

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
March 25, 2019**

A meeting of the Indian Hill Village Council was held on March 25, 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. John B. Armstrong, Council member
 Mr. Stephen H. Krehbiel, Council member
 Mr. Donald C. McGraw, Council member
 Mr. Abbot A. Thayer, Council member

Officials Absent: Mrs. Monique A. Sewell, Council member

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

Visitors present: Mr. Ken Armstrong
 Ms. Lisa Bruffey
 Ms. Holly Covert
 Mr. Mike Dressell
 Ms. Rosalind Fultz, Constituent Liaison for 1st Congressional Office, Steve Chabot
 Mr. Joshua Kim Mrs. Megan Perdue
 Mr. Cody Meyer Mr. Shawn Perdue
 Mr. Mark Milliron Mr. Dean Ramsey
 Mr. Tim Oliverio Mr. Mike Robinson
 Mr. Andy Perdue Mr. Chuck Schlie
 Ms. Debbie Perdue Mr. William Schwartz
 Mr. James Perdue Mrs. Beth Wood
 Mr. Jamie Perdue

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

MINUTES: The minutes of the regular meeting of February 25, 2019 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, 6-0.

CITIZEN PARTICIPATION: Ms. Rosalind Fultz introduced herself to Council as the Constituent Liaison for Congressman Steve Chabot. She said that their mission is to solve problems in the 1st Congressional District; however, they are open to issues brought in from other districts. She said that Congressman Chabot believes in an “open door”. Their offices are in the Carew Tower downtown Cincinnati. She invited questions and issues to be presented to them and they will follow-up on them. Ms. Fultz also invited Council to view their website which explains many of their services. Mayor Kuenning thanked Ms. Fultz for her presentation.

Mayor Kuenning swore-in Patrol Officer Shawn Perdue to Rank of Lieutenant within the Rangers Department. Council congratulated Lt. Perdue on his promotion.

FINANCE COMMITTEE REPORT: Mayor Kuenning, in Council member Sewell's absence, directed Council's attention to a memo titled, "*Finance Committee*". He explained that the Finance and Water Works committees met for a combined meeting on March 15, 2019 to review several items in advance of the Council meeting.

Mayor Kuenning reported that staff presented to the Finance and Water Works committees the annual water rate analysis for evaluation purposes. The dialogue was a continuation from last month's Water Works committee meeting.

Mayor Kuenning reported that Mr. Aaron provided an update on the Village App. Thus far, there have been 406 Apple downloads and 39 Android downloads with 60 service requests. Discussions centered on suggestions for the App such as inclusion of the collection/recycling schedule, auto-fill of *Reforest the Hill* forms and other Village forms and highlighting historical sites in the Village. These are items that will be restructured during the website update occurring this year. Mr. Aaron will work on these suggestions in coordination with the website update. Staff will work to market the App by placing advertisements on resident's receptacles through collection routes.

Mayor Kuenning directed Council's attention to the February financial statements, which were included in the Council packet. He said that during February there were no remarkable transactions recorded. He asked for questions from the Council members. There being no questions or exceptions, the financial statements for February 2019 were accepted as issued.

Mayor Kuenning reported that Mr. Gully provided an update on the Recreation Commission financial transition to the Village. Mr. Gully reported that he and Mr. Jack Alley met with the Commission's accounting firm to review the current accounting processes. Mr. Alley will be providing Mr. Gully access to the Commission's software to understand cash flow and to integrate into the Village's accounting system. Mr. Gully is preparing a fund account for the Recreation Commission that will be incorporated into the 2020 budget process.

Mayor Kuenning reported that the Finance committee reviewed information regarding Governor DeWine's recommendation for a gas tax increase and its effects on Village revenues. He said that since the meeting, Governor DeWine is requesting an \$.18 increase and the House requested a 10.7% increase in the tax and the Senate has recommended a \$.06 increase.

Mayor Kuenning reported that Mr. Gully presented a draft Resolution to allow the Village to enter into a contract with the Ohio Attorney General's Office (AG) to assist in the collection of delinquent obligations such as Mayor's Court fines and income taxes. This agreement only will be utilized as a final step in the Village's internal collection process. The Attorney General's office works with law firms that specialize in debt collection and utilize a 150-180 day collection timeframe. The AG's office includes a 10% fee; however, that is added to the amount owed, so any monies collected will be reimbursed fully to the Village. Mayor Kuenning said that the Finance committee agreed to recommend passage of the Resolution.

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY
MANAGER TO NEGOTIATE SERVICES AND ENTER INTO AN**

AGREEMENT IN SUBSTANTIAL FORMAT WITH THE OHIO ATTORNEY GENERAL'S OFFICE FOR COLLECTION OF DELINQUENT CITY OBLIGATIONS SPECIFICALLY ASSIGNED TO THE ATTORNEY GENERAL'S OFFICE BY THE CITY OF THE VILLAGE OF INDIAN HILL was presented and read.

Upon motion by Mayor Kuenning, seconded by Council member Thayer, the Resolution was passed by voice vote 6-0. Mayor Kuenning declared Resolution number **06-19** adopted.

LAW COMMITTEE REPORT: Council member Armstrong directed Council's attention to a memo titled, "*Law Committee*". He reported that the Law committee met on March 14, 2019 to review several items in advance of the Council meeting.

Council member Armstrong reported that the Law committee entered into Executive Session for the purpose of discussing the February legal activity report that includes discussions on property sale and/or acquisition and conferencing with the Village attorney concerning disputes that are subject of pending or imminent court action.

Council member Armstrong reported that Mr. West presented to the Law committee a request to approve the plat of Shawnee Brook Farm Subdivision and accepting the dedication of Given Road. He said that Mr. West was notified by a title attorney that the Village had not accepted the dedication of right-of-way for Given Road. Therefore, a draft Ordinance was presented that would affirm the dedication of Given Road. Council member Armstrong said that the Law committee recommends a first reading of the Ordinance.

AN ORDINANCE APPROVING THE PLAT OF SHAWNEE BROOK FARM SUBDIVISION RECORDED IN PLAT BOOK 281, PAGE 67 OF THE HAMILTON COUNTY, OHIO RECORDERS OFFICE, AND ACCEPTING THE DEDICATION OF GIVEN ROAD, PARCEL ID NO. 529-0030-0047 was presented and read for the first reading.

Council member Armstrong reported that the Law committee reviewed the Ordinance 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. He reported that the Law committee recommends a third reading and passage of this 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 a third reading.

Upon motion by Council member Armstrong, seconded by Council member Thayer, the Ordinance was passed by roll call vote 6-0. Mayor Kuenning declared Ordinance **03-19** 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 March 19, 2019 to review several items in advance of the Council meeting.

Council member Cowan reported that Mr. Adkins presented to the Buildings and Grounds committee the departmental activity report, a copy of the report is included in the Council packet. She reported that staff performed plumbing repairs at the Administration Building. Staff also continued painting Livingston Lodge, painted lacrosse and soccer fields and cleared drainage behind homes on Camp Road.

Council member Cowan reported that Mrs. Wade-Dorman distributed to the Buildings and Grounds committee the project management report, a copy of the report is included in the Council packet. She reported that at Grand Valley the staff dropped 85 Christmas trees into the main lake to create natural fish shelters. Hamilton County has assigned a new septic inspector to the Village – Erica Foley. Rick Robinson has been helping her with the transition. Staff and the Rangers have been working with residents on Shawnee Ridge Lane to address a number of people who are walking illegally on the bridle trails at Clippinger Fields. The 2019 *Reforest the Hill* program will be launched next month.

Council member Cowan reported that prior to the Buildings and Grounds meeting, staff had distributed a 2002 environmental study that was performed on the Grand Valley property prior to the Village's purchase. The study involved water samples taken from five locked monitoring wells located on the property that the Village eventually purchased. There were no chemical compounds found in the samples. She said that the Buildings and Grounds committee agreed with the recommendation to have the five wells tested again to obtain updated results.

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 March 19, 2019 to review several items in advance of the Council meeting.

Council member Krehbiel reported that Mr. Adkins presented to the Public Works committee the departmental activity report, a copy of which is included in the Council packet. He explained that staff cleared trees and honeysuckle from the right-of-way in several locations and installed cold patch to fill potholes. Thus far, there have been 20 snow events, 19.75 inches of snow accumulation, 1,471 tons of salt used and 4,220 gallons of brine used.

Council member Krehbiel reported that Mrs. Wade-Dorman presented the project management report, a copy of which is included in the Council packet. Summaries for upcoming infrastructure projects are as follows:

- a) **North Branch Sycamore Creek Restoration Weil Road** – All in-stream work has been completed. Final restoration and planting are taking place this week. The road opened today which is several weeks ahead of schedule.
- b) **Blome Road/Spooky Hollow Culvert** – The removal and replacement of the culvert under Blome Road is complete. Crews are preparing to pour new concrete headwalls on the newly installed culvert. The intersection will close on March 25th and is expected to open in 56 days.
- c) **Remington Road (SR126) Culvert Replacement** – The Village is still waiting to receive the OPWC Project Agreement as construction cannot start until it has been signed. Staff is working with Greenacres to acquire a temporary easement.
- d) **Shawnee Run Road Landslide** – ODOT is reviewing the Stage III drawings. Staff is waiting for Cincinnati Bell to swing their lines to the new pole. The Village will send out letters to adjacent property owners about upcoming road closure and project comments. Bids will go out in July with construction commencing in October.
- e) **Various landslide projects (Muchmore, Hopewell, Loveland-Madeira, Demar Roads)** – Staff is awaiting final design drawings in order to create bid documents.
- f) **Keller Road Bridge** – Hamilton County anticipates bidding the project in July and commencing construction in August with completion date anticipated for November.
- g) **Bike Path Bridge (over Shawnee Run Road)** – ODOT has contacted staff to schedule a five day closure of Shawnee Run Road at SR 126 to complete concrete repairs on the bridge. ODOT has agreed to coordinate this work when Shawnee Run Road is closed for landslide repairs.
- h) **Blome Road Bridge** – Hamilton County will repair a section of decking that has fallen while the road is closed. Staff attended a pre-scoping meeting with the County to begin design and engineering of the 2020 construction project.

Council member Krehbiel reported that the Public Works committee reviewed a newspaper article about the increase in recent landslide activity throughout the Cincinnati area. He said that with rains these past months, the Village has encountered two unanticipated landslides on Shawnee run Road and Indian Hill Road. He said that the Village will be able to repair them in-house but will need to monitor them in the future to determine if a more advanced fix is needed.

Council member Krehbiel reported that the Public Works committee discussed a resident's concern about litter on Hopewell Road. He explained that staff runs a consistent north to south cleaning route throughout the week.

WATER WORKS REPORT: Mayor Kuenning directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". He reported that the Water Works and Finance committees met for a combined meeting on March 15, 2019 to review several items in advance of the Council meeting.

Mayor Kuenning reported that the departmental activity and project management reports were distributed to the Water Works committee members prior to the meeting. Copies of the reports were included in the Council packet.

Mayor Kuenning reported that the Water Works committee reviewed the information from last month's Water Works committee. Information included water rate benchmarking which showed that Indian Hill's rate continues to be in the bottom third of all other water distribution communities throughout Ohio, Indiana and Kentucky, even with the increases over the last four years. In addition, he said other local communities had routinely had annual water rate adjustments where Indian Hill did not implement any during the 2009-2014 timeframe.

Mayor Kuenning said that the Water Works and Finance committees also reviewed the budgetary effects of implementing different water rate increases to determine what is needed to efficiently run the Water Works department while evaluating how any potential increase financially impacts various types of water customers – from minimum to high usage. He said that the Water Works and Finance committees discussed how water distribution regulations have increased over the years due to incidents in other states and how those regulations affect future budgets.

Mayor Kuenning reported that the Water Works and Finance committees also discussed how the City of Madeira has embarked on a study to evaluate moving its water service area provided by the Village to Greater Cincinnati Water Works. Madeira has said the report will be finalized within the next two months and a decision will be known by the end of the year. He said that the Village's current contract with Madeira indicates they have to provide a two year notice if it wishes to not renew the contract. Mayor Kuenning said that after a very thorough discussion, the Water Works and Finance committee members agreed that a rate increase is necessary to ensure sufficient means of replacing significantly old infrastructure, to maintain the integrity of the ten year capital plan and to ensure safe and effective water distribution. The Water Works and Finance committee members recommend for Council's consideration, a 15% increase in the water rate beginning July 1, 2019. The recommendation includes an understanding that annual rate reviews will continue to be performed as a way to evaluate actual revenues and expenditures due to weather's unpredictability at time of budgeting.

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 was presented and read for the first reading.

Council requests that Ms. Minneci notify the top 10 water users in the Village that there will be a rate increase. Council member Cowan asked Ms. Minneci to correct several typos in the Ordinance.

Mayor Kuenning reported that the Water Works committee reviewed an update on the gas aggregation program. The Village's contract with Constellation expires on May 31, 2019. He said that staff is recommending a Resolution to authorize the City Manager to enter into a renewed contract with Constellation for gas aggregation brokerage services for three years at a fixed rate that will never be higher than \$0.399/ccf. He said that staff reviewed the proposal with several other cities within the gas aggregation pool and compared it to other bid options, and the results were favorable. It was emphasized that residents are able to opt-out if they find a more

competitive offer; however, staff advises residents to question if the other program has fees, what the time frame of the lesser rate is and what the rate increases to after the introductory low rate expires. Mayor Kuenning said that the Water Works committee recommends a Resolution to enter into this agreement.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROGRAM AGREEMENT IN SUBSTANTIAL FORMAT WITH CONSTELLATION LLC FOR SUPPLYING NATURAL GAS TO PARTICIPANTS IN THE CITY OF THE VILLAGE OF INDIAN HILL, OHIO GOVERNMENTAL AGGREGATION PROGRAM was presented and read.

Upon motion by Mayor Kuenning, seconded by Council member Thayer, the Resolution was passed by voice vote 6-0. Mayor Kuenning declared Resolution number **07-19** adopted.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on March 14, 2019 to review several items in advance of the Council meeting.

Council member McGraw reported that Chief Ashbrock presented to the Safety committee the Fire/EMS report, a copy of which is included in the Council packet. He reported that total EMS runs for February were 70 compared to 99 in February 2018. Year-to-date runs are 148 compared to 209 last year. Council member McGraw reported that Chief Ashbrock said that the department discussed service calls with the nursing staff at Madeira Manor. Chief Ashbrock also provided an update on the tragic airplane crash in Madeira. He indicated to the Safety committee that Lunken Airport registers about 100 take-offs and 100 landings a day.

Council member McGraw reported that Chief Ashbrock informed the Safety committee that a full time position is vacant due to a new hire going back to his original employer. He said that the Chief is going back to the lateral entry candidate list from the last hiring to interview additional candidates. The part-time hiring process has been continuous with three offers being made in the last month.

Council member McGraw reported that the Joint Fire District held an Assessment Center for five Fire Chief Candidates. He said that the Assessments were offered to six candidates but only five accepted. Council member McGraw said that the interviews will take place in April after the Assessment Center results have been evaluated.

Council member McGraw reported that Colonel Schlie presented the Rangers report, a copy of which is included in the Council packet. Over the past month, cases have involved general information, trespassing and ID theft. The Rangers were involved with a School Safety Audit program and they participated in Indian Hill High School's Career Day.

Council member McGraw reported that Colonel Schlie announced the second annual hockey tournament will take place May 2-4, 2019 at the Indian Hill Winter Club.

Council member McGraw reported that Colonel Schlie provided an update on the Lieutenant promotional process. Three of the eight candidates passed the written exam. Those three participated in an interview panel. After careful consideration of the scores and panel feedback, Ranger Shawn Perdue was chosen to be promoted to rank of Lieutenant and he was sworn in tonight.

Council member McGraw reported that after passing the physical training test, eleven lateral entry candidates will be interviewed in the upcoming week for the two open Patrolman positions. In addition, letters of intent for the newly opened permanent Detective position will be sent out this week with interviews to follow.

Council member McGraw reported that the Safety committee discussed the Community Forum and combining it with a request to have a public presentation on coyotes by Lt. Perdue. He said that the Safety committee also discussed other ways to increase attendance and interest in the biennial event. He requested Council's comments on this subject.

Mayor Kuenning explained that the coyotes get active in the fall around September; therefore it would be good to have Lt. Perdue's presentation in the August – September time period. He said that combining the two meetings could increase participation by the resident's and he asked Council for their input. After discussion, Council decided to have a combined meeting including Lt. Perdue's presentation on coyotes and to have it in early September after Labor Day weekend.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on March 12, 2019.

Council member Thayer reported that the Planning Commission approved a special exception request to construct dugout shelters at the baseball field by Cincinnati Country Day School. CCDS operates under the continuing jurisdiction of the Indian Hill Planning Commission. The property is located at 6905 Given Road.

Mayor Kuenning said that both Superintendent's gave Mr. West a lot of compliments for working with them not only just on Cincinnati Country Day but also for the Recreational facility on Shawnee.

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

Ms. Minneci distributed copies of the 2018 Annual Report, which is prepared each year by the Department Heads. She said that all of the Department Heads do a fantastic job preparing the reports and they put in a lot of time into it and she gives them her thanks. She also gave a special thanks to Kari Zenni for all of her work on the reports. Mayor Kuenning said that Council thanks the Department Heads and staff for preparing the reports and asked Ms. Minneci to extend their thanks to the individuals.

Ms. Minneci said that the date to discuss the Strategic Planning/Preliminary Council goals schedule needed to be set. After discussion, Council agreed to hold this discussion as part of the August 26th Council meeting.

Ms. Minneci reported that Administrative offices will be closed for Good Friday on April 19, 2019.

Ms. Minneci reported that on May 2, 2019 the Annual National Day of Prayer will be held and this year Indian Hill will be hosting the event. The program will be held at Stephan Field.

Ms. Minneci reported that the Council Organizational Meeting will be held on December 2, 2019.

Ms. Minneci explained that the property in northern Indian Hill was being planned for development. The developer has been approached by Homearama to use the site as a Homearama. She explained that Homearama is a big production and gives a lot of publicity to the area.

Council member Cowan said that she has some reservations because of the traffic and a lot of people coming in from outside the community. Mayor Kuenning explained that this primarily affects the City of Montgomery because the access in and out will be off of Montgomery Road. After discussion, Council decided to study the issue before making a decision.

Council member McGraw made a motion that Council enter into Executive Session for the purpose of discussing pending litigation and to prepare for, conduct or review negotiations or bargaining sessions with public employees concerning terms and conditions of employment, including compensation. The motion was seconded by Council member Thayer and was passed by roll call vote 6-0. Council entered into Executive Session. Council returned from Executive Session.

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