

**MINUTES OF MEETING  
INDIAN HILL VILLAGE COUNCIL  
December 15, 2014**

A meeting of the Indian Hill Village Council was held on December 15, 2014 at 7:00 p.m. The meeting was held in the Council Chamber of the Village Administration building.

Officials present:

Mr.	Keith M. Rabenold, Mayor
Mr.	Daniel J. Feigelson, Vice-Mayor
Mrs.	Molly R. Barber, Council member
Mrs.	Melissa S. Cowan, Council member
Mr.	Mark D. Kuenning, Council member
Mrs.	Laura S. Raines, 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.	Dave Couch, 6525 Drake Road
Mr.	Donald C. McGraw, 8380 Shawnee Run Road

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

**MAYOR'S COMMENTS:** Mayor Rabenold expressed to Mr. Couch his thanks for all of his service to the Village of Indian Hill and he said that it will be difficult to do without him. Mayor Rabenold said that there would be another tribute to Mr. Couch on December 19, 2014 in the Village Council Chamber from 2:00 p.m. until 4:00 p.m.

**RESOLUTION NO. 13-14  
A RESOLUTION OF APPRECIATION TO DAVID M. COUCH  
FOR HIS SERVICE TO THE CITY OF THE VILLAGE OF  
INDIAN HILL** was presented and read.

**WHEREAS,** David M. Couch began his employment with the City of the Village of Indian Hill on December 18, 1989, and is retiring from his position on December 26, 2014 after more than 31 years of public service; and

**WHEREAS,** David M. Couch began his employment with the Village as the Public Works Superintendent and was promoted to Assistant City Manager on January 1, 2001 ; and

**WHEREAS,** David M. Couch during his tenure with the Village has had the responsibility of supervising the Public Works Department, administering Planning and Zoning, leading the Green Areas Advisory Committee, acquiring Green Area gift donations, overseeing the development of Rowe Arboretum and supervising the Inspection Division; and

**WHEREAS,** David M. Couch was the lead in the construction of the new salt dome, the development of Camp Dennison Park, the mapping and maintenance scheduling of bridle trails, a systematized paving program, and the rewriting of the zoning code; and

**WHEREAS,** David M. Couch was instrumental in the development of leadership skills of Public

Works employees who then led the Public Works department after he was promoted to Assistant City Manager; and

**WHEREAS**, David M. Couch worked diligently with residents in acquiring 523 acres of donated land for the Village's Green Areas endowment; and

**WHEREAS**, David M. Couch continually provided a high level of professional service to the residents of Indian Hill, was instrumental in the creation of the recycling program, has provided a stable infrastructure for the Villages' roads, utilities, and the overall maintenance of the Village; and

**WHEREAS**, David M. Couch is retiring from the Village of Indian Hill and will be pursuing other endeavors, and it is appropriate to recognize his valued service to the Village of Indian Hill.

**NOW, THEREFORE, BE IT RESOLVED BY THE  
COUNCIL OF THE CITY OF THE VILLAGE OF  
INDIAN HILL, OHIO:**

Section 1. That there be spread upon the records of the Village of Indian Hill this resolution of special thanks and sincere appreciation to David M. Couch for his good and valuable service as the Public Works Superintendent and Assistant City Manager for twenty-five years of service from December 18, 1989 to December 26, 2014 to the Village of Indian Hill and to wish him the very best on this major and meaningful life milestone decision.

Section 2. That a copy of this resolution be given to David M. Couch in recognition of his extraordinary contribution of time, effort, and expertise given in the interest of the Village of Indian Hill and its residents and to wish Dave and his wife Debbie many happy and healthy years in his retirement.

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Keith M. Rabenold, Mayor

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Daniel J. Feigelson, Vice Mayor

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Laura S. Raines, Council member

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Molly R. Barber, Council member

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Mark D. Kuenning, Council member

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Melissa S. Cowan, Council member

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Abbot A. Thayer, Council member

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Paul C. Riordan, Clerk

Upon motion by Mayor Rabenold, seconded by Council member Kuenning, the Resolution was passed by unanimous voice vote. Mayor Rabenold declared Resolution number **12-14** adopted.

**MINUTES:** The minutes of the regular meeting of November 17, 2014 had previously been distributed to each Council member. Council member Kuenning made a motion to accept the minutes, which was seconded by Council member Thayer and was approved, 7-0.

**FINANCE COMMITTEE REPORT:** Council member Kuenning directed Council's attention to a memo titled, "*Finance Committee*". He explained that the Finance committee met on December 5, 2014 to review several issues in advance of the Council meeting.

Council member Kuenning also directed Council's attention to the November 2014 financial statement packet. He provided the following November 2014 financial report.

Council member Kuenning explained that the financial statements have been reformatted at this time particularly due to a new Finance Director/Tax Commissioner coming on board at the start of 2015 and this is a good time to determine if any changes are needed to the statements. He explained that income tax receipts are now shown on a cash basis. The prepayments have been eliminated from the statement. He said that the Finance committee believes that although showing the prepays is helpful, that it is best to keep them off of this statement. The cash receipts for 2014 and 2013 shown on the statements are now on a cash basis.

Council member Kuenning explained that the Finance committee believes that several of the account descriptions have become obsolete. For example, the Estate Tax receipts have been eliminated and will not be shown separately in following years. Interest rates are so low that the Finance committee felt that it would be better served to discontinue showing them separately on the statements and that other larger receipts would be added to the statement. Therefore, accounts for alarm fees, license and gas tax, and streets and local government state and county fund receipts have been added to the statement. He explained that these reclassifications bring "Other Receipts" year-to-date down to \$620,000 which compares to \$3,410,000 in 2013 which included \$2,700,000 in Estate Tax receipts.

Council member Kuenning also pointed out that the Camp Ross (Shooting Club) has been combined in the disbursements section of the financial statement with the Bridle/Jim B accounts.

Council member Kuenning directed Council's attention to the Interoffice Memo enclosed with the financial statements which shows the income tax receipts received each month for 2014 versus 2013. He explained that this statement would be used by the Finance committee to analyze receipts on a cash basis and on a tax year basis.

Council member Kuenning reported that the 2005 and 2009 bond principal and interest payments totaling \$716,000 were made in November and charged to the Capital Improvement Replacement Fund. He explained that the receipts for the sale of water to Madeira are now reflected as a separate item in the Water Works Statement of Receipts and Disbursements. He explained that the City of Cincinnati no longer wanted to be responsible for large maintenance expenses related to the infrastructure in Madeira and Terrace Park so they increased the water rates for the residents of Madeira and Hamilton County by 25% and separate funds were set up to maintain the infrastructure. He said that going forward we are reflecting the collection of the receipts for the sale of water and also the disbursements to Madeira for the maintenance reimbursement. The agreement with Madeira states that we will allow Madeira to hold these revenues and then when we make expenditures for Madeira infrastructure, Madeira will reimburse the Village of Indian Hill.

Council member Kuenning reported that the payments for 2005 and 2009 Water Works bonds were paid in November and charged to the Water Works Capital Reserve Fund in the amount of \$328,000.

Council member Kuenning highlighted on the Statement of Cash and Investments and Fund Balances that approximately seven small fund balances were combined into one heading titled, "*Miscellaneous Funds*" in the amount of \$21,915. He said that the Finance committee believes this will simplify the statement and make it somewhat cleaner.

Council member Kuenning reported that the total of cash and investments decreased approximately \$1,900,000 during November 2014 bringing the balance down to \$23,640,000. He said that this is nothing unusual and it was a result of funding normal operations.

Council member Kuenning reported that 2005 construction bonds were paid off in November 2014. He explained that it would no longer be necessary in 2015 to reflect the liabilities for vacation, sick leave and termination benefits accrued on the Long Term Debt Statement because a separate fund is being set-up for these liabilities. In addition he said, the health insurance pool liability is expected to be zero in the near future.

Council member Kuenning reported that the Rowe Arboretum fund investments are up 1.89% and investments continue to do well. He explained that the fund has an unrecognized gain of \$932,000. He explained that the Rowe Arboretum is almost to the point where it can fund its own operations with current income and that the Village no longer subsidizes the Rowe Arboretum. The operating deficit is down to \$4,000 however, the fund has recognized gains of \$185,000 during the year.

Council member Kuenning reported that the investments of the Green Areas and Recreational fund are doing well and increased 2.4% for November 2014. The fund has an unrecognized gain of \$931,000 and expenses are tracking under budget.

The financial statements for November 2014 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 reviewed and recommended the third and final reading of an Ordinance establishing two revenue funds for retirement benefit reserves within the General Fund and the Water Works Fund.

**AN ORDINANCE ESTABLISHING TWO FUNDS FOR RETIREMENT BENEFIT RESERVE WITHIN THE GENERAL FUND AND THE WATER WORKS FUND** was presented and read for the third reading.

Upon motion by Council member Kuenning, seconded by Council member Feigelson, the Ordinance was passed by unanimous roll call vote. Mayor Rabenold declared Ordinance number **06-14** enacted.

Council member Kuenning reported that the Finance committee discussed and recommended the Resolution requesting the County Auditor to make advance payments of taxes. He explained that 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 Rabenold declared Resolution number **14-14** adopted.

Council member Kuenning reported that he gave the Finance committee a legislative update on House Bill 5. He said that it has passed the State Ways and Means committee and has been passed by the Senate. He explained that the Bill included 30 amendments made at the last second by the Ways and Means committee. The House has concurred on the changes and the Bill is now on the Governor's desk for passage. He said that it continues to be a contested Bill because many municipalities believe that they will suffer revenue harm as a result of having to implement the standardizing features which are part of the HB 5. It is still expected that Governor Kasich will pass the Bill. The Bill will take effect for tax years beginning January 1, 2016 which means it will be nearly two years before any tax returns are received under the new law.

He said that the good thing for the Village of Indian Hill is that it was able to secure an exception which allows the Village of Indian Hill to continue to tax residents on the basis of Ohio Adjusted Gross Income. He said that it survived all the reviews and received no push-back or complaints for the exception. He said that it is believed that one provision will be a documentation headache for the Village which requires the municipalities to only require the attachment of certain documents to be included with the Village tax returns. It allows for the attachment of the Federal 1040 form however, the Village requires a State IT 1040 to be attached to the Village tax return. The Bill writer said that it is too late to do a technical amendment however, they will make an effort to make some technical amendments in the upcoming year.

Upon motion by Council member Kuenning, seconded by Council member Thayer, the rules were suspended by unanimous roll call vote for the following six Ordinances.

**AN ORDINANCE ESTABLISHING A FIREHOUSE  
CONSTRUCTION FUND AND DECLARING AN EMERGENCY**  
was presented and read.

Council member Kuenning reported that the Finance committee, after discussion, recommended the second reading and emergency approval of an Ordinance establishing the Firehouse Construction fund and declaring an emergency.

Upon motion by Council member Kuenning, seconded by Council member Feigelson, the Ordinance was passed by unanimous roll call vote. Mayor Rabenold declared Ordinance number **07-14** enacted.

**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 0.575% PROVIDED IN SECTION 93-03a FOR THE TAX YEARS 2014 AND 2015, AND DECLARING AN EMERGENCY** was presented and read.

Council member Kuenning reported that after a lengthy discussion, the Finance Committee recommended the passage of an Ordinance decreasing the income tax rate from 0.6% to 0.575%.

Upon motion by Council member Kuenning, seconded by Council member Cowan, the Ordinance was passed by unanimous roll call vote. Mayor Rabenold declared Ordinance number **08-14** enacted.

Council member Kuenning reported that Ms. Minneci and Mrs. Weber presented the Ordinances related to pay and benefits which contained salary and hourly ranges for 2015. These Ordinances provide for an overall 2% increase. He explained that the salary increases take effect on March 1, 2015.

Council member Kuenning explained that the Ordinances increase the top end of the pay ranges by 2% so that the wage increases can be accommodated that are in the budget. He explained that the lower end of the pay ranges is increased 1%. He said that any other changes in the pay Ordinances would be bolded.

**AN ORDINANCE FIXING THE COMPENSATION OF THE POLICE DEPARTMENT OF THE VILLAGE OF INDIAN HILL REPEALING ORDINANCE 08-13 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 Rabenold declared Ordinance number **09-14** enacted.

**AN ORDINANCE FIXING THE COMPENSATION OF EMPLOYEES OF THE PUBLIC WORKS AND WATER WORKS DEPARTMENTS OF THE VILLAGE OF INDIAN HILL REPEALING ORDINANCE 09-13 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 Rabenold declared Ordinance number **10-14** enacted.

**AN ORDINANCE FIXING THE COMPENSATION OF PERMANENT EMPLOYEES OF THE VILLAGE OF INDIAN HILL NOT COVERED BY ORDINANCES, 09-14 AND 10-14 AND REPEALING ORDINANCE 10-13 AND DECLARING AN EMERGENCY** was presented and read.

Council member Kuenning explained that the Ordinance fixing compensation of permanent employees includes a new position titled, "*Finance Director/Tax Commissioner*" which reflects the same amount of pay as the Finance Director. He said that this is a new position which will start in January 2015. The Ordinance also has a provision for a seasonal employee for the Rowe Arboretum.

Upon motion by Council member Kuenning, seconded by Council member Thayer, the Ordinance was passed by unanimous roll call vote. Mayor Rabenold declared Ordinance number **11-14** enacted.

**AN ORDINANCE MAKING APPROPRIATIONS FOR THE EXPENSES OF THE VILLAGE OF INDIAN HILL FOR THE FISCAL YEAR 2015 AND DECLARING AN EMERGENCY** was presented and read.

Council member Kuenning reported that the Finance committee reviewed the 2015 Appropriation Ordinance which highlights the total expenditures for each fund. He explained that Mrs. Weber provided the Finance committee with an explanation which reconciles the Appropriation Ordinance to the 2015 budget. The only change made since the November 17<sup>th</sup> Public Hearing was an increase in the Firehouse Construction Fund to \$2,000,000 to accommodate distribution of the donated funds of \$1,500,000 as well as estimated expenses. He said that the Finance committee recommends passage of the Ordinance.

Upon motion by Council member Kuenning, seconded by Council member Thayer, the Ordinance was passed by unanimous roll call vote. Mayor Rabenold declared Ordinance number **12-14** enacted.

Council member Kuenning reported that the Finance committee convened into Executive Session to discuss property acquisition and/or sale of property, including real, personal, tangible, and intangible property.

**LAW COMMITTEE REPORT:** Council member Raines directed Council's attention to a memo titled, "*Law Committee*". She reported that the Law committee met on December 4, 2014 to review several items in advance of the Council meeting.

Council member Raines reported that the Law committee convened into Executive Session to discuss property acquisition and/or sale of property, including real, personal, tangible, and intangible property.

Council member Raines reported that Ms. Minneci presented the October/November legal activity report which centered on arbitrations, Fire District discussion, MVRMA cases and Mayor's Court activities.

Council member Raines reported that Mr. Couch provided additional information on the Greenacres' request to modify an agreement with Village Council on the ingress/egress usage of the main entrance off Blome Road. The Village currently is awaiting feedback from Greenacres.

**BUILDINGS & GROUNDS COMMITTEE REPORT:** Mayor Rabenold directed Council's attention to a memo titled, "*Buildings and Grounds Committee*". He reported that the Buildings and Grounds committee met on December 9, 2014 to review several items in advance of the Council meeting.

Mayor Rabenold reported that Messrs. Adkins and Kipp provided the departmental activity and project management reports, copies of which are enclosed in the Council packet.

Mayor Rabenold reported that Mr. Adkins informed the Buildings and Grounds committee that a hitching post project is in its final stages at Kugler Mill fields. The funding for this project was donated by the Indian Hill Equestrian Club.

Mayor Rabenold reported that Mr. Kipp indicated to the Buildings and Grounds committee that there are approximately 80 pavers still available in front of the Veterans Memorial.

Mayor Rabenold reported that staff provided a brief overview of a request from a resident about a possible property purchase. Staff will obtain more information and prepare for further discussions at next month's Buildings and Grounds committee 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 9, 2014 to review several items in advance of the Council meeting.

Council member Barber reported that Messrs. Adkins and Kipp provided the departmental activity and project management reports, copies of which are enclosed in the Council packet.

Council member Barber reported that Public Works had Shawnee Tree working on Shawnee Run Road to remove hazardous trees on Tuesday, December 9<sup>th</sup>. This had been rescheduled from November due to the snow fall. She said that they will be removing trees along the right-of-way from the corporation line near State Route 126 on Shawnee Run Road up to Park Road. The road will be closed from 9:00 a.m. through 3:00 p.m. Although traffic will be detoured during this time, emergency services will have access if needed.

Council member Barber reported that Mr. Kipp provided an overview on the Birdhaven subdivision that will be coming before Planning Commission for conceptual design in December. The lots in the subdivision will be minimum of 5 acres and they are retaining the existing house on the property. Mayor Rabenold asked if the Birdhaven subdivision ran up along

I-275. Mr. Couch replied that it is just north of Broken Sound subdivision. He said that it comprised 32 acres.

**WATER WORKS REPORT:** Council member Cowan directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". She reported that the Water Works committee met on December 9, 2014 to review several items in advance of the Council meeting.

Council member Cowan reported that Messrs. Adkins and Kipp provided the departmental activity and project management reports, copies of which are enclosed in the Council packet.

Council member Cowan reported that Mr. Adkins discussed a waterline inspection taking place on Thomas Road in Madeira which is being funded through state grants and Madeira water customer assessments.

Council member Cowan reported that Messrs. Adkins and Kipp provided an overview of the tap in fees the Village will receive from the Birdhaven subdivision development.

**SAFETY COMMITTEE REPORT:** Council member Feigelson directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on December 4, 2014 to review several items in advance of the Council meeting.

Council member Feigelson reported that Chief Ashbrock presented the Fire/EMS report for November, a copy of which is included in the Council packet. He reported that Chief Ashbrock said that there were five fire runs which involved a kitchen fire, a chimney fire and a lawn mower. Chief Ashbrock explained that EMS runs continue to be higher than last year with 131 more runs in 2014 than in 2013. With this being a consistent statistic all year, the District feels that 2013 must have simply been a lighter year when it came to EMS runs. He said that even with the higher EMS runs, transports remain approximately the same.

Council member Feigelson reported that Colonel Schlie provided the Safety committee with an overview of the Village's accident location tracking system. This system assists in detecting patterns and identifies areas with high accident rates. He said that most accidents can be related to failure to yield, driver inattention and deer.

Council member Feigelson reported that the Safety committee reviewed the Resolution to accept the Madeira & Indian Hill Joint Fire District 2015 appropriation budget. He said that the operating budget requires Indian Hill and Madeira Councils to review and accept the appropriations for the upcoming budget year. The appropriations reconciled with the budget request previously submitted by the District. Council member Feigelson said that the Safety committee recommended passage of the Resolution.

**A RESOLUTION ACCEPTING THE 2015 APPROPRIATIONS  
FOR THE MADEIRA AND INDIAN HILL JOINT FIRE DISTRICT**  
was presented and read.

Upon motion by Council member Feigelson, seconded by Council member Barber, the Resolution was passed by unanimous voice vote. Mayor Rabenold declared Resolution number **15-14** adopted.

Council member Feigelson reported that the Safety committee convened into Executive Session to discuss property acquisition and/or sale of property, including real, personal, tangible, and intangible property. He said that as a result of the meeting, the Safety committee recommended passage of the following Ordinances.

Upon motion by Council member Feigelson, seconded by Council member Kuenning, the rules were suspended by unanimous roll call vote for the following two Ordinances.

**AN ORDINANCE AMENDING ORDINANCE NO. 19-09 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CITY OF MADEIRA AND THE MADEIRA & INDIAN HILL JOINT FIRE DISTRICT AND DECLARING AN EMERGENCY** was presented and read.

Council member Feigelson explained that this is a five year contract which is signed every five years which governs the regulation and cost of the Madeira & Indian Hill Joint Fire District. Council member Feigelson directed Council's attention to paragraph 11 in the enclosed agreement. He explained that the Village of Indian Hill is sharing 50% with the City of Madeira. This includes the expenses and the reimbursements for EMS runs.

Upon motion by Council member Feigelson, seconded by Council member Cowan, the Ordinance was passed by unanimous roll call vote. Mayor Rabenold declared Ordinance number **13-14** enacted.

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE CITY OF MADEIRA AND THE MADEIRA & INDIAN HILL JOINT FIRE DISTRICT FOR CAPITAL FUNDING OF TWO NEW FIRE STATIONS AND DECLARING AN EMERGENCY** was presented and read.

Upon motion by Council member Feigelson, seconded by Council member Cowan, the Ordinance was passed by unanimous roll call vote. Mayor Rabenold declared Ordinance number **14-14** enacted.

**PLANNING COMMISSION REPORT:** Council member Thayer reported that he had no report because the Planning Commission had not met in November due to a lack of agenda items.

**CITY MANAGER'S REPORT:** Ms. Minneci reported that there will be a retirement reception for Dave Couch on December 19<sup>th</sup> from 2:00 p.m. – 4:00 p.m. in Council Chambers and all members of Council and staff are welcome.

Ms. Minneci reported that the Administrative offices will be closed at 12 noon on December 24<sup>th</sup> and all day on December 25<sup>th</sup>. She also explained that the Administrative offices will be closed on January 1<sup>st</sup> as well.

Ms. Minneci requested dates for the meeting to set Village goals for 2015. Council agreed to meet on January 12<sup>th</sup> at 7:30 a.m. in the Village Council Chambers.

Ms. Minneci requested to convene into Executive Session for the purpose of discussing the appointment, promotion, or compensation of a public employee and to consider appointments to the Planning Commission.

Upon motion by Council member Barber seconded by Council member Thayer Council voted unanimously by roll call vote to move into Executive Session for the purpose of discussing the appointment, promotion, or compensation of a public employee and to consider appointments to the Planning Commission. Council entered into Executive Session.

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

Respectfully submitted,

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Keith M. Rabenold, Mayor

ATTEST:

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Paul C. Riordan, Clerk