

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
May 22, 2017**

A meeting of the Indian Hill Village Council was held on May 22, 2017 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. Melissa S. Cowan, Council member
 Mr. Donald C. McGraw, Council member
 Mr. Abbot A. Thayer, Council member

Official's absent: Mrs. Molly R. Barber, Council member

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

Visitors present Ms. Pamela M. Carrigan, 8480 Blome Road
 Ms. Pam Middendorff, 7895 Finley Lane

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

MINUTES: The minutes of the regular meeting of April 24, 2017 had previously been distributed to each Council member. Council member Thayer made a motion to accept the minutes, which was seconded by Council member McGraw and was approved, 6-0.

SPECIAL MEETING MINUTES: The minutes of the Special meeting of April 26, 2017 for the Community Forum 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, 6-0.

FINANCE COMMITTEE REPORT: Council member Kuenning directed Council's attention to a memo titled, "*Finance Committee*". He reported that the Finance committee met on May 12, 2017 to review several items in advance of the Council meeting.

Council member Kuenning directed Council's attention to the April 2017 financial statements, which were included in the Council packet. Council member Kuenning gave the following financial report.

- a) **Income Tax Receipts:** In April, the Village received \$7,513,480. Year-to-date receipts equated to \$9,200,000 which is 83% of budget. It is expected that the budget will be met and possibility exceeded for the year.
- b) **Operating Disbursement:** Total April operating expenditures equated to \$874,825 which is \$123,000 more than April 2016. This is mainly due to timing of routine payments and significant salt replenishing purchase in April 2017.

- c) **CIRF:** Disbursements for the April totaled \$92,172. This included costs associated with trash cart part replacements, Flemish bond brick on new fire station, and purchase of patrol vehicle.
- d) **Water Works Receipts:** Water usage receipts for April were \$132,750, which is approximately \$16,000 more than April 2016 receipts. 5% of the increase is due to the rate increase from July 2016 and 15% from increased usage.
- e) **Water Works CRF:** Total April expenditures equated to \$12,897. This included costs associated with the purchase of new meters and a portion of the generator repair and high service pump projects.
- f) **Cash and Investments:** Total month-end cash and investments were \$35,093,131 compared to \$28,664,905 in March 2017 and \$37,925,583 in April 2016. 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 fire houses through the Firehouse Construction Fund. The biggest change was in the Income Tax Fund.
- g) **Rowe Funds:** The market value as of April 30th was \$3,469,609. The unrecognized gain was \$851,819. Total monthly operating receipts, including dividends, were \$9,130 with monthly operating expenses totaling \$13,328 and investment sale net gains equating to \$13,395. Income and expenses are tracking to budget.
- h) **Green Areas Funds:** The market value as of April 30th was \$2,487,294. The unrecognized gain was \$1,196,500. Total monthly earnings equate to \$129 with monthly expenses totaling \$7,446. Income and expenses are tracking to budget.

Council member Kuenning reported that the Finance committee requested that Mr. Gully compare the water usage in the first quarter to past years due to the receipt of higher revenues in 2017 compared to previous years.

Council member Kuenning reported that Ms. Minneci gave an update to the Finance committee on the 2017 State Budget process. Over the past month, the Ohio House amended the budget bill. Included in the amendments were the elimination of the centralized business collections and the change in the local government fund distribution. Although the centralized collections has been taken out of the budget at this time, other amendments included resources to upgrade the current Ohio Business Gateway system in order for it to be rebuilt by January 1, 2019. If such upgrades do occur, the consensus is that the centralized collection concept will be pursued again in the future. The House amendments currently are in the Senate for its review. The Senate is considering making the centralized collection an opt-in program. The Ohio Municipal League is against this because municipalities would lose control of administration and pay a 1% fee.

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

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 11, 2017 to review several items in advance of the Council meeting.

Council member Armstrong reported that Mr. Crain presented the April/May legal activity report to the Law committee, a copy of which was included in the Council packet. The report

included updates on Green Area transactions, labor contract interpretations, draft Ordinance review, Planning Commission case review, insurance regulations for hunting program and Mayor's Court.

Council member Armstrong reported that the Law committee continued its discussions regarding the number of dogs that are under the control of one adult at many of the Village parks. He said that Mr. Crain provided a draft Ordinance for the Law committee's consideration. The legislation would be included under **Chapter 91: Dogs and Cats**, and be titled "*Restraint of Unrestricted Dog*". If an owner or harbinger of dogs is in custody of more than two dogs on private or public property, it will be required that all dogs be restrained. If this legislation passes, signs will be placed in all parks, Bulletin articles will be written to publicize it and enforcement will be observed. Council member Armstrong said that after thorough discussion, the Law committee recommends a first reading of this legislation.

AN ORDINANCE AMENDING CHAPTER 91 OF THE CODE OF ORDINANCES BY ADDING SECTION 91.07 "RESTRAINT OF UNRESTRICTED DOG" AND ADDING A NEW PENALTY SECTION TO EXISTING SECTION 91.99 was presented and read for a first reading.

Council member Armstrong reported that the Law committee reviewed the Ordinance amending Chapter 50 – Sewer Regulations that would amend the Village's Household Sewage Disposal Regulations and replace them with a reference to the rules and regulations of the Ohio Department of Health's statewide septic system regulations OAC 3701-29. Council member Armstrong said that the Law committee recommends a third and final reading of this Ordinance.

AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES BY AMENDING THE HOUSEHOLD SEWAGE DISPOSAL REGULATIONS TO MEET THE STATEWIDE SEPTIC SYSTEMS REGULATIONS AS CONTAINED IN OHIO ADMINISTRATIVE CODE 3701-29 was presented and read for the third reading.

Upon motion by Council member Armstrong, seconded by Council member Thayer, the Ordinance was passed by unanimous roll call vote. Mayor Feigelson declared Ordinance **04-17** enacted.

Council member Armstrong reported that the Law committee entered into Executive Session for the purposes of discussing pending litigation with legal counsel.

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 18, 2017 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 was included in the Council packet. Mr. Adkins highlighted to the Buildings and Grounds committee that staff completed tree maintenance at the Administration building, repaired the shooting berms at the Shooting Range, began the seasonal mowing of green areas, prepared Whitaker Park parking lot for paving and continued plumbing repairs at park facilities.

Council member Cowan reported that Mr. West presented the Grand Valley report. Attendance increased from 1,137 to 2,078 between March and April, and 23 teams participated in the annual Grand Valley Fishing tournament with the first place winners catching bass totaling 11 lbs., 12 oz.

Council member Cowan reported that Mrs. Wade-Dorman presented the Project Management report, a copy of which was included in the Council packet. Mrs. Wade-Dorman indicated that construction on the Shooting Range continues with the electrical work and remodeling being completed. The only items left are painting and tile floor installation. In addition, Mrs. Wade-Dorman gave an update on the Reforest the Hill program. The upcoming Bulletin will include another article in the informational series discussing the program in addition to the order form for residents to purchase trees for the program. Mrs. Wade-Dorman has been working with Indian Hill High School and Cincinnati Country Day School to have students coordinate their senior projects with this citywide tree-planting event. In addition, the water quality students at Indian Hill High School will be planting approximately 60 donated trees in the Redbirdhollow area behind Indian Hill Church.

Council member Cowan reported that Ms. Minneci revisited the request from a local organization wanting to place a sign at the Little Red Schoolhouse highlighting the areas where wildflowers, that the organization had donated, were planted by the Village's Public Works department. Although the organization understands the policy that was put in place which indicates that plaques and signs for donated greenery should be replaced with tree tags in order to reduce signage and maintenance, they feel their intentions are different than previous requests and are more of an educational tool. After discussion, Ms. Minneci, in collaboration with the Buildings and Grounds committee, indicated that the organization will be allowed to place its sign in the specified area, but only up until October 1st, in order to inform the residents of the wildflower patch mission. In addition, the Village maintains its offer from last month to have the organization submit a series of articles to the Village Bulletin on its mission to preserve the Monarch butterfly.

Council member Cowan reported that Ms. Minneci provided the Buildings and Grounds committee with an update on the Recreation Program Coordinator transition due to Mr. Jack Alley's retirement on June 5, 2017. Four people familiar with the area and the Recreation Commission have been approached about the position. Unfortunately, none are able to commit at this time. Staff is meeting with Dr. John Blazic, President of the Recreation Commission Board, to create a collaborative transition process as a new Program Coordinator is being sought.

Council member Cowan reported that the Buildings and Grounds committee discussed holding a Grand Valley Advisory committee meeting in June to highlight the new Ranger station,

recognize Mr. and Mrs. Barry Bucher's generous donation, and to provide updates on the current and future Grand Valley projects. Ms. Minneci will research the committee's history and purpose to assist in defining its future expectations.

PUBLIC WORKS COMMITTEE REPORT: Ms. Minneci, in Council member Barber's absence, directed Council's attention to a memo titled, "*Public Works Committee*". She reported that the Public Works committee met on May 15, 2017 to review several items in advance of the Council meeting.

Ms. Minneci reported that Mr. Adkins provided the Public Works committee with the departmental activity report, a copy of which is included in the Council packet. Staff began right-of-way mowing throughout the Village and cleared trees on Camargo, Indian Hill and Spooky Hollow Roads. Due to heavy rainfall, many storm water pipes and washout areas had to be repaired.

Ms. Minneci reported that Mrs. Wade-Dorman presented the Project Management report, a copy of which is included in the Council packet. Mrs. Wade-Dorman indicated that the Shawnee Run Road drainage tunnel was officially awarded an MRF grant in the amount of \$166,000. The project is expected to begin in July and end in August. Road closures will be necessary to complete the project in a timely and efficient manner. Bids for the 2017 resurfacing program are being received with a deadline of May 24, 2017. In addition, a design contract for the Camargo Road pier wall is being completed.

Ms. Minneci reported that staff is monitoring the pier walls located along Weil Road. Due to the heavy rain events this year, stabilization of the stream is an additional project that is being contemplated for this year. Staff will be providing an update as more analysis is done and costs are determined. A request for proposal for the Village-wide culvert study will be completed soon. Mrs. Wade-Dorman was thanked by Council for her hard work on the grant request.

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 May 16, 2017 to review several issues in advance of the Council meeting.

Mayor Feigelson reported that Mr. Adkins presented the departmental activity report, a copy of which was included in the Council packet. Three water main breaks were repaired which brings the total for the year to eighteen. In addition, the annual fire hydrant flushing program was completed, and the dehumidifier duct work was replaced in the water treatment plant.

Mayor Feigelson reported that Mrs. Wade-Dorman presented the Project Management report, a copy of which was included in the Council packet. The installation of the high service pump has been moved to June to accommodate the resizing of the pump impellor. Generator replacement designs are due by the end of July with the project construction awarded in September. Delivery of the transformer and completion of the project is anticipated in August 2018. Three companies submitted bids for designing of the Shillito water main replacement. Although still being evaluated, all three bids came in under \$40,000 with \$45,000 being the budgeted cost.

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 11, 2017 to review several items in advance of the Council meeting.

Council member McGraw reported that Captain Smith presented the April Fire/EMS reports, copies of which were included in the Council packet. He reported that Captain Smith highlighted a new format on the mutual aid data presentation. In addition, the Safety committee discussed clarification on the Response Time Summary. These statistics do not include response times for mutual aid departments which may show up sooner to an incident than the Joint Fire District simply due to proximity to the destination. Captain Smith announced the retirement of firefighter Drew Foppe on June 3, 2017 after 41 years with the department.

Council member McGraw reported that Captain Smith gave an update on the Indian Hill firehouse construction. June 7, 2017 has been set for the dedication to Mr. and Mrs. Harold Thomas.

Council member McGraw reported that Colonel Schlie presented the April Ranger report, a copy of which was included in the Council packet. He said that Colonel Schlie indicated that a significant number of the cases involved theft, burglary, general information and fraud incidents.

Mayor Feigelson explained that there will be an open house for the new Indian Hill firehouse on July 4, 2017 and all residents are welcome.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on May 16, 2017 to consider case number 17-008 which was a request for authorization to expand a non-conforming home on a non-conforming lot to tear down the existing detached garage and construct a new attached garage in the same location from Mike Wentz on behalf of owners, Jared and Bridget Davis. This request was approved. The property is located at 7727 Shawnee Run Road.

Council member Thayer reported that the Planning Commission reviewed and recommended to Council a proposed text amendment to the Zoning Ordinance that would require an accessory structure to be setback from the side and rear property lines "the greater of the minimum required or equal to the height of the building", setting forth additional review criteria for Special Exceptions and Variances to include a review of the "consistency of the character of the immediate surrounding area, including the use of building materials and features of the structure(s)", and to require that Site Clearance Release permits be reviewed and approved in accordance with the plans presented and approved by the Planning Commission.

Council member Thayer reported that the Planning Commission held a special meeting on May 23, 2017. He said that the Village of Indian Hill Planning Commission will continue the hearing on a request that was tabled at the March 21st and April 18th meetings from Mike Wentz, on behalf of owners Eric and Allison Kahn, to build a new single family residence on a non-conforming lot of record per Section 81 Lot of Record of the Zoning Ordinance. The subject property is located at 6175 Park Road.

Council member Thayer also reported that the agenda for the June 20, 2017 Planning Commission meeting will consider an application for variance and expansion of a non-conforming home on a non-conforming lot from Rob Busch, Drawing Department on behalf of owners, Steve and Sarah Steinman to construct an addition on to the rear of the existing home. The applicant is requesting a variance to the front yard setback due to the entire house sitting in front of the required minimum front building setback. The subject property is located at 8905 Shawnee Run Road.

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

- Mr. Paul Riordan, Village Clerk/Comptroller will be Grand Marshal for the 2017 Fourth of July
- May 29, 2017 Village Administrative offices will be closed for Memorial Day
- May 29, 2017 Memorial Day celebration at Armstrong Chapel begins at 10:30 a.m.
- July 4, 2017 Fourth of July parade, festival and fireworks

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