Contractual Services	\$2,000.00	\$27,550.00	\$29,550.00	\$1,890.89	\$9,804.99	\$14,295.01	\$5,450.00	33.181%
Supplies and Materials	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Mayor's Court	\$2,000.00	\$27,550.00	\$29,550.00	\$1,890.89	\$9,804.99	\$14,295.01	\$5,450.00	
Clerk - Treasurer								
Personal Services	\$0.00	\$1,500.00	\$1,500.00	\$232.50	\$857.50	\$17.50	\$625.00	57.167%
Employee Fringe Benefits	\$0.00	\$257.00	\$257.00	\$21.12	\$137.46	\$0.00	\$119.54	53.486%
Contractual Services	\$0.00	\$1,150.00	\$1,150.00	\$0.00	\$0.00	\$0.00	\$1,150.00	0.000%
Total Clerk - Treasurer	\$0.00	\$2,907.00	\$2,907.00	\$253.62	\$994.96	\$17.50	\$1,894.54	
Lands and Buildings								
Personal Services	\$0.00	\$54,000.00	\$54,000.00	\$1,971.12	\$20,760.46	\$216.81	\$33,022.73	38.445%
Employee Fringe Benefits	\$0.00	\$9,118.00	\$9,118.00	\$548.97	\$3,585.42	\$0.00	\$5,532.58	39.322%
Contractual Services	\$5,575.72	\$252,329.00	\$257,904.72	\$15,156.60	\$86,272.79	\$100,537.93	\$71,094.00	33.451%
Supplies and Materials	\$24,330.63	\$118,173.00	\$142,503.63	\$22,490.21	\$72,030.20	\$30,137.27	\$40,336.16	50.546%
Capital Outlay	\$0.00	\$47,500.00	\$47,500.00	\$0.00	\$27,516.57	\$0.00	\$19,983.43	57.930%
Total Lands and Buildings	\$29,906.35	\$481,120.00	\$511,026.35	\$40,166.90	\$210,165.44	\$130,892.01	\$169,968.90	
Boards and Commissions								
Personal Services	\$0.00	\$800.00	\$800.00	\$65.36	\$458.68	\$8.00	\$333.32	57.335%
Employee Fringe Benefits	\$0.00	\$124.00	\$124.00	\$10.28	\$62.64	\$0.00	\$61.36	50.516%
Total Boards and Commissions	\$0.00	\$924.00	\$924.00	\$75.64	\$521.32	\$8.00	\$394.68	
Solicitor								
Contractual Services	\$11,272.50	\$60,000.00	\$71,272.50	\$15,836.00	\$39,464.90	\$13,807.60	\$18,000.00	55.372%
Total Solicitor	\$11,272.50	\$60,000.00	\$71,272.50	\$15,836.00	\$39,464.90	\$13,807.60	\$18,000.00	
Income Tax Administration								
Personal Services	\$250.00	\$84,867.00	\$85,117.00	\$4,776.19	\$44,859.89	\$576.84	\$39,680.27	52.704%
Employee Fringe Benefits	\$0.00	\$34,384.54	\$34,384.54	\$4,510.31	\$19,227.75	\$608.27	\$14,548.52	55.920%
Contractual Services	\$78.77	\$13,660.00	\$13,738.77	\$509.77	\$6,982.80	\$2,526.12	\$4,229.85	50.826%
Supplies and Materials	\$0.00	\$650.00	\$650.00	\$0.00	\$55.67	\$594.33	\$0.00	8.565%
Total Income Tax Administration	\$328.77	\$133,561.54	\$133,890.31	\$9,796.27	\$71,126.11	\$4,305.56	\$58,458.64	

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	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Tax Refunds								
Other	\$0.00	\$100,000.00	\$100,000.00	\$1,934.80	\$51,705.02	\$0.00	\$48,294.98	51.705%
Total Tax Refunds	\$0.00	\$100,000.00	\$100,000.00	\$1,934.80	\$51,705.02	\$0.00	\$48,294.98	
Other General Government								
Employee Fringe Benefits	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Supplies and Materials	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Other	\$0.00	\$500.00	\$500.00	\$0.00	\$90.00	\$0.00	\$410.00	18.000%
Total Other General Government	\$0.00	\$500.00	\$500.00	\$0.00	\$90.00	\$0.00	\$410.00	
Total General Government	\$51,428.80	\$1,520,017.89	\$1,571,446.69	\$121,225.46	\$747,040.62	\$233,939.27	\$590,466.80	
Other Financing Uses								
Transfers - Out	\$0.00	\$340,000.00	\$340,000.00	\$0.00	\$200,000.00	\$0.00	\$140,000.00	58.824%
Contingencies	\$0.00	\$20,000.00	\$20,000.00	\$18,500.00	\$18,500.00	\$0.00	\$1,500.00	92.500%
Other - Other Financing Uses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Other Financing Uses	\$0.00	\$360,000.00	\$360,000.00	\$18,500.00	\$218,500.00	\$0.00	\$141,500.00	
Total 1000 - General	\$76,303.78	\$5,647,500.00	\$5,723,803.78	\$561,379.02	\$3,053,344.09	\$708,239.33	\$1,962,220.36	
2011 - Street Construction, Maint. and Repair								
Transportation								
Other Transportation								
Contractual Services	\$3,097.09	\$50,000.00	\$53,097.09	\$164.75	\$13,327.47	\$3,769.62	\$36,000.00	25.100%
Capital Outlay	\$135,525.39	\$597,000.00	\$732,525.39	\$0.00	\$28,572.44	\$106,952.95	\$597,000.00	3.901%
Total Other Transportation	\$138,622.48	\$647,000.00	\$785,622.48	\$164.75	\$41,899.91	\$110,722.57	\$633,000.00	
Total Transportation	\$138,622.48	\$647,000.00	\$785,622.48	\$164.75	\$41,899.91	\$110,722.57	\$633,000.00	
Total 2011 - Street Construction, Maint. and Repair	\$138,622.48	\$647,000.00	\$785,622.48	\$164.75	\$41,899.91	\$110,722.57	\$633,000.00	
2051 - Federal Grant								
Community Environment								
Other Community Environment								
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Other Community Environment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Community Environment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total 2051 - Federal Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
2081 - Equitable Sharing Fund								
Security of Persons and Property								
Police Enforcement								
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Police Enforcement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Security of Persons and Property	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total 2081 - Equitable Sharing Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

2091 - Law Enforcement Trust

Report reflects selected information.

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Security of Persons and Property								
Police Enforcement								
Contractual Services	\$0.00	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	0.000%
Other	\$202.00	\$43,500.00	\$43,702.00	\$5,287.00	\$16,145.70	\$8,266.44	\$19,289.86	36.945%
Total Police Enforcement	\$202.00	\$44,000.00	\$44,202.00	\$5,287.00	\$16,145.70	\$8,266.44	\$19,789.86	
Total Security of Persons and Property	\$202.00	\$44,000.00	\$44,202.00	\$5,287.00	\$16,145.70	\$8,266.44	\$19,789.86	
Total 2091 - Law Enforcement Trust	\$202.00	\$44,000.00	\$44,202.00	\$5,287.00	\$16,145.70	\$8,266.44	\$19,789.86	
2101 - Permissive Motor Vehicle License Tax								
Transportation								
Other Transportation								
Contractual Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Capital Outlay	\$0.00	\$39,000.00	\$39,000.00	\$0.00	\$0.00	\$0.00	\$39,000.00	0.000%
Total Other Transportation	\$0.00	\$39,000.00	\$39,000.00	\$0.00	\$0.00	\$0.00	\$39,000.00	
Total Transportation	\$0.00	\$39,000.00	\$39,000.00	\$0.00	\$0.00	\$0.00	\$39,000.00	
Total 2101 - Permissive Motor Vehicle License Tax	\$0.00	\$39,000.00	\$39,000.00	\$0.00	\$0.00	\$0.00	\$39,000.00	
2131 - Police Disability and Pension								
Security of Persons and Property								
Police Enforcement								
Personal Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Employee Fringe Benefits	\$0.00	\$51,350.00	\$51,350.00	\$0.00	\$0.00	\$0.00	\$51,350.00	0.000%
Total Police Enforcement	\$0.00	\$51,350.00	\$51,350.00	\$0.00	\$0.00	\$0.00	\$51,350.00	
Total Security of Persons and Property	\$0.00	\$51,350.00	\$51,350.00	\$0.00	\$0.00	\$0.00	\$51,350.00	
General Government								
Auditor of State Fees								
Contractual Services	\$0.00	\$650.00	\$650.00	\$0.00	\$401.17	\$0.00	\$248.83	61.718%
Total Auditor of State Fees	\$0.00	\$650.00	\$650.00	\$0.00	\$401.17	\$0.00	\$248.83	
Total General Government	\$0.00	\$650.00	\$650.00	\$0.00	\$401.17	\$0.00	\$248.83	
Total 2131 - Police Disability and Pension	\$0.00	\$52,000.00	\$52,000.00	\$0.00	\$401.17	\$0.00	\$51,598.83	
2901 - MAYOR'S COURT COMPUTER FUND								
Security of Persons and Property								
Police Enforcement								
Contractual Services	\$0.00	\$2,835.00	\$2,835.00	\$0.00	\$2,835.00	\$0.00	\$0.00	100.000%
Supplies and Materials	\$0.00	\$1,400.00	\$1,400.00	\$0.00	\$500.00	\$0.00	\$900.00	35.714%
Capital Outlay	\$0.00	\$3,765.00	\$3,765.00	\$155.33	\$1,087.33	\$776.67	\$1,901.00	28.880%
Total Police Enforcement	\$0.00	\$8,000.00	\$8,000.00	\$155.33	\$4,422.33	\$776.67	\$2,801.00	
Total Security of Persons and Property	\$0.00	\$8,000.00	\$8,000.00	\$155.33	\$4,422.33	\$776.67	\$2,801.00	
Total 2901 - MAYOR'S COURT COMPUTER FUND	\$0.00	\$8,000.00	\$8,000.00	\$155.33	\$4,422.33	\$776.67	\$2,801.00	
2902 - POLICE LEVY FUND								

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Security of Persons and Property								
Police Enforcement								
Personal Services	\$0.00	\$1,050,830.00	\$1,050,830.00	\$0.00	\$598,799.07	\$0.00	\$452,030.93	56.983%
Employee Fringe Benefits	\$0.00	\$232,794.00	\$232,794.00	\$0.00	\$102,976.84	\$0.00	\$129,817.16	44.235%
Contractual Services	\$0.00	\$15,500.00	\$15,500.00	\$0.00	\$9,939.30	\$0.00	\$5,560.70	64.125%
Total Police Enforcement	\$0.00	\$1,299,124.00	\$1,299,124.00	\$0.00	\$711,715.21	\$0.00	\$587,408.79	
Total Security of Persons and Property	\$0.00	\$1,299,124.00	\$1,299,124.00	\$0.00	\$711,715.21	\$0.00	\$587,408.79	
Total 2902 - POLICE LEVY FUND	\$0.00	\$1,299,124.00	\$1,299,124.00	\$0.00	\$711,715.21	\$0.00	\$587,408.79	
2903 - PSAP 911 FUND								
Security of Persons and Property								
Police Enforcement								
Contractual Services	\$0.00	\$438.39	\$438.39	\$0.00	\$0.00	\$0.00	\$438.39	0.000%
Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Police Enforcement	\$0.00	\$438.39	\$438.39	\$0.00	\$0.00	\$0.00	\$438.39	
Total Security of Persons and Property	\$0.00	\$438.39	\$438.39	\$0.00	\$0.00	\$0.00	\$438.39	
Total 2903 - PSAP 911 FUND	\$0.00	\$438.39	\$438.39	\$0.00	\$0.00	\$0.00	\$438.39	
2904 - EMPLOYEE SEVERANCE FUND								
Security of Persons and Property								
Police Enforcement								
Personal Services	\$0.00	\$245,000.00	\$245,000.00	\$0.00	\$0.00	\$0.00	\$245,000.00	0.000%
Employee Fringe Benefits	\$0.00	\$3,577.00	\$3,577.00	\$0.00	\$0.00	\$0.00	\$3,577.00	0.000%
Total Police Enforcement	\$0.00	\$248,577.00	\$248,577.00	\$0.00	\$0.00	\$0.00	\$248,577.00	
Total Security of Persons and Property	\$0.00	\$248,577.00	\$248,577.00	\$0.00	\$0.00	\$0.00	\$248,577.00	
Transportation								
Other Transportation								
Personal Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Employee Fringe Benefits	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Other Transportation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Transportation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
General Government								
Income Tax Administration								
Personal Services	\$0.00	\$6,500.00	\$6,500.00	\$0.00	\$6,492.44	\$0.00	\$7.56	99.884%
Employee Fringe Benefits	\$0.00	\$100.00	\$100.00	\$0.00	\$94.14	\$0.00	\$5.86	94.140%
Total Income Tax Administration	\$0.00	\$6,600.00	\$6,600.00	\$0.00	\$6,586.58	\$0.00	\$13.42	
Total General Government	\$0.00	\$6,600.00	\$6,600.00	\$0.00	\$6,586.58	\$0.00	\$13.42	
Other Financing Uses								
Contingencies	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Other Financing Uses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total 2904 - EMPLOYEE SEVERANCE FUND	\$0.00	\$255,177.00	\$255,177.00	\$0.00	\$6,586.58	\$0.00	\$248,590.42	

Report reflects selected information.

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	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
2905 - WE THRIVE GRANT FUND								
Community Environment								
Other Community Environment								
Other	\$0.00	\$3,121.00	\$3,121.00	\$0.00	\$0.00	\$0.00	\$3,121.00	0.000%
Total Other Community Environment	\$0.00	\$3,121.00	\$3,121.00	\$0.00	\$0.00	\$0.00	\$3,121.00	
Total Community Environment	\$0.00	\$3,121.00	\$3,121.00	\$0.00	\$0.00	\$0.00	\$3,121.00	
Total 2905 - WE THRIVE GRANT FUND	\$0.00	\$3,121.00	\$3,121.00	\$0.00	\$0.00	\$0.00	\$3,121.00	
2906 - NATURE WORKS GRANT								
Leisure Time Activities								
Other Leisure Time Activities								
Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Other Leisure Time Activities	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Leisure Time Activities	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total 2906 - NATURE WORKS GRANT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
2907 - Mercy Tax Increment Equivalent Fund								
General Government								
Other General Government								
Contractual Services	\$0.00	\$1,000.00	\$1,000.00	\$0.00	\$443.02	\$0.00	\$556.98	44.302%
Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Other	\$0.00	\$30,000.00	\$30,000.00	\$0.00	\$0.00	\$0.00	\$30,000.00	0.000%
Total Other General Government	\$0.00	\$31,000.00	\$31,000.00	\$0.00	\$443.02	\$0.00	\$30,556.98	
Total General Government	\$0.00	\$31,000.00	\$31,000.00	\$0.00	\$443.02	\$0.00	\$30,556.98	
Capital Outlay								
Capital Outlay								
Capital Outlay	\$0.00	\$70,000.00	\$70,000.00	\$0.00	\$0.00	\$0.00	\$70,000.00	0.000%
Total Capital Outlay	\$0.00	\$70,000.00	\$70,000.00	\$0.00	\$0.00	\$0.00	\$70,000.00	
Total Capital Outlay	\$0.00	\$70,000.00	\$70,000.00	\$0.00	\$0.00	\$0.00	\$70,000.00	
Total 2907 - Mercy Tax Increment Equivalent Fund	\$0.00	\$101,000.00	\$101,000.00	\$0.00	\$443.02	\$0.00	\$100,556.98	
4901 - CAPITAL PROJECTS								
Capital Outlay								
Capital Outlay								
Capital Outlay	\$0.00	\$220,000.00	\$220,000.00	\$0.00	\$126,308.91	\$0.00	\$93,691.09	57.413%
Total Capital Outlay	\$0.00	\$220,000.00	\$220,000.00	\$0.00	\$126,308.91	\$0.00	\$93,691.09	
Total Capital Outlay	\$0.00	\$220,000.00	\$220,000.00	\$0.00	\$126,308.91	\$0.00	\$93,691.09	
Total 4901 - CAPITAL PROJECTS	\$0.00	\$220,000.00	\$220,000.00	\$0.00	\$126,308.91	\$0.00	\$93,691.09	
4902 - Capital Projects-PUBLIC FACILITIES								
Capital Outlay								
Capital Outlay								

Report reflects selected information.

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	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total 4902 - Capital Projects-PUBLIC FACILITIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
4903 - Capital Projects-VILLAGE LAND								
Capital Outlay								
Capital Outlay								
Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total 4903 - Capital Projects-VILLAGE LAND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
5901 - STORM WATER UTILITY								
Transportation								
Storm Sewers and Drains								
Personal Services	\$0.00	\$3,780.00	\$3,780.00	\$1,332.52	\$2,243.64	\$177.48	\$1,358.88	59.356%
Employee Fringe Benefits	\$0.00	\$580.00	\$580.00	\$55.12	\$165.24	\$0.00	\$414.76	28.490%
Contractual Services	\$20,111.00	\$35,000.00	\$55,111.00	\$480.30	\$20,011.81	\$99.19	\$35,000.00	36.312%
Supplies and Materials	\$0.00	\$3,000.00	\$3,000.00	\$1,396.58	\$1,396.58	\$1,603.42	\$0.00	46.553%
Capital Outlay	\$69,936.03	\$157,640.00	\$227,576.03	\$0.00	\$66,298.90	\$13,476.03	\$147,801.10	29.133%
Total Storm Sewers and Drains	\$90,047.03	\$200,000.00	\$290,047.03	\$3,264.52	\$90,116.17	\$15,356.12	\$184,574.74	
Total Transportation	\$90,047.03	\$200,000.00	\$290,047.03	\$3,264.52	\$90,116.17	\$15,356.12	\$184,574.74	
Total 5901 - STORM WATER UTILITY	\$90,047.03	\$200,000.00	\$290,047.03	\$3,264.52	\$90,116.17	\$15,356.12	\$184,574.74	
9901 - MAYOR'S COURT Agency								
Fiduciary Distributions								
Distributions to Other Governments								
Other	\$0.00	\$25,000.00	\$25,000.00	\$1,796.00	\$11,645.00	\$0.00	\$13,355.00	46.580%
Total Distributions to Other Governments	\$0.00	\$25,000.00	\$25,000.00	\$1,796.00	\$11,645.00	\$0.00	\$13,355.00	
Distributions to Other Funds (Primary Gov't)								
Other	\$0.00	\$89,950.00	\$89,950.00	\$5,925.00	\$34,056.00	\$0.00	\$55,894.00	37.861%
Total Distributions to Other Funds (Primary Gov't)	\$0.00	\$89,950.00	\$89,950.00	\$5,925.00	\$34,056.00	\$0.00	\$55,894.00	
Other Distributions								
Other	\$0.00	\$50.00	\$50.00	\$0.00	\$19.00	\$0.00	\$31.00	38.000%
Total Other Distributions	\$0.00	\$50.00	\$50.00	\$0.00	\$19.00	\$0.00	\$31.00	
Total Fiduciary Distributions	\$0.00	\$115,000.00	\$115,000.00	\$7,721.00	\$45,720.00	\$0.00	\$69,280.00	
Other Financing Uses								
Transfers - Out	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Other Financing Uses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total 9901 - MAYOR'S COURT Agency	\$0.00	\$115,000.00	\$115,000.00	\$7,721.00	\$45,720.00	\$0.00	\$69,280.00	

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	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
9902 - EMPLOYEES HEALTH INSURANCE Agency								
Fiduciary Distributions								
Distributions on Behalf of Employees								
Other	\$0.00	\$60,000.00	\$60,000.00	\$5,116.92	\$34,992.84	\$0.00	\$25,007.16	58.321%
Total Distributions on Behalf of Employees	\$0.00	\$60,000.00	\$60,000.00	\$5,116.92	\$34,992.84	\$0.00	\$25,007.16	
Total Fiduciary Distributions	\$0.00	\$60,000.00	\$60,000.00	\$5,116.92	\$34,992.84	\$0.00	\$25,007.16	
Total 9902 - EMPLOYEES HEALTH INSURANCE Agency	\$0.00	\$60,000.00	\$60,000.00	\$5,116.92	\$34,992.84	\$0.00	\$25,007.16	
9903 - VALLEY BAND ESCROW								
Fiduciary Distributions								
Other Distributions								
Contractual Services	\$0.00	\$1,500.00	\$1,500.00	\$0.00	\$336.63	\$1,163.37	\$0.00	22.442%
Total Other Distributions	\$0.00	\$1,500.00	\$1,500.00	\$0.00	\$336.63	\$1,163.37	\$0.00	
Total Fiduciary Distributions	\$0.00	\$1,500.00	\$1,500.00	\$0.00	\$336.63	\$1,163.37	\$0.00	
Other Financing Uses								
Transfers - Out	\$0.00	\$19,545.96	\$19,545.96	\$0.00	\$0.00	\$0.00	\$19,545.96	0.000%
Total Other Financing Uses	\$0.00	\$19,545.96	\$19,545.96	\$0.00	\$0.00	\$0.00	\$19,545.96	
Total 9903 - VALLEY BAND ESCROW	\$0.00	\$21,045.96	\$21,045.96	\$0.00	\$336.63	\$1,163.37	\$19,545.96	
9904 - Kenwood SWJEDZ Agency								
Fiduciary Distributions								
Distributions to Other Governments								
Other	\$0.00	\$800,000.00	\$800,000.00	\$0.00	\$448,437.73	\$0.00	\$351,562.27	56.055%
Total Distributions to Other Governments	\$0.00	\$800,000.00	\$800,000.00	\$0.00	\$448,437.73	\$0.00	\$351,562.27	
Distributions to Other Funds (Primary Gov't)								
Contractual Services	\$0.00	\$120,000.00	\$120,000.00	\$53.90	\$60,882.98	\$302.60	\$58,814.42	50.736%
Total Distributions to Other Funds (Primary Gov't)	\$0.00	\$120,000.00	\$120,000.00	\$53.90	\$60,882.98	\$302.60	\$58,814.42	
Total Fiduciary Distributions	\$0.00	\$920,000.00	\$920,000.00	\$53.90	\$509,320.71	\$302.60	\$410,376.69	
Other Financing Uses								
Transfers - Out	\$0.00	\$130,000.00	\$130,000.00	\$0.00	\$23,510.15	\$0.00	\$106,489.85	18.085%
Total Other Financing Uses	\$0.00	\$130,000.00	\$130,000.00	\$0.00	\$23,510.15	\$0.00	\$106,489.85	
Total 9904 - Kenwood SWJEDZ Agency	\$0.00	\$1,050,000.00	\$1,050,000.00	\$53.90	\$532,830.86	\$302.60	\$516,866.54	
9905 - Kenwood SWJEDZ Escrow Agency								
Fiduciary Distributions								
Other Distributions								
Other	\$0.00	\$25,000.00	\$25,000.00	\$0.00	\$22,107.79	\$0.00	\$2,892.21	88.431%
Total Other Distributions	\$0.00	\$25,000.00	\$25,000.00	\$0.00	\$22,107.79	\$0.00	\$2,892.21	
Total Fiduciary Distributions	\$0.00	\$25,000.00	\$25,000.00	\$0.00	\$22,107.79	\$0.00	\$2,892.21	
Other Financing Uses								
Transfers - Out	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%

Report reflects selected information.

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	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Total Other Financing Uses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total 9905 - Kenwood SWJEDZ Escrow Agency	\$0.00	\$25,000.00	\$25,000.00	\$0.00	\$22,107.79	\$0.00	\$2,892.21	
<u>9906 - Kenwood SWJEDZ Long-Term Maint. Agency</u>								
Fiduciary Distributions								
Other Distributions								
Contractual Services	\$0.00	\$3,500.00	\$3,500.00	\$0.00	\$1,524.60	\$1,975.40	\$0.00	43.560%
Total Other Distributions	\$0.00	\$3,500.00	\$3,500.00	\$0.00	\$1,524.60	\$1,975.40	\$0.00	
Total Fiduciary Distributions	\$0.00	\$3,500.00	\$3,500.00	\$0.00	\$1,524.60	\$1,975.40	\$0.00	
Other Financing Uses								
Transfers - Out	\$0.00	\$4,000.00	\$4,000.00	\$0.00	\$0.00	\$0.00	\$4,000.00	0.000%
Total Other Financing Uses	\$0.00	\$4,000.00	\$4,000.00	\$0.00	\$0.00	\$0.00	\$4,000.00	
Total 9906 - Kenwood SWJEDZ Long-Term Maint. Agency	\$0.00	\$7,500.00	\$7,500.00	\$0.00	\$1,524.60	\$1,975.40	\$4,000.00	
Report Totals:	<u>\$305,175.29</u>	<u>\$9,794,906.35</u>	<u>\$10,100,081.64</u>	<u>\$583,142.44</u>	<u>\$4,688,895.81</u>	<u>\$846,802.50</u>	<u>\$4,564,383.33</u>	

INVESTMENT LISTING

July 31, 2020

<u>TYPE</u>		<u>DESCRIPTION</u>	<u>CURRENT VALUE</u>	<u>INTEREST</u>	<u>YEAR TO DATE</u>	<u>TOTAL</u>	<u>PURCHASE</u>	<u>MATURITY</u>
				<u>RATE</u>	<u>INTEREST</u>	<u>INTEREST</u>	<u>DATE</u>	<u>DATE</u>
CD		MAPLE BANK	\$ 250,000.00	2.35%	\$ 3,428.42		5/15/2019	8/14/2020
CD		SOUTHERN STATES BANK	\$ 250,000.00	2.80%	\$ 4,084.92		6/27/2018	9/28/2020
CD		HORIZON BANK	\$ 250,000.00	2.60%	\$ 3,793.15		4/30/2018	10/30/2020
CD		LIVE OAK BANKING CO	\$ 250,000.00	2.75%	\$ 4,011.97		8/15/2018	11/16/2020
CD		FLAGSTAR BANK	\$ 250,000.00	2.00%	\$ 5,013.70		7/17/2019	1/19/2021
CD		GREAT NORTH BANK	\$ 250,000.00	2.80%	\$ 4,084.92		8/31/2018	2/26/2021
CD		EAGLEBANK	\$ 250,000.00	2.60%	\$ 3,793.14		3/15/2019	3/15/2021
CD		SYNOVUS BANK	\$ 250,000.00	2.40%	\$ 3,008.22		4/17/2019	4/16/2021
CD		FIRST FEDERAL SAVINGS BANK	\$ 250,000.00	2.40%	\$ 3,501.37		4/29/2019	5/28/2021
CD		BANK OZK	\$ 250,000.00	1.05%	\$ 654.45		4/8/2020	6/8/2021
CD		LAKELAND BANK	\$ 250,000.00	0.15%	\$ -		6/10/2020	6/10/2021
CD		TIAA FSB HOLDINGS INC	\$ 250,000.00	2.75%	\$ 6,893.83		1/18/2019	7/19/2021
CD		MIDFIRST BANK	\$ 250,000.00	0.15%			7/22/2020	7/22/2021
CD		PLAINS CAPITAL BANK	\$ 250,000.00	0.15%			7/22/2020	7/22/2021
CD		NICOLET NAT'L BANK	\$ 250,000.00	1.15%	\$ 716.78		4/17/2020	10/18/2021
CD		UBS BANK	\$ 250,000.00	3.15%	\$ 4,595.56		10/30/2018	10/28/2021
CD		CROSS RIVER BANK	\$ 250,000.00	1.80%	\$ 2,243.84		11/13/2019	11/15/2021
CD		MORGAN STANLEY PRIVATE BANK	\$ 250,000.00	3.25%	\$ 4,051.37		11/29/2018	11/29/2021
CD		WELLS FARGO WEST	\$ 250,000.00	1.80%	\$ 739.72		1/29/2020	1/31/2022
CD		MORTON COMMUNITY BANK	\$ 250,000.00	2.70%	\$ 3,939.04		3/15/2019	3/21/2022
CD		ALLY BANK	\$ 250,000.00	2.25%	\$ 2,820.21		6/27/2019	6/27/2022
CD		CIT BANK	\$ 250,000.00	1.95%	\$ 2,457.53		8/23/2019	8/23/2022
CD		GOLDMAN SACHS BANK	\$ 250,000.00	1.85%	\$ 2,318.84		10/30/2019	10/31/2022
Other		STAR OHIO	\$ 750,000.00	0.30%	\$ 7.34		7/30/2020	NONE
					\$ 66,158.32	ACTIVE		
					\$ 24,391.91	MATURED		
TOTAL			\$ 6,500,000.00		\$ 90,550.23			

TO: Village Council
FROM: Scot F. Lahrmer, Village Manager
DATE: September 11, 2020
RE: Cost Recovery for the Police Department

ITEM: Resolution 2020-26, Authorizing a Contract with Cost Recovery Corp for the Collection and Reimbursement of Certain Public Safety Expenses

ACTION REQUESTED: By motion, adopt **Resolution 2020-26** allowing the Amberley Village to enter into a contract with Cost Recovery Solutions.

PURPOSE: To move to a new vendor for cost recovery.

The Village has contracted this service for the last 10 years to recuperate some of the costs that the Village incurs because of negligent drivers. Most recently, council approved an agreement in 2017 however, the Village would like to switch billing agencies and contract with Cost Recovery Solutions. The updated contract has a new cost schedule of the public safety services and equipment that the Village seeks reimbursement.

Nationally negligent drivers cost police and fire departments around \$2.3 billion annually. These costs are currently subsidized by property taxpayers, over and above the insurance premiums paid by drivers. Property taxes are designed to pay for Fire Departments to be on ready stand-by to protect homes, businesses, and citizens from fire. Property taxes pay for Law Enforcement to protect property and citizens from crime. Similar to Emergency Medical Services (EMS), which is paid by the Health Insurance industry, traffic crash response is outside the scope of the primary function of both law enforcement and fire services.

Similar to other user fees, the cost recovery solution fees are designed to remove an unfair tax burden from taxpayers and target the responsible party. Insurance companies may reimburse communities for services provided to their negligent policyholder depending on the policy. This cost recovery solutions program is designed to follow mandates set forth by the Federal Government and OIG as related to EMS services.

Under the cost recovery program, only at-fault drivers and their insurance policies would receive a reimbursement claim. If fault is not determined, no action is taken until the insurance companies have agreed upon responsibility. A resident is exempt from out-of-pocket costs as long as no crime was committed.

The Police Fire Committee has reviewed this request to adopt a resolution to engage the services of Cost Recovery Solutions. Adoption of Resolution 2020-26 is recommended.

If you have any questions, please let me know.

PASSED:
BY:

RESOLUTION NO. 2020-26

RESOLUTION AUTHORIZING A CONTRACT WITH COST RECOVERY
SOLUTIONS FOR THE COLLECTION AND REIMBURSEMENT OF CERTAIN
PUBLIC SAFETY EXPENSES

WHEREAS, the Village provides valuable public safety services to its residents, visitors, and those who travel through the Village, including but not necessarily limited to police, fire, and emergency services;

WHEREAS, certain expenses incurred by the Village's public safety services are caused by the negligence or other wrongful conduct of certain people, such as one who negligently or wrongfully causes a traffic accident;

WHEREAS, for a number of years, the Village has had an agreement with Ohio-based Cost Recovery Corp, LLC to assist with the billing and collection of the Village's costs caused by the negligence or other wrongful conduct of persons, which necessitates the provision of public safety services;

WHEREAS, Cost Recovery Solutions and the Village determined it is in the best interests of both parties to update and improve the agreement, including revising the cost schedule of public safety services and equipment provided by the Village for which the Village seeks reimbursement;

WHEREAS, the Police and Fire Departments updated their cost schedules to continue to reflect the rates necessary to reimburse the Village for its actual costs of providing the respective services;

WHEREAS, the Police and Fire Committee met to consider a revised agreement with Cost Recovery Solutions, and recommends approval thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE Council of Amberley Village, State of Ohio, seven (7) members elected thereto concurring:

SECTION 1: The Village Manager is authorized and directed to enter into a contract with Cost Recovery Solutions substantially in the form as the agreement attached hereto and incorporated herein, subject to the approval of the Solicitor, including the cost schedules attached to and incorporated into the contract, which Council finds and determines to be reasonable and necessary to reimburse the Village for its actual costs for providing the services and resources referenced in the schedules. The Manager shall take all actions reasonably necessary to carry out the execution and management of the contract.

SECTION 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed this _____ day of _____, 2020.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Resolution Vote:

Moved: _____ Second: _____

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of _____ 2020, the foregoing Resolution was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Resolution at all of the places of public notice as designated by Sec. 31.40(B), Code of Ordinances.

Tammy Reasoner, Clerk of Council

COST RECOVERY SOLUTIONS SERVICE AGREEMENT

This Cost Recovery Solutions Agreement ("Agreement") is made effective this ____ day of _____, 2020, by and between COST RECOVERY SOLUTIONS LLC. ("CRS") an Ohio Limited Liability Company, with its principal office located at 2345 Liberty Rd., New Carlisle, Ohio 45344, and _____

_____, (Client Name and Address), (the “Client”).

WHEREAS, CRS is a service company that provides billing and related services to providers of Public Safety Services;

WHEREAS, Client provides Public Safety Services and wishes to engage CRS on an exclusive basis to provide billing and related services to Client;

THEREFORE, in consideration thereof CRS and Client hereby agree as follows:

SECTION 1: RESPONSIBILITIES OF COST RECOVERY.

- A. CRS shall perform billing, collection and related services rendered by Client.
- B. CRS shall establish, communicate to Client and monitor procedures for the implementation of CRS billing for the Public Safety Services. Cost Recovery shall instruct Client and its employees on procedures and information to provide the responsible party information to CRS for the Public Safety Services as necessary for CRS' system of billing and collection.
- C. CRS shall prepare and submit initial claim forms for the Public Safety Services to third-party payors.
- D. CRS shall notify Client if aware that additional documentation is necessary to substantiate a claim for the Public Safety Services either on initial submission of a claim or upon further inquiry by a payor or responsible party. If requested by Client, CRS can assist with the development of documentation sufficient to file a claim.
- E. CRS shall post payments it receives for the Public Safety Services to the individual responsible party accounts and shall issue refunds, process the refund and invoice the community monthly.
- F. CRS shall provide telephone support during reasonable business hours to assist Payors and responsible parties who request information about their bills for Public Safety

Services. CRS shall process all written and oral requests for information received by CRS pertaining to the Client's accounts in a timely manner.

- G. CRS shall send monthly letters requesting payment of past due Public Safety Services bills until such time as either:

1. The account is paid in full; or
2. CRS reasonably determines that payment will not be forthcoming; or
3. The matter is referred to a collection agency; or
4. Client directs CRS to discontinue such letters.

Client may require CRS to continue billing delinquent accounts on a case-by-case basis. Financial Hardship waivers are reductions and waivers of the responsible party, responsibility based on information from the individual on income and/or assets (e.g., the Federal Poverty Income Guidelines to establish poverty levels).

- H. Within fifteen (15) business days after the end of each month, CRS shall provide Client with the following information on Public Safety Services:

1. A monthly report providing an alphabetized responsible party listing for the particular month with dates of service and charges;
2. A monthly receipt and adjustment report with payment dates, descriptions, amounts, adjustment dates, and adjustment amounts;
3. A monthly report showing month-to-date and year-to-date Public Safety Services and amounts;
4. A monthly report of accounts showing charges, receipts, and adjustments; and
5. Other similar reports reasonably requested by Client.

- I. CRS shall appoint a liaison who shall be responsible for maintaining open lines of communication on all issues related to the billing and collection of the Public Safety Services and meet with Client or its representatives at such times as reasonably requested by Client.

- J. To the extent that CRS maintains computerized data and records on Client's Public Safety Services, CRS shall "back up" such data and records on a daily basis and shall keep such daily back-ups off site.

SECTION 2: RESPONSIBILITIES OF CLIENT.

- A. Client is solely responsible for its operation of the Public Safety Services, including appropriate state and federal licensure and certifications of its personnel and equipment.
- B. Client shall establish the following procedures:
 - 1. Client shall implement usual, customary and reasonable charges for the Public Safety Services.
 - 2. Client shall attempt to collect the information sufficient to file a completed claim from the involved parties when the Public Safety Services are provided, but will not delay or withhold services pending insurance information. Client will attempt to obtain the information to file a completed claim from the recipient of the services if the information was not collected at the time the services were rendered.
 - 3. Client shall at all times be ultimately responsible for obtaining and maintaining appropriate original supporting documentation sufficient for CRS to meet its duties hereunder, including but not limited to completed copies of documentation (provided), the services rendered and equipment provided, and responsible party information and any signatures, notices, acknowledgements, consents and authorizations as may be necessary. Client shall submit to CRS within fourteen (14) business days of the date of service copies of all such supporting documentation.
 - 4. Client shall respond promptly to all reasonable requests of CRS relating to supporting documentation and information concerning the Public Safety Services. Client shall provide CRS, in writing, any additional information as may reasonably be requested by Cost Recovery in order to substantiate a Public Safety Services charge, either on initial submission or upon later inquiry by either the responsible party or a Payor.
 - 5. Client shall designate an Authorized Liaison who shall be responsible for maintaining open lines of communication on all issues relating to the subject matter of this Agreement and meeting with CRS or its representatives on a regular basis. Client represents and warrants that at all times the Authorized Liaison will have the authority to direct CRS on behalf of the Client.
 - 6. Client shall review all reports provided by CRS for accuracy. Unless Client notifies CRS in writing of any inaccuracies in reports within sixty (60) business days after the reports are provided to Client, the reports shall be deemed final.
 - 7. Client agrees that during the term and any renewal terms of this Agreement to place all its Public Safety Services accounts with CRS and not to retain or engage any other person or entity to perform the same or similar functions for or on behalf of Client.

SECTION 3: COMPENSATION. Cost Recovery Solutions charge for its responsibilities under this Agreement shall be built into your actual cost and will be recovered only when we are successful in recovering your costs and from the total costs of collections. Considering CRS 's cost is already built into the cost schedule the Client actually retains 100% of their cost. CRS compensation shall not be reduced for any negotiated reduction in cost. CRS agrees to make payment directly to Client within fifteen (15) business days of the end of the preceding month. CRS's base charges shall not change unless reimbursement levels from any third-party payor(s) materially change, in which case, the parties shall negotiate in good faith changes to CRS's base charges, with any changes being agreed upon in writing by the parties. If no agreement is reached within a timely manner, then CRS's base charges shall remain in effect unless Cost Recovery provides thirty-(30) business days advance written notice to terminate this Agreement.

SECTION 4: ALLOCATION OF RISK: LIABILITY INSURANCE.

- A. As between the parties, each party to this Agreement shall be and remain legally responsible for its own acts or omissions, and for those of its affiliates, employees, and agents, who are involved by such party in matters related to this Agreement on such party's behalf, and each party to this Agreement shall be financially responsible for all damages, expenses, liabilities or other costs of whatever kind that are determined by such court of competent venue to be caused by that party's acts or omissions.
- B. Throughout the term of this Agreement, each party shall, at its own expense, continuously maintain in full force and effect comprehensive general liability insurance coverage consistent with prevalent standards in the community for each party. CRS shall also maintain an employee dishonesty policy. Client shall also maintain comprehensive professional liability insurance for the Public Safety Services. Client's agreement to these terms does not constitute a waiver of any immunity or defense of the Client or its employees, agents or representatives as may be available at law or in equity.
- C. The obligation of either party to perform under this Agreement shall be excused during each period of delay caused by matters such as fires, riots, flood, strikes, shortages of fuel, power, raw materials or supplies, government orders, freight embargo, transportation delays, or acts of God, which are reasonably beyond the control of the party obligated to perform.
- D. Notwithstanding the foregoing, in no event shall CRS have any liability to Client or any Payor, whatsoever, for incidental or consequential damages. CRS shall not be liable for any overpayments to the responsible parties. Nor shall CRS be liable to Client or any Payor for any errors or omissions relating to any reports provided by CRS to Client deemed final

SECTION 5: TERM OF AGREEMENT.

- A. The term of this Agreement is for a period of ____ years beginning on the ____ day of _____, 20____. The agreement will renew automatically at the end of each term for additional period of one year, unless either party gives written notice to the other of termination of this Agreement, no later than thirty (30) business days prior to the expiration of the then current term of the Agreement.
- B. This Agreement may be terminated at any time by either party for good cause. Good cause to terminate by CRS shall exist if Client fails to make payment to Cost Recovery when due after written notice from CRS and a five (5) business day opportunity to cure, or if Client fails to abide by any other term of the Agreement after written notice from CRS and a thirty (30) business day opportunity to cure. Good cause to terminate by Client exists if CRS fails to abide by any term of this agreement after written notice from Client and a thirty (30) business day opportunity to cure.
- C. Upon the termination of this Agreement, CRS shall continue to provide collection services for all accounts received for billing prior to the date of termination for at least six (6) months or until such further time as the parties shall agree, and CRS shall be entitled to receive the compensation set forth in Section 3 for such continued services.
- D. Upon termination of CRS's services, CRS shall prepare a detailed listing of accounts receivable and the aging of all unpaid accounts. These reports shall be delivered to the Client promptly upon payment of all then remaining amounts due to CRS.

SECTION 6: RECORDS, AUDITS, AND CONFIDENTIALITY.

- A. Client Records. All original supporting documentation as set forth in Section 2 maintained by Client shall be the sole and exclusive property of Client. CRS and its authorized representatives shall have the right to inspect and copy Client's records upon request during reasonable business hours for the purpose of verifying the Public Safety Services provided and calculating the compensation payable under Section 3.
- B. Cost Recovery Solutions Records. Any copies of original documentation provided by Client to CRS and any information, data, files and records received, created, or used by Cost Recovery, and the intermediate material and the media upon which such data are inscribed, are the sole and exclusive property of CRS ("the Cost Recovery Solutions Records"). During the term of this Agreement, CRS shall make available the Cost Recovery Records upon request during reasonable business hours for inspection and copying by Client or its authorized representatives. At Client's sole expense, Client or its auditors may audit Cost Recovery's handling of Client's Public Safety Services accounts from time to time to include a review of Cost Recovery's billing efforts, the adequacy of cash controls, the promptness of recording and remitting payments, compliance with this Agreement, and any other reasonable audit procedures and tests.

- C. Confidentiality. CRS is HIPPA compliant and shall maintain the confidentiality of any of Client's patient data, lists or records, fee schedules, financial records and statements, and any other information designated in writing as confidential or proprietary by Client to the extent permitted by law. Client shall maintain the confidentiality of CRS's computer software and resulting or related processes or documentation of the software used by CRS, methods of operation of its comprehensive billing services, and any other information designated in writing as confidential or proprietary by CRS.

SECTION 7: NON-SOLICITATION. Unless the parties otherwise mutually agree in writing, during the term and any renewal term of this Agreement, and for a one- (1) year period commencing with the later of the date the Agreement terminates or expires without renewal or the date CRS discontinues providing services under Section 5(C), each party agrees not to solicit for employment or engagement, or employ or engage, directly or indirectly, or through any third party rendering services on behalf of such party, anyone who was employed by the other party during the term and any renewal term of this Agreement.

SECTION 8: COMPLIANCE. Notwithstanding any other provisions of this Agreement, Client expressly agrees that Cost Recovery Solutions has the right to suspend submission of any and all claims if CRS finds evidence of misconduct on the part of Client or if any governmental entity issues any guidance, rulings or regulations that prohibit billing or any of the elections made by Client. CRS will provide reasonable and timely notice to Client of such suspension and make reasonable and timely efforts to resolve the issue(s) leading to suspension of claim submission with Client. In the event that an investigation is required to resolve the suspension, each party agrees to cooperate in such investigation. Cost Recovery Solutions shall not be liable to Client for any failure to perform its obligations nor for any damages that do not result from its own negligence or fraud.

SECTION 9: MEDIATION. In the event of any disagreement, which cannot be amicably settled between Client and Cost Recovery Solutions related to this Agreement, a Mediator selected by Agreement of the parties shall submit such disagreement to Mediation.

SECTION 10: MISCELLANEOUS.

- A. NOTICE. Any notice, request, consent and other communication required or permitted under this Agreement shall be in writing and shall be deemed to have been duly given (a) when received, if personally delivered or sent by telecopy, (b) within one day after being sent by a recognized overnight delivery service, or (c) within five days after being sent by registered or certified mail, return receipt requested, postage prepaid, to the parties at the respective addresses set forth below:

If to CRS:

Cost Recovery Solutions, LLC.
P.O Box 428
New Carlisle, Ohio 45344
(937) 269-4860 Attention: Regina Moore Jones, CEO

If to Client:

Dept.

Attention:

- B. Assignment. This Agreement shall be binding upon and inure to the benefit of the heirs, successors, personal representatives and assigns of each party to the Agreement, but no rights, obligations or liabilities of Client or CRS under this Agreement shall be assigned without the thirty (30) days prior written notice to the other party.
- C. Independent Contractor. It is understood and agreed that CRS is an independent contractor to Client, and there shall be no joint venture, partnership, agency or employment relationship between the parties.
- D. Partial Invalidity. The parties do not intend for any provision of this Agreement to violate any public policy, statutory or common law rules, regulations, treaties or decisions of any government, or any agency of any government. If any part of this Agreement is void, voidable or unenforceable, the remainder of the Agreement will continue to be valid and enforceable and the offending term must be modified to the minimum extent necessary to make the Agreement valid.
- E. Entire Agreement; Modification. This Agreement and the attached Appendices constitute the entire agreement of the parties on the subject matter of this Agreement and supersedes any previous communications or agreements between the parties. No waiver, modification or amendment of any of the terms of this Agreement shall be effective without a writing signed by both parties.
- F. Construction. Montgomery Co., Ohio laws govern all matters arising out of this Agreement without reference to any conflict of laws provisions that apply laws from another venue. This Agreement is to be construed as if the parties drafted it jointly.
- G. Necessary Acts. The parties may execute this Agreement in any number of counterparts and shall execute any and all documents and perform any acts necessary to carry out the purposes and provisions of this Agreement.

- H. No Third-Party Beneficiaries. Nothing in this Agreement will confer upon any person other than the parties and their respective successors or assigns, any rights, remedies, obligations, or liabilities.

The parties are signing this Agreement on the date stated in the introductory clause.

COST RECOVERY SOLUTIONS, LLC.

DEPARTMENT

By: _____

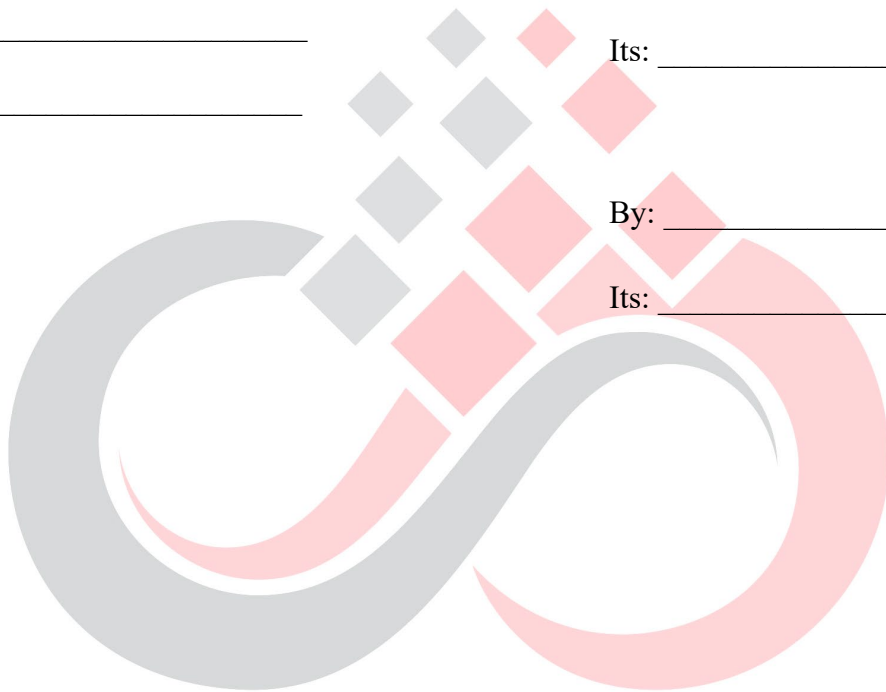
Its: _____

By: _____

Its: _____

By: _____

Its: _____



 COST RECOVERY SOLUTIONS	Police Services Valuation					
	Based Upon Actual Cost Studies					
	30 Min.	45 Min.	60 Min.	75 Min.	90 Min.	105 Min.
Vehicles	\$193	\$193	\$193	\$193	\$193	193
Officers	\$25	\$38	\$50	\$63	\$75	88
Reconstruction	\$50	\$75	\$100	\$125	\$150	175
The attached fee schedule is a sample of Cost Recovery Solutions proprietary police services valuation and is intended to demonstrate a portion of overall billing criteria. This valuation includes Cost Recovery Solutions cost of doing business. This allows you to maintain 100% of your cost. All of Cost Recovery Solutions complete police services valuation contains 25 separate billable criteria and over 900 computations derived from extensive research and cost studies. Demonstration of complete valuation is available upon request. Cost subject to change when time on scene exceeds 8 hours or extraordinary incidents require special equipment and/or manpower.						
www.cost-recovery-solutions.com						

TO: Village Council
FROM: Scot F. Lahrmer, Village Manager
DATE: September 11, 2020
RE: Employee Dishonesty and Faithful Performance of Duty Insurance Policy

ITEM: Ordinance 2020-14, Adopting Policy Allowing Use of Employee Dishonesty and Faithful Performance of Duty

ACTION REQUESTED: By motion, adopt **Ordinance 2020-14** replacing surety bonds with dishonesty and faithful performance of duty insurance policy

PURPOSE: The Ohio Revised Code requires that certain officers, appointees and employees must have a surety bond in place before they can commence working in their assigned capacity. For the most part, these are roles which involve money, like the Treasurer, Finance Administrator, Income Tax Administrator, Mayor's Court Clerk and the Administrative Assistant.

A few years ago our Risk Manager Michael Fishel, mentioned the Village was paying twice for the same coverage. The Village has surety bonds for all of these positions and they were all covered in our liability insurance. At that time, the Village had no way to remedy it because the Ohio Revised Code (ORC) required bonds and in each audit cycle, the Village was required to provide proof of those bonds.

In 2019, the Ohio legislature made a change in this policy with the passage of House Bill 291 which allows political subdivisions to purchase an employee dishonesty and faithful performance of duty insurance policy in lieu of surety bonds. This option requires the Village to have at least as much coverage as the surety bonds provided. The treasurer's bond is \$25,000 and the other required positions have \$100,000 in coverage.

The Village has these features in our liability insurance to cover not just the few employees who require bonding, but all employees, appointees and officers. The dishonesty portion is covered in the Commercial Crime Coverage part of the policy. This coverage has a limit of \$1,000,000 and the Faithful Performance of Duty coverage has a limit of \$250,000. The Village is well above the current coverage provided by the surety bonds.

By adopting this ordinance, the Village will save a minimum of \$1,800 a year. Staff recommends waiving the 3 readings and adopting the ordinance, which will go into effect in 45 days.

If you have any questions, please contact me.

PASSED:
BY:

ORDINANCE NO. 2020-14

ORDINANCE ADOPTING POLICY ALLOWING USE OF EMPLOYEE
DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY

WHEREAS, the Ohio Revised Code mandates that certain officers, employees or appointees of a political subdivision are required by law to have an individual surety bond before entering upon the discharge of official duties; and

WHEREAS, Ohio Revised Code section 3.061 states a political subdivision may adopt a policy, by ordinance or resolution, to allow for the use of an employee dishonesty and faithful performance of duty policy, rather than a surety bond, to cover losses caused by the fraudulent for dishonest actions of, and the failure to perform a duty prescribed by law for, officers, employees, or appointees that would otherwise be required to have an individual surety bond to qualify for the office or employment; and

WHEREAS, the Amberley Village charter states in Section 35.01 bonds of all elected officers, appointed officers and employees shall be as established by Council through ordinance; and

WHEREAS, the coverage offered by the employee dishonesty and faithful performance of duty policy exceeds the current coverage provided by surety bonds; and

WHEREAS, Council finds and determines that the proposed change is in the best interest of the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, seven (7) members elected thereto concurring:

SECTION 1: The Village shall adopt a policy to allow for the use of an employee dishonesty and faithful performance of duty insurance policy in place of a surety bond in compliance with Section 3.061 of the Ohio Revised Code.

SECTION 2: The coverage amount under the employee dishonesty and faithful performance of duty policy shall be equal or greater than the maximum amount of the bond otherwise required by law.

SECTION 3: This Ordinance shall take effect and be in force from and after the earlier period allowed by law.

Passed this ____ day of _____, 2020.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: ____ Seconded: ____

Muething	_____
Wolf	_____
Bardach	_____
Conway	_____
Hattenbach	_____
Kamine	_____
Warren	_____

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of _____, 2020, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Tammy Reasoner, Clerk of Council

TO: Village Council
FROM: Scot F. Lahrmer, Village Manager
DATE: September 11, 2020
RE: Agreement to Utilize Municipal Road Funds (MRF) for Street Improvements on Kincaid Road

ITEM: Ordinance 2020-15, Agreement Between the Village and the Board of Hamilton County Commissioners to Make Improvements to Kincaid Road

ACTION REQUESTED: By motion, adopt Ordinance 2020-15 authorizing the Village Manager to enter into an agreement with the Hamilton County Commissions, relative to the street improvement on Kincaid Road.

PURPOSE: To access Municipal Road Funds to reconstruct a portion of Kincaid Road.

The Village's infrastructure projects are funded through a combination of the general fund, license plate fees, gasoline tax, and the Village's stormwater utility fund. In an average year, the Village receives approximately \$200,000 from license plate fees and gasoline tax (used only for road repairs) and contributes approximately \$200,000 from the general fund to fund street programs. The Village is also able to utilize funds from the stormwater utility to pay for the stormwater portion of street programs and when applicable, the Village has applied for and received state and county grants to assist in the repaving of streets that meet the criteria.

In addition, money for the Municipal Road Fund (MRF) program is generated from the sale of license plates within the corporate limits of Amberley. The Village can apply for the money to be used on qualifying roads, by working through the Hamilton County Engineer's Office which is involved with ranking projects and determining which projects are funded.

In 2016, the Village applied for Ohio Public Works Commission funds (OPWC) and Municipal Road Funds (MRF) to assist in the reconstruction of the deteriorated concrete base streets in the North and South Farmcrest Drive and Kincaid Road neighborhood. However, the Village was not successful in receiving the OPWC funding but was successful in receiving the MRF funding for Kincaid Road. The MRF funding in the amount of \$95,820 was only available for the Kincaid Road improvements.

The Village applied for MRF funding in September of 2019 for the reconstruction of the portion of Kincaid Road between North and South Farmcrest Drive and was awarded \$70,909. (33%). The reconstruction of this portion of Kincaid Road is estimated to cost \$211,040 plus \$25,326 for engineering charges; this will reconstruct the entire roadway, including curb replacement and improving stormwater drainage.

The MRF funding for the Kincaid Road improvement project will benefit the Village in its 2020 OPWC application for the reconstruction of North Farmcrest Drive. The Village has the option of not utilizing the MRF funding if not successful in receiving the OPWC funding.

The Village is required to enter into an agreement with the Hamilton County Board of Commissioners in order to receive the funding.

The ordinance authorizing the Village Manager to enter into the agreement was generated by Hamilton County and presented to the Streets, Public Utilities and Sewer Committee on September 9 and recommended to be approved.

Staff recommends waiving the three readings of Ordinance 2020-15 and adopting it on September 14. If you have any questions please let me know.

PASSED:
BY:

ORDINANCE NO. 2020-15

AN ORDINANCE AUTHORIZING AN AGREEMENT BETWEEN AMBERLEY
VILLAGE AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS
RELATIVE TO THE IMPROVEMENT OF KINCAID ROAD

WHEREAS, Section 153.61 of the Ohio Revised Code provides for agreements between any County and any municipal corporation for joint construction of public improvement; and

WHEREAS, Section 4504.04 of the Ohio Revised Code provides for the application by the municipal corporation, and the allocation and encumbering by the Board of County Commissioners of funds available under Section 4504.05 of the Ohio Revised Code; and

WHEREAS, KINCAID ROAD is part of the Comprehensive Map of the Roadways of the County in accordance with Section 4504.03 of the Ohio Revised Code and is in need of improvement; and

WHEREAS, AMBERLEY VILLAGE, pursuant to Section 4504.04 Revised Code of Ohio, has made application in writing to the Board of County Commissioners for funds available under Section 4504.05 Revised Code of Ohio. These funds are to cover a portion of the cost of improving KINCAID ROAD; and

WHEREAS, AMBERLEY VILLAGE has filed with the County Engineer a copy of the preliminary plans and estimate of cost of such improvement; and

WHEREAS, the County Engineer has approved such preliminary plans and estimates of cost and found the proposed improvement is conducive to the orderly and efficient flow of traffic within and through the COUNTY and so advised the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has allocated from funds available for such purpose as provided in Section 4504.05 (B)(1) of the Ohio Revised Code for a portion of the cost of such improvement; and

WHEREAS, the Board of County Commissioners shall certify to the County Auditor the amount of any funds allocated to AMBERLEY VILLAGE. Final and detailed plans or statements of work to be done shall be submitted to the County Engineer for approval. Upon approval by the Engineer, the Board of County Commissioners shall have encumbered the moneys necessary to fulfill awarded contractual or other obligations for approved project costs; and

WHEREAS, upon notification by AMBERLEY VILLAGE that the work on an approved project has commenced, the County Auditor shall draw a warrant for such encumbered amount on the County Treasurer payable to the CITY CLERK of AMBERLEY VILLAGE; and

WHEREAS, AMBERLEY VILLAGE shall use all moneys received by it under Section 4504.04, Ohio Revised Code, for the purpose for which they are encumbered and return for deposit in the fund established by division (B)(1) of Section 4504.05, Ohio Revised Code, any moneys not so used; and

WHEREAS, a joint agreement with the Board of County Commissioners for such improvement should be authorized and approved;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF AMBERLEY VILLAGE, STATE OF OHIO, seven (7) members elected thereto concurring,

Section 1. It is hereby declared necessary and to the best interests of AMBERLEY VILLAGE, to execute an agreement with the Board of Hamilton County Commissioners in connection with the improvement of KINCAID ROAD.

Section 2. The Mayor and the Clerk should be, and hereby are authorized and directed to execute the attached agreement, for and on behalf of the AMBERLEY VILLAGE, with the Board of Hamilton County Commissioners under terms and conditions listed in the attached agreement, which is deemed to be a part of this ordinance as if fully set forth herein and when so approved and executed, shall be in full force and effect.

Passed this _____ day of _____, 2020.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: _____ Seconded: _____

Muething _____
Wolf _____
Bardach _____
Conway _____
Hattenbach _____
Kamine _____
Warren _____

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of _____, 2020, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Tammy Reasoner, Clerk of Council

TO: Village Council
FROM: Scot F. Lahrmer, Village Manager
DATE: September 11, 2020
RE: Amberley Green Zoning Code Text

ITEM: First Reading: Ordinance 2020-16, Adding Chapter 154.84 to Title IV of the Village of Amberley Codified Ordinances Regarding Amberley Green Zoning District Regulations and Set Public Hearing

ACTION REQUESTED: By motion, adopt **Ordinance 2020-16**, adopting Chapter 154.84 to create the Amberley Green Zoning District (AGD).

PURPOSE: Adoption of the Amberley Green District (AGD) Zoning Code Text.

In order to effectively consider any type of development of the Village-owned Amberley Green (AG) property, the zoning must be changed from the current restrictive Residence A zoning (single-family, 1 acre lots). However, the Village does not have any other zoning district that would accomplish what residents and Council believe should be permitted on Amberley Green. Village Staff and Council have been working to create an environment to maintain green space for Amberley Green while enabling development to occur if the Village Council finds proposed uses acceptable for the 133-acre property. These efforts have culminated in a special zoning district being proposed for adoption by Village Council.

Creating the special zoning district would allow for mixed-uses, to preserve green space, create recreational, and residential areas while allowing limited opportunity for revenue-generating businesses to locate at the site, which will add to the tax base of the Village.

The Village entered into an agreement for professional services with the Hamilton County Regional Planning Commission (HCRPC) to assist in creating this special district. As part of this contract, Bryan Snyder, Development Services Administrator of HCRPC, met with Village staff to outline the objectives of the new zoning text. After a draft was secured, staff along with Mr. Snyder, worked extensively with Village Council, to further define new regulations. All of this discussion took place in Village Council work sessions.

The purpose of the new zoning regulations (attached) is to create and add Code Sections 154.84 through 154.84.8 specifically for the Amberley Green property.

Since Amberley Green is zoned for single-family residential (Residence A) and that is solely not what the Village would like to see on the property, zoning text is being created that would enable a variety of uses on the property. However, since the Village owns the property, the zoning becomes secondary but is still necessary to guide any development.

With a strong preference to maximize open space and walking trails with any development, Council set out to create a zoning code for Amberley Green for the simple purpose of protecting the health, safety and welfare of our residents. The benefits of establishing zoning on Amberley Green include:

- Protects existing property values by preventing incompatible uses

- Preserves recreational area and allows for more open spaces
- Enforces restrictions like height limitations, space requirements, building size and other development standards
- Keeps buildings from being built too close to each other
- Provides systematic lot arrangement
- Enhances the beauty of our community by requiring landscaping, buffers and parking lot improvements
- Protects residential properties from commercial development
- Facilitates attractive growth with community involvement

While the Village is safeguarded by ownership of the property and the Village has a strong preference for open space and walking trails, it was necessary to identify the principal uses that would be permitted on the property. Any use would require Village approval due to our ownership of the property and due to zoning.

The principal permitted uses discussed at the public meetings were incorporated into the proposed zoning text and include the following:

- Active and passive recreational uses including pools, splash parks, sports fields and courts, outdoor amphitheaters, public parks and walking trails, dog parks, and woodland preservation areas.
- Single-family dwellings.
- Community Gardens/Agriculture.
- Banquet/Event Center.
- Government/Public buildings and facilities.
- Other institutional uses including religious institutions, daycare centers, hospitals, schools, universities, and other educational related research facilities, and non-profit event centers, summer camps, and day camps.
- Nursing homes, assisted living facilities, and continuing care retirement facilities.
- Offices, including professional business offices, medical/dental offices, accounting services, banking/financial institutions, legal services, professional consulting/counseling services, real estate and securities brokering, hotels, and tax preparation services.
- Restaurants (without drive-thrus)
- Retail uses and/or facilities within a mixed-used building and not to exceed 20% of the total building square footage, including, but not limited to restaurants, baked goods, cheeses, fruits and vegetables, meats, ice cream, beer, wine, liquor, confectioneries, flowers and plants, pharmacies, cosmetics, photographic equipment, and supplies, pets and pet supplies, clothing, jewelry, sporting goods, bicycles, toys, music and musical instruments, luggage, books, glassware, medical and surgical equipment, office furniture equipment and supplies, appliances, business machines.
- Other similar uses determined to be compatible with the uses listed above and approved as part of the AGD district approval per the procedures outlined in this chapter.

The balance of the code spells out setbacks, site development regulations, landscaping, signage and architectural regulations as well as procedures for approval. Additionally, this zoning district would be tailored to the proximity of Ridge Road and Galbraith Road, therefore would not apply to other sites in the Village.

Text changes to the Zoning Code must first be considered by the Planning Commission following a public hearing. Village Council approved Resolution 2020-17 in May referring the zoning text to Planning Commission. The AGD zoning text was presented to the Planning Commission which held public hearings on July 8 and August 3. The July 8 hearing resulted in the Planning Commission requesting additional information from Village staff (attached), which was presented at the August 3 public hearing.

After the public hearing on August 3, the Planning Commission voted 3 to 1 to recommend Council amend the zoning code text to maintain the current land usage classifications as written, with the exception of the 20% mixed-use facilities. The Planning Commission also recommended removing all other requirements to be included as part of the concept plan submission, to allow a developer to be able to proceed without having to acquire additional variances.

While Planning Commission didn't have the opportunity to have the same discussions Council did with Mr. Snyder as the AGD was conceived, their recommendations to not include any regulations or stipulations would be different from other zoning districts in the Village. Although there is nothing that would require the Village to include anything other than use restrictions in a zoning plan for Amberley Green, it seems counterproductive to talk about the zoning on the property without any minimum requirements or restrictions. Without minimum requirements, it seems there could be a lack of consistency without such guiding principles. Granted, the Village has two "levels" of protection with respect to the development. The first being the Village owns the property and has a lot of discretion in how it is used/developed. The second are the restrictions imposed by the zoning code.

Planning Commission also expressed concerns about any developers having to seek variances, however, the concept of variances is baked into the approval process set forth in the zoning code. Specifically, Section 154.84.8(B), which states that:

"The Commission shall have categorical ability to recommend varying or relaxing the standards of this chapter and the Zoning Ordinance as a part of the recommendation provided that any such request is found to meet the intent of the AGD district."

Likewise, Section 154.84.8(D)(1) gives Village Council the same authority.

Beyond any initial development, if the Village does not adopt some minimum zoning requirements, it could create some issues. And while it may be viewed as taking away the ability for any developers to be creative, the Village needs to think beyond the initial development. If a developer were to lease/purchase and develop a piece of Amberley Green, the opportunity for restrictions on the second or third use could be limited. Having some basic restrictions in place would be helpful.

Staff does not believe having those basic restrictions/rules in place are likely to be a deterrent to any serious developer because the designation process gives the Planning Committee and Council the authority to grant exceptions as a part of the process. And any developer with any experience is going to understand that there may be some restrictions that need to be worked through. Granted the zoning code text may appear as cumbersome, and may need tweaked as time goes on, but getting zoning text in place at least enables discussions with interested parties.

Case in point, when the Scottish Rites was interested in redeveloping the former clubhouse, our single family zoning on the property prevented the Scottish Rites from investing several million dollars into the clubhouse.

In regards to the 20% limit on retail, Planning Commission preferred this to be lifted. As this topic was vetted during council work sessions, it was Council's belief that free-standing retail wasn't desired but if the retail co-located with another use, it would be more desirable.

In keeping with the spirit of Council's intentions to create a zoning code text, staff's recommendation is to consider Planning Commission's recommendations but adopt zoning code text that enables the Village to consider zoning on the property that fits within our objectives.

In anticipation of the public hearings for Planning Commission, staff met with the Public Outreach Committee of Council to formulate an outline of approaches to inform residents about what the AGD means. The result was a series of communication tools that were shared with residents including:

1. A series of short instructional videos regarding the proposed changes, why they are needed and what comes next

[#1: Why Do We Need Changes?](#)

[#2: What's Included in the Zoning Text?](#)

[#3: The Process: What Comes Next?](#)

2. A postcard mailer to direct residents to a dedicated “one-stop” webpage

3. The “one-stop” webpage itself, which includes links to the videos (and scripts), the postcard mailer, a spot for posting meeting dates, as well as links to background information and zoning language

4. Social media posts utilizing the instructional videos, animated memes and links back to the dedicated webpage

<https://www.amberleyvillage.org/2020/06/12/amberley-green-zoning-information/>

These resources have been available throughout the process, and will be reactivated in anticipation of Council holding a public hearing.

At the September 14 meeting, Council should conduct a first reading of the ordinance and set the public hearing for October 12. After the public hearing, Council will likely have a third reading of the ordinance on November 9 after which time, action should be taken to create the zoning text for Amberley Green.

If you have any questions, please let me know.

PASSED:
BY:

ORDINANCE NO. 2020-16

ORDINANCE ADOPTING CHAPTER 154.84 TO TITLE IV OF THE VILLAGE OF
AMBERLEY CODIFIED ORDINANCES ADOPTING AMBERLEY GREEN
ZONING DISTRICT REGULATIONS

WHEREAS, in order to promote the health, safety, and welfare of residents and the community as a whole, Amberley Village maintains a Zoning Code that applies to different zoning districts within the Village to protect and enhance the attractive appearance of the community and to assist in potential economic development as evaluated and determined by Village Council;

WHEREAS, in order to effectively consider any type of development of the Village-owned Amberley Green property, the zoning had to be changed from the previous, more restrictive Residence A zoning (single-family, 1 acre lots);

WHEREAS, the Village, with the assistance of the Hamilton County Regional Planning Commission (“HCRPC”), created a special zoning district for Amberley Green that would allow for potential mixed-uses, to preserve green space, create recreational and residential areas, while also allowing the potential opportunity for revenue-generating businesses to locate at the site, which would add to the tax base of the Village.

WHEREAS, Village Staff and Council have been working to create an environment to maintain green space for Amberley Green while enabling development to occur if the Village Council finds such a proposed use acceptable;

WHEREAS, in accordance with the Village Charter and Ordinances, Village Council referred proposed zoning text for the Amberley Green Zoning District to the Planning Commission for the purpose of reviewing and making recommendations to Village Council concerning changes and adoption of the zoning regulations proposed for Amberley Green;

WHEREAS, the proposed zoning text was presented to the Planning Commission, which held public hearings on July 8, 2020 and August 3, 2020. Bryan Snyder from the HCRPC attended and made a presentation at the July 8, 2020 Planning Commission hearing, at which the Planning Commission requested additional information from Village staff. The additional information was presented at the August 3, 2020 public hearing;

WHEREAS, at the public hearing on August 3, 2020, the Planning Commission voted 3 to 1 to recommend that Council amend the proposed zoning code text for Amberley Green to maintain the current land usage classifications as written, with the

First Reading

exception of the 20% limitation on retail use in mixed-use facilities. The Planning Commission also recommended removing all other proposed zoning requirements, including those relating to set-backs, site development, landscaping, signage, and architectural design in the interest of allowing potential developers to proceed without having to acquire additional variances;

WHEREAS, the Amberley Green Zoning Regulations as reviewed and recommended by the Planning Commission are attached and incorporated into this Ordinance;

WHEREAS, Council finds that the Amberley Green Zoning Regulations as recommended by the Planning Commission serve to protect and enhance the appearance of use of the Amberley Green property, while also allowing for potential future economic development of the property;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, seven (7) members elected thereto concurring:

SECTION 1: Title IV of the Village of Amberley Codified Ordinances is hereby amended to add Code Sections 154.84 and 154.84.1, as set forth in more detail in the attached Zoning Regulations

SECTION 2: This Ordinance shall take effect and be enforced from and after the earliest period allowed by law. Passed this _____ day of _____, 2020.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: _____ Seconded: _____

Muething _____
Wolf _____
Bardach _____
Conway _____
Hattenbach _____

First Reading

Kamine _____
Warren _____

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of _____, 2020, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Tammy Reasoner, Clerk of Council

Planning Commission Comments regarding Amberley Green Development District Text

1. Comments about potential allowable principal uses on the property like hospital, nursing homes, assisted living facilities and hotel.

The inclusion of these uses does not mean Amberley Village plans to allow all the listed usages, but these are concepts the Village would consider. The purpose of the proposed zoning text is to anticipate possible usages in the future and allow for flexibility/creativity. Village Council and staff carefully considered the list to keep as many options open for the future as possible. This was done with the premise the Village controls the property and ensures the Village can act should an opportunity presents itself that would meet Village objectives. Principal uses are subject to Village approval, as owners of the property, but can only be considered if included in the zoning text. By exclusion from the list, a principal use cannot be considered at all without completing a full zoning text amendment involving Village Council and Planning Commission.

Planning Commission recommendation options:

- a. Leave the principal permitted uses intact.
 - b. Further define any principal permitted uses to be included.
 - c. Eliminate specific principal permitted uses.
2. Comments about event center being listed as both profit and non-profit.

154.84.1 (A) 4 refers to “Banquet/Event Center” and 154.84.1 (A) 6 refers to non-profit event centers.

There is no reason for profit vs. non-profit. The non-profit was included from the beginning and then it was suggested that banquet center be listed as a principle use. The reference to non-profit can be removed.

Planning Commission recommendation options:

- a. Leave both profit and non-profit intact.
- b. Eliminate non-profit.

3. Comments regarding height restrictions.

154.84.2 places a restriction at two and one-half stories or 35 feet in height.

The height was originally greater, but the consensus of Council was to keep it at 35' and if a higher office building was proposed, a variance could be sought. Staff did include a provision originally to allow greater height with additional setback but that was removed.

2.5 stories is consistent with other sections of our code. 35 feet would allow 2.5 stories with a pitched roof but adding height without adding additional stories isn't recommended.

The key is to determine what style architecture to encourage and what you would allow. The "typical" floor to floor of an office building is 13'6". For a traditional "flat roof" office building, that would translate into 27' plus the roof parapet of +/- 3' for a total of 30'. Then if there is rooftop HVAC equipment, you would want that screened and that would also add to the total height. Where you run into trouble with the 35' limitation is when there are higher finished ceiling height requirements due to the use or higher first floors for aesthetic reasons.

If you allow higher total building heights, this will allow higher floor-to-floor heights and different roof types.

If you want to allow for a 3-story building, zoning text should read up to 45' in height and 75' for a 5-story office building.

Another option is to set a maximum height and stipulate for every one foot of height above the maximum, each of the required front, side, and rear yard setbacks are increased by two feet.

Planning Commission recommendation options:

- a. Leave the height restriction intact.
 - b. Consider a two and one-half story limitation but allow for a much higher total height to accommodate pitched roofs.
 - c. Increase the height restriction to 45', 60' or 75'.
4. Some concern about lot size for residential development at 8,000 square feet will not generate the type of housing for residents that want to downsize but will generate a small house on a small lot equaling a low-price house.

Originally, the Village had a 5,000 square-foot lot size at one time and we also included attached single-family as a use in a previous draft. Attaching homes would require attached single-family to be listed as a permitted use. Other than that, the minimum lot size, and therefore the permitted density, is a number that needs to be decided through the process. Village Council will make that determination when there is a proposal for the residential piece of the property and could establish covenants for the property as well. More density is generally supported by the planning profession but may not be right for the village.

Minimum lot sizes are typical in zoning and minimum lot sizes determine how small a developer can subdivide a lot. However, these criteria do not guarantee a particular price point for residential. What Council was attempting to accomplish is a different single-family option in the Village. Smaller lots do not necessary translate to lower price points and from a planning standpoint, what seems to be trending right now is a large house on a small lot.

To control it further, material requirements (like no vinyl siding), minimum square footage of houses, minimum setbacks, etc. could be incorporated into the regulations or part of the covenants.

Planning Commission recommendation options:

- a. Leave the minimum lot size intact.
- b. Modify the minimum lot size with the intent to get a higher priced single-family residential house.
- c. Recommend covenants to address the concern.

5. Some concern that landscaping standards are too light.

3 shrubs per 100 feet is noticeably light. 4 trees per 100 feet is appropriate allowing 25 feet between trees and that standard is included in the Hamilton County zoning code and was prepared by a landscape architect in 1996 as the minimum space necessary to allow canopy trees to grow properly. The Hamilton County code includes between 10 and 20 shrubs per 100 feet for streetscape and boundary buffers; raising the 3 shrubs to 10 or 20 shrubs per 100 feet would be a good suggestion to beef up landscaping.

Reference was made to Mason's landscaping. Their landscape code has been attached and is applicable as it is considered heavy.

Planning Commission recommendation options:

- a. Leave the landscaping minimums intact.
- b. Modify the landscaping standards to mimic another community.

6. Some concern about unnecessary architectural restrictions in 154.84.6 that are too restrictive.

Architectural standards are subjective. The ones that were included are a minimum set of standards to require buildings with undulating facades and variable roof lines. If a more modern character is desired, they can be modified to allow flat facades and roofs lines and more glass. It is up to the Village as far as what character is desirable.

Here are some standards related to exterior buildings from the City of Mason Code:

D) Exterior Building Material.

- 1) Unfinished or unpainted non-decorative concrete block shall not be used on any exterior wall.
- 2) Metal siding shall not be used on any wall facing a public street or a residential district. If metal siding is utilized on any remaining wall, it shall be subject to the approval of Planning Commission.
- 3) A combination of brick, masonry, glass, architectural metal wall panels, or other suitable building materials shall be used on the front facade of the building, subject to the approval by Planning Commission.

E) Mechanical Screening. All roof mounted mechanical equipment shall be screened from view from adjacent property and zoning districts and from roads right-of-way in all zoning districts using durable, compatible, opaque materials.

Planning Commission recommendation options:

- a. Leave the architectural restrictions intact.
- b. Modify the architectural standards to mimic another community.

AMBERLEY GREEN DISTRICT (AGD) REGULATIONS

154.84 PURPOSE.

In addition to the purposes listed in Section 154.05 (B), the purpose of the Amberley Green District is to encourage preservation of green space and walking trails for residents while allowing limited opportunity for new development. The area included in the district is characterized by steep slopes and unbuildable area to the west and flatter, more buildable areas to the east. The desire of the village for these potential development areas is to also include green areas beyond the unbuildable portions of the property and walking trail connections to ensure preservation of the unique and beautiful qualities of the property.

The Amberley Green District is applied to properties that have an AGD district designation. Properties in the Village that are eligible to request AGD district designation, in accordance with the regulations and procedures below, include all properties bounded by East Galbraith Road and the Village Corporate limit on the north, Ridge Road to the east, the Village Corporation Limit to the west, and the northern property lines of northernmost residential properties on Burning Tree Lane, Fernwood Drive, Willowbrook Lane, and Twigwood Lane to the south.

154.84.1 USE REGULATIONS.

- (A) *Principal Uses.* A building or lot or other land area in this district shall be used only for the following purposes.
1. Active and passive recreational uses including pools, splash parks, sports fields and courts, outdoor amphitheaters, public parks and walking trails, dog parks, and woodland preservation areas.
 2. Single-family dwellings.
 3. Community gardens/Agriculture
 4. Banquet/Event Center
 5. Government/Public buildings and facilities.
 6. Other institutional uses including religious institutions, day care centers, hospitals, schools, universities and other educational related research facilities, and non-profit event centers, summer camps, and day camps.
 7. Nursing homes, assisted living facilities, and continuing care retirement facilities.
 8. Offices, including professional business offices, medical/dental offices, accounting services, banking/financial institutions, legal services, professional consulting/counseling services, real estate and securities brokering, hotels, and tax preparation services.
 9. Restaurants (without drive throughs)
 10. Retail uses and/or facilities within a mixed-used building and not to exceed 20% of the total building square footage, including, but not

limited to restaurants, baked goods, cheeses, fruits and vegetables, meats, ice cream, beer, wine, liquor, confectioneries, flowers and plants, pharmacies, cosmetics, photographic equipment and supplies, pets and pet supplies, clothing, jewelry, sporting goods, bicycles, toys, music and musical instruments, luggage, books, glassware, medical and surgical equipment, office furniture equipment and supplies, appliances, business machines.

11. Other similar uses determined to be compatible with the uses listed above and approved as part of the AGD district approval per the procedures outlined in this chapter.

(B) *Accessory Uses.*

1. Home Occupation provided any such use shall comply with the requirements of Section 154.25(B)(1).
2. Accessory buildings and uses customarily incidental to a permitted use located on the same lot as the single-family use and subordinate in size to the single-family home and as further regulated by Section 154.12.

(C) *Temporary Uses.* Temporary uses, including but not limited to farm markets, festivals, food trucks, tree sales, community gatherings, and community commerce, may be permitted provided that such temporary use shall either be approved as part of the Concept or Final Development Plan for the principal use or shall be approved by the Zoning Board of Appeals in accordance with Section 154.66(A)(4).

154.84.2 HEIGHT REGULATIONS.

No building shall exceed two and one-half stories or 35 feet in height, whichever is the lesser height.

154.84.3 REQUIRED MINIMUM LOT AREA, WIDTH, AND SETBACK REGULATIONS.

All uses shall be setback a minimum of 50 feet from the boundaries of the Amberley Green area as described in Section 154.84 and shall also comply with the following minimum requirements.

- (A) *Lot area.* The minimum lot area for single-family detached uses shall be 8,000 square feet, and the minimum lot area for all other uses shall be 21,780 square feet.
- (B) *Ground area.* There is no maximum ground area coverage for single-family detached uses. For all other uses, the total ground area to be occupied by structures shall not exceed 50% of the lot area.
- (C) *Single-family detached residence lot width and setbacks.* Single family detached lots shall have a minimum width of 50 feet. All single-family structures shall comply with the following minimum yard requirements:

1. Front yard: 25 feet
 2. Side yard: 5 feet
 3. Rear yard: 35 feet
- (D) *Other permitted uses lot width and setbacks.* All other lots shall have a minimum lot width of 100 feet and shall comply with the following minimum yard requirements:
1. Front yard: 50 feet
 2. Side Yard: 20 feet
 3. Rear Yard: 20 feet

154.84.4 SITE DEVELOPMENT REGULATIONS.

- (A) *Off street parking.* Facilities for parking residents, employees, visitors, and business vehicles must be provided on the premises in accordance with the following uses and calculations unless modified as part of the Concept or Final Development Plan approval following submission of evidence indicating that the sufficient parking will be provided through shared parking agreements, a mix of uses with expected hours of high demand that do not overlap, or other such evidence as may be submitted to support a reduction of the spaces required in this Section. Such facilities other than those related to single-family residences, shall be setback a minimum of 50 feet from the boundaries of the Amberley Green area as described in Section 154.84 and 20 feet from all other public streets, private access easements, and interior lot lines. Parking spaces for the handicapped shall be provided in accordance with the provisions of the Ohio Basic Building Code.
1. Detached single-family residential: Two spaces for each dwelling unit
 2. Government/Public buildings and facilities: One space per 250 sq. ft. of floor area.
 3. Religious Institutions: One space per eight seats or bench seating in the main assembly area.
 4. Daycare centers: One space per employee + one space for each facility vehicle stored on the lot + one parking space for each six children.
 5. Hospitals: One space per bed.
 6. Schools, K-6: One space for each three seats in any auditorium, or one space for each classroom, whichever is greater.
 7. School, Junior High/Middle School: One space for each three seats in any auditorium, or one space for each classroom, whichever is greater.
 8. School, Senior High: One space per employee + twelve visitor spaces, plus one space per six students.
 9. School, University, Vocational/Professional, or Educational Research Facility: One space per employee + one space per two registered student capacity.

10. Amphitheater and event center: One space for each three seats or one space per 50 square feet of net floor area where fixed seating is not available.
11. Summer camp and day camp: One space per employee + one space per each camp vehicle + one space per five users at maximum capacity.
12. Swimming pools and splash parks: One space for each 50 square feet of pool or wet park surface area + one space per employee.
13. Athletic/Play field: Ten spaces per acre.
14. Tennis/Basketball/Racquet clubs and similar recreation facilities: Eight spaces for each indoor tennis/basketball court, five spaces for each outdoor tennis/basketball court, five spaces for all other indoor and outdoor courts.
15. Parks and playgrounds: Four spaces per acre.
16. Nursing homes, assisted living facilities, and continuing care retirement facilities: One space per six residents + one space per employee.
17. Offices, excluding Medical: Three spaces for the first 1,000 sq. ft. or fraction thereof, + one space per 400 sq. ft. of floor area in excess of 1,000 sq. ft.
18. Offices, Medical: Six spaces + one space per 200 sq. ft. of floor space in excess of 1000 sq. ft.
19. Retail: One space per 200 sq. ft. of floor area.
20. Restaurant: One space per 100 sq. ft. of floor area.

(B) *Pedestrian Facilities.*

1. Sidewalks shall be a minimum of four feet wide and are required along both sides of all streets.
2. A connection shall be established from abutting streets with sidewalks to the entrance of primary structures through the use of sidewalks and special demarcation.
3. Pedestrian areas in parking lots or across interior drives shall be demarcated with special paving, color or height change, and/or striping for increased safety.

(C) *Lighting.*

1. All outdoor lighting for non-residential uses shall be designed, located, and mounted at heights no greater than 18 feet from grade, must have cutoff fixtures, and shall not shine directly onto adjacent residences.
2. All outdoor lighting for non-residential uses shall be designed and located to permit maximum light levels of 0.0 foot-candles at any residential property or lease line and 1.0 foot-candles at all other property or lease lines.

(D) *Dumpster and trash handling areas.* The following requirements shall apply to all dumpsters, trash handling areas, and related serviced entrances.

1. Dumpsters, trash handling areas and related screening, shall be located in compliance with the same minimum setbacks as a main building.

2. Any such structure shall be screened on three sides by a fence or wall from the view from public streets and any abutting properties.
 3. Any fence or wall required under this Section shall have a height no greater than seven feet and no less than five feet. Any wall shall be constructed in a durable fashion of brick, stone, or other masonry materials with no greater than 25% of the wall surface left open. Any fence shall be constructed in a durable fashion of wood posts and/or planks with minimum diameter or width of three inches and with no greater than 25% of the fence surface left open between posts and/or planks.
- (E) *Outdoor Storage.* Outdoor sales, display and storage shall be prohibited unless it is specifically permitted as part of an approved Concept or Final Development Plan or it is part of a temporary use permitted by Section 154.84.1.

154.84.5 LANDSCAPING REGULATIONS.

- (A) *Streetscape Buffer.* A Streetscape Buffer shall be installed along the property line of all non-single-family residential uses abutting all public street right-of-way and private access drives consisting of a minimum of 10 feet in depth and including a minimum of four understory or canopy trees and three shrubs per 100 linear feet of frontage.
- (B) *Boundary Buffer.* A Boundary Buffer shall be installed between any residential use and any non-residential use, including mixed use buildings consisting of a minimum of 10 feet in width and including a minimum of four canopy or evergreen trees and three shrubs per 100 linear feet of boundary length.
- (C) *Interior parking lot landscaping.* Interior parking lot landscaping shall be required for all new and expanded parking areas greater than 10 spaces in accordance with the following standards.
1. The total landscape area required in parking lot areas is 22 sq. ft. per parking space.
 2. Landscape areas shall consist of parking islands or peninsulas and all required landscape materials shall be planted within these island or peninsula areas. Best Management Practices (BMP's), such as rain gardens or bio swales are permitted.
 3. The minimum number of canopy trees is one canopy tree for each 10 parking spaces. Any fractional number of trees should be calculated to the next highest whole number.
 4. To determine the total number of required shrubs, multiply the total number of required canopy trees by three. One canopy tree may

substitute for 3 shrubs. Trees and shrubs do not have to be equally spaced and may be grouped.

(D) *General Landscaping Standards.* All required Streetscape, Boundary Buffer, and Interior parking lot landscaping shall comply with the following standards.

1. Canopy trees shall be deciduous trees with a minimum of 12 feet in overall height or a minimum caliper of 2 ½ inches when installed, and have an expected height of at least 35 feet at maturity.
2. Understory trees (flowering/ornamental trees) shall be a minimum of 5 feet in height in clump form or a minimum caliper of 1 ½ inches when installed.
3. Evergreen trees shall be a minimum of 5 feet in height when installed.
4. Shrubs shall be at least 18 inches in height or 24 inches in spread when installed.
5. Existing mature trees and shrubs that are preserved may be used to fulfill landscape requirements on a one to one basis except that any mature trees with a caliper greater than 6 inches may substitute for two required trees.

154.84.6 ARCHITECTURAL REGULATIONS.

The purpose of this section is to require architectural features for all nonresidential uses which increase visual interest, reduce undifferentiated masses and relate to the pedestrian scale, in accordance with the following standards.

- (A) Facades shall have a defined base or foundation, a middle or modulated wall, and a top formed by a pitched roof or articulated cornice, in each instance appropriate to the building style.
- (B) Buildings with continuous facades that are 90 feet or greater in width shall be designed with offsets (projecting or recessed) not less than two feet deep, and over intervals between offsets of not greater than 60 feet.
- (C) Building facades may be constructed from stone, masonry, cement fiber board, wood siding, split-face, textured concrete, heavy gauge vinyl, glass or other materials which provide the same desired quality.
 1. Concrete masonry units (CMU or block) shall be textured or split-face and otherwise not smooth.
 2. Office uses may use architectural metal panels, glass (up to 75% of the façade area) and ornamental metal.
 3. Stucco, EIFS, or other similar material shall be used for trim or architectural features only.

- (D) Buildings constructed of metal shall be prohibited, except as provided in Section 154.84.6(C)(2).
- (E) Roofs may be pitched, use stepped parapet walls, three dimensional cornices, dimensioned or integrally-textured materials, or be sloped with overhangs and brackets. Parapets shall not exceed more than one-third (1/3) the height of the supporting wall.
- (F) Entryway features are required at the primary entrance to the structure and shall include elements such as: covered entries, integral planters, awnings, raised corniced parapets over the door, arches, or architectural details such as tile work and moldings that are integrated into the building structure and design.
- (G) The architectural style, materials, color and design on the front elevation shall be applied to all elevations of the structure adjacent to any public street, primary internal drive or residential use.

154.84.7 SIGNAGE REGULATIONS.

No sign may be posted on public property or within the public right-of-way along public roads, except village corporation signs, highway directional or regulatory signs and traffic safety signs erected and maintained by public agencies. All signs shall be placed in such manner that they will not obstruct the vision of drivers with regard to oncoming or intersecting traffic on any public or private roads or driveways. Only the following types of signs are permitted.

- (A) *Building Signs.* Any business or other permitted nonresidential use shall be permitted one-half (0.5) square foot of Building Sign surface area for each foot of building frontage that fronts a public right-of-way or the façade that contains the main entrance to the building and such building signage shall be located on the façade from which the measurement is taken. Building signage of a commercial or advertising nature shall not be permitted for residential uses.
- (B) *Freestanding Signs.* Businesses and/or centers containing multiple businesses shall be permitted a maximum of one monument sign for the business or center for the joint use of all tenants for which the facility is designed, including any outlots, subject to the following criteria.
 - 1. Signs shall be allowed only for parcels with at least one hundred fifty (150) feet of frontage adjoining a public street.
 - 2. All freestanding signs shall be monument style ground mounted signs.
 - 3. Freestanding signs shall not exceed 8 feet in height.

4. The sign shall be setback a minimum of 5 feet from all public rights-of way and private access easements and a minimum of 20 feet from a lot line of any residentially zoned or used property.
5. Signs shall have a message area of not more than 50 square feet for nonresidential uses or 32 square feet for attached residential developments.
6. Electronic message centers/Electronic signs and internally illuminated signs shall be prohibited.

(C) *Other Permitted Signs.*

1. Church or public building bulletin boards not exceeding 10 square feet in area.
2. Temporary signs on over 40 inches from the ground and not exceeding 6 square feet in area, the purpose of which is to communicate information about the lease or sale of a building or lot, which signs shall be removed as soon as the property is leased or sold.
3. Small announcements or professional signs not over one square foot in area.
4. Highway or directional and traffic safety signs erected and maintained by public agencies.
5. Outdoor election signs, provided that they may not be erected prior to four weeks before the day of the election and that the owner of the property on which the sign is located must cause the sign to be removed within 72 hours after the election; a sign permitted under this section shall not exceed 12 square feet in area and the aggregate of all signs placed on any parcel of real property in one ownership shall not exceed 60 square feet, nor shall they be posted such that the bottom edge of each sign is more than 40 inches from the ground. All such signs shall be placed in such manner that they will not obstruct the vision of drivers with regard to oncoming or intersecting traffic on any public or private roads or driveways.
6. Temporary signs associated with an approved temporary use not exceeding 10 square feet in area.

154.84.8 AMBERLEY GREEN DISTRICT (AGD) DESIGNATION PROCESS.

Establishment of an Amberley Green District (AGD) designation and all subsequent development and redevelopment within an established AG district shall be conducted in accordance with the following processes.

- (A) *Concept Plan Submission.* The submission of a Concept Plan is required as the initial process for establishment of the AGD district. The applicant is encouraged to engage in informal consultations with the Village Building Commissioner prior to preparing the Concept Plan, it being understood that no statement or representation by the Building Commissioner shall be binding upon the Village. The applicant shall prepare a Concept Plan and

shall submit the number of copies of this Concept Plan as specified by the Building Commissioner along with the completed application to the Planning Commission for consideration. This Concept Plan submission shall contain the following:

1. A written text setting forth in detail the criteria and conditions which the developer will follow in determining final elevations, locations of improvements, maximum slope, size, density, character and management of the development for the purposes of a Final Development Plan.
2. An existing conditions map showing existing topography, including the location of natural features such as creeks, ponds, significant stands of trees and other nature features of note requiring special consideration, as well as man-made features including easements, roads, sewer lines, adjacent property lines and all existing structures located on the property.
3. A preliminary development plan map of the property showing land use, general topography and physical features and the following information:
 - a. Property boundaries;
 - b. Proposed street plan indicating all surrounding streets and access points as well any private streets or walking trails;
 - c. Proposed pedestrian circulation system including sidewalks and hike/bike trails;
 - d. General location and size of different land use areas;
 - e. Density levels or maximum building size proposed for each area;
 - f. General location of schools, parks or other community facility sites, if any
 - g. Setback and height requirements for each area;
 - h. Proposed drainage plan;
 - i. General utility layout;
 - j. Parking layout for non-residential uses;
 - k. Preliminary geotechnical data indicating soil types for any area containing slopes in excess of 20%;
 - l. Any other information specifically requested by the Village to adequately review the proposed AGD district.
4. A written description of the management of any open spaces or common areas describing the form of organization to be followed in the establishment of a property owners' association in the event that the care and maintenance of such common areas is to be the responsibility of the property owners. This description shall also include any proposed covenants and restrictions designed to govern open spaces or other common areas.
5. Time schedule of projected development if construction is to extend beyond a two (2) year time period.

- (B) *Village Planning Commission Review and Recommendation.* The Village Planning Commission shall study the application and Concept Plan and shall hold a public hearing within thirty-five (35) days of the time of application. Following this public hearing, the Commission shall make a report to the Village Council recommending approval, approval with modification, or disapproval and the reasons therefore. The Commission may explicitly impose special conditions relating to any pertinent development characteristics as needed in making a recommendation. The Commission shall also have categorical ability to recommend varying or relaxing the standards of this chapter and the Zoning Ordinance as part of the recommendation provided that any such request is found to meet the intent of the AGD district.
- (C) *Conditions of Approval.* Upon receipt of the recommendation of the Village Planning Commission, the Village Council shall study and review the proposed Concept Plan and shall approve, modify, or disapprove the application on the basis of (1) all application requirements have been satisfied, and (2) finding that the following specific conditions are met:
1. That each individual section of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained;
 2. That the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts in these regulations;
 3. That the internal streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and that a traffic study has been completed to ensure adequate capacity for traffic in the vicinity of the development if requested by the Building Commissioner, Planning Commission, or Village Council;
 4. That any part of a development not used for structures, parking and loading areas or streets shall be landscaped or otherwise improved;
 5. The development will not impose an undue burden on public services and facilities such as fire and police protection.
 6. That the density of each individual phase of the development, as well as the density of the entire project shall not exceed the maximum allowable density as permitted in the AGD district.
- (D) *Village Council Action.* Council shall have thirty-five (35) days from the date of the report and recommendation of the Planning Commission to hold a public hearing for consideration of the Concept Plan. Action by the Village Council shall be as follows:
1. If from the facts presented, the Council is unable to make the necessary findings specified in Section 154.84.8(C), Conditions of Approval, the application shall be denied or returned to the applicant for clarification. In taking action, the Council may deny the Concept Plan or may approve said plan subject to specified amendments.

Council shall also have categorical ability to vary or relax the standards of this chapter and the Zoning Ordinance as part of the approval provided that any such request is found to meet the intent of the AGD district. If the application is approved by Council, the approval of the Concept Plan shall be limited to the general acceptability of the land uses proposed, density levels and their interrelationship, and shall not be construed to endorse precise location of uses, configuration of parcels, or engineering feasibility which are to be determined in subsequent preparation of detailed site development plans. Approval of the Concept Plan shall constitute the creation of a separate "AGD" Zoning District. The new zoning designation shall replace any existing zoning classification.

2. At the time of adopting any Ordinance establishing an "AGD" District, the Council shall make appropriate arrangements with the applicant, which will ensure the accomplishment of the public improvements and reservation of common open space of the public improvements shown on the approved Concept Plan.

(E) *Final Development Plan Approval Process.* Once the Concept Plan has been approved by the Council, a Final Development Plan for each section of the overall development must be reviewed and approved by the Building Commissioner prior to the issuance of any Zoning Certificate. The Final Development Plan shall be in accordance with the original Concept Plan; shall be prepared for the applicant by a professionally competent engineer, architect and/or landscape architect; and shall include the following:

1. Site plan indicating lot lines, building outlines, off-street parking and loading spaces, pedestrian walkways and vehicular circulation.
2. Preliminary building plans, including floor plans and exterior elevations.
3. Landscaping and buffering plans.
4. Evidence that the development will not impose an undue burden on public services and facilities such as fire and police protection.
5. Specific engineering plans, including site grading, street improvements, drainage and utility improvements and extensions as necessary.

Approval of each Final Development Plan for each unit of an AGD district shall be valid for one (1) year. No Zoning Certificate or Building Permit shall be issued for any structure within the AGD district until the final Subdivision Plat has been recorded with the County Recorder, if applicable.

(F) *Amendments to Approved Concept and Final Development Plans.* An approved Concept Plan or Final Development Plan within the AGD district may be amended by the following the procedures:

1. Minor Adjustments. Minor adjustments to an approved Concept Plan or Final Development Plan which become necessary because of field conditions, detailed engineering data, topography, or critical design criteria may be authorized by the Building Commissioner. These minor adjustments may be permitted, provided that they do not increase density, do not including any variances to the Zoning Code, decrease

the number of parking spaces, or allow buildings closer to abutting residential property lines.

2. Major Adjustments. Changes to an approved Concept Plan or Final Development Plan determined to be major adjustments not authorized above and not including any modification of written conditions of approval contained in a Village Council Ordinance shall require review and approval by the Village Planning Commission.

(G) *Appeals.*

1. Any party aggrieved by the administrative decision of the Building Official concerning a Final Development Plan or Minor Adjustment to a Final Development Plan may appeal within 30 days of the date of the decision to the Village Planning Commission.
2. Any other appeal of the legislative action of Village Council concerning a Concept Plan or the administrative action of the Planning Commission concerning a Major Adjustment may be appealed following the procedures for such appeal as outlined in the Ohio Revised Code.

TO: Village Council
FROM: Scot F. Lahrmer, Village Manager
DATE: September 11, 2020
RE: Resolution 2020-27, Placing a Lien for Nuisance Abatement Expenses

ITEM: Resolution 2020-27, Requesting the Hamilton County Auditor to Place Lien Against Property

ACTION REQUESTED: By motion, adopt Resolution 2020-27 requesting the Hamilton County Auditor place a lien against property for nuisance abatement expenses incurred by the Village.

PURPOSE: To seek reimbursement for the Village's expenses related to the nuisance abatement.

The Village's property maintenance code requires property owners to maintain a grass height below 10 inches and to remove noxious weeds. The Village pursued its notification procedures to seek compliance through the property owner of record. After exhausting its notification process without remedy of the violations, the Village abated the violations late last summer and billed the property owner for the cost of equipment and labor as described on Exhibit A.

Since the property owner has failed to reimburse the Village for its costs of \$250 incurred to bring the property into compliance with the property maintenance code, the next step available to the Village to collect reimbursement is proceed to place a lien on the property through the Hamilton County Auditor's Office. A 15% administrative fee or \$50 fee is included with this invoice.

Resolution 2020-27 authorizes a request to be sent to the Hamilton County Auditor to place a lien on the property for the amount of \$300 as described in Exhibit A.

If you have any questions, please let me know.

PASSED:
BY:

RESOLUTION NO. 2020-27

RESOLUTION REQUESTING THE HAMILTON COUNTY AUDITOR TO PLACE
LIEN AGAINST PROPERTY FOR NUISANCE ABATEMENT EXPENSES
INCURRED BY THE VILLAGE

WHEREAS, the Village of Amberley adopted a Property Maintenance Code to assist in the regulation and enforcement of certain rules to protect and promote the health, safety, and welfare of residents and property owners in the Village;

WHEREAS, under the Property Maintenance Code, delinquent owners may be assessed the cost of nuisance abatement activities and other maintenance undertaken by the Village;

WHEREAS, such costs incurred by the Village may be assessed as a lien against the subject property by filing such assessment with the Hamilton County Auditor,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF AMBERLEY VILLAGE, STATE OF OHIO, seven (7) members elected thereto concurring,

SECTION 1: That the Hamilton County Auditor is hereby requested to place a lien on real property in favor of and on behalf of Amberley Village pursuant to Ohio Revised Code 731.54 and Village Code of Ordinances 159.083 et seq. Said property is referenced and attached hereto as Exhibit A and made a part hereof. The Village Clerk is directed to provide a certified copy of this Resolution to the Auditor for collection.

SECTION 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed this _____ day of _____, 2020.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Resolution Vote:

Moved: _____ Second: _____

I, Clerk of Council of Amberley Village, Ohio, certify that on the _____ day of _____ 2020, the foregoing Resolution was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Resolution at all of the places of public notice as designated by Sec. 31.40(B), Code of Ordinances.

Tammy Reasoner, Clerk of Council

Exhibit A

Type of Assessment	Amount of Assessment	Property Owner	Property Address	Parcel Number(s)
High Grass/Noxious Weeds	\$300.00	EDGAR CONSTRUCTION LLC TR	3330 Longmeadow Lane	526-0120-0237-00

**VILLAGE MANAGER'S REPORT
SEPTEMBER 14, 2020 COUNCIL MEETING**

Dear Mayor and Council Members:

Developments

Zoning

The BZA met on Wednesday, September 9, 2020 and approved two variances, one for a shed and the other for a fence. A public hearing was then held by the Planning Commission regarding changes to the Amberley Village Code pertaining to the allowable height of hedges. The Commission amended the proposed language and unanimously approved the amended changes. The next meeting is scheduled for October 5, 2020, which would set the filing deadline on Monday, September 14, 2020.

Since the last report to Council, eleven (11) property maintenance violation notices have been issued. The violations include high grass, weeds, unregistered vehicles, a dilapidated fence, gutter and trim damage, rubbish and debris in the yard, and mold/algae on siding.

Zoning approvals were granted for thirteen (13) properties including sunroom construction, garage construction, interior renovation, inground pool demolition, bathroom addition, screened porch addition, patio replacement, in-ground pool installation, second-story addition, and roof reconstruction after storm damage. Additionally, Duke Energy completed underground electric work and piping installation in two areas.

The Village initiated legislative action to recover abatement nuisance costs for property maintenance violations.

Maintenance Department Activities

Streets and Right of Way

Village crews milled 110 feet of broken roadway and filled potholes near 8495 Crestdale with our Bobcat and asphalt planer. The area was swept out and repaved with 7 tons of asphalt, rolled, and the joints later tarred. A few more areas on Crestdale will be completed later next month.

Other right of way details performed by the Maintenance Department:

- Painted crosswalks, railroad, island, and stop bars throughout the Village
- Filled potholes on Section Road with 6 bags of cold patch
- Tried to pick up dead deer at 7349 East Aracoma, later placing bags of lime over it

Facilities Maintenance and Repairs

Maintenance crews dug and backfilled 225 feet of trench at Amberley Green. The trench is for electrical conduit for the tennis court building to allow new electrical service. This service will replace the service to the old clubhouse at Amberley Green. The trench was dug between the tennis court fence and the swimming pool and later seeded and strawed. However, after heavy rains, some of the freshly dug area washed out into the sidewalk which had to be cleaned twice this month with the help of E-4 fire truck to wash off the sidewalk. These efforts were necessary to allow access to the tennis courts. All electrical work is being done by Craftsmen Electric.

Evans Landscaping was contracted to haul out 804 cubic yards of log and storm debris from the composting site. Most of this material was brought in from the early spring storms this year. Rather than push it back to make more room at the composting site, it was hauled out for a second time this year. This area was seeded and strawed.

Other Facilities Maintenance and Repairs:

- Blew pine needles off tennis courts twice
- Trimmed view-obstructing tree limbs along Ridge Road at the Amberley Green property
- Sprayed down all the Municipal and North Site buildings with COVID 19 misting cleaner solution, once each week
- Replaced lighting ballast at the North Site offices and locker rooms.
- Took department photos for coloring book
- Sprayed the center island for weeds at the Amberley Green entrance
- Replaced leaking toilet valves in women's lobby restroom
- Replaced leaking toilet valves in holding cell at the Police Department
- Switched water tanks hoses and installed locks to Amberley Green Gardens
- Cleaned North Site and Municipal Building with new misting machine cleaner
- Dragged both ballfield dirt playing surfaces
- Installed cable wiring system to hold balloons and tarps in the firehouse
- Picked up supplies from multiple vendors for the Ice Cream Social
- Set up and cleaned firehouse floors for Ice Cream Social
- Cleaned up dead flowers and removed dead bush from the planting bed at Ridge at Ronald Reagan
- Milled 80 feet of asphalt across 3 bad cracks in the roadway at the North Site driveway and repaved the areas
- Replaced downed 25 mph sign on Section Road
- Hung and removed Ice Cream Social banners on firehouse and flower planting beds at both Ridge and Ronald Reagan and Ridge and Galbraith Roads
- Cut down 5 trees on upper walking track near the playground
- Cut down 3 trees on the grounds at Amberley Green and in the parking lot

Storm Water

A large sinkhole was found at the corner of Knoll and Section Roads by the catch basin. Crews were able to dye test the large hole and found that the concrete pipe joint had failed. While the hole was rather large, crews were able to repair the pipe without digging up the street. The hole was backfilled with topsoil, seeded and strawed.

Other Storm Water repairs:

- Dye tested several sinkholes in the Village

Equipment Maintenance

Maintenance crews performed inspections, and cleaned and made minor repairs to all trucks. Crews also performed the weekly vehicle inspections.

Other equipment repairs:

- Cleaned and washed dump trucks and loader for Ice Cream Social
- Changed chipping knives on both Bandit and Vermeer chippers
- Replaced 4 starting batteries in the E-4 Fire Truck
- Welded hinge and replaced 2 hydraulic lines on Bobcat sweeper broom

Fire Department, Training and Equipment Maintenance

- Performed the monthly fire equipment inspection and made the proper repairs
- Responded to 8 fire runs and car accidents

Residential Services

The Maintenance crew continued the Residential Brush Chipping Service throughout the Village. The crews utilized 85.5 man-hours, generating 172 cubic yards of wood chips, logs, and other debris and picking up 7 dead animals, 3 of which were deer. Crews also delivered 93 cubic yards of wood chips to Village residents.

Police Activity

During the month of August, the Police Department received 848 calls for service. There were 141 citations issued for Mayor's Court last month, with 35 citations for Municipal Court and 1 for Juvenile Court. Vehicle accidents totaled 8 (1 claim was reported for personal injury) during the month. Minor misdemeanor citations resulted in 17 drug offenses, including 1 in park after hours, 1 open burning, 1 disorderly conduct, and 2 open containers. K-9 activity included 12 assists to other departments, 12 drug sniffs, 2 tracking, and 5 others to include training.

Fire Activity

During the month of August, there were 47 reports taken by the Fire Department. Of the reports taken, the department responded to hazardous conditions, power lines down, service calls, fire training, lifting assistance, smoke investigation, smoke detector, fire alarms, and fire drills.

Village Manager's Office**Meetings**

- I remotely attended the regular bi-weekly COVID-19 update meetings for local government leaders hosted by the Hamilton County Commission Chair Denise Driehaus, Hamilton County Health Commissioner Greg Kesterman, County Administrator Jeff

Aluotto and Hamilton County Director of Emergency Management & Homeland Security Agency Nick Crossley.

- I remotely met with Frank Twehues, Wes Brown and Tony Chesney regarding the Village Pavement Condition Analysis.
- I remotely met with Josh Jansen regarding Amberley Green.
- I remotely attended a CDBG-CV Community Projects forum hosted by Hamilton County.
- I remotely attended the meeting of the Streets, Public Utilities & Sewers Committee where the agenda item was the 2020 Street Program.
- I remotely attended the regular meeting of the Reading Road Corridor work group
- Chief Wallace, Lt. Blum, Wes Brown and I met regarding dogs under control at Amberley Green.
- I attended the Amberley Village Drive-Thru Ice Cream Social.
- I remotely attended the meeting of the Amberley Village Finance Committee to discuss July finances and the discontinued usage of surety bonds.
- I remotely participated in the CEDAP forum hosted by Hamilton County.
- Frank Twehues, Wes Brown, Tony Chesney and I met in preparation for the upcoming Streets Committee presentation.
- I remotely participated in Harassment Training.
- Council Member Conway, Jenny West and I attended the quarterly JEDZ meeting.
- Silverton Village Manager and I met to discuss mutual issues.
- Michael Blair of ICMA-RC was hosted for a presentation to the employees regarding deferred compensation.
- Mayor Meuthing and I met remotely with Sean Balnes of Red Tiger Investments regarding Amberley Green.
- I remotely attended the meeting of the Police Fire Committee to discuss an update on our Emergency Medical Services, Police Fire Department, Police Collaborative and discussion about a Training Supervisor position.
- I remotely attended the September 9 meeting of the Streets, Public Utilities & Sewers Committee where the agenda items included: contract for repairs on Galbraith and Section Roads, Municipal Road Funds (MRF) grant for Kincaid Road, Water Pollution Control Loan Fund (WPCLF) application for North Farmcrest grant, Ohio Public Works Commission (OPWC) application for North Farmcrest and Kincaid grant, planning for future street improvements and waste collection/recycling.
- I attended the Planning Commission/ZBA meeting.
- I met with the Compensation & Benefits Committee to discuss succession planning.
- Tammy Reasoner and Jim Prues of Panoptic Media did a video interview with Adam Greenberg of Topicz for inclusion in the Village business video.

Communication to Residents

Social media posts on the following topics were distributed during the month:

- AV Branded Don't Lose It – property/car safety
- Public meeting notices
- Road closure due to accident with injuries

- Labor Day – Hours & message
- Labor Day/AV Branded Lock It, Hide It, Keep It message
- 2020 Drive Thru Edition Ice Cream Social Video post & message acknowledging donors
- Ice Cream Social reminder – day of event
- Ice Cream Social reminder – four days out
- August 10 Council Meeting Video

September E-News was distributed on Tuesday, September 1, and included a video recap of the annual Ice Cream Social, as well as articles on the following topics:

- Drive-Thru Ice Cream Social article and thank you to this year's sponsors
- Labor Day hours for Village offices and employee thank you
- Extended tax returns due October 15
- Amberley Village Police Apprehend Car Thieves - teaser with reference to upcoming print newsletter
- Public Hearing on Amberley Green Zoning Code Text with link to informational page on website
- Fresh Stripes in the Village - road striping and reminder of pickleball stripes on tennis courts
- Driver/Pedestrian safety feature with link to National Highway Safety page
- Property Maintenance Spotlight: Residential Tree Safety, including links to leaf identifier and article on tree risk
- Brush & Leaf Collection Services Update with links to proper brush and leaf piles
- Kids Being Good - featuring Office Fritsch recognizing local kids for helping their parents
- Recycling Update - What to do since One Stop Drop was canceled, including a link to info from Cohen
- COVID-19 Update
- 2020 Census reminder
- Fall Apparel in Spirit Shop
- In Every Issue:
 - Ways to Connect
 - Other Ways to Connect
 - Council E-Mail Addresses
 - August Legislative Action
 - Next Council Meeting Info

Overall subscriptions to the newsletter have increased by more than 22% in the past six months, and now total 692. In other words, subscribership is up by more than 150 residents since March of 2020.

Grant Application

The Village has applied for a 50% grant to the Hamilton County CDBG Community and Economic Development Assistance Program (CEDAP) to assist in our economic development

efforts at the North Site. The County has a rather unique pre-application process where applicants are judged instantly and those deemed worthy of moving forward are asked to submit a full application.

Chief Wallace Interviewed in the Cincinnati Bar Association Report

The Cincinnati Bar Association, which generates a publication 6 times a year, recently asked selected respondents questions for a story titled, Racial Justice: What Can We Do? Chief Wallace was one of those posed with questions. The article has been copied and included in your council packet.

Ice Cream Social

On Sunday, August 23, from 1 - 4 p.m., the Ice Cream Social was held in a drive-thru format at the Municipal Building in order to ensure safety during the COVID-19 pandemic. The event generated more than 200 additional attendees to the event, and included a large number of staff and council members. Feedback from the event was overwhelmingly positive and ranged from verbal appreciation while driving through to emails and thank you letters immediately after the event. A video compilation of the event was shared in the September E-News and via social media, and has been viewed by more than 244 people via Facebook and YouTube combined. Thanks to all who participated in the success of this year's event.

2021 Street Program

Presented during the Streets, Public Utilities and Sewers Committee, the 2021 Street Program will include the following:

Full-depth repair and patching on Section Road, west of Ridge
Full-depth repair and patching on Galbraith Road, west of Ridge
Resurfacing Section Road from Winding Way to Aracoma Drive
Resurfacing Esther Drive
Resurfacing Fair Acres Drive
Possibly full depth repair/patching on Section Road at Fair Oaks Drive

The program will be bid in the spring.

Tree/Bench Donation

A brief dedication ceremony is being planned for Thursday, October 1 at 10:00 a.m. to commemorate a donation to the Village by resident Nimet Jeruzalmi, in memory of her husband. Nimet's donation paid for a bench, tree and re-landscaping an area in our park.

Lewis Animal Hospital

The closing for the property sale is expected by September 30.

Port-O-Let

Due to closure of our Municipal Building and with no date on the horizon for reopening, a port-o-let has been placed in the rear parking lot near the small garage of the Municipal Building. Those who utilize our park, tennis courts, ball fields and walking track have been impacted by our building being closed so this gives them another option. It will be cleaned and serviced by

Rumpke once a week like the one at Amberley Green.

Miscellaneous

I have communicated with residents regarding complaints of a business being operated from a home, Frank Lloyd Wright house, natural gas smell, sign complaint, property maintenance, public record requests, general items and a Call Safe message to residents regarding the Ice Cream Social.

If you would like additional information or have questions, feel free to contact me.

Scot F. Lahrmer
Village Manager

Racial Justice: What Can We Do?

Local community members respond to legal community



Raymond Faller



Aaron Tillman



Heather Willins



Ericka King-Betts



Richard Wallace

The *Racial Justice: What Can I Do?* CLE, presented by the BLAC-CBA Round Table on July 16, was an earnest step for the legal community in the direction of fostering equity, justice and potential reform within our industry. To that end, CBA president Chris Wagner reached out to members of the Greater Cincinnati community, both legal and non, to get their perspective on the issues facing the field. The same questions were posed to everyone, and responses have been edited and condensed for clarity and length.

What should the legal community do better?

Raymond T. Faller, Hamilton County Public Defender:

In our criminal courts, bail reform jumps to the front of the line. Money talks. People accused of crime often stay confined pre-trial because they do not have the funds to secure their release. Being poor does not make a person a flight risk. We pride ourselves on a system in which people are “presumed” innocent of charges until proven guilty beyond a reasonable doubt. Yet, if a person is locked up prior to trial, unable to post bond, the loss that person sustains is, in many ways, immeasurable.

I’d ask our readers to think what they might lose if confined in jail for 30 days, 60 days, 120 days or longer, unable to secure their release, while “presumed” innocent. They might lose a job, a car, an apartment, a home, their children, their spouse or significant other, their clothes, their possessions. They might lose everything. Reality is that poor people deal with these issues daily and this reality hits hardest on poor people of color. Our bail system must be reformed.

Chief Aaron Tillman III, CLEE, Woodlawn:

[The] justice system must be applied proportionately equally in cases where African Americans and Latino Americans may not have the resources to defend themselves. Cultural awareness training on implicit biases for members of the judicial system with oversight for accountability. Once the legal community

has demonstrated this to the community, the legal community will regain the desired credibility of the people who serve them. Simply put, show the community that everyone will be treated with dignity and respect regardless of race.

Heather Willins, CPS teacher and racial justice activist:

To create financial equitability inside of our legal system, we should be eliminating cash bail. ...[R]ich people who can afford bail get out, get to go home be with their families and wait. And that is not fair. We want racial justice inside of our legal system. The legal community could be fighting those battles with us and realize that while it is very important to have lawyers in our society and that we’re not trying to get rid of them, we just want their jobs to be easier by making our society better.

We don’t need to send everybody to jail, to a labor camp, essentially. There are more rehabilitation and restorative justice practices that are available to be used as examples in other countries.

Dr. Ericka King-Betts, President of the MLK Coalition of Cincinnati:

The legal community must: seek a deeper understanding of racial justice, equity and what it means to be inclusive, engage marginalized groups and those often without a voice or “seat at the table” but overrepresented in our jails and prisons on how to bring about substantive and long-term change, collect, analyze disaggregated data, and make informed decisions to bring about change, and collaborate with traditional and nontraditional partners to analyze root causes of inequity, identify resources, formalize a plan to address the inequities, act and then review whether a positive impact was made.

Chief Richard Wallace, CLEE, Amberley Village:

Legal maneuvering by defense attorneys to have cases dropped because of a minor flaw is disingenuous to the victim and only increases the risk of putting a dangerous criminal back on the streets. The way the system currently works makes it very difficult to get witnesses and victims to testify.

How can our legal system be improved?

Faller: We, as attorneys, need to look at clients as individuals who are in crisis. We need to remember that we've been privileged to obtain an education which includes a professional degree and also a license to practice law. While we certainly worked hard to get there, we were fortunate to have had many opportunities that others did not have. We have to treat our clients the way we would want to be treated if roles were reversed.

Tillman: Where warranted, educational programs over incarceration. We should be reaching our at-risk kids at first signs of behavior that leads them to the legal system. There needs to be a study conducted [about] why crimes are being committed in our communities is it the lack of opportunities or education we need to ask ourselves what is the root cause for the choice to choose unproductive behavior over productive behavior. I believe that it is already known to us; however, we have not done enough to resolve this crisis.

The leaders in Hamilton County have declared racism a public health crisis, and it shows that someone is listening to the people. Until racism is acknowledged and fully understood in the law enforcement community and the legal system, African Americans and Latino Americans will further their mistrust for the legal system and the law enforcement community.

Justice reform is not a dirty word. We must be open and listen to those individuals who may have been victimized by society and the justice system by failing to have accountability when the community needs it. The reform has already started for the law enforcement community. We are going to adapt to the call for change, and we cannot continue to operate in a manner that causes further mistrust in the law enforcement community. Society is outraged at the injustice demonstrated in the law enforcement community and the legal system; therefore, we must evaluate how we can do better and do it.

Willins: I think if we start to consider the human condition more often when we are approaching criminal activity, we are more likely to see that acts of violence

are symptoms of a larger problem. If we start there and really do consider more sociological, anthropological, psychological theory behind criminal activity, I think we will see a very big improvement in how we perceive criminal activity.

Betts: For the legal system to be improved, leadership must create a roadmap for change. By seeking qualitative and quantitative data and then identifying goals and action items, this process could bring about incremental change and success can be achieved and monitored.

Speaking out against injustice. Racial justice and equity can be achieved when people speak with a unified voice and call for it. A person's skin color or socioeconomic status should not be a determinant in the severity of their sentence or a reason they are engaged with the legal system. Supporting groups that are actively working to exonerate individuals who may have been wrongly convicted. Holding its members accountable for misconduct. Working with the legislative branch to overturn laws or reduce overly harsh sentences that are having a

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disproportionate impact on individuals based on their race, socioeconomic status or other demographic factors that are not relevant to the case. Providing additional financial support to Public Defenders Offices. Financially supporting Diversion Programs to end the vicious cycle of incarceration that often time disproportionately impacts marginalized groups. Continuing to advocate for and support community-oriented policing.

Wallace: Funding needs to be approved to enhance drug rehabilitation in lieu of jail time. Along with this, funding needs to be approved to identify and treat mental illness including reopening institutions formerly closed by the state that treated the mentally ill. People who commit crimes are either bad or sick. The bad criminals should go to jail and the sick should go for treatment. There have been improvements with the use of drug court, but I believe we can do better as a whole.

What change would you like to see in the Cincinnati legal community in the next year?

Faller: Education is the key to escaping poverty. I'd like to see the Cincinnati legal community take a stand to help ensure that elementary and high school students stay in school and receive a quality education. They shouldn't just be pushed along. That education should lead to a decent job or a college education and a real chance to avoid a life in and out of jail, stigmatized with a criminal record.

Tillman: As law enforcement, we are a branch of the legal community. Their needs to be open communication to have a better awareness of the mistrust that African Americans and Latino Americans have for authority. Having a better understanding of how we got here will help us in the law enforcement community and the legal system to work together with the community.

Willins: What specifically I think lawyers can do and the legal community in Cincinnati could do is more community outreach to schools, specifically. What I think needs to be done is more positive intervention prior to people getting involved in the legal system. That meaning like, why don't we have lawyers reach out to schools? Do more one-on-one in the classroom work with kids, teaching them about the law, teaching them about their rights.

Betts: In these difficult and painful times, we ALL must continue to fight in solidarity against the systemic and inter-related triple evils of poverty, racism, and militarism. We can work against these evils by gathering information, educating one another, and having a personal commitment to justice. Through nonviolent direct action, we can bring about change by demanding accountability from our institutions and governments. One way to do this is by supporting continued efforts to improve community-police relations and demanding an end to police brutality. Another is by calling for an end to a militarized police force.

Wallace: Stop treating everyone charged with a crime the same. Our community witnessed a huge increase in crimes ranging from drug usage to petty thefts to murder shortly after the state of Ohio closed down most of the institutions who treated and housed the mentally ill at all levels. There is still a need for state funding regarding mental health. As a community, we need to push for increased funding in this area for the court system to have additional avenues for treatment and supervision.

Raymond T. Faller is the head of the Hamilton County Public Defender's Office, a position he has held since 2012. A 1976 graduate of the University of Cincinnati College of Law, Faller is a former prosecutor and defense attorney, and has tried more than 250 criminal jury trials in Ohio.

Dr. Ericka King-Betts is the President of the MLK Coalition of Cincinnati. A Cincinnati native, Ericka is the wife of Darrell Betts Jr. and proud mother of two boys. She genuinely believes in giving back to a community which has given her so much.

Chief Aaron Tillman III, CLEE, joined the Woodlawn Police Division in 1995, was named acting chief of police in 2013 and appointed chief in 2016. He serves on multiple boards, including the Hamilton County Association of Chiefs of Police, where he has served as secretary, treasurer, vice-president and president.

Chief Richard Wallace, CLEE, joined the Amberley Village Police and Fire Department in 1996, and was named chief in 2011. Wallace serves on several boards, is the current first vice-president of the Hamilton County Police Association and past president of the Hamilton County Association of Chiefs of Police, and cares deeply about the communities he serves.

Heather Willins is a high school educator within Cincinnati Public Schools teaching government, and recently piloted a course on human rights and social justice. She is active in multiple political movements, and committed to racial justice activism.

Ethical Quandary?

The CBA is proud to offer ethical guidance to Greater Cincinnati attorneys through our Ethics Committee's hotline.



September

George D. Jonson 768-5220
Lynne Longtin 381-5050

October

William B. Strubbe 621-4775
George J. Zamary 448-4150

The members of the CBA Ethics & Professional Responsibility Committee listed above are available to help you interpret your obligations under the Ohio Rules of Professional Conduct. Questions posed should be framed hypothetically and should relate to your own prospective conduct. The committee also accepts requests for written opinions.