

**MINUTES OF MEETING  
INDIAN HILL VILLAGE COUNCIL  
May 21, 2018**

A meeting of the Indian Hill Village Council was held on May 21, 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.   Donald C. McGraw, Council member  
                                      Mrs.   Monique A. Sewell, Council member

Official on Phone:         Mr.   Stephen H. Krehbiel, Council member

Officials absent:           Mr.   Donald L. Crain, City Solicitor  
                                      Mr.   Abbot A. Thayer, Council member

                                      Ms.   Dina C. Minneci, City Manager  
                                      Mr.   Paul C. Riordan, Clerk/Comptroller

Visitors present:         Mr.   Scott Phillips, Frost Brown Todd  
                                      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 April 23, 2018 had previously been distributed to each Council member. Council member Cowan made a motion to accept the minutes, which was seconded by Council member Armstrong and was approved, as corrected 5-0 with Council member Krehbiel abstaining.

**EXECUTIVE SESSION:** Council member McGraw made a motion to move into Executive Session to discuss pending litigation with legal counsel. The motion was seconded by Council member Armstrong and was passed by roll call vote 5-0 with Council member Krehbiel abstaining. Council entered into Executive Session. Council returned from Executive Session.

**FINANCE COMMITTEE REPORT:** Council member Sewell directed Council's attention to a memo titled, "*Finance Committee*". She reported that the Finance committee met on May 11, 2018 to review several items in advance of the Council meeting.

Council member Sewell directed Council's attention to the April financial statements, which were included in the Council packet. Council member Sewell provided the following April financial report.

- a) **Income Tax Receipts:** The Village received \$6,042,035 which was approximately \$1,500,000 less than received in April 2017. This decrease was expected due to

the \$2,000,000 increase in estimated payments received during December 2017 that were a result of federal tax law changes late in 2017.

- b) **Operating Disbursements:** Operating disbursements equated to \$1,012,982 which was \$138,000 more than April 2017. This was due to timing of payments and an increase in county auditor collections.
- c) **CIRF:** Disbursements totaled \$43,442. This relates to the purchase of a pickup truck.
- d) **Water Works Receipts:** Water usage receipts were \$186,095 which was approximately \$54,000 more than April 2017 receipts. This was due to timing of receipt of payment.
- e) **Water Works Disbursements:** Total operating disbursements of \$492,917 was approximately \$378,000 more than April 2017. This is due to the MSD sewer reimbursements being made monthly rather than quarterly.
- f) **Water Works CIRF:** Total expenditures equated to \$23,904. This relates mostly to the generator repair project.
- g) **Long Term Debt:** The Village will be making its first of two interest payments in May.
- h) **Cash and Investments:** Total month end cash and investments were \$34,713,035 compared to \$29,699,966 in March 2018 and \$35,093,131 in April 2017. Month to month and year to year changes are due to normal operations and the funding of the construction of the new Joint Fire District firehouses through the Firehouse Construction Fund in 2017.
- i) **Rowe Funds:** The market value as of April 30<sup>th</sup> was \$3,648,567. The unrecognized gain was \$1,018,005. Total monthly operating receipts, including dividends, were \$10,171 with monthly operating expenses totaling \$9,767 and investment sale net gains of \$1,801.
- j) **Green Areas Funds:** The market value as of April 30<sup>th</sup> was \$2,740,444. The unrecognized gain was \$1,420,870. Total monthly earnings equated to \$247 with monthly expenses totaling \$2,250. This represents payment for tree removal.

Council member Sewell reported that Mayor Kuenning asked Mr. Gully to review transferring funds from the Fifth-Third Investments to the Bartlett Investment account to capitalize on higher interest rates.

The financial statements for April 2018 had previously been distributed to each Council member. There being no exceptions noted, the financial statements were accepted as issued.

Council member Sewell reported that Mr. Gully reviewed the income tax actual and estimated receipts for 2018 and compared those figures to actual in 2017. She said that the Finance committee discussed how the 2017 end-of-year federal tax changes will significantly effect cash flow due to the limited availability of tax deductions beginning in 2018. In previous years, December would be a month of high receipts due to residents wanting to take advantage of deductibility at the federal level. With the limitation of that deduction, the receipts that usually occurred in December most likely will now be filed in April in future years. Consequently, comparisons between 2017 and 2018 income tax receipts on a monthly basis are not productive

this year. A new baseline of income tax receipt cash flow will not be established until the 2018 tax year filing year that occurs in 2019. She said that the Finance committee did request that staff reduce the 2018 estimated receipts for June through December by a percentage that accounts for the large amount of tax receipts paid in December 2017.

Council member Sewell reported that the Finance committee began reviewing the current income tax rate for the upcoming 2019 budget preparation season.

Council member Sewell reported that Ms. Minneci indicated that Mr. Aaron has met with the Village App developers on a few occasions to commence and review their progress. The App will be able to interface most of its features to the Village's existing website. At next month's meeting, Mr. Aaron will have a draft version for the Finance committee to review.

Council member Sewell reported that the Finance committee entered into Executive Session to discuss pending litigation.

Mayor Kuenning explained that when you factor in the large amount of income tax prepayments, the Village received \$2,000,000 more than received in the prior year. He said that he is projecting that total receipts will be over \$11,000,000 by year-end. There has been an increase in the tax base which is helpful as the Village enters into the budgeting process for 2019. He said that this is very good news for the Village and that the reserves get stronger and stronger.

**LAW COMMITTEE REPORT:** Council member Armstrong directed Council's attention to a memo titled, "*Law Committee*". He reported that the Law committee met on May 10, 2018 to review several items in advance of the Council meeting.

Council member Armstrong reported that Mr. Crain presented the April/May legal activity report.

Council member Armstrong reported that Mr. West provided an update on the on-going nuisance and health issue on Brill Road. He said that no progress has been made and that the homeowner was cited to this Mayor's Court and the home continues to be condemned.

Council member Armstrong reported that Mr. West provided an update on the North Clippinger nuisance abatement that was legislatively approved at last month's Council meeting. He said that subsequent to the Law committee meeting, the new owner has had all of the dead ash trees removed from the property.

Council member Armstrong reported that Governor Kasich recently signed the new mini cell phone tower legislation that limits a municipality's involvement in the cell tower's construction and installation. Mr. West will work with Mr. Crain to formulate legislation, including design requirements.

Council member Armstrong reported that the Law committee entered into Executive Session to discuss pending litigation.

**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 May 15, 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. She highlighted that staff installed a bench donated by the Whitacre Family at Whitacre Park. The family held a ceremony to honor it.

Council member Cowan reported that Mr. West presented the project management report for Grand Valley and Green Areas, a copy of which is included in the Council packet.

Council member Cowan reported that Mr. West indicated that the May 30<sup>th</sup> Bulletin will include the application for the 2018 "*Reforest the Hill*" tree replacement program.

Council member Cowan reported that Ms. Minneci provided the Buildings and Grounds committee with an update on the Bridle Trail Master Plan. Pam Middendorff has contracted with Penn Trails LLC to perform the plan. The work will begin this month with scheduled planning and goal development meetings that will include Village staff, Equestrian and Camargo Hunt members and other community stakeholders. A trails survey also has been sent to the equestrian community. Staff will provide updates throughout the process.

Council member Cowan reported that Ms. Minneci distributed to the Buildings and Grounds committee members the annual Indian Hill High School Water Quality report that was presented at the Green Area Advisory committee meeting this 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 May 15, 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. He said that the final 2017-2018 snow season includes 20 snow events which resulted in 18 inches of snow, more than 2,000 tons of salt and over 16,000 gallons of brine. Staff is in full spring cleaning and clearing mode. Clearing trees from the right-of-ways, preparing for road resurfacing with drainage improvements, filling potholes and repairing guardrail are some of the more significant projects being accomplished.

Council member Krehbiel reported that Mr. Adkins presented the Project Management report, a copy of which is included in the Council packet. He said that the Street Resurfacing Program received three bids with J. R. Jurgensen winning the bid at \$1,000,475. This encompasses the resurfacing of twelve (12) streets including: Blome Road, Keller Road, Kugler Mill Road and Hopewell Road. It also includes base repair and paving at Grand Valley.

Council member Krehbiel reported that the Camargo and Kugler Mill pier wall project received two bids with W. E. Smith Construction winning the bid at \$175,693. The Blome and

Spooky Hollow culvert repair project received three bids for the engineering portion with Choice One Engineering winning the bid at \$32,660. A Municipal Road Fund (MRF) grant for the construction portion of this project is scheduled for approval at the next Hamilton County Commissioners meeting.

Council member Krehbiel reported that the Remington Road culvert replacement project received four bids for the engineering portion with Choice One Engineering winning the bid at \$22,930. He said that staff will be applying for Ohio Public Works Commission (OPWC) funding in September for the project's construction.

Council member Krehbiel reported that surveying has been completed on the Shawnee Run Road landslide project and soil borings will be done over the next few days. While the Village is responsible for the engineering, the State will be the lead on the construction portion of the project. The Village will receive federal highway grants to assist with this project.

Council member Krehbiel reported that over the past month, the Village's application for OPWC funding for stream restoration along Weil Road was denied due to road-related work. However, Mrs. Wade-Dorman filed an appeal letter and was able to get OPWC to remove the "roadway" related items and still keep grant funding for the remaining portions of the project. The project is scheduled for construction in 2018 and will require a road closure.

Council member Krehbiel reported that Mr. Adkins indicated that Blome Road bridge will be closed starting June 4<sup>th</sup> for two weeks. This is to allow Hamilton County to do excavation and regrading at the south bridge abutment.

Council member Krehbiel reported that Mr. Adkins indicated that Hamilton County began its engineering for a bridge replacement at Keller Road. Project design is expected to be completed at the end of this year with construction scheduled for 2019. Hamilton County is the lead on the project and will be applying for grant funding; however, the Village will be responsible for a portion of the repair.

Council member Krehbiel reported that Mr. Adkins provided an overview of the Village's collaborative efforts with the City of Madeira regarding equipment usage.

Council member Krehbiel reported that the Public Works committee entered into Executive Session to discuss pending litigation.

**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 May 15, 2018 to review several items in advance of the Council meeting.

Mayor Kuenning reported that Mr. Adkins presented the departmental activity report, a copy of which is included in the Council packet. He said that staff repaired three main breaks totaling 28 for this year. The Plant Operators responded to 211 customer service calls and work began on well house #5.

Mayor Kuenning reported that Mr. Adkins distributed the Project Management report, a copy of which is included in the Council packet. He said that the switchgear for the generator was delivered in April and installation was completed this month. The pole mount transformer is scheduled for delivery on May 25<sup>th</sup> with installation by the end of the month. He also said that this project is going along quite well.

Mayor Kuenning reported that the Kroger Farm water main replacement began May 7<sup>th</sup> and is scheduled to be completed in approximately two months.

Mayor Kuenning reported that the Algonquin water main engineering received three bids with Evans CivilPro Engineers having the winning bid at \$29,680. Construction is scheduled for 2019.

Mayor Kuenning reported that Mr. Adkins indicated to the Water Works committee that water main repairs on Blome Road will be taking place this week. The cause of the needed repairs is still being determined.

Mayor Kuenning reported that Ms. Minneci reminded the Water Works committee that the third and final reading for the recommended water rate increase of 8% beginning July 1, 2018 will be placed on tonight's agenda. He said that the Water Works committee recommends passage of the Ordinance which must be passed as an emergency to become effective on July 1<sup>st</sup>.

**AN ORDINANCE CHANGING THE RATES TO BE CHARGED FOR WATER SUPPLIED TO CUSTOMERS BY AMENDING SECTION 51.55 RATES OF THE CITY OF THE VILLAGE OF INDIAN HILL, OHIO CODE OF ORDINANCES, AND DECLARING AN EMERGENCY** was presented and read.

Upon motion by Mayor Kuenning, seconded by Council member Armstrong, the rules were suspended by unanimous voice vote 5-0 with Council member Krehbiel abstaining. Upon motion by Mayor Kuenning, seconded by Council member Cowan, the Ordinance was passed by unanimous roll call vote 5-0 with Council member Krehbiel abstaining. Mayor Kuenning declared Ordinance **04-18** enacted.

Mayor Kuenning reported that Ms. Minneci provided the Water Works committee with an update from Metropolitan Sewer District (MSD) which indicated that due to 'billions of dollars' worth of mandated construction projects taking place over the next three years, MSD expects its customer invoices to go from today's average rate of \$800/month to \$1,300/month by the mid 2020's.

**SAFETY COMMITTEE REPORT:** Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on May 10, 2018 to review several items in advance of the Council meeting.

Council member McGraw reported that Chief Ashbrock presented the Fire/EMS reports, copies of which were included in the Council packet. He said that the Chief highlighted that paramedic runs are 54 more than this time last year. He explained that Chief Ashbrock indicated that EMS lift assists have been increasing – those individuals who have fallen and need assistance getting up. Most runs do not result in a transport to a local hospital; however, they still classify as an EMS run.

Council member McGraw reported that Chief Ashbrock provided follow-up on the personnel discussions. He said that the Chief indicated that the Joint Fire District Board's Personnel committee reviewed a civil service structure that allows for lateral entry to assist in expanding the applicant pool. This item was discussed at the May Joint Fire District Board meeting and was given to the Board's legal director for review.

Council member McGraw reported that Chief Ashbrock provided a recommendation on transitioning part-time positions to full time positions over the next three years to help with the manning issues within the department. The Safety committee reviewed and discussed Chief Ashbrock's budgetary estimates for this significant change in personnel budget. Chief Ashbrock and Ms. Minneci will schedule a meeting with Madeira officials to discuss Chief Ashbrock's recommendations and their financial implications on Madeira and Indian Hill as both contribute 50% to the funding of the Fire District's operations.

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, cases have involved theft, general information, juvenile and driving under suspension. He said that Colonel Schlie also discussed the success of the first annual Rangers Hockey Tournament that was held at Indian Hill Winter Club. After expenses were paid, \$38,000 was made to distribute to assist with health benefits for severely ill police officers and firefighters in the surrounding communities. He said that Council congratulates Officer Ray Manning for organizing this wonderfully successful event.

Council member McGraw reported that Colonel Schlie indicated that Lt. Carl Watts will be graduating from the Police Executive Leadership Academy on May 18<sup>th</sup>.

**PLANNING COMMISSION REPORT:** Mr. West, in Council member Thayer absence, reported that the Planning Commission met on May 15, 2018.

Mr. West reported that the Planning Commission considered a request for variance for the expansion of a non-conforming home on a non-conforming lot, to construct two separate additions and this request was approved. The approval was subject to the second addition being modified so that it did not extend beyond the existing non-conforming rear yard setback and subject to the lot coverage being brought into conformance. The application was submitted by Mike Wentz, on behalf of owners Jason and Erin Reid, for the property located at 5855 Miami Road.

Mr. West, in City Manager Ms. Minneci's absence, reported that Mr. Jack Alley, past and interim Recreation Coordinator has been recommended to be the 4<sup>th</sup> of July Grand Marshal.

Mr. West reported the following:

- The Village administrative offices will be closed on May 28, 2018 for Memorial Day.
- May 28, 2018 is the date for the Memorial Day service at Armstrong Chapel at 10:30 a.m.
- On July 4, 2018 there will be a festival and a fireworks display.

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

Respectfully submitted,

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Mark D. Kuenning, Mayor

ATTEST:

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Paul C. Riordan, Clerk