

# Village Views

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Terrace Park, Ohio

January, 1982

## Agreement Ends 10-Year Brendamour Zoning Battle

Terrace Park's new village council, sworn in January 1, has begun the new year by wiping the slate clean of a 10-year court battle with Jack Brendamour and the BBS Co.

Mayor Charles Rockel announced that the village had agreed to pay \$145,000 for Brendamour property at Wooster and Elm at the west end of the village, and Brendamour in turn dropped all litigation against the village. He had challenged village zoning restrictions and filed a \$1,000,000 suit against village officials, charging them with acting in bad faith in seeking to appropriate the property for greenbelt purposes.

A Common Pleas court decision earlier had upheld the village's right to take the property, subject to a jury finding as to its value. A jury which had viewed the property on January 8 was dismissed with the reaching of the agreement and its acceptance by Judge Paul George on January 12.

The village will finance the acquisition by 9% councilmanic notes held by the Central Trust Co. Rockel noted, though, that a key feature of the agreement is the grant of a village right to re-sell the tract, subject to Brendamour's right of first refusal.

If the appropriation suit had gone through, he said, "the village would never have been able to sell the property" because of its inclusion in the greenbelt.

As matters now stand, observed Village Solicitor John Getgey, "we're not stuck" with the land as a greenbelt and can use the property to raise revenue."

Getgey conducted the complex negotiations that brought about the agreement, and was lauded for his work in a resolution adopted at January's council meeting.

The battle thus resolved began when Brendamour acquired the property and proposed development, first for an office building and then for condominiums.

Denied zoning variances, he challenged village zoning ordinances in court. Village council then approved the setting up of a Planned Development Area which would have permitted condominiums on the property subject to certain restrictions. That ordinance, however, was repealed by village voters in a referendum in 1977, and a new series of legal contests began.

## Village Valuations Up, Tax Bill Hike Due

Property values in Terrace Park have been increased by 21% as a result of mandatory reappraisal, according to word from the county auditor's office to *Village Views*.

But Ken Dietz, reassessment project manager for County Auditor Joseph L. DeCourcy Jr., said that a complicated system of discounts will reduce "considerably" the actual increase in taxes for property owners. His figures showed an increase of only 1.76 mills in the tax rate for the village as the result of an extra levy for village purposes passed at the November elections. While the levy approved was for a higher figure, the actual rate is adjusted to yield the dollar figure as of the time the levy was passed.

Higher valuations, though, will be reflected in actual tax bills being sent out by the auditor's office this month, due for payment by February 16.

Deitz put Terrace Park's property valuation at \$18,928,000, as against \$15,611,000 in recent years. Of the new total, \$14,883,000 is in buildings and \$4,045,000 in land.

He gave Terrace Park's basic tax rate as 77.54 mills, up from 75.78, but noted that that is cut sharply by a state discount of 25% which is intended to prevent governmental entities from reaping a windfalls because of valuation increases. The tax figure is also affected by other provisions, including homestead exemption, and calculation of taxes at 35% of market value.

Terrace Park's 21% valuation increase compares with a countywide average of 17.8%. Cincinnati's city average increase was 15%, as against 19% in the county outside the city.

Deitz said the new valuation came as the result of reappraisal following on-site inspection conducted in 1979-80.

State law calls for reappraisal every six years.

"I know people sometimes question that (on-site inspection), but it was done," Deitz declared. "The inspector generally just checks the outside of a home. We check the square footage to see if any rooms were added. If a resident is home, we knock on the door and ask if any improvements have been made to the property."

He estimated an 8-9% increase in valuation on individual parcels of property in the county area.

Property owners who dis-

## Mayor Tells What Went On

Mayor Charles Rockel's statement on settlement of the BBS Co. dispute.

I'm pleased to announce that we have solved a 10-year-old zoning problem.

Let me start at the beginning. Maintaining the residential character of Terrace Park has been a primary goal for many years. Pursuing this objective has led to:

- Consistent application of our zoning laws.
- Upgrading of zoning where possible. The most recent example is the upgrading to residential zoning of three Wooster Pike homes which had been zoned for business.
- Purchasing property below Elm Ledge to tear down old shacks and to avoid further undesirable development.
- Establishment of a Terrace Park Greenbelt including the Nature Preserve.

Terrace Park residents have consistently registered overwhelming agreement with the objective of keeping Terrace Park a single-family residential community. The most recent example of this was in 1977 when the residents voted 2-1 to eliminate a multiple family residential zone.

Over the years, one of the Village's biggest zoning struggles has involved the 10 ac land owned by BBS Company and located at the southern Elm Avenue entrance to Terrace Park. This is the land where condominium development was planned until our residents voted not to permit condominiums.

Since that vote, Council has been involved in several on-going law suits over this particular property. BBS Company filed suit challenging our zoning laws. They also filed a million dollar damage suit against the Village charging that the Village was acting in bad faith by depriving BBS Company of the right to develop their property.

Terrace Park Council, in a separate suit, moved to appropriate the land for a Greenbelt.

Several months ago the court ruled that the Village could appropriate the land and, on

January 7th, we went to trial to determine the property's value.

Midway through the trial, the Council, through a unanimous vote, and I agreed to purchase the property for \$145,000 or approximately \$14,500 per acre. As part of this purchase, BBS Company has agreed to drop all litigation which they had, or were planning to bring, against the Village.

The money for this will be raised through Councilmanic notes at 9% interest.

The land was purchased because we believed this represented the best solution to the Village for these reasons:

- The Village maintains the ability to recoup part or all of the purchase price by selling the property to a developer. If the appropriation of the property had been finalized, the Village would never have been able to sell the property in view of the fact that the basis for the appropriation suit was the Village's need for a Greenbelt.
- If developed, we control **how** the land is developed.
- If resold, the property would go back on the tax roll.
- The Village avoids legal expenses which were projected at between \$60,000-\$100,000 over the next five years as, clearly, appropriating the land was not going to be the final step in this process. In addition to the law suits mentioned earlier, BBS Company had threatened to appeal any finding of value less than \$200,000. The reason was that BBS Company had several high appraisals one of the property one of which was \$480,000.

In conclusion, Council and I believe that the purchase of this property represents a major step toward our objective of keeping Terrace Park a single-family residential community. Equally important, we believe this was accomplished at a very reasonable price, particularly if the land is resold.

## Life Squad Service Cut Back For Lack Of Volunteer Help

"DON'T GET SICK ON THURSDAY" was the word given by Terrace Park Fire Chief Pierce Matthews at January's Council meeting. "We are not longer able to maintain Life Squad service on a full-time basis because of the shortage of volunteers," he said.

Chief Matthews stated that the discontinuance of service started Thursday, January 7, and he hoped that only one day a week would be affected. He noted that the volunteers who man the squad were already running double and triple shifts and that he could not ask for more service from these already-overworked people.

Units from Milford-Miami Township Life Squad will cover the periods of time when Terrace Park cannot provide service, under a long-standing mutual aid agreement at no extra cost to this community.

though, that Milford's service would be on a temporary basis and that it could take 10-15 minutes to respond as their station is located on Rt. 28 at Pleasant Hill Road (past I-275). The Terrace Park Life Squad normally has a 4-6 minute response time.

The emergency telephone number will remain the same (825-2260).

Efforts by the Life Squad to recruit new members have not provided sufficient additional personnel to enable the squad to serve on a full-time basis.

Two EMT's (Emergency Medical Technicians) are required to be present at each squad run, together with a driver, who need not be an EMT. Becoming an EMT requires dedication and training. New classes are commencing in February and the requirements to meet State of Ohio certification are 90

a brief period of hospital internship. Classes are taught in the evenings, two evenings a week.

"The training requirements do, however, assure the residents of Terrace Park that they are getting the very best care possible at a time when they need it most," Chief Matthews said, adding:

"We are always searching for new members. Should there be anyone in Terrace Park who has some time to volunteer and thinks he or she would enjoy serving on the Squad, I can promise a most satisfying experience and a knowledge in emergency medical training you couldn't buy."

"In my opinion, the volunteers have given to our community more than any of us realize. Terrace Park is a special place. Where else can you get something so im-

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(Continued on P. 2)



## Here's Village's New Official Family

Pictured are members of Terrace Park's new village officials, moments after taking their oaths of office and being officially seated on New Year's Day.

Left to right, they are, first row: Village Solicitor John Getgey; Mayor Charles S. Rockel; Vice-mayor Les Overway; second row, Donald Head, village treasurer; councilmen Bill Konold, Rich Hilchrist, Bolton Drackett, Rodger Miller and Robert Payne, and Don Franke, village clerk. (Photo by Sally Kniffin).

Dale recommends that those who are interested read the article about Taiwan in the January issue of National Geographic magazine. He has traveled extensively in Europe and Scandinavia and the United States, and hopes to travel more.

"But there is something about the oriental way of life, the politeness, the ceremony, the meditation, the reverence for family and elders, the love of balance in life ...." he drifts off, unable to fully explain the mystical quality that attracts him.

## Changes Made In Council Lineup

Village council reorganized at a brief meeting on New Year's Day, seating three new councilmen and naming retiring council member Rodger Miller to fill a vacancy.

Les Overway, re-elected to another council term in last November's balloting, was named vice mayor.

Miller, who ran fifth in the voting for council, was named to the council seat vacated when Charles S. Rockel was picked to be mayor when Dick Bowman resigned. Rockel won confirmation in November as mayor to complete the two year's remaining in Bowman's term, leaving his council seat vacant.

Recognizing changes in matters of public interest, Rockel announced formation of two new council committees.

Newly-elected Councilman Rich Gilchrist heads a new trees and sidewalks committee, reflecting recent concern about the condition of village street trees. Bolton Drackett, also a new member, was named to head a new committee on inter-community affairs, Rockel citing such things as highway relocation and park development as having impact on the village and so needing active monitoring.

Besides being vice mayor, Overway will head the Building, Grounds and Public Works committee; Miller will head Planning and Zoning; and continuing Councilman Bob Payne will remain as finance chairman. Newly-chosen councilman Bill Konold will be Safety chairman. Council also renamed John

Getgey as village solicitor and John Eberhard as building inspector, and again named the Central Trust Co.'s Terrace Park branch the depository of village funds. It also approved resolutions commending the work of retiring councilmen Jack Van Wye and Ned Harness.

Payne advised council of new accounting procedures imposed by the state auditor's office which he said would bring expenditures under strict control.

Speaking briefly after being sworn in by Getgey, Mayor Rockel paid tribute to Bowman's service, and said he hoped to pattern his administration on that of his predecessor in giving the village frugal but high quality services.

## Village Given New Greenbelt Tract

A new tract of land has been added to Terrace Park's greenbelt.

Rodger Miller, appointed to a vacancy on village council and named chairman for planning and zoning, reported at the January council meeting that George Bell, 1 Elm Ledge, has donated an area between his and the Lindell property for greenbelt purposes. Council accepted the gift with a resolution of thanks.

With proposals to relocate US 50 in limbo, newly-seated councilman Roger Drackett reported a new eastern corridor study being undertaken by the state to facilitate traffic movement in eastern Hamilton County and western Clermont County.

The project statement emphasizes that "the original concept (highway construction or major road improvements) has been modified to

encompass a more varied array of transportation alternatives, including the upgrading of existing facilities, transit improvements or innovations, and possible 'spot' improvements at particularly congested or hazardous areas." It added:

"An area's transportation problems often can be solved through a combination of several minor improvements rather than through major capital expenditures for a new highway or transit system," which were relegated to potential long-term solutions if other strategies fail.

Councilman Les Overway, for Building and Grounds, said no work is planned at this time on further improvements for the Community House, and that negotiations are still proceeding on the Elm Street overpass. Cable TV continues to have some problems with testing and hook-ups, but he said he has been assured that all difficulties will be worked out by the end of January, with the exception of underground installations which will not be done until spring.

Bob Payne, finance chairman, touched on a new accounting system, reminding council members that all purchase orders must be approved by Village Clerk Don Franke, and all bills presented to the village office. Payne recommended a new liability insurance plan which will cover councilmen,

police, firemen, and life squad volunteers. Previous liability policies covered only general village services and motor vehicles. The coverage will cost about \$1,0\$0 more a year.

A citizens committee is being formed by Councilman Rich Gilchrist to study tree problems, and will continue the work Overway began with Cincinnati Urban Forester Steve Sandfort. Gilchrist hopes to formulate long range plans in addition to annual ones, and find ways to finance these plans. He will have a map of village sidewalks ready by July.

In other business, Council: • was informed that Village workers have been given a 10% pay increase as of January 1.

• learned there had been 21 fire runs and 157 life squad runs in 1981.

## Taxes

(Continued from P. 1)

agree with the valuations may file appeals with the county auditor's office. Taxes due February 16 must be paid, however, he emphasized, with a penalty imposed for non-payment. If an appeal is successful, a property owner will be given a credit for overpayment on the next tax bill.

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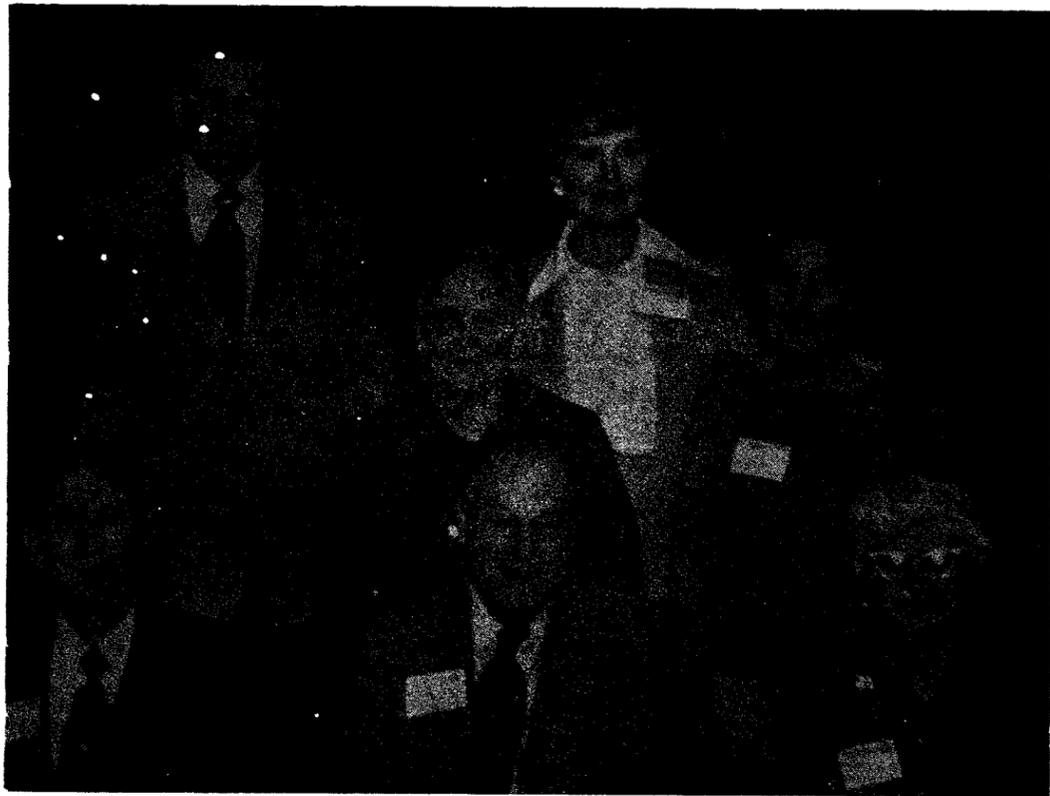
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### New AARP Officers Are Installed

Here are newly elected officers of the Terrace Park chapter of the American Association of Retired Persons. Left to right, front row, are Finatta Pyle, Milford, vice president; Ray Allison of Terrace Park, president; Graydon Gallagher, Terrace Park, vice president; to rear, Betty Mossman, Miami, recording secretary; Marjorie Manly, Mariemont, treasurer; Bonita Rawnsley, Terrace Park, corresponding secretary; and Ken Weiss, Milford, nominating committee chairman. Janet Kircher, Terrace Park, board-member at large, was absent. Allison succeeds Dr. Raymond Stocklin as president. (Photo by Sally Kniffin)

### Villager Finds 'Other Home' In Taiwan

Dale Binkley, 414 Western Ave., a 1974 graduate of Mariemont High School with a B.A. in linguistics from Miami University, recently spent a two month holiday in Terrace Park with his family. Dale lives in Taipei, Taiwan, and studies the Mandarin language. He will transfer to Taipei University upon his return, having achieved the fluency necessary to attend classes conducted in Chinese.



Dale Binkley

Chinese history, culture, and philosophy are fascinating to this young man, who had his first exposure to it as a part of a summer language study program at Fu Jen University, a cooperative venture with Miami U. He plans to teach after completing his master's degree and presently tutors several small classes of students in English. After 14 months in Taipei, he feels that it is his other home. "I can observe the two cultures, compare them, and feel a part of both," he remarks with a smile. Fluent in German, also, Dale was pleased to find several German friends among his classmates with whom he can use the language.

"Yes, there are international aspects to life in Taiwan," he says. Taipei, a city of 2.25 million people, is a booming, progressive place of wide avenues and tall buildings. The Republic of China exists beside and interwoven with artifacts and philosophies of the ancient civilization. City life can be left behind in the mountains and spectacular beaches, the lush subtropical woods.

"The people are very proud of their progress," Dale explains. The Nationalists, who came to the island in 1949 with Chiang Kai Shek, still see themselves as the legitimate leaders of all of China. Already boasting one of Asia's highest living standards, Taiwan's 18 million people expect to join ranks with the

world's most highly developed nations by the end of the decade.

### 'Harvey' Next For Players

The curtain will rise at the Community House once again when the Terrace Park Players present the delightful comedy, "Harvey," the weekends of February 12 and 13, 19 and 20, and 26 and 27.

It will be a dinner show, playgoers will have their choice of dinner entrees of either Stuffed Sole Florentine or Chicken Romanoff. The ticket price for dinner and show is \$8.50.

Directed by Flach Douglas, the play revolves around a charmingly eccentric Elwood P. Dowd, played by Bill Konold. Surrounding him is a barrage of well-meaning but confused relatives, friends, doctors and nurses all in the search of sanity as they determine if Dowd's "friend," Harvey, is fact or fiction.

Other cast members are Jill Burkman, Lee Wagner, Marian Richardson, Marcy Mc-

Clellan, Tim Lanham, David Pannkuk, Winky Klinedinst, Bill Pettit, Bob Lipka, all of Terrace Park, and Cathy Woodruff of Owensville.

Doors will open at 6:30 with dinner served at 7:15 and curtain time at 8:30. As there are a limited number of tickets sold per night, don't delay in making your reservations. Call Marcy McClellan at 831-1516 or Sandy Koehler at 248-0033 to reserve seats and specify your entree preference. Tickets will not be available at the door.

### About Normal

Christmas mail here was at about its normal volume, according to Postmaster Jim Simonton.

The office here sold 20,000 stamps over the Christmas season, he said. He noted, however, a slight drop in incoming mail.

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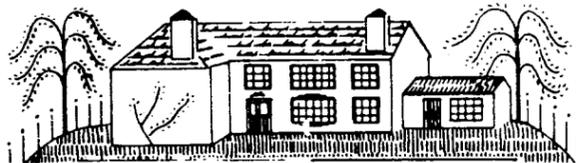
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## Fire Chief Selects New Officers

Fire Chief Pierce Matthews has announced some changes in fire department-life squad leadership.

Jack Richardson, 124 Wind-ing Brook, has been named captain in charge of life squad operations. Dennis Elliott, 624 Miami, has been named captain for fire service.

New officers have been chosen by the Volunteer Fire Association, the social and fund-raising arm of the official fire department. Jerry Maish, 735 Park, was elected president succeeding the Rev. George Hull. Other officers are Jane Bowman, vice president; Mimi Matthews, secretary, and Diane Greer, treasurer.

## On Dean's List

Carrie Konop, daughter of Mr. and Mrs. Tom Konop, 711 Lexington, was named on the dean's list for the autumn quarter at the University of Cincinnati. A junior in the College of Arts and Sciences, she is majoring in communications.

## Leaf Pickup Off

Terrace Park's leafpick-up this year amounted to only 143 truck loads, the lowest figure in years.

Maintenance foreman Marvin Alexander reported the previous low was 145 loads in 1977. Last year's figure was 220 loads.

## Crime Here Holds At Low Level

Police Chief Ron Pottorf reported at January's village council meeting that while many surrounding communities report an increase in crime, "we have remained at a level lower than in prior years."

But he warned that the fact that "many known criminals have been seen and stopped in the community," calls for continued vigilance by both police and village residents.

His annual report said that the police force handled 2,828 details in 1981, made 824 traffic arrests plus 82 for misdemeanors and two for felonies, and made 835 vacation house checks. Eleven persons were arrested for drug possession. Of the traffic citations issued, 554 were for speeding, and 47 for drunk driving.

There were no fatalities, but three persons were injured on village streets and two on the state highway.

Two deer were killed by being hit by automobiles on Wooster Pike.

Mayor's court receipts amounted to \$37,121.

Besides the chief, the force consists of five full-time men — Officers Gerald Rowe, Kevin Fryman, Charles McComas, Mark Gardner and Richard Ideker who also functions as village secretary. Also available are three non-paid auxiliaries — Jeffrey Harlan, Gregory Schumacher and James Combs.

## Life Squad

Anyone interested in information regarding joining the Life Squad may call Mimi Matthews at 831-1673, Monday through Friday, 9 a.m.-5 p.m. A telephone answering machine will accept messages during the hours when the office is closed.

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