

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
January 28, 2019**

A meeting of the Indian Hill Village Council was held on January 28, 2019 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. Stephen H. Krehbiel, Council member
 Mr. Donald C. McGraw, Council member
 Mrs. Monique A. Sewell, Council member
 Mr. Abbot A. Thayer, Council member

Official on Phone: Mr. John B. Armstrong, Council member

 Ms. Dina C. Minneci, City Manager
 Mr. Scott D. Phillips, City Solicitor
 Mr. Paul C. Riordan, Clerk/Comptroller

Visitors present: Mr. George Beblo, 9140 Whisperinghill Drive, 45242
 Mr. Henry Beblo, 9140 Whisperinghill Drive, 45242
 Mrs. Jean Beblo, 9140 Whisperinghill Drive, 45242

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

MINUTES: The minutes of the regular meeting of December 17, 2018 had previously been distributed to each Council member. Council member Thayer made a motion to accept the minutes, which was seconded by Council member Cowan and was approved as corrected, 6-0 with Council member Armstrong abstaining.

EXECUTIVE SESSION: Mayor Kuenning made a motion to go into Executive Session for purpose of conferencing with attorney for public body concerning disputes subject to pending or imminent court action. The motion was seconded by Council member Cowan and passed by roll call vote 6-0 with Council member Armstrong abstaining. Council entered into Executive Session. Council returned from Executive Session and resumed the Council meeting.

FINANCE COMMITTEE REPORT: Council member Sewell directed Council's attention to a memo titled, "*Finance Committee*". She reported that the Finance committee met on January 18, 2019 to review several items in advance of the Council meeting.

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

- a. **Income Tax Receipts:** The Village received \$202,149 which was approximately \$2,900,000 less than received in December 2017. This significant difference was due to the changes in federal tax laws that took effect in December 2017.
- b. **Operating Disbursements:** Operating expenditures equated to \$1,105,613 which was \$43,000 more than December 2017. This is due to timing of payments.

- c. **CIRF:** Disbursements totaled \$398,318. This relates to landslide, resurfacing and contractual services.
- d. **Water Works Receipts:** Water usage receipts were \$186,850 which was approximately equal to December 2017 receipts.
- e. **Water Works Disbursements:** Total operating disbursements of \$592,678 were approximately \$336,000 more than December 2017. This was due to a change in Metropolitan Sewer District's (MSD) billing process from quarterly to monthly.
- f. **Water Works CIRF:** Total expenditures equate to \$193,029. This relates to generator repairs and meter changeovers.
- g. **Long Term Debt:** There was no activity in December. The balance for the 2009 Water Works bonds which mature in 2028 are \$2,255,000.
- h. **Cash and Investments:** Total month end cash and investments were \$26,900,226 compared to \$28,177,754 in November 2018 and \$29,399,095 in December 2017. Month-to-month and year-to-year changes were due to normal operations and changes in the federal tax laws in December 2017.
- i. **Rowe Funds:** The market value as of December 31st was \$3,619,285. The unrecognized gain was \$677,424. Total monthly operating receipts, including dividends, were \$13,742 with monthly operating expenses totaling \$20,310 and investment sale net gain of \$202,155.
- j. **Green Areas Funds:** The market value as of December 31st was \$2,611,944. The unrecognized gain was \$1,278,182. Total monthly earnings equate to \$12,101 with monthly expenses totaling \$8,147.

The financial statements for December 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 the Finance committee reviewed the 2018 General Revenue Detail Report.

Council member Sewell reported that the Finance committee discussed coordinating the development of Council Goals with the budget process. The Finance committee would like to discuss this and recommend holding a Council goals session at the beginning of August rather than January. She explained that the Council goals have been set after the budget has been completed and Council member McGraw had raised the question of should the goals be set before the budget is prepared. After discussion by Council and Ms. Minneci, Council agreed to hold a preliminary goal-setting session in August and a final goal-setting session in January.

Council member Sewell reported that staff provided an update on Keller Road Bridge. Hamilton County completed design work last fall and has scheduled replacement construction in 2019. Contrary to what was told to the Village in previous meetings, the County indicated in late December 2018 that, after the 2019 budget was passed by Council, a local match of 50% of the project costs will be required for construction to be completed. The bridge did require repairs a few years ago which was fully funded by the County; however, those repairs were temporary in nature. Council member Sewell reported that the Finance committee discussed the request for an additional appropriation of \$500,000. Due to the uncertainty of receiving funding in the future

from both grant opportunities and the County as well as increased costs in future years, the Finance committee agreed to recommend an emergency Ordinance for an additional appropriation to the 2019 budget for \$500,000 to take advantage of the County's matching funds at this time.

AN ORDINANCE AMENDING ORDINANCE 08-18 AND MAKING APPROPRIATIONS FOR THE EXPENSES OF THE VILLAGE OF INDIAN HILL FOR THE FISCAL YEAR 2019, AND DECLARING AN EMERGENCY was presented and read.

Upon motion by Council member Sewell, seconded by Council member Thayer, the rules were suspended by roll call vote 6-0 with Council member Armstrong abstaining.

Ms. Minneci explained that the Village had previously been told by the County that the County is responsible for all bridges; however, they came back after the Village budget was completed and approved, and said that was stated in error. Ms. Minneci explained that the bridge does have some issues and it is rated a "6" out of 10; however, it is not as bad as some other bridges. Ms. Minneci said that the County has included 50% of the cost in their budget to make amends knowing that the bridge will have to be replaced in the next five years. She said that it is not known if they will provide the funding in the future if we don't take advantage of it presently.

Mayor Kuenning explained that now that we are in 2019 it is too late to request grant money. Ms. Minneci explained that it is not assured we would receive any grant money. Mayor Kuenning said that other communities do not get any reimbursement from the County; they have to pay for the whole cost themselves.

Upon motion by Council member Sewell, seconded by Council member Thayer, the Ordinance was passed by roll call vote 6-0 with Council member Armstrong abstaining. Mayor Kuenning declared Ordinance **01-19** 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 January 17, 2019 to review several items in advance of the Council meeting.

Council member Armstrong presented the following report:

1. Staff presented the December legal activity report, a copy of the report is included in the Council packet. The report included updates on Green Area donations, review of contracts, review of Bureau of Workers' Compensation case, review of a current foreclosure proceedings and Mayor's Court.
2. Mr. West provided the Law committee with an update on the December Planning Commission decision related to a subdivision proposal.
3. Staff presented an update on the 25 acre Dravo property that is adjacent to Grand Valley, The company is dissolving and the Village is working to get the first right of refusal agreement recorded that was agreed to several years ago. Staff will work with Frost Brown Todd to research the property's history and other factors to determine if it wishes to pursue purchasing it.

4. The Law committee discussed and provided direction to staff on the upcoming renewal of the agreement between the Village and the Indian Hill Historical Society.
5. Mr. West presented a request to reaffirm the acceptance and dedication of Eagle Ridge Drive and the portions of Blome Road and Loveland-Madeira Road that are located in Eagle Ridge Subdivision. Mr. West was notified by a title attorney that the Village has not accepted the street dedication of right-of-way for Eagle Ridge Drive after Ordinance 08-91 was passed in May 1991. Hamilton County also noted that the Ordinance did not include accepting the right-of-way dedication for the portion of Eagle Ridge Subdivision that was adjacent to Blome Road and Loveland-Madeira Road. Therefore, staff presented a draft Ordinance that would address these outstanding items as well as re-affirm the acceptance of Eagle Ridge Drive. After discussion, the Law committee was in favor of recommending passage of the Ordinance, on a non-emergency basis.

Mayor Kuenning read the following Ordinance:

AN ORDINANCE TO REAFFIRM THE APPROVAL OF THE PLAT OF EAGLE RIDGE SUBDIVISION RECORDED IN PLAT BOOK 266, PAGES 48 AND 49 OF THE HAMILTON COUNTY RECORDER'S OFFICE, AND ACCEPTING THE DEDICATION OF EAGLE RIDGE DRIVE, AND THE PORTIONS OF BLOME ROAD AND LOVELAND-MADEIRA ROAD THAT ARE LOCATED IN EAGLE RIDGE SUBDIVISION was presented and read for the first reading.

6. Staff presented a draft Ordinance for the transfer of property to the Indian Hill Exempted Village School District that would provide the land area needed for the District to meet the lot coverage requirements per the Zoning Ordinance. The School District received conditional approval from the Planning Commission for the construction of a new building that would provide locker rooms, concessions, trainer rooms and restrooms adjacent to the athletic facilities, subject to an agreement being worked out between the Village and the District.

Staff provided a brief history on Ordinance #29-60 which highlights the Village and the District's Purchase and Sale Agreement that permitted the Village to sell the District additional land area as needed for schools and recreational purposes. The agreement states that the property would be deed restricted to remain a Green Area parcel and a reverter clause that the land will transfer back to the Village if the District no longer needs the property.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CONVEY PROPERTY TO THE BOARD OF EDUCATION OF THE INDIAN HILL EXEMPTED VILLAGE SCHOOL DISTRICT, AND DECLARING AN EMERGENCY was presented and read by Mayor Kuenning.

Upon motion by Mayor Kuenning, seconded by Council member Thayer, the rules were suspended by roll call vote 6-0 with Council member Armstrong abstaining. Upon motion by Mayor Kuenning, seconded by Council member Thayer, the Ordinance was passed by roll call vote 6-0 with Council member Armstrong abstaining. Mayor Kuenning declared Ordinance **02-19** enacted.

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 January 22, 2019 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 the report is included in the Council packet. Mr. Adkins reported that staff installed a new sign post at Livingston Lodge, removed honeysuckle on Green Areas and planted daffodils on Drake Road in front of the high school. Staff also repaired the irrigation system at Kugler Mill Fields.

Council member Cowan reported that Mr. West presented the project management report, a copy of the report is included in the Council packet. She said that Mr. West continues to work with Hamilton County Public Health to determine the best alternative for septic design for Bonnell House and Little Red Schoolhouse. She said that Mr. West provided the annual statistics on Grand Valley attendance which shows that the attendance is consistent over the last five years.

Council member Cowan reported that staff presented an update on the 35 acre Dravo property that is adjacent to Grand Valley. The company is dissolving and the Village is working to get the first right of refusal agreement recorded that was agreed to several years ago. She said that staff will work with Frost Brown Todd to research the property's history and other factors to determine if it wishes to pursue purchasing it.

Council member Cowan reported that the Buildings and Grounds committee discussed and provided direction to staff on the upcoming renewal of the agreement between the Village and the Indian Hill Historical Society.

Council member Cowan reported that staff followed up on last month's discussions about a request from the City of Madeira's recreational organization to utilize Stephan Field baseball fields. She said that the Buildings and Grounds committee discussed Madeira's usage needs, past discussions with Grounds committee, the Indian hill teams' schedules, liability concerns and possible traffic congestion. The Buildings and Grounds committee recommended maintaining the current arrangements with baseball field usage understanding that some Indian Hill Recreation Commission teams include Madeira players (and vice-versa) to create full teams.

Council member Cowan reported that Ms. Minneci provided an overview of her discussions with Dr. Turner regarding the creation of a volunteer commission within the Village. She said that Ms. Minneci will work with Dr. Turner to have these discussions with Indian Hill and Cincinnati Country Day schools.

Council member Cowan said that the Buildings and Grounds committee reviewed a draft Resolution accepting the 2018 Green Area donations which equated to 8.3945 acres which is considerably more than the number of acres donated over the last three years. She said that the Buildings and Grounds committee recommends passage of the Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT 2018 GREEN AREA GIFTS was presented and read.

Upon motion by Council member Cowan, seconded by Council member Krehbiel, the Resolution was passed by voice vote 6-0 with Council member Armstrong abstaining. Mayor Kuenning declared Resolution number **01-19** adopted.

Council member Cowan said that she thanks the residents for their generous donations. Ms. Minneci said that a “thank you” will be included in the Bulletin. Mayor Kuenning said that he thanks Mr. West for his diligent work to pursue these opportunities.

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 January 22, 2019 to review several issues 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 reported that staff cleared trees from the right-of-way and repaired blacktop on several streets. Guardrail was repaired on Indian Hill and Kugler Mill Roads. The holiday scene was disassembled for the season. Thus far, there have been 8 snow events, 9.5 inches of snow accumulation, 616 tons of salt used and 2,465 gallons of brine used.

Council member Krehbiel reported that Mr. Adkins distributed the project management report, a copy of which is included in the Council packet. He said that summaries for upcoming infrastructure projects are as follows:

- a. ***North Branch Sycamore Creek Restoration Weil Road*** – Construction commencement is expected the third week in February and will last 4-6 weeks. Roads will be closed during the work day but will be maintained by a temporary traffic signal during the evening.
- b. ***Blome Road/Spooky Hollow Culvert*** – Waiting on Duke to relocate the poles and overhead utility lines. Once this occurs, Blome Road will be closed for 3-4 weeks for the removal of the culvert replacement. Thereafter, the intersection will be closed for 8 weeks for project completion.
- c. ***Remington Road (SR 126) Culvert Replacement*** – Researching whether a temporary easement from Greenacres will be required. The OPWC Project Agreement will be received in February with construction commencement anticipated for July.
- d. ***Shawnee Run Road Landslide*** – ODOT is reviewing the Stage III drawings. Bids will go out in July with construction commencing in September.

Council member Krehbiel reported that the landslide/retaining wall study was completed at the end of 2018. Out of the 61 inspected structures, 55 were deemed to need repair or replacement. The estimated cost for these 55 areas was \$1,900,000. These projects will be incorporated into the ten year Capital Improvement Replacement Fund.

Council member Krehbiel reported that staff provided an update on Keller Road Bridge. Hamilton County completed design work last fall and has scheduled replacement construction in 2019. This project had been presented previously in the Finance committee report.

Council member Krehbiel reported that staff provided an update on the Blome Road Bridge. Hamilton County is expected to perform engineering on the bridge repairs in 2019 with reconstruction to begin in 2020. In order to meet this time table, the County will need to begin its engineering and design work early this year. In order for the design work to be done accurately, the County is looking for the Village's direction on whether the bridge should remain one lane or be expanded to two lanes. He said that staff distributed a list of pros/cons for the three options associated with a one and two lane bridge. The options incorporate preserving and/or expanding the truss. Copies of the listing of pros/cons were including in the Council packet.

Council asked Ms. Minneci to look into how the bridge is registered as a historical bridge. She said that a meeting has already been set up with the Historical Society to review this issue in February.

Council requested that Ms. Minneci survey the residents near the bridge and survey the residents in general as to what would their wish be for the bridge (i.e. one lane or two lanes).

Council member Krehbiel reported that Mr. Adkins demonstrated to the Public Works committee a software system which highlighted computer mapping of the landslide/retaining wall study, the Green Areas and Reforest the Hill tree locations. Staff continues to develop the mapping system to include other Village infrastructure items such water meters, water mains and bridle trails.

Council member Krehbiel reported that staff distributed to the Public Works committee a Resolution authorizing the City Manager to prepare plans, specifications and the bidding process for 2019 projects, equipment and supplies that exceed \$50,000 or are not on the state bid list. Public Works items are listed on the attached Resolution. Some highlights include: 1) the annual road resurfacing program; 2) Given and South Drake Road improvements; 3) Indian Ridge and Long Street culvert replacements; 4) Hopewell, Demar, Loveland-Madeira and Muchmore Road landslide repairs and; 5) Shillito Lane water main replacement. Council member Krehbiel said that the Public Works committee recommends passage of the Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EMPLOY AN ENGINEER TO PREPARE PLANS AND SPECIFICATIONS FOR STREET REHABILITATION, EQUIPMENT, SUPPLIES AND OTHER SPECIAL CAPITAL IMPROVEMENT PROJECTS, ADVERTISE FOR BIDS AND AWARD CONTRACTS FOR THE CONSTRUCTION OF SAID

WORK AND PURCHASE OF SAID EQUIPMENT/SUPPLIES was presented and read.

Upon motion by Council member Krehbiel, seconded by Council member Thayer, the Resolution was passed by voice vote 6-0 with Council member Armstrong abstaining. Mayor Kuenning declared Resolution number **02-19** adopted.

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 January 22, 2019 to review several issues prior to 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 and performed fire hydrant repairs. Plant operators responded to 212 customer service calls and staff performed annual inventory review and contracted to rebuild high service pump #4.

Mayor Kuenning reported that Mr. Adkins presented the project management report, a copy of which is included in the Council packet. He reported the following:

- a) Shillito water main replacement project – all property owners have signed acquisition agreements. Bids will be due at the end of February with construction commencement expected in early spring.
- b) Water treatment plant brine storage tank replacement – scope of services being developed which include design, bidding and construction of the tanks.

Mayor Kuenning reported that the Water Works committee reviewed a Resolution authorizing the City Manager to prepare plans, specifications and bidding process for 2019 projects, equipment and supplies that exceed \$50,000 or not on the state bid list which was covered previously in the Council meeting by Council member Krehbiel.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on January 17, 2019 to review several items in advance of the Council meeting.

Council member McGraw reported that Chief Ashbrock presented the Fire/EMS report, a copy of which is included in the Council packet. He said that total EMS runs for 2018 were 1,141 compared to 1,064 total runs in 2017. This is the highest number of EMS runs for the Joint Fire District in twenty years. The biggest majority of those runs were to the nursing and assisted living facilities.

Council member McGraw reported that Chief Ashbrock provided an update on the hiring process to replace three part-time firefighters with three full-time firefighters. He said that Chief Ashbrock indicated that three conditional offers of employment were sent out in December. However, there has been a delay with the testing process that the potential employees must complete prior to being hired. Chief Ashbrock is hoping the testing will take place this month.

Council member McGraw reported that Chief Ashbrock distributed the Joint Fire District's 2019 Goals for the Safety committee to review.

Council member McGraw reported that Colonel Schlie presented the Rangers report, a copy of which is included in the Council packet. He reported that over the past month, cases have involved identification theft, general information and criminal damaging. Colonel Schlie also highlighted that 125 deer and 27 coyotes have been taken. The deer count is on pace with last year.

Council member McGraw reported that Colonel Schlie provided an update on the Lieutenant promotion process due to the retirement of Lt. Mike Madsen. As of the writing of this report, it appears as if eight patrol officers have applied to take the test which will be administered next month. The process also consists of an oral interview and review of past evaluations. Advertisement will occur in February for the Patrolman's test as the Village will look to hire two patrolman – one due to Lieutenant promotion and one due to making current detective position permanent while adding a rotating detective position.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on December 18, 2018 to consider several items.

Council member Thayer reported that the Planning Commission approved a variance request to the front yard setback for the construction of an addition to the rear of an existing non-conforming home. The property is located at 5815 Sentinel Ridge Lane.

Council member Thayer reported that the Planning Commission approved a variance request to the front yard setback for the construction of several additions to an existing non-conforming home. The property is located at 8760 Old Indian Hill Road.

Council member Thayer reported that the Planning Commission denied a request for Concept Plan approval for the Midnight Station subdivision located on a portion of the property at 6340 Miami Road and also includes the adjacent 3.38-acre vacant parcel. The request was to subdivide 6.41 acres into 5 single family building lots and a 0.32-acre green area parcel.

Council member Thayer reported that the Planning Commission also met on January 15, 2019. He reported that the Planning Commission approved a re-subdivision request to split off a 4.5' wide strip of land from Lot 18 (4790 Burley Hills Drive) and then consolidate the land with Lot 19 (4470 Burley Hills Drive) in order to accommodate the side-yard setback requirement for a planned addition.

Council member Thayer said that the Planning Commission's next meeting is set for February 19, 2019 when they will consider one case.

CITY MANAGER’S REPORT: Ms. Minneci presented the following report:

- a) She directed Council’s attention to the 2019 calendar for Council Meetings. Just additional information to be disseminated.
- b) February 18, 2019 - Administrative offices will be closed for President’s Day
- c) April 29, 2019 – Community Forum at 6:00 p.m. in Council Chambers
- d) December 2, 2019 Council Organization Meeting

Ms. Minneci introduced the Active Shooter training team – Patrol Officers James Dunigan, Brad Bird and Mike Lang. They were also accompanied by Colonel Schlie.

The Active Shooter training team presented actions for Council to take in the event of an active shooter on the premises. They also answered several questions from the Council members. The team and Colonel Schlie expressed that there is always an officer on duty during the Council meeting and they would provide their assistance. The team also pointed out that they are constantly patrolling the school parking lots looking for suspicious people that may have bad intentions. They also explained that Council members on a personal basis, should be alert to their surrounding circumstances and individuals in the surrounding areas which may be a problem. They also asked Council members to give them a call if they see a suspicious individual coming into Court or a Council meeting and they would come over to help with the situation. In summary, they recommended:

- 1) Run, hide, fight
- 2) Evacuate the room and contact the Rangers
- 3) Be on the ground if the Rangers enter the room because they will shoot anyone standing
- 4) Don’t have a cell phone in your hand in a shooting situation
- 5) Be aware of people sitting in the parking lot in cars that look suspicious or if you see suspicious people entering the Council Chambers, let the Rangers know.

Council thanked them for their presentation and requested Ms. Minneci to review the requirements for concealed carry on the property and also to look into panic buttons for the Council Chambers.

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

Respectfully submitted,

Mark D. Kuenning, Mayor

ATTEST:

Paul C. Riordan, Clerk