

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
December 14, 2015**

A meeting of the Indian Hill Village Council was held on December 14, 2015 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. Jon West, 6525 Drake Road

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

MINUTES: The minutes of the regular meeting of November 16, 2015 had previously been distributed to each Council member. Council member Kuenning made a motion to accept the minutes, which was seconded by Council member Armstrong and was approved as issued 7-0.

ORGANIZATIONAL MINUTES: The minutes of the Organizational meeting of December 1, 2015 had previously been distributed to each Council member. Council member McGraw made a motion to accept the minutes, which was seconded by Council member Barber and was approved as issued, 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 December 4, 2015 to review several items in advance of the Council meeting.

Council member Kuenning also directed Council's attention to the November 2015 financial statements which were included in the Council packet. He reported the following financial report.

- a. **Income Tax Receipts:** The Village received \$67,537 which is \$1,000 more than received in November 2014. Year-to-date income tax receipts equal \$10,180,000 which is approximately \$809,000 more than received through November 2014 and equates to 101% of budget. It is forecasted that total receipts for 2015 will equal \$12,200,000 to \$12,300,000.
- b. **Real Estate Tax:** The Village received no real estate tax in November which brings the year-to-date total to \$760,417.

- c. **Operating Disbursements:** Total November operating expenditures equate to \$951,590 which is \$125,000 more than November 2014. This difference is due to a timing difference with various payments and increase in income tax refunds.
- d. **CIRF:** Disbursements for the month totaled \$251,304. This disbursement includes culvert and landslide repairs, waste collection equipment purchase and semi-annual bond payments.
- e. **Water Works Receipts:** Water usage receipts for November were \$305,003 which is approximately \$78,000 more than November 2014 receipts. This is due to the timing of the receipt of payments. Year-to-date receipts equate to \$2,085,849 and are approximately \$95,418 more than 2015 year to date and 86.9% of budget.
- f. **Water Works Disbursements:** Total November operating disbursements of \$157,584 were less than November 2014 by \$529,000 due to a delay in receiving the MSD sewer reimbursement invoice.
- g. **Water Works CRF:** Total November expenditures equate to \$254,257. This represents semiannual bond payments and water treatment plant improvements.
- h. **Cash and Investments:** Total month end cash and investments were \$32,503,346 compared to \$33,576,529 in October 2015 and \$23,640,055 at November 30, 2014.
- i. **Rowe Funds:** The market value as of November 30, 2015 was \$3,082,486. The unrecognized gain was \$552,282. Total monthly income equated to \$23,892 with monthly expenses totaling \$36,501.
- j. **Green Areas Funds:** The market value as of November 30, 2015 was \$2,220,071. The unrecognized gain is \$940,949. Total monthly earnings equate to \$22 with monthly expenses totaling \$2,109.
- k. **Long Term Debt:** The payment of the outstanding bond issues was reported in November in the amount of \$438,923. The 2009 Administration Building Bonds have approximately three more years and they will be completely amortized.

The financial statements for November 2015 had previously been distributed to each Council member. There being no exceptions noted, the financial statements were accepted as issued.

Council member Kuenning reported that the Finance committee discussed and recommended the Resolution requesting the County Auditor to make advance payment of taxes. This Resolution allows the Village to receive estimated real estate taxes in advance of the semi-annual payments. This Resolution is done on an annual basis to ensure the County auditor forwards any tax distributions due the Village in a timely manner.

**A RESOLUTION REQUESTING THE COUNTY AUDITOR TO
MAKE ADVANCE PAYMENTS OF TAXES** was presented and read.

Upon motion by Council member Kuenning, seconded by Council member Cowan, the Resolution was passed by unanimous voice vote. Mayor Feigelson declared Resolution **18-15** adopted.

Council member Kuenning reported that the Finance committee reviewed the Village's income tax Ordinance, which included revisions, in order to assure compliance with HB5 and HB64 changes as well as mandated passage by December 31, 2015. Council member Kuenning said that the Finance committee recommends the third and final reading and passage of the Ordinance on an emergency basis.

AN ORDINANCE TO AMEND CHAPTER 93 OF THE CODIFIED ORDINANCES OF THE CITY OF THE VILLAGE OF INDIAN HILL REGARDING MUNICIPAL INCOME TAX, AND DECLARING AN EMERGENCY was presented and read for the third reading.

Upon motion by Council member Kuenning, seconded by Council member Thayer the rules were suspended by unanimous roll call vote. Upon motion by Council member Kuenning, seconded by Council member Barber, the Ordinance was passed by unanimous roll call vote. Mayor Feigelson declared Ordinance **07-15** enacted.

Council member Kuenning reported that the Finance committee reviewed a draft of an Ordinance amending the 2015 Appropriations Ordinance to allow for additional expenditures of \$45,000 in the General Fund for contractual services, \$17,000 in the Rowe Arboretum Fund for unanticipated greenhouse repairs, and \$1,860,000 in the Income Tax Fund for income tax refunds and retirement reserve fund transfer. He said that the Finance committee recommended emergency passage of the Ordinance.

Council member Kuenning moved that the rules be suspended for the purposes of the following five Ordinances: Ordinance amending the 2015 Appropriations Ordinance, the Appropriations Ordinance for 2016, the pay Ordinances for the Police Department, Public Works and Water Works Departments and non-contract employees. The motion was seconded by Council member Thayer and the rules were suspended by unanimous roll call vote.

AN ORDINANCE AMENDING ORDINANCE 05-15 AND MAKING APPROPRIATIONS FOR THE EXPENSES OF THE VILLAGE OF INDIAN HILL FOR THE FISCAL YEAR, 2015 AND DECLARING AN EMERGENCY was presented and read.

Upon motion by Council member Kuenning, seconded by Mayor Feigelson, the Ordinance was passed by unanimous roll call vote. Mayor Feigelson declared Ordinance **08-15** enacted.

AN ORDINANCE MAKING APPROPRIATIONS FOR THE EXPENSES OF THE CITY OF THE VILLAGE OF INDIAN HILL FOR THE FISCAL YEAR 2016 AND DECLARING AN EMERGENCY was presented and read.

Council member Kuenning explained that there have been only minimal changes made to the budget expenditures since the November 16, 2015 Public Hearing.

Upon motion by Council member Kuenning, seconded by Council member Cowan, the Ordinance was passed by unanimous roll call vote. Mayor Feigelson declared Ordinance **09-15** enacted.

Council member Kuenning explained that the Finance committee reviewed the three Ordinances related to salary and hourly ranges for 2016 for the Police Department, the Public Works and Water Works and the non-contract employees. These Ordinances define the minimum and maximum pay ranges for all positions within the Village in addition to vacation, longevity, sick time and other benefits. Any contractual obligations are also included in the Ordinances. Council

member Kuenning explained that these pay Ordinances are necessary for pay increases that could start January 1, 2016. He said that the budget includes a 3% increase; however, not everyone will receive this amount.

AN ORDINANCE FIXING THE COMPENSATION OF THE POLICE DEPARTMENT OF THE CITY OF THE VILLAGE OF INDIAN HILL, REPEALING ORDINANCE 09-14 AND DECLARING AN EMERGENCY was presented and read.

Upon motion by Council member Kuenning, seconded by Council member Thayer, the Ordinance was passed by unanimous roll call vote. Mayor Feigelson declared Ordinance 10-15 enacted.

AN ORDINANCE FIXING THE COMPENSATION OF EMPLOYEES OF THE PUBLIC WORKS AND WATER WORKS DEPARTMENTS OF THE CITY OF THE VILLAGE OF INDIAN HILL, REPEALING ORDINANCE 10-14 AND DECLARING AN EMERGENCY was presented and read.

Upon motion by Council member Kuenning, seconded by Council member Barber, the Ordinance was passed by unanimous roll call vote. Mayor Feigelson declared Ordinance 11-15 enacted.

AN ORDINANCE FIXING THE COMPENSATION OF PERMANENT EMPLOYEES OF THE CITY OF THE VILLAGE OF INDIAN HILL, NOT COVERED BY ORDINANCES, 10-15 AND 11-15, REPEALING ORDINANCE 11-14, AND DECLARING AN EMERGENCY was presented and read

Upon motion by Council member Kuenning, seconded by Council member Thayer, the Ordinance was passed by unanimous roll call vote. Mayor Feigelson declared Ordinance 12-15 enacted.

LAW COMMITTEE REPORT: Council member Armstrong directed Council's attention to a memo titled, "*Law Committee*". He reported that the Law committee met on December 3, 2015 to review several items in advance of the Council meeting.

Council member Armstrong reported that Mr. Crain presented the November/December legal activity report. The report included updates on real estate questions, contract review, environmental regulations, Income Tax Ordinance review and Planning Commission. Mr. West also provided clarification on the work associated with Green Areas donations. Background also was provided regarding a court case that is awaiting a trial date in 2016.

Council member Armstrong reported that staff indicated that they are meeting with Mr. Crain to discuss creating draft legal documents for the transfer of two pieces of property associated with the fire station construction. Drafts will be provided to Council for review upon receipt.

Council member Armstrong reported that staff provided the Law committee a resident's request to create legislation banning bamboo within the Village. Preliminary information has been received and is being reviewed.

Council member Armstrong reported that staff indicated that Mr. George Glover's term on the Personnel Advisory & Appeals committee is expiring on December 31, 2015. The Law committee recommends Mr. Glover be reappointed for another six year term.

A RESOLUTION APPROVING THE REAPPOINTMENT OF GEORGE GLOVER TO THE CITY OF THE VILLAGE OF INDIAN HILL PERSONNEL ADVISORY AND APPEALS BOARD was presented and read.

This Resolutions affirms the reappointment of Mr. George Glover to a six year term on the Personnel Advisory and Appeals Board commencing on January 1, 2016 and ending December 31, 2021.

Upon motion by Council member Armstrong, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Feigelson declared Resolution **19-15** adopted.

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 December 8, 2015 to review several items in advance of the Council meeting.

Council member Cowan reported that Mr. Adkins provided the Buildings and Grounds committee with the departmental activity report, a copy of which is included in the Council packet. Mr. Adkins highlighted the maintenance performed throughout all the parks, green areas and bridle trails and he said that approximately 80 acres of Indian Hill property is mowed with an outside contractor. The property located within green areas, the Administration building, cul-de-sacs, the Veterans Memorial, portions of Grand Valley and Rowe Arboretum are mowed by Village personnel due to specific requirements and detail work associated with these areas.

Council member Cowan reported that Mr. Kipp provided the Buildings and Grounds committee with the Project Management report, a copy of which is included in the Council packet. Mr. Kipp highlighted to the Buildings and Grounds committee that ten pavers for the Veterans Memorial have been purchased in 2015. This is the most purchased in one year since the Memorials' installation. Mr. Kipp also highlighted the construction of a new kiosk near Grand Valley's boat ramp.

Council member Cowan reported that Mr. Kipp provided details of the new Ranger building that is also being constructed at Grand Valley. This will be the new home for the part-time employees who maintain, protect and enforce rules at Grand Valley. The construction should be completed by the end of January.

Council member Cowan reported that staff presented the Buildings and Grounds committee with a picture of the new pedestrian gate that has been created at Rowe Arboretum. The funding for

the construction and installation of the gate was donated by Indian Hill resident Turner Hunt. The Buildings and Grounds committee members, staff and Village are extremely grateful for this generosity. It will be a welcomed addition to the Arboretum.

Council member Cowan reported that staff provided the Buildings and Grounds committee with an update on repairs that are needed to the Rowe Arboretum greenhouse. Several glass panels were broken over this past month. The panels are approximately 20-25 years old. In order to preserve the greenhouse and its content, the repairs will be needed this year. Costs from the repairs equate to about \$8,500 to repair all the panels compared to \$7,700 for only the broken panels. The small difference between the two is due to the fact that much of the cost revolves around shipping. These expenditures have been included in an Ordinance which was covered previously in the Council meeting.

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 December 8, 2015 to review several items in advance of the Council meeting.

Council member Barber reported that Mr. Adkins provided the Public Works committee with the departmental activity report, a copy of which is included in the Council packet. Mr. Adkins highlighted the locations of leaf removal from ditch lines as well as blacktop repairs. He also highlighted that the annual holiday scene has been erected in the Bird Sanctuary. No one 'stole' baby Jesus. The figurine was unable to be located and another was being purchased.

Council member Barber reported that Mr. Kipp provided the Public Works committee with the project management report, a copy of which is included in the Council packet. Mr. Kipp provided the breakdown of the five bids that were received for the Weil Road landslide repairs. Even with the inclusion of an alternate bid for the fourth section, the lowest and best bid came in at \$241,910 which is approximately \$17,000 below what remains in the 2015 land slide contingency line item. In order to ensure an overall effective project, the Village will contract for drilling inspection and concrete testing.

Council member Barber reported that Mr. Adkins provided the Public Works committee with a summary of his discussions with the Village's consultant on the Blome Road project. Options and revised pricing is still being researched. Options include looking at the road repairs in smaller phases rather than one, big project. The first priority would be to ensure the water stays away from the road. Consequently, the first phase would be to create a more defined drainage system that could include materials such as flexi mat to help erosion in the higher water flow areas. This may be able to be accomplished under the Water Works portion of the project. As the research and separate phases become more defined, a revised plan will be presented for the Public Works committee's consideration. In addition, staff will continue to work with grant opportunities to assist with the smaller, phased-in projects.

Council member Barber thanked the Village staff for their perseverance and driving to get grant money for this project.

WATER WORKS REPORT: Mayor Feigelson directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". He reported that the Water Works and Deregulation committee met on December 8, 2015 to review several items in advance of the Council meeting.

Mayor Feigelson reported that Mr. Adkins provided the Water Works and Deregulation committee with the departmental activity report, a copy of which was included in the Council packet. There was no Project Management report.

Mayor Feigelson explained that Mr. Adkins highlighted that 71 water main break repairs have occurred thus far in 2015. This amount compares to approximately 100 plus that occurred throughout all of 2014. Mayor Feigelson said that Mr. Adkins also indicated that the bids for the water softener salt were received. Currently, the price paid by the Village is \$93.05/ton. The lowest bid came in from Compass Minerals at about \$108.40. Although this is a 16% increase, the total cost for 2016 will be weather dependent. Consequently, he said that staff will monitor usage throughout 2016 to understand if a future additional appropriation may be needed to account for this unanticipated increase in pricing. Mayor Feigelson explained that the fewer water main breaks is the result of the weather which has been milder during 2015.

Mayor Feigelson reported that Mr. Adkins gave the Water Works committee an overview of the switchboard replacement associated with the Water Works' transformer. The bids for this project were due on December 8, 2015. Ms. Minneci explained that Mr. Adkins has received the bids and is currently reviewing them. Mayor Feigelson said that the replacement of the switchboard in addition to the slab work repair is estimated at \$223,000. Currently, four bids have been received.

Mayor Feigelson reported that Mr. Jeff Drescher was the chosen candidate from the list of civil service candidates to fill the open Service Maintenance position that occurred due to the retirement of Mr. Greg Crotty. Although Mr. Crotty worked in Public Works, Water Works employee Evan Williams took advantage of the transfer opportunity into Public Works. Consequently, this transfer left an open position within Water Works. Mr. Drescher began work in December. He previously had acquired all of his appropriate vehicle licenses and the department will work with him to obtain his water certifications. He is very experienced in equipment operations. Mayor Feigelson said that we look forward to watching Jeff do well within the department.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on December 3, 2015 to review several items in advance of the Council meeting.

Council member McGraw reported that Chief Ashbrock was unable to present the November Fire/EMS report at the meeting due to computer issues; however, the report is attached to the meeting minutes. He reported that Chief Ashbrock provided a timeline of the Madeira fire station construction. Currently, the building is three weeks behind schedule but the amenable weather may allow for opportunity to catch up with future deadlines. Chief Ashbrock also highlighted that a vehicle fire took place on Cunningham Road.

Council member McGraw said that the Joint Fire District also completed its Lieutenant promotional process. Firefighter/paramedic John Lynch has been named a Lieutenant with the department.

Council member McGraw reported that Colonel Schlie presented the Rangers' Activity Report for November, a copy of which is included in the Council packet. He said that Colonel Schlie also highlighted that six Rangers have taken the Lieutenants' promotional test and will be interviewed on December 7,

2015. After the test and oral interview scores are accumulated, the final results of the civil service process will be completed with the posting of the combined scores of the six candidates. The Village utilizes the Rule of 3 in its Lieutenant promotional process. Whoever is chosen for the promotion amongst the top three candidates will take the place of retiring Lieutenant Rich White in January.

Council member McGraw reported that Colonel Schlie indicated that those who participate in the Village's deer hunting program contend that the deer population remains low in the Village. Colonel Schlie and the committee also discussed the coyote population and how the Village works with the residents when coyotes are spotted or incidents occur.

Council member McGraw reported that Mr. Aaron provided the Safety committee with an update on the alarm transitioning program. The 40 plus year old Dangel alarm monitoring system will be disconnected on December 31, 2015 and be replaced by an upgraded monitoring system. For two years, Village staff has been working with residents to inform them about the reason for the transition and what is required in order for their homes, if they wish, to remain connected directly to the Rangers' station. In October, he said that 350 letters were sent to those who have not inquired about the new system. As of December 1st, 879 alarms have been upgraded to the new system. Final notification began this month with personal contact with those who have yet to convert. The following data summarizes the process thus far:

- 86 residents have yet to decide if they will switch
- 108 have declined to transition
- 24 are in the process of converting
- 67 cannot be contacted

Council member McGraw said that the Village staff will continue to work over the rest of the year to make contact to assure everyone is aware of what will be occurring on December 31, 2015.

Mayor Feigelson said that Council commends the fine job that the Rangers did with a very scary burglary and break-in which occurred recently. He said that as a result of their speedy action and the coordination with the City of Madeira, suspects were apprehended and with good cases against them.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on November 17, 2015 to review several issues.

Council member Thayer reported that the Planning Commission approved a side yard setback variance request by Jeffrey Betts for the construction of a three-bay detached garage to the rear of the home on a non-conforming lot. The property is located at 6420 Miami Road.

Council member Thayer reported that the Planning Commission granted the approval of the re-subdivision of lots 17 and 18 of Annesdale subdivision, Section A. The request was to adjust the common lot line between two existing lots. The Planning Commission also approved adding resource protection areas on lot 18.

Council member Thayer reported that a request by Patrick and Elizabeth Beiter to build a new residence on a non-conforming lot of record, per Section 81 of the Zoning Ordinance, was approved. The property is located at 4725 Walton Creek Road.

Council member Thayer reported that the Planning Commission held a public work session to review building design and site plans updates for the Indian Hill Fire Station located at 6475 Drake Road.

CITY MANAGER'S REPORT: Ms. Minneci reported that the Administrative offices will be closed from 12 noon on December 24 and on December 25 and also on January 1.

Ms. Minneci reported that the newly appointed Council will have a Goal Session meeting on January 20, 2016 at 7:30 am in Council Chambers.

Ms. Minneci reported that everyone should have received an invitation to the Retirement Luncheon for Lt. Rich White and Mr. George Kipp which will be held on January 8, 2016. There will be two separate Open Houses – January 8th for Lt. White and January 12th for Mr. Kipp to wish them well in their retirement.

Ms. Minneci requested an Executive Session for purpose of discussing property acquisition and/or sale of property, including real, personal, tangible and intangible.

Council member Kuenning made a motion that Council enter into Executive Session for the purpose of discussing property acquisition and/or sale of property, including real, personal, tangible and intangible. The motion was seconded by Council member McGraw and was passed by unanimous roll call vote. Council entered 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