

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
November 14, 2016**

A meeting of the Indian Hill Village Council was held on November 14, 2016 at 6:30 p.m. The meeting was held in the Council Chamber of the Village Administration building.

Officials present:

Mr.	Daniel J. Feigelson, Mayor
Mr.	Mark D. Kuenning, Vice-Mayor
Mr.	John B. Armstrong, Council member
Mrs.	Molly R. Barber, Council member
Mrs.	Melissa S. Cowan, Council member
Mr.	Donald C. McGraw, Council member
Mr.	Abbot A. Thayer, Council member
Ms.	Dina C. Minneci, City Manager
Mr.	Donald L. Crain, City Solicitor
Mr.	Paul C. Riordan, Clerk/Comptroller

Visitors present: Mr. Scott Gully

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

MINUTES: The minutes of the regular meeting of October 17, 2016 had previously been distributed to each Council member. Council member Barber made a motion to accept the minutes, which was seconded by Council member Cowan and was approved, 7-0.

FINANCE COMMITTEE REPORT: Council member Kuenning directed Council's attention to a memo titled, "*Finance Committee*". He reported that the Finance committee met on November 10, 2016 to review several items in advance of the Council meeting.

Council member Kuenning also directed Council's attention to the October financial statements which were included in the Council packet.

Council member Kuenning gave the following financial report:

- a. **Income Tax Receipts:** In October, the Village received \$672,356, which was very strong for the month and it is estimated that the total receipts for the year will be \$12,800,000 which is over the budgeted amount.
- b. **Operating Disbursements:** Total October operating disbursements equated to \$770,899 which is \$47,000 less than October 2015. This is due to timing of routine payments.
- c. **CIRF:** Disbursements for the month totaled \$105,908. This cost included Camargo Road pier walls and street resurfacing. It is estimated that the total budget for the CIRF will be spent by year end. Expenditures will total approximately \$2,700,000.
- d. **Water Works Receipts:** Water usage receipts for October 2016 were \$370,991 which was approximately \$91,000 more than October 2015 receipts. It is estimated that Water Works operating disbursements will be slightly under budget for the year. The shortfall for the year is estimated to be \$1,091,000 which is below the budgeted shortfall of \$1,147,000
- e. **Water Works Disbursements:** Total October 2016 operating disbursements were \$137,624 which was \$7,000 more than October 2016. This is mainly due to the timing of routine disbursements.

- f. **Water Works CRF:** Total October disbursements were \$349,819. This represents Blome Road water main replacement, meter changeovers and treatment plant improvements. Half the cost budgeted for the high service pump will be carried over to 2017. This is necessary just due to the time it takes to do the work. The total deferred for this will be approximately \$286,000.
- g. **Cash and Investments:** Total month-end cash and investments were \$31,908,221 compared to \$32,290,992 in September 2016 and \$33,576,529 in October 2015. Month to month and year to year changes are due to normal operations and the funding of the construction of the new Madeira and Indian Hill firehouses through the Firehouse Construction Fund.
- h. **Long Term Debt:** There was no change in the long term debt balance in October, however, there will be an expenditure in November for bond payments of principal and interest totaling \$439,235.
- i. **Rowe Funds:** The market value as of October 31st was \$3,200,050. The unrecognized gain was \$606,888. Total monthly operating receipts were \$18,300 with monthly operating expenses totaling \$8,995.
- j. **Green Areas Funds:** The market value as of October 2016 was \$2,255,135. The unrecognized gain was \$970,096. Total monthly earnings were \$48 with monthly disbursements totaling \$3,483.

The financial statements for October 2016 had previously been distributed to each Council member. There being no exceptions noted, the financial statements were accepted as issued.

Council member Kuenning opened the public hearing on the 2017 annual budget. He directed Council's attention to the budget summaries which were included in the Council packet. He explained that the total budget is approximately 85 pages and in order to save paper the budget will not be distributed. The budget is posted on the Village's website for anyone to review. He explained that Mr. Scott Gully is also present at the Council meeting and would be available to answer any questions about the details of the budget as is Mr. Riordan and Ms. Minneci.

Council member Kuenning said that the quality of the budget is a result of the quality of the process that drives it. He said that he believes that the Village has a very thorough process. He said to prepare the budget it starts from the bottom up which is a "zero base" budget. The department heads are required to justify all disbursements and then submit ideas which they feel are necessary to serve the residents effectively and meet their needs. Council member Kuenning highlighted the following in his budget review:

- **General Fund & CIRF:** The 2017 operating expenditures are estimated to be \$11,700,000 which is an 8% increase over the 2016 year end forecasted amounts. The increase incorporates the following significant highlights:
 - a) Three full time equivalents - \$238,000 which includes two for Public Works and one for Administration to handle Human Resource responsibilities
 - b) Insurance (Medical, health, life, risk management) is increasing \$106,000
 - c) Tax refunds are budgeted at an increase of \$50,000
 - d) Building improvements are budgeted to increase \$68,000 to cover expenditures that are needed that were put off during the recession.

Council member Kuenning directed Council's attention to the operating and CIRF Funds Overage / (Shortfall) Summary Statement. Income tax receipts are budgeted to be \$10,935,000 for 2017. Operating disbursements are budgeted for 2017 to total \$11,721,000. The disbursements for CIRF are budgeted at \$2,711,000 for 2017 which is slightly under the total estimated amount for 2016. A significant portion of the CIRF is dedicated to a \$1,200,000 road resurfacing program and a \$417,000 culvert/landslide repair program.

- **Water Works Fund:** The 2017 Water Works receipts are budgeted to total \$2,620,000. This revenue includes the approved rate increase. Water receipts are budgeted based on historical average which is a reason they are a bit higher than the actual estimated for 2016. Over the last several years the Water Works receipts have been coming in below average which is primarily the result of wet weather. The 2017 Water Works Capital Improvement Reserve Fund disbursements are budgeted at \$1,800,000 which reflects an \$86,800 or 4.5% decrease from estimated 2016 year-end totals. A significant portion of the CIRF is dedicated to a \$1,250,000 generator repair project.

Council member Kuenning explained that there was also a copy of a summary of all the operating expenses budgeted for 2017 included in the Council packet. He said that a copy of the draft 2017 annual budget is available for residents to review on the Village website. The final appropriation Ordinance will be passed at the December 12, 2016 Council meeting.

Mayor Feigelson said that it is a real testament to Ms. Minneci and her staff, including Scott Gully and Paul Riordan, and everyone else involved, who spent countless hours on preparing the budget with many meetings with Council committees. It is a well thought-out budget. Some of the affects from the downturn from past years have caught up and are funded in a thoughtful way when possible. The budget also considers the 10 and 20 year long term financial plans and with the understanding that it is spending residents' money. He said that it is a good budget and he appreciates all of the hard work in preparing the budget.

Council member Kuenning said that he thanks staff for all of the countless hours put into preparing the budget, particularly Scott Gully, the Finance Director who has been revising the budget almost hourly as changes come up. Mr. Gully said that he would update the budget on the website as any changes are made until December 12, 2016.

Council member Kuenning said that he believes that the residents appreciate the dedication Council and staff give to create the best budget they can produce that can provide the level of services they expect and deserve. Council member Kuenning thanked Ms. Minneci, Mr. Gully and Mr. Riordan for all of their work in preparing the budget.

There being no further questions or comments the public hearing on the 2017 budget was closed.

Council member Kuenning explained as part of the budget process, the Finance committee reviews the income tax rate. After considering all the future needs and the reserves, the Finance committee believes it is appropriate to reduce the income tax rate from .575% to .55% beginning January 1, 2017 for the 2016 tax year. The Finance committee recommends the first reading of the Ordinance amending Chapter 93 of the Village's Code of Ordinances to reflect the new income tax rate.

AN ORDINANCE AMENDING CHAPTER 93 OF THE CODE OF ORDINANCES BY ADOPTING THE CURRENT DEFINITION OF ADJUSTED GROSS INCOME IN SECTION 5747.01 OF THE OHIO REVISED CODE, AND BY SETTING THE RATE OF 0.55% PROVIDED IN SECTION 93A-03 FOR THE TAX YEARS 2016 AND 2017 was presented and read for the first reading.

Council member Kuenning explained that a second reading will occur at the December Council meeting with an emergency provision included.

Council member Kuenning reported that Mr. Gully gave an update on the income tax refunds to the Finance committee. He explained that currently 2016 refunds are anticipated to be higher than budgeted; however, the increase will be offset by other general fund line items that fall below budget. However, due to Council's recommendation to reduce the income tax rate in 2017, staff is budgeting an additional \$50,000 for this line item to accommodate the expected increase in refunds. Due to the volatility of this expenditure, Mr. Gully will closely monitor the account throughout 2017 to determine if an additional appropriation will be needed.

Council member Kuenning reported that he gave the Finance committee a legislative update from his attendance at the Ohio Municipal League meeting. Currently, the statehouse has renewed discussions on the concept of mandating all municipalities to implement full tax credit as well as having a consolidated local income tax collection process at the state level. Such concepts have been reviewed in the General Assembly several times over the years with no avail. Council member Kuenning said that however, staff will continue to monitor the discussion to determine if a course of action needs to be pursued. He explained that such a change in income taxes would be initiated that it would have a significant impact on the income of the Village of Indian Hill and therefore this matter will be watched very closely.

LAW COMMITTEE REPORT: Council member Armstrong directed Council's attention to a memo titled, "*Law Committee*". He reported that the Law committee met on November 3, 2016 to review several items in advance of the Council meeting.

Council member Armstrong reported that Ms. Minneci presented the October legal activity report. The report included updates on Green Areas transactions, bridle trail easements, gas main extension agreement, civil service, Mayor's Court and labor contract administration.

Council member Armstrong reported that staff researched the installation of "No Through Trucks" signs in the area of Drake and Indian Hill Roads. He explained that staff will install "No Through Trucks" signs at the intersection of Indian Hill and Drake Roads, however, traffic will be monitored to ensure it does not overload other road such as Muchmore Road. All signs associated with truck traffic will be made uniform throughout the Village. The Rangers will continue to monitor Indian Hill, Varner and Drake Roads to ensure all truck deliveries remain local.

Council member Armstrong reported that Ms. Minneci presented a resident's concerns about helicopters in the Village. Currently, the Village is aware of three residents who own helicopters. He explained that the FAA is the controlling body on regulations surrounding helicopter usage. Staff had conversations with other cities that have addressed helicopter concerns, however, they do not regulate or

restrict helicopters. Council member Armstrong explained in order to validate the information from other cites thus far, the Village has asked its Law Director to research this issue to determine if it feasible to regulate the zoning or use of helicopters without exposing the Village to future litigation.

Council member Armstrong reported that Mr. West presented a draft Resolution for the City Manager to enter into a Duke Energy Gas Main Extension Agreement that will make natural gas service available to 96 residents (43 have signed up to connect to the gas main) along Indian Hill Road (east of Drake), Stonebarn Road, Voorhees Drive, Ivyfarm Road, Willow Hills Lane, Old Indian Hill Road and Red Fox Lane. The Resolution will be presented as a recommendation under the Public Works Committee.

Council member Barber asked if anyone has talked to the owners of the helicopters. Ms. Minneci explained that they have been contacted and this issue was considered several years ago.

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 November 8, 2016 to review several items in advance of the Council meeting. Mr. Raymond Conn, Mr. Andrew Conn, Mrs. Nicki Conn and Mr. Bear Tullis were also in attendance.

Council member Cowan reported that Mr. Adkins and Mrs. Wade-Dorman provided the departmental activity and project management reports prior to the meeting to allow time for resident participation, copies of which are included in the Council packet.

Council member Cowan reported that the Buildings and Grounds committee welcomed Raymond Conn, Andrew Conn and Nicki Conn. Mr. Conn introduced Mr. Bear Tullis who is assisting the family in understanding the background and intentions regarding the Village's Green Areas Trust. He said that Mr. Tullis presented a request to allow the Conn family to use the Green Area Trust property adjacent to their homes on Hopewell Road for their personal use. Such personal use would include the grazing and pasturing of their horses, and leaving open the possibility for cattle in the future. Mr. Conn stated that the Village was aware that he has utilized the property for horses in the past. However, staff conferred with previous administration who neither had recollection nor documentation substantiating the prior use. Mr. Conn indicated he would look for written correspondence related to this acknowledgement. In addition, he has constructed a fence on Village property and has maintained the property. Council member Cowan reported that the Buildings and Grounds committee discussed the following:

1. An existing license agreement on Weil Road which only allowed for horses. This specific agreement was entered into due to the resident purchasing the home based on past usage of the green area. The agreement was entered into with the intention of it expiring when the current resident moves and included many restrictions. Upon moving, the green areas property would revert back to being naturally maintained by the Village. It was not intended to be used as precedent for future requests by residents to utilize Village green area for personal use;
2. A previous legal opinion from the Village Solicitor stating green area usage should not be expanded beyond the original intentions;
3. Concern for setting a precedent that would open up all green areas to be utilized beyond the original Green Areas Trust intention of "horses and hounds" as Mr. Conn has constructed a fence and has asked to include cattle;

4. Restricting the green area property for use by other horse riders;
5. The decision by the Green Areas Advisory Committee to deny the request.

Council member Cowan explained that after an in depth discussion, the Buildings and Grounds committee indicated that it wished to uphold the decision of the Green Areas Advisory Committee to not permit the use of the property by the Conn family in order to preserve the original intentions of the Green Area Trust. However, the Committee indicated that it may reconsider the request, with restrictions and time limits, if there is prior written correspondence allowing such use. In addition, the Buildings and Grounds committee acknowledged that the Green Areas Trust allows the Conn family to utilize the property for horse riding.

Council member Cowan reported that staff updated the Buildings and Grounds committee on Indian Hill resident Mr. Pat Wynne's generous donation of a trail connector at Rheinstrom Park. The Village will be acknowledging this gracious gift with a letter of appreciation as well as a Bulletin article in December.

Ms. Minneci explained that Mr. West followed-up with the Conn family and they have not replied with any written documentation from prior administration on this issue. Mayor Feigelson pointed out that Mr. Tullis was acting as the Conn's attorney and not just an advisor.

City Solicitor Crain said that the Law committee put in a lot of work years ago to prevent such issues and in certain occasions they had land owners sign licensing agreements with expirations included.

Council member Cowan reported that staff updated the Buildings and Grounds committee on membership changes in the Green Areas Advisory Committee. Mrs. Ann Gibson has been recommended to fill the vacancy left by former Chairperson Mike Morgan. In addition, another vacancy is looking to be filled due to a current member's resignation. The Buildings and Grounds committee also discussed changing the meeting schedule to every other month. Staff will continue those discussions with the Green Areas Chairperson and Committee.

Council member Cowan reported that the Buildings and Grounds committee considered a request from the equestrian community to fund a bridle trail master plan study within the Bridle Trail Fund. The purpose of the plan is to develop a long term strategic plan to preserve, improve and maintain the bridle trail system. The request included deferring the cost with current donations from the Indian Hill Equestrian Club and residents; however, a significant portion would need to be funded through the Bridle Trail Fund which is subsidized by the General Fund. She said that in its discussion, the Buildings and Grounds committee considered a significant amount of information: 1) the Village's equestrian heritage; 2) the uniqueness of the bridle trail system; 3) the increased financial support to the Bridle Trail fund over the years; and 4.) Council's commitment to having the Bridle Trail Fund become self-sufficient as it did with the Shooting Club and Rowe Arboretum. After a very lengthy discussion, the Buildings and Grounds committee recommended that it would favor the master plan study only if it were fully funded through donations or outside sources. Moreover, the Buildings and Grounds committee discussed how the bridle trail permit fees have not been raised since 2000. In Council's efforts to work toward making the Bridle Trial Fund self-sustaining, timing is appropriate to evaluate these fees to determine a fair and reasonable cost increase.

Council member Cowan said that throughout all of these discussions, staff would be happy to assist with marketing fundraising efforts through the Village Bulletin and website. In addition, staff would work with the equestrian community to develop an internal survey of bridle trail users and utilize staff knowledge to bring about results similar to those expected from the proposed master plan study.

PUBLIC WORKS COMMITTEE REPORT: Council member Barber directed Council's attention to a memo titled, "*Public Works Committee*". She reported that the Public Works committee met on November 8, 2016 to review several items in advance of the Council meeting.

Council member Barber reported that Mr. Adkins provided the departmental activity report, a copy of which is included in the Council packet. She explained that staff continues to trim honeysuckle, clear right-of-way trees and limbs and mowing throughout the Village. The Public Works department also concentrated on restoring areas where tree stumps have been removed and clearing leaves out of ditch lines.

Council member Barber reported that Mr. Adkins gave an update on the recent testing process for the Service Maintenance position that is occurring due to upcoming retirements and the filling of two vacancies within the department. Sixty-nine applications were received and sixty-two of those applicants took the civil service test. Out of the sixty-two test takers, twenty-six people received 80% or higher. The Public Works staff will interview these twenty-six people over the next several days. Once the test and interview scores are calculated, an active eligibility list will be posted for use in future hiring's.

Council member Barber reported that Mrs. Wade-Dorman presented the project management report, a copy of which is included in the Council packet. She provided an update on ODNR's tunnel drainage issues at Shawnee Run Road and State Route 126. ODNR anticipates the bike path will reopen by next week. In addition, the Village is working with KZF Design engineers to survey the failed floor on the Village culvert adjacent to ODNR's project. Upon completion of the survey, staff will define a course of action based on immediate and long terms needs as well as grant opportunities. Council member Barber also reported that Mrs. Wade-Dorman discussed the commencement of the Demar Road pier wall project. Demar Road will close on November 9th and remain closed for approximately 90 days while the project is completed. Ms. Minneci said that she thought that there was a good possibility that Shawnee Run Road would open on Friday, November 18th.

Council member Barber reported that Mr. West presented a draft Resolution for the City Manager to enter into a Duke Energy Gas Main Extension Agreement that will make natural gas service available to 96 residents (43 have signed up to connect to the gas main) along Indian Hill Road (east of Drake), Stonebarn Road, Voorhees Drive, Ivyfarm Road, Willow Hills Lane, Old Indian Hill Road and Red Fox Lane. After discussion with this Public Works and Law committees, the Public Works Committee recommends approval of the Resolution allowing the City Manager to enter into a Duke Energy Gas Main Extension Agreement.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A GAS MAIN EXTENSION AGREEMENT, IN SUBSTANTIAL FORMAT, WITH DUKE ENERGY OHIO, INC., TO EXTEND A GAS MAIN ALONG INDIAN HILL ROAD, IVYFARM ROAD, STONEBARN ROAD, VOORHEES DRIVE, WILLOW HILLS LANE

OLD INDIAN HILL ROAD AND RED FOX LANE was presented and read.

Upon motion by Council member Barber, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Feigelson declared Resolution **15-16** adopted.

Ms. Minneci said that since the Public Works committee meeting there have been two additional residents sign-up for this program so therefore there will be no cost involved.

Council member Barber reported that after discussions throughout the negotiation process, the Public Works committee agreed to recommend approval of a Resolution authorizing the City Manager to enter into a renewed collective bargaining contract with the American Federation of State, County and Municipal Employees Ohio Council 8 AFL-CIO based on the tentative agreements signed by the Village Solicitor, management and AFSCME representatives.

A RESOLUTION AUTHORIZING THE MAYOR, CITY MANAGER AND PUBLIC WORKS/WATER WORKS SUPERINTENDENT TO ENTER INTO A RENEWED COLLECTIVE BARGAINING AGREEMENT WITH AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES OF OHIO COUNCIL 8 AFL-CIO was presented and read.

Upon motion by Council member Barber, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Feigelson declared Resolution **16-16** adopted.

WATER WORKS REPORT: Mayor Feigelson directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". He reported that the Water Works committee met on November 8, 2016 to review several items in advance of the Council meeting.

Mayor Feigelson reported that Mr. Adkins provided the departmental activity management report, a copy of which is included in the Council packet. He said that Mr. Adkins highlighted that staff repaired five water main break repairs and dirt restorations associated with those breaks. Waterline inspections continued at Blome Road, Buckingham Road and Cincinnati Country Day.

Mayor Feigelson reported that Mrs. Wade-Dorman provided the project management report, a copy of which is included in the Council packet. He said that she indicated that the engineering continues on the high service pump while the pump itself will take approximately four to six months to be delivered. All testing and connections to residential services for the Blome Road water main replacement project has been completed. Asphalt repairs have begun with the finished product expected by the end of next week.

Mayor Feigelson reported that Ms. Minneci provided the Water Works committee with an update on the gas aggregation program. Energy Alliances, Inc. the Village's gas aggregation consultant, was able to obtain a competitive rate with Constellation Energy Services for the Village's Natural Gas Aggregation Program. This bid process affords Village residents' more competitive rates for the gas commodity (generation) portion of their Duke Energy bill.

Constellation was able to secure a Flex Down Rate of \$0.4576/ccf that will become effective with the December 2016 meter reading (January invoice) and end with the April 2017 meter reading (May invoice). The advantage of a Flex Down Rate is that a resident's rate may drop below the locked-in price of \$0.4576/ccf if market prices decrease during the locked-in period (December through April). However, the rate will never exceed \$0.4576/ccf regardless of how high the market may go.

This locked in rate compares to last winter's Flex Down Rate of \$0.335/ccf and Duke Energy's current rate of \$0.4775/ccf (for November 2016 billing). The increase in the rate from last year is due to: 1.) a decrease in market production, 2.) an increase in total gas consumption throughout the year compared to 2015, and 3.) an anticipated colder winter with gas consumption levels estimated to be 10% more this winter than last winter.

Residents will be informed about this update through letters that will be received next week, Bulletin articles and the Village webpage.

Mr. Gully explained to Council that if any residents call in they should be told they do not have to do anything. Residents only have to sign a form if they want a change from what the Village has negotiated. Council member Kuenning said that if a resident wants to come into the program from another program they would have to sign some papers.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on November 3, 2016 to review several items in advance of the Council meeting.

Council member McGraw reported that Chief Ashbrock presented the October fire/EMS reports, copies of which are included in the Council packet. Chief Ashbrock indicated to the Safety committee that a total of 873 EMS runs have occurred thus far compared to 925 through October 2015. In addition, there is an increase in the "265 runs" which are defined as two or more calls at the same time. The department also handled four fire runs involving food on the stove and leaf burning.

Council member McGraw reported that Chief Ashbrock gave an update on the Indian Hill firehouse construction. The bay floors were poured last week and the administration side will be poured on November 4th. The contractors have been able to capitalize on the good weather and remain ahead of schedule.

Council member McGraw reported that Colonel Schlie presented the October Ranger report, a copy of which is included in the Council packet. ID thefts continue to be prevalent throughout the Village and deer season has commenced.

Council member McGraw reported that staff led a discussion about the Bits & Pieces section in the Indian Hill Bulletin. Due to suspicious activity over the years, staff feels that the Bits & Pieces section can increase exposure to unsafe situations and provide a false sense of security to Village residents. In a survey of nearby communities with neighborhood publications, only one other offered advertisements. However, they only print business cards of their own local merchants and do not include the selling of items. Although local background checks are done on the advertisers, it neither guarantees the vendors are reputable nor does it guarantee the validity of any subcontractors they may use. He said that after reviewing the points of interest, staff recommended, and the Safety committee agreed, to eliminate the Bits & Pieces

section beginning in 2017. To prepare the vendors, Bulletin articles will be written and contact will be made with repetitive advertisers. Staff also will recommend that they contact the Indian Hill Living magazine and/or the Indian Hill Journal for future advertising needs.

Council member McGraw reported that after discussions throughout the negotiation process, the Safety committee agreed to recommend approval of a Resolution authorizing the City Manager to enter into a renewed collective bargaining contract with the Ohio Patrolmen's Benevolent Association (OPBA) based on a tentative agreement signed by the Village Solicitor, management and OPBA representatives

A RESOLUTION AUTHORIZING THE MAYOR, CITY MANAGER AND POLICE CHIEF TO ENTER INTO A RENEWED COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA) was presented and read.

Upon motion by Council member McGraw, seconded by Council member Cowan the Resolution was passed by unanimous voice vote. Mayor Feigelson declared Resolution **17-16** adopted.

Council member Kuenning said that he thanks Ms. Minneci and Mr. Crain for the many hours that they have put into the contract negotiations. It was very challenging and they put in many hours to finalize the contract. He thanked them for all their efforts and accomplishments with this agreement. The Village wants to put more emphasis on HR in the future years to work on this process. Ms. Minneci said that she thanks Mr. Gully and Mr. Adkins for all of the work they put in to the contract and they are on the "front lines" having to work through the details.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on October 18, 2016 to review two issues.

Council member Thayer reported that the Planning Commission approved a request for authorization to build a new single family residence on a non-conforming lot of record by Artisan Estates Home, LLC. The property is located at 9845 Cunningham Road.

Council member Thayer reported that the Planning Commission conditionally approved a request for a special exception to install new wireless equipment and antenna on two former Cincinnati Bell Telephone micro-cell poles for wireless communication services by Verizon Wireless. The poles are located at 5535A and 4662A Miami Road.

Council member Thayer reported that the agenda for November 15, 2016 includes Case #16-017. He explained that Mike Wentz, on behalf of the owners, Jared and Bridget Davis, is requesting a variance and authorization to expand a non-conforming home on a non-conforming lot to construct an addition to the rear of the existing home. The applicant is requesting a variance to the front yard setback. The property is located at 7727 Shawnee Run Road.

CITY MANAGER'S REPORT: Ms. Minneci reported the following:

- The Village offices will be closed on November 24th and November 25th in observance of Thanksgiving.
- Chief Schlie said that the FATS (Firearms Training Simulator) will be at the Rangers. It is a firearms simulation machine. You play the role of police officer and situations are projected on the wall and decisions have to be made rather quickly on how to handle the situation. The equipment will be at the Village from December 5th to December 25th and invitations to Council will be sent out to use the simulator. Ms. Minneci explained that this is a very expensive machine, however, the Village is in a group with other law enforcement agencies and the cost and use are shared amongst them.

Mayor Feigelson said that he thanks the Veterans committee for putting together the Veterans Day program.

Ms. Minneci requested an Executive Session for purpose of the appointment, promotion or compensation of a public employee.

Council member Kuenning made a motion that Council to move to Executive Session for purpose of the appointment, promotion or compensation of a public employee. The motion was seconded by Council member Cowan and was passed by unanimous roll call vote. Council moved into Executive Session.

Council returned from Executive Session, there being no further business to come before Council, Mayor Feigelson declared the meeting adjourned.

Respectfully submitted,

Daniel J. Feigelson, Mayor

ATTEST:

Paul C. Riordan, Clerk