

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
January 29, 2018**

A meeting of the Indian Hill Village Council was held on January 29, 2018 at 6:30 p.m. The meeting was held in the Council Chamber of the Village Administration building.

Officials present: Mr. Mark D. Kuenning, Mayor
 Mrs. Melissa S. Cowan, Vice-Mayor
 Mr. John B. Armstrong, Council member
 Mr. Stephen H. Krehbiel, Council member
 Mr. Donald C. McGraw, Council member
 Mr. Abbot A. Thayer, Council member

Officials absent: Mrs. Monique A. Sewell, Council member

 Ms. Dina C. Minneci, City Manager
 Mr. Donald L. Crain, City Solicitor
 Mr. Paul C. Riordan, Clerk/Comptroller

Visitors present: Mr. Andy Robbins, 6790 N. Clippinger Drive
 Mr. Eric Robbins, 6790 N. Clippinger Drive

PLEDGE OF ALLEGIANCE: Council opened the meeting with the Pledge of Allegiance.

MINUTES: The minutes of the regular meeting of December 18, 2017 had previously been distributed to each Council member. Council member Thayer made a motion to accept the minutes, which was seconded by Council member Armstrong and was approved as issued 6-0.

SPECIAL MEETING MINUTES: The minutes of the Special meeting of January 16, 2018 had previously been distributed to each Council member. Council member Thayer made a motion to accept the minutes, which was seconded by Council member Armstrong and was approved as issued 6-0.

FINANCE COMMITTEE REPORT: Ms. Minneci, in Council member Sewell's absence, directed Council's attention to a memo titled, "*Finance Committee*". She reported that the Finance committee met on January 8, 2018 to review several items in advance of the Council meeting.

Ms. Minneci also directed Council's attention to the December financial statements, which were included in the Council packet.

Ms. Minneci gave the following financial report:

- a. **Income Tax Receipts:** the Village received \$3,164,033 which is approximately \$1.9 million more than received in December 2016. Year to date cash receipts are 125% of budget. This significant increase is due to the end-of-the-year changes made to the income tax code at the federal level which made it more advantageous for individuals to make prepayments on their 2017 tax returns due in 2018.

- b. **Operating Disbursements:** operating expenditures equate to \$1,062,897 which is \$47,000 more than December 2016. This is due to timing of payments and a higher than usual solicitor invoice due to pending litigation.
- c. **CIRF:** Disbursements totaled \$319,913. This cost includes landslide repairs, the final payment on the street resurfacing and the Village-wide culvert study.
- d. **Water Works Receipts:** Water usage receipts were \$186,176 which is approximately \$38,000 more than December 2016 receipts. Year to date cash receipts are 100% of budget.
- e. **Water Works Disbursements:** Total operating disbursements of \$256,497 is approximately \$600,000 less than December 2016. This is due to the timing of the Metropolitan Sewer District payment for sewer reimbursement.
- f. **Water Works CIRF:** Total expenditures equate to \$202,821. This represents purchase of water meters and work on the high service pump.
- g. **Cash and Investments:** Total month end cash and investments were \$29,399,095 compared to \$27,549,878 in November 2017 and \$29,444,890 in December 2016. Month to month and year to year changes are due to normal operations, the funding of the construction of the new Joint Fire District firehouses through the Firehouse Construction Fund and the increase in income tax due to tax law changes late in 2017.

Mayor Kuenning explained that the increase in the General Fund from November to December is simply as a result of the policy to leave 20% of the prior year's expenditures as a balance in the General Fund to start the next calendar year.

- h. **Rowe Funds:** The market value as of December 31st was \$3,774,710. The unrecognized gain was \$1,162,177. Total monthly operating receipts, including dividends, were \$13,859 with monthly operating expenses totaling \$20,184 and investment sale net gains of \$13,323.
- i. **Green Areas Funds:** The market value as of December 31st was \$2,745,586. The unrecognized gain was \$1,435,105. Total monthly earnings equate to \$11,247 with monthly expenses totaling \$3,010.

The financial statements for December 2017 had previously been distributed to each Council member. There being no exceptions noted, the financial statements were accepted as issued.

Ms. Minneci reported that the Finance committee discussed the year-end changes made to the federal income tax code which accounted for the significant increase in December 2017 income tax receipts. Due to a \$10,000 limit being placed on an allowable deduction for state, local and property taxes for the 2018 tax year, many individuals chose to pay more in prepayments in 2017 to capitalize on the unlimited tax deduction allowed for the 2017 tax year. Consequently, it is anticipated that payments that would have been received in 2018 were now received in 2017 which, in turn, will cause a significant decrease in 2018's overall income tax collections. The monthly financial statement will show budgeted income tax receipts of \$9,860,000 versus the original amount of \$11,860,000.

Ms. Minneci reported that due to a \$2,000,000 increase in December receipts as compared to previous years, the Finance committee decided to adjust the 2018 income tax revenue estimate by the same amount. This results in 2018 income tax estimates being decreased from \$11,860,000 to \$9,860,000. An amended 2018 Operating and CIRF Overage (Shortfall) Summary Statement will be placed on the Village's website in conjunction with the 2018 Annual Budget document to highlight this change.

Ms. Minneci reported that Mr. Gully presented to the Finance committee the year-to-date General Receipt Detail report which highlights the specific revenues that are listed in the "Other" category on the monthly financial report. Some of the more specific revenues listed include reimbursements from Bureau of Workers' Compensation, Shooting Club memberships and Mayor Court costs.

Ms. Minneci reported that Mr. Gully presented to the Finance committee an overview of the 2017 Rowe Arboretum Fund investments with Bahl and Gaynor. As of December 31st, the fund's market value gain was approximately \$460,000 which was a 13.9% growth throughout 2017. The Village spent \$20,383 on broker fees. As a comparison, Mr. Armstrong provided index fund performances over the years. After being presented with this information, the Finance committee will continue to analyze current and alternative investment strategies and entities. The Finance committee, in future committee meetings, will evaluate whether a different approach would be more advantageous.

Ms. Minneci reported that the Recreation Commission will be reimbursing the Village 50% of the costs associated with the purchase of a bunker rake (\$13,500) and a paint machine (\$20,000). These two items are directly related to maintaining the baseball fields utilized by the Commission. In 2003, the Recreation Commission purchased the bunker rake for the Village.

LAW COMMITTEE REPORT: Council member Armstrong directed Council's attention to a memo titled, "*Law Committee*". He reported that the Law committee met on January 16, 2018 to review several items in advance of the Council meeting.

Council member Armstrong presented the following report:

1. The Law committee entered into Executive Session to discuss pending legal matters.
2. Mr. Crain presented the December/January legal activity report. The report included updates on the AFSCME arbitration process, green area land swap research, septic system inspection inquiries, Planning Commission appeal case review, and Mayor's Court.
3. Mrs. Chaney provided an overview of the Village's Merit System which defines the principles and procedures for the Village's civil service. This legislation has not been reviewed since 2000 and was originally established in 1970. A 2018 Council goal was to review this legislation and recommend changes that acclimate to current employment practices and expectations. Mrs. Chaney presented recommended changes that: 1) correct references to the Village's Charter; 2) clarifies or establishes new definitions; 3) removes outdated qualifications; 4) adds new language for lateral entry option for police hiring; 5) updates procedures for

suspension, dismissal and demotion; 6) defines the appeal procedures for non-exempt employees; 7) defines rejection for employment applications and 8) defines the conduct of examinations.

After in depth discussion, the Committee provided additional insight and agreed with the recommended changes. Per Village Ordinances, such recommendations will need to be reviewed by the Personnel Advisory & Appeals Board prior to pursuing any legislative action. Staff will work to schedule a Board meeting and update the Committee with the Board's findings.

4. Staff provided an update on the feasibility of utilizing other opportunities for septic inspection. Staff presented information it received from Clermont County and the Director of the Association of Ohio Health Commissioners. Staff will provide further updates as discussions are held with Warren and Butler County.
5. Staff is requesting to work with the solicitor to evaluate current Village Code of Ordinances as they relate to prohibiting walkers, cyclists, and vehicles from using the Village green areas and bridle trails. Due to repeat violations by those who are aware of the "horses and hounds only" mandate that is established in the Green Areas trust documents, staff would like to strengthen current legislative language to be able to enforce more effectively and efficiently. The Committee agreed. Staff will work with the solicitor and provide recommended changes for the Committee's consideration.
6. The Committee discussed a request it received from the Friends of Little Miami State Park to support capital funding efforts for repairs to the Little Miami Trail.

BUILDINGS & GROUNDS COMMITTEE REPORT: Council member Cowan directed Council's attention to a memo titled, "*Buildings and Grounds Committee*". She reported that the Buildings and Grounds committee met on January 23, 2018 to review several items in advance of the Council meeting.

Council member Cowan reported that Mr. Adkins presented the departmental activity report, a copy of which is included in the Council packet.

Council member Cowan reported that Mr. West presented the project management report for Grand Valley, a copy of which is included in the Council packet. She said that Mr. West provided the annual statistics on Grand Valley attendance. The 2017 total attendance of 17,672 was slightly lower than the 2016 attendance of 18,154 and the five year average of 18,470. Figures are based on Grand Valley card swipes minus employee and vendor use. The Grand Valley Fishing Tournament will take place on April 28, 2018.

Council member Cowan reported that Mrs. Wade-Dorman provided to the Buildings and Grounds committee updates on the Reforest the Hill program. The staff is reviewing tree tags to be placed on the 2017 trees and is also evaluating the tree list and placement for the 2018 program. Almost \$20,000 was received in 2017 with some of these funds being held over for the

2018 program such as Mr. Eppa Rixey's generous donation for trees to be placed in the green space which lines his driveway.

Council member Cowan reported that the Buildings and Grounds committee reviewed a draft Resolution accepting the 2017 Green Area donations which equated to 4.4647 acres. She said that the amount donated varies from year to year.

Council member Cowan reported that the Buildings and Grounds committee recommends passage of a Resolution accepting the Green Areas donations.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT 2017 GREEN AREA GIFTS was presented and read.

Upon motion by Council member Cowan, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Kuenning declared Resolution **01-18** adopted.

Council member Cowan reported that staff provided to the Buildings and Grounds committee information that was acquired since last month's discussion about parking congestion at Rheinstrom Park. Discussion took place about restricting visitors, increasing parking spaces and enforcement. The consensus was that increased parking is not the ultimate solution as it will increase the park's popularity and visitor restriction could not occur due to the property deed specifically stating that it should be utilized as a public park. She said at this time, the Rangers will work to heavily enforce the current legislation in place: 1) pet responsibility 2) more than two dogs must have a leash and 3) no parking signs. The staff also will place articles in the Bulletin to remind the residents of these laws as well as articles highlighting other Village parks. In addition, staff will evaluate other legislative means that may assist in providing an overall enjoyable experience for all park patrons.

Council member Cowan said as reported by Council member Armstrong that the solicitor has been requested to evaluate current Village Code of Ordinances as they relate to prohibiting walkers, cyclists and vehicles from using the Village green areas and bridle trails.

Council member Cowan reported that the Buildings and Grounds committee discussed a request it received from the Friends of Little Miami State Park to support capital funding efforts for repairs to the Little Miami Trail.

Council member Cowan, explained as reported by Ms. Minneci, that the Recreation Commission will be reimbursing the Village 50% of the costs associated with the purchase of a bunker rake (\$13,500) and a paint machine (\$20,000).

Ms. Minneci said that an article will be placed in the Bulletin explaining the successes of Reforest the Hill Program. Starting in March there will be articles in the Bulletin each following month.

PUBLIC WORKS COMMITTEE REPORT: Council member Krehbiel directed Council's attention to a memo titled, "*Public Works Committee*". He reported that the Public Works committee met on January 23, 2018 to review several items in advance of the Council meeting.

Council member Krehbiel reported that Mr. Adkins presented the Departmental Activity Report, a copy of which is included in the Council packet. A significant amount of the past month has been dedicated to snow removal. Thus far, the 2017-2018 snow season has included 9 snow events which resulted in 11.5 inches of snow, 1,125 tons of salt, and 15,015 gallons of brine. Staff also continues to work on clearing honeysuckle throughout the Village as well as clearing trees out of the right-of-way. Staff repaired guardrail on Indian Hill and Shawnee Run Roads.

Council member Krehbiel reported that Mrs. Wade-Dorman presented the project management report, a copy of which is included in the Council packet. The Village culvert study was completed in 2017. However, staff is working with Hamilton County to incorporate bridge repairs and replacements into the study's findings in order to create a more inclusive and exhaustive capital improvement project list. Two bridges that are being evaluated include Keller Road and Blome Road. In addition, a culvert study from 1982 was found and also is being incorporated.

Council member Krehbiel reported that a Village-wide landslide study request for proposal is being prepared that will evaluate all landslides to determine repair and replacements priorities that can then be placed into the capital improvement project program.

Council member Krehbiel reported that Mrs. Wade-Dorman submitted a grant application for Municipal Road Funds (MRF) to assist with the Blome Road culvert replacements. The Village is anticipating that grants will be awarded in March/April. Mrs. Wade-Dorman also is preparing a grant application for Clean Ohio funds for the North Branch Sycamore Creek restoration along Weil Road.

Council member Krehbiel reported that staff distributed a Resolution authorizing the City Manager to prepare plans, specifications, and the bidding process for 2018 projects, equipment, and supplies that exceed \$50,000 or are not on the state bid list. Public Works items are listed on the attached Resolution. Some highlights include: 1) the annual road resurfacing program (Blome and Hopewell Roads, Grand Valley and other miscellaneous streets); 2) Camargo and Kugler Mill pier wall construction; 3) Blome Road and Spooky Hollow Road culvert replacements; 4) Remington Road culvert replacement design; and 5) North Branch Sycamore Creek Restoration along Weil Road. Council member Krehbiel reported that the Public Works committee recommends passage of a Resolution authorizing the City Manager to employ an engineer to prepare plans and specifications for street rehabilitation.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EMPLOY AN ENGINEER TO PREPARE PLANS AND SPECIFICATIONS FOR STREET REHABILITATION, EQUIPMENT, SUPPLIES AND OTHER SPECIAL CAPITAL IMPROVEMENT PROJECTS, ADVERTISE FOR BIDS AND AWARD CONTRACTS FOR THE CONSTRUCTION OF SAID WORK AND PURCHASE OF SAID EQUIPMENT/SUPPLIES was presented and read.

Upon motion by Council member Krehbiel, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Kuenning declared Resolution **02-18** adopted.

Mayor Kuenning expressed to Ms. Minneci that he would appreciate her passing on his words to Mr. Adkins and his crew for all the work they did on the snow removal this past month. He appreciated it and knows it was a real challenge and the crews had to put in a lot of overtime.

WATER WORKS REPORT: Mayor Kuenning directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". He reported that the Water Works committee met on January 23, 2018 to review several issues in advance of the Council meeting.

Mayor Kuenning reported that Mr. Adkins presented the departmental activity management report, a copy of which was included in the Council packet. He said that staff repaired nine water main breaks and responded to 125 customer calls. The department also performed maintenance on the softener valves and collected semi-annual samples from monitoring wells which came back negative for lead and contaminants.

Mayor Kuenning reported that Mrs. Wade-Dorman presented the project management report, a copy of which was included in the Council packet. All shop drawings and submittals for the generator project have been approved. Equipment has been ordered and scheduled for delivery in March. He explained that this is the project that was budgeted in 2017 but is being carried over to 2018.

Mayor Kuenning reported that staff distributed a Resolution authorizing the City Manager to prepare plans, specifications and the bidding process for 2018 projects, equipment and supplies that exceed \$50,000 which was reported earlier in the Council meeting.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on January 18, 2018 to review several items in advance of the Council meeting.

Council member McGraw reported that Captain Smith presented the EMS and Fire report, a copy of which was included in the Council packet. He said that the EMS runs total for 2017 was 1,064 which compares to 1,053 runs in 2016. Fire runs included a gas grill fire, smoldering due to a box against a light and the rescue of a family attempting to rescue their dog from ice.

Council member McGraw reported that Captain Smith also distributed the 2018 goals established by the Joint Fire District Board. Goals include: 1) monitoring the 2018 budget to reestablish a budget baseline with the two new stations; 2) complete the updated Hamilton County Mitigation Plan for Madeira and Indian Hill; 3) evaluate and project costs for various options to improve and stabilize staffing; 4) review and update standard operating procedures (SOP's) for new stations; 5) reestablish Captain functions and 6) reestablish department incident reporting software under the new state system.

Council member McGraw reported that Captain Smith indicated that appointments to two Captains positions are pending. City Manager Minneci explained that the positions have been filled by two candidates from the department. Council member McGraw reported that Captain Smith will be retiring mid-year; consequently, the department is looking to fill the current vacant position as well as Captain Smith's upcoming vacancy.

Council member McGraw reported that Colonel Schlie presented the Rangers report, a copy of which was included in the Council packet. He said that over the past month, many cases have involved theft, general information, domestic disputes and ID theft. Colonel Schlie also indicated that the Rangers finished a week long truck monitoring of Muchmore Road to ensure they were making local deliveries. In that time, nineteen trucks were questioned, and eighteen were found to be making deliveries in or doing work within Indian Hill.

Council member McGraw reported that Assistant Chief/Captain Mike Dressell was honored at the Hamilton County Police Association banquet as the President of the organization for the past two years. He has been active in the organization for twenty years which is the longest tenure in its history.

Council member McGraw reported that other Ranger-related items include the purchase of steel plate carriers for officer safety and protection, performing a dog search through the schools with negative results and awaiting the new County-mandated Mobil Data Computers for the patrol cars that are anticipated in February.

Council member McGraw reported that staff has discussions with the Safety committee regarding a request to videotape Ranger/Detective Shawn Perdue's coyote presentation and distribute to other communities. It was felt that Ranger Perdue's presentation is better done in person as more information is communicated through the interaction with and questions that come from the audience. In addition, concerns arose about liability and compromising of other police duties. However, Ranger Perdue has made presentations to many groups and surrounding communities and is more than happy to continue with other groups who are interested.

Council member McGraw reported that staff is requesting to work with the solicitor to evaluate current Village Code of Ordinances as they relate to prohibiting walkers, cyclists and vehicles from using the Village green areas and bridle trails. He also reported that the Safety committee discussed a request it received from the Friends of Little Miami State Park to support capital funding efforts for repairs to the Little Miami Trail.

Mayor Kuenning asked how the new mobile computers increase capabilities. Council member McGraw explained that the present computers are 18 years old and are very slow. The new computers will not necessarily increase capabilities but will increase speed of information.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on January 16, 2018 to consider several items.

Council member Thayer reported that a request for the expansion of a non-conforming home on a non-conforming lot, to construct front portico addition was continued until the February meeting.

Council member Thayer reported that a request for variance approval and authorization to expand a non-conforming home on a non-conforming lot, to construct an addition to the front of the existing home at 7727 Shawnee Run Road was approved.

Council member Thayer reported that a request for approval of a Resource Protection Area swap from Hensley Custom Homes was approved.

Council member Thayer reported that the Planning Commission discussed a proposed patio roof cover for an existing non-conforming home located at 8105 Kroger Farm Road.

CITY MANAGER'S REPORT: Ms. Minneci reported that a listing of future Council meetings will be published on the website under Community Calendar as well as the last page of every Bulletin.

City Manager Minneci reported that on February 19th Administrative offices will be closed in recognition of President's Day.

City Manager Minneci reported that the New Resident Party will be held on Sunday, April 29th at 4:00 pm at the Little Red Schoolhouse.

City Manager Minneci also explained that the Council Chambers would be painted next week. She questioned whether Council would be amicable to taking off the wall paper and painting the walls basically the same color as the wall paper. She explained that every few years the wall paper has to be fixed because of bubbles showing. Council members questioned if there is a moisture problem behind the wall which could indicate a more serious problem. Council said that they were agreeable to painting the walls; however, they would like information on what is actually causing the bubbling to make certain if it is a moisture problem that it is taken care of.

There being no further business to come before Council, Mayor Kuenning declared the meeting adjourned.

Respectfully submitted,

Mark D. Kuenning, Mayor

ATTEST:

Paul C. Riordan, Clerk