

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
September 24, 2018**

A meeting of the Indian Hill Village Council was held on September 24, 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.	Stephen H. Krehbiel, Council member
Mr.	Donald C. McGraw, Council member
Mrs.	Monique A. Sewell, Council member
Mr.	Abbot A. Thayer, Council member
Ms.	Dina C. Minneci, City Manager
Mr.	Donald L. Crain, City Solicitor
Mr.	Paul C. Riordan, Clerk/Comptroller
Mr.	Jon West, Assistant City Manager

Visitors present: Mr. Scott Phillips, Frost Brown Todd

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

MINUTES: The minutes of the regular meeting of August 27, 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 7-0.

FINANCE COMMITTEE REPORT: Council member Sewell directed Council's attention to a memo titled, "*Finance Committee*". She reported that the Finance committee met on September 6, 2018 to review a number of items in advance of the Council meeting.

Council member Sewell also directed Council's attention to the August financial statements, which were included in the Council packet.

Council member Sewell reported that the following items were significant in the August finance statements.

- The Village received \$67,546 of income tax receipts in August which is the same as received in August 2017. Year-to-date cash receipts are 91% of the budget. She said that the Finance committee will monitor the income tax receipts for the remainder of the year.
- Significant disbursements related to CIRF were culvert replacement, landslide repairs and a purchase of a patrol vehicle.
- Water Works Capital Reserve Fund expenditures included expenditures for generator repairs, \$78,392 and a water main of \$130,172.

The financial statements for August 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 gave an update on the Request for Proposal (RFP) process for the Rowe Arboretum Fund's fiduciary services. Nine proposals have

been received. Staff will continue reviewing the RFP's to determine the ones which will be brought in for interviews. The interview panel will consist of Mrs. Sewell, Mr. Gully, Mr. West, Ms. Judy Mitchell (Chairperson of the Rowe Arboretum Advisory Committee) and Ms. Minnici. Interviews are expected to take place at the end of the month.

Council member Sewell reported that staff presented the preliminary 2019 operating and capital budget. The presentations included the following departments: City Council, City Manager, Technology Services and Inspection Division. She said that significant recommendations are as follows:

- a. **City Council** – 1) Overage in year-end solicitor fees is due to Planning Commission appeal and 2) decrease in miscellaneous is due to ordinance review occurring every two years. Overall, the initial operating 2018 year end estimate to 2019 budget comparison equates to a 44.7% decrease.
- b. **Clerk/Comptroller** – 1) increase in professional service for management fees offset by investment revenues; 2) increase for one-time tax server hosting upgrade; and 3) overage in year-end tax refunds is due to 2017 tax changes. Overall, the initial operating 2018 year end estimate to 2019 budget comparison equates to a 1.9% decrease.
- c. **City Manager** – 1) increase due to not attending national conference in 2018 but expecting attendance in 2019 and 2) increase in equipment for zoning software and conference room chairs/table replacement. Overall, the initial operating 2018 year end estimate to 2019 budget comparison equates to a 7.2% increase.
- d. **Technology Services** – Overage in 2018 is due to the Village App's development. Overall, the initial operating 2018 year end estimate to 2019 budget comparison equates to a 3.7% decrease.
- e. **Inspection Division** – Increase in contractual is due to state required septic inspection fees for Village owned properties and NPDES water quality sampling. Overall, the initial 2018 year end estimate to 2019 budget comparison equates to a 5.3% increase.

Council member Sewell reported that staff commented on the overall preliminary 2019 Capital Improvement Replacement Fund (CIRF) budget summary. Significant capital recommendations for 2019 include:

- a. \$1.1 million for road resurfacing program – includes Hopewell Road, North & South Clippinger and approximately ten other roads; concrete curb replacement on Loveland-Madeira and North Clippinger, and concrete gutter on Spooky Hollow
- b. \$350,000 for culvert replacements on Given and Indian Ridge
- c. \$325,000 for landslide repairs on Hopewell and Demar
- d. \$150,000 for septic design and replacement at Bonnell House and Little Red Schoolhouse
- e. \$327,000 for major street equipment replacement – includes packer and collection cart
- f. \$100,000 for website development and phone system replacement
- g. \$152,000 for salt shed roof replacement

Council member Sewell said that per the Summary of Expenditures by Department and Fund and the Budget Summary Statement, the total 2019 preliminary operating budget of \$13,047,400 reflects a 7.7% increase compared to the 2018 year-end estimate. The total 2019 preliminary operating and CIRF budget of \$16,388,475 reflects a 6.0% increase compared to the 2018 year-end estimate. Significant factors relating to the increase are Fire Department Fund (replace three part-time positions with three full time positions), State Highway Fund (\$300,000 project funded solely with gas and license fees) and Police Department (request for additional detective). The percentage increases include fully funding line items in 2019 that were not fully utilized in 2018 to account for unpredictable weather and maintenance issues.

Council member Sewell reported that staff provided an overview of the 2019 preliminary operating and CIRF budget for the Water Works Fund. The total 2019 preliminary operating budget of \$2,200,000 (less sewer reimbursements) reflects a 9% increase compared to the 2018 year-end estimate. This relates to significant repair work needed on two wells as well as the filling and abandonment of an old brine storage pit. The total 2019 preliminary operating and CIRF budget of \$3,700,000 reflects an 8% decrease compared to the 2018 year-end estimate.

Council member Sewell said that the Finance committee and staff discussed how the entire budget still remains in preliminary stages with changes to estimates and reevaluation of requests being made on a continuous basis. Another revised total operating and CIRF budget will be presented at next month's Finance committee meeting for review.

Council member Sewell reported that the Finance committee reviewed an annual Resolution accepting the amounts and rates as set by the Hamilton County Budget Commission. The Finance committee recommends passage of this Resolution at this Council meeting. Mayor Kuenning said that this Resolution is consistent with Resolutions passed in prior years.

A RESOLUTION ACCEPTING AMOUNTS AND RATES AS SET FOR THE CITY OF THE VILLAGE OF INDIAN HILL BY THE BUDGET COMMISSION, AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR was presented and read.

Upon motion by Council member Sewell, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Kuenning declared Resolution number **08-18** 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 September 5, 2018 to review several items in advance of the Council meeting.

Council member Armstrong reported that Mr. Crain and staff presented the August legal activity report. The report included updates on Green Area donations, review of mini cell tower legislation, review of BWC claims, review of various easement requests, review of Planning Commission appeal and Mayor's Court.

Council member Armstrong reported that Mr. West provided the Law committee with an update and recommendation for a second reading and emergency passage of an Ordinance which satisfies the requirements of House Bill 478 – regulation of mini cell facilities. Governor Kasich signed this specific legislation that limits a municipality’s involvement in cell tower’s construction and installation. This bill became effective on August 1, 2018. Mr. West has reviewed the recommended changes with Cincinnati Bell and the company has indicated its satisfaction with the changes which include regulations on pole types, pole locations and height of cell towers. The Law committee agreed to a second reading and a recommendation for emergency passage of the Ordinance at this Council meeting.

AN ORDINANCE AMENDING CHAPTER 52 OF THE CODE OF ORDINANCES TO ADD REGULATIONS FOR SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES PER HOUSE BILL 478, AND DECLARING AN EMERGENCY was presented and read for the second reading.

Council member Armstrong said that in order to abide by the effective date mandated in House Bill 478, this Ordinance is to be passed on an emergency basis and shall take effect and be enforced immediately upon passage.

Upon motion by Council member Armstrong, seconded by Council member McGraw, the rules were suspended by unanimous roll call vote. Upon motion by Council member Armstrong, seconded by Council member Thayer, the Ordinance was passed by unanimous roll call vote. Mayor Kuenning declared Ordinance **06-18** 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 September 5, 2018 to review several items in advance of the Council meeting.

Council member Cowan reported that Mr. Adkins, Mrs. Wade-Dorman and Mr. West provided the departmental activity and project management reports after the meeting to allow time for 2019 budget discussions. Copies of the reports are included in the Council packet.

Council member Cowan reported that the Buildings and Grounds committee reviewed the 2019 operating and capital improvement budget. Presentations included the following departments: Camp Ross Shooting Range, Parks and Recreation, Buildings and Grounds, Bridle Trails, Green Areas, Grand Valley and Rowe Arboretum. Significant recommendations are as follows:

- a. ***Camp Ross Shooting Range*** – 1) added a supplemental liability policy, 2) increase in repairs due to roof repair and dead tree removal, and 3) increase in materials associated with lower skeet clubhouse refurbishing. Equipment requests include replacement of the sporting clay control house, electrical control board and skeet field lights. Overall, the initial operating 2018 year end estimate to 2019 budget comparison equates to a 12.9% increase. The Shooting Range is self-sufficient with the revenues from

- memberships and user fees being used toward expenditures. No General Fund revenues subsidize this account.
- b. **Parks and Recreation** – Equipment requests include a pole saw, two zero turn mowers and a utility vehicle. Facility improvements include concrete slabs for Livingston Field bleachers and repair of asphalt walking paths in parks. Overall, the initial operating 2018 year end estimate to 2019 budget comparison equates to a 4.7% increase. Baseball field repairs at Stephan Field have been placed on hold.
 - c. **Buildings and Grounds** – Livingston Lodge repairs include HVAC and restroom improvements. Other building improvements include Public Works HVAC, Administration/Ranger building security cameras, and Public Works garage doors. Overall, the operating 2018 year end estimate to 2019 budget comparison equates to an 11.6% increase mainly due to more effective maintenance contract administration and building improvements due to aging facilities.
 - d. **Bridle Trails** – No significant changes were requested. Overall, the operating 2018 year end estimate to 2019 budget comparison equates to a 3.3% decrease.
 - e. **Green Areas** – No significant changes were requested. Overall, the initial operating 2018 year end estimate to 2019 budget comparison equates to a 10.8% increase in expenditures. This is mainly due to purchase of an iPad for GIS mapping and educational materials. No General Fund revenues subsidize this account.
 - f. **Grand Valley** - Building improvements include gutters/spouts on the boat shelter, repair/painting of boat and maintenance barns, three kiosks and gate control replacements. Overall, the operating 2018 year end estimate to 2019 budget comparison equates to a 9.5% increase.
 - g. **Rowe Arboretum** - Equipment requests include new entry gate/stone columns, decorative entry fencing, and upgrade of gravel walking paths. These items are all part of the 2017 Master Plan recommendations. Overall, the operating 2018 year end estimate to 2019 budget comparison equates to a 7.8% increase.

Council member Cowan reported that staff indicated that these recommendations remain preliminary and changes continue to be made to line items to ensure cost efficiencies. Revised preliminary budgets will be submitted at the October Buildings and Grounds committee meeting for review. Subsequent to the meeting, she said that staff provided the Buildings and Grounds committee with an update report from the Bridle Trail Master Plan stakeholders.

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 September 4, 2018 to review several issues in advance of the Council meeting.

Council member Krehbiel reported that staff provided the departmental activity and project management reports after the meeting to allow time for budget discussions. Copies of the reports are included in the Council packet.

Council member Krehbiel reported that the Public Works committee reviewed the preliminary 2019 Public Works operating and capital improvement replacement budget (CIRF). He said that it includes the following departments: Street Maintenance and Repair, State Highway Maintenance, Snow Removal and Waste/recycling Collection. Significant requests are as follows:

- a. **Street Maintenance and Repair** – 1) increase in maintenance due to repair to Muchmore guardrail and 2) decrease in signage based on historic usage. Equipment requests include a portable drill press, trailer and pole saw. Overall, the initial operating 2018 year end estimate compared to the 2019 budget equates to a 2.4% increase.

Under the CIRF, requests include \$1.1 million for the Village's overall street resurfacing program to accommodate concrete curb and gutter replacement, crossover pipe, and paving on approximately ten streets, including Hopewell, North and South Clippinger. Other CIRF requests include two landslide projects, two culvert repairs, and one cul-de-sac upgrade on Drake Road, and replacement of one loader and one salt truck.

- b. **State Highway Maintenance** – The significant request in this account centers on the replacement of culvert and repair of landslide on Remington Road (SR 126). An Ohio Public Works Commission grant is being applied for to assist with actual construction costs. This account is a state mandated and self-sufficient fund that is earmarked for state highways. Therefore, expenditures can only be used for the repairs and maintenance associated with the areas of State Route 126 that fall within the Village. Revenues are derived from state gas and auto taxes only. No General Fund revenues are utilized.
- c. **Snow Removal** – requests for 2019 are very similar as to what was appropriated in 2018. Overall, the initial operating 2018 year end estimate to 2019 budget comparison equates to a 2% increase.
- d. **Waste/Recycling Collection** – 1) increase in salary and benefits due to staff realignment, 2) increase in waste disposal charges due to increased tonnage, and 3) increase in recycling disposal charges due to cyclical re-establishment of dumping fees. Overall, the initial operating 2018 year end budget to 2019 budget comparison equates to a 13% increase. Other CIRF requests include (1) one packer and (2) two collection carts – one for collection, one for recycling.

Council member Krehbiel reported that Mrs. Wade-Dorman presented a Resolution for the Committee's consideration which allows the City Manager to create a conversation easement on green area property for the Weil Road stream restoration project. This conservation easement is required by the Clean Ohio grant that has been awarded for the project. The Public Works committee recommends passage of the Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONVEY AND ACCEPT A VARIABLE WIDTH CONSERVATION EASEMENT LOCATED ON GREEN AREA PARCELS NOS. 629-0290-0077-90 AND 629-0290-0044-90 was presented and read.

Upon motion by Council member Krehbiel, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Kuenning declared Resolution number **09-18** adopted.

Council member Krehbiel reported that Mr. West presented a Resolution for the Committee's consideration which allows the City Manager to grant a sanitary sewer easement

across green area property in the Carriage Trail subdivision. This easement will allow three homes on Carriage Trail to have the ability to replace their septic systems by tying into the sanitary sewer main with private sanitary sewer lines. This type of easement has been granted on other green area properties to provide residents with more efficient utility systems and improve the environment. Council member Krehbiel said that the Public Works Committee recommends passage of the Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONVEY A 20' PUBLIC SANITARY SEWER EASEMENT TO THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO, FOR THE USE AND BENEFIT OF MSD AND TWO 10' PRIVATE SANITARY SEWER EASEMENTS TO LOTS 20 AND 22 OF CARRIAGE TRAIL OF INDIAN HILL, SECTION B, SUBDIVISION FOR THE PRIVATE INSTALLATION AND MAINTENANCE OF SANITARY SEWER LINES LOCATED ON GREEN AREAS PARCEL NOS. 629-0290-0122, 629-0290-0113 AND 629-0290-0124 was presented and read.

Upon motion by Council member Krehbiel, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Kuenning declared Resolution number **10-18** adopted.

Council member Krehbiel reported that Mrs. Wade-Dorman presented a Resolution for the Committee's consideration which allows the City Manager to accept an easement from 9155 Shawnee Run Road which is required for repair of the emergency Shawnee Run landslide project. He said that the Public Works committee recommends passage of the Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE DONATION OF EASEMENTS AS PART OF THE SHAWNEE RUN ROAD SLIDE IMPROVEMENT PROJECT was presented and read.

Upon motion by Council member Krehbiel, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Kuenning declared Resolution number **11-18** 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 September 4, 2018 to review several items in advance of the Council meeting.

Mayor Kuenning reported that Mr. Adkins and Mrs. Wade-Dorman provided the departmental activity and project management reports after the meeting for Water Works committee members to review. Copies of the reports are included in the Council packet.

Mayor Kuenning reported that Mr. Adkins presented the preliminary 2019 Water Works operating and capital budget. He said that highlights are as follows:

- a. Change in part time wages due to transition of a seasonal part time to a permanent part time
- b. Change in contractual due to mandated Source Water Resource Protection Plan phases
- c. Change in wells due to cleaning and repair of two wells
- d. Change in system supplies to fill and abandon old brine storage pit
- e. Overage in year-end estimates due to MSD changing from quarterly to monthly billing
- f. Request for equipment replacements include chemical feed pumps, monitoring well equipment, brine pumps and container body for scrap metal storage.
- g. Under the Capital Improvement Replacement Fund (CIRF), items being requested include: 1) water main replacement on Shillito Lane; 2) engineering for OEPA-mandated asset management plan design; and 3) replacement of two brine tanks and dump truck.

Mayor Kuenning said that the total 2019 preliminary operating budget of \$2,200,000 (less sewer reimbursements to MSD & Madeira) reflects a 9% increase compared to the 2018 year-end estimate. In addition to the items listed above, overtime wages, supplies and contractual services were not fully utilized in 2018. However, budget amounts for these accounts remain the same in 2019 due to unpredictability relating to weather and number of water main breaks. The total 2019 preliminary operating and CIRF budget of \$3,700,000 reflects an 8% decrease compared to the 2018 year-end estimate.

Mayor Kuenning indicated that these recommendations remain preliminary and changes continue to be made to line items to ensure cost efficiencies. Revised preliminary budgets will be submitted at the October Water Works committee meeting for review.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on September 6, 2018 to review several items in advance of the Council meeting.

Council member McGraw reported that Fire/EMS and Ranger reports were distributed after the meeting to allow time for the 2019 budget review. Copies of the reports are included in the Council packet.

Council member McGraw reported that Colonel Schlie presented the 2019 Police department operating and CIRF budget. Significant requests included:

- a) Change in salaries, benefits, physicals, training and uniforms due to the request to have the current Detective position become a non-contract, permanent position while adding a second Detective position which will be filled with current Rangers on a two-year rotating basis. This added Detective position will assist in increasing the skills of all Rangers, will maintain comprehensive investigation into all incidents and will preserve the significantly high conviction rate for an ever-increasing case load.
- b) Cost associated with replacing one retiring Lieutenant.
- c) Change in body armor and TASER purchases due to replacement of out of service units.

Council member McGraw explained that the overall Police department's initial operating 2018 year-end estimate compared to the 2019 budget is an 8.5% increase. Requests in the Capital Improvement Replacement Fund (CIRF) include replacement of one Ranger Tahoe and one unmarked vehicle.

Council member McGraw reported that Chief Ashbrock presented the preliminary 2019 Fire department budget which is based on the Madeira & Indian Hill Joint Fire District Board's recommendations. The Village's operating and capital expenditures are based on 50% of the fire district budget with the City of Madeira being responsible for the other 50%. Overall, the fire department's initial operating 2018 year-end estimate compared to the 2019 budget equates to a 14.5% increase. This significant increase is due to replacing three part-time positions with three full time positions. Details revolving around this personnel change are outlined in previous Safety committee reports over the last several months. The expenditures include the offset of an estimated \$100,000 in EMS reimbursement.

Council member McGraw said that as stated in last month's Safety committee report, Chief Ashbrock continues to recommend that both communities allow the hiring of the three full time positions in the fourth quarter of 2018. There will be no net effect increase to the 2018 budget as there are funds available from the lack of part-time personnel being scheduled to offset the increase in personnel costs for the new full time personnel.

Council member McGraw indicated that these recommendations remain preliminary and changes continue to be made to line items to ensure cost efficiencies. Revised preliminary budgets will be submitted at the October Safety committee meeting for review.

Council member McGraw said that after extensive discussion in this and previous meetings, the Safety committee recommends to Council a Resolution to approve the Madeira & Indian Hill Joint Fire District's request to commence hiring of three full time positions to replace three part-time positions. He explained that a similar Resolution was recommended and approved by the City of Madeira City Council at its September 10, 2018 Council meeting.

A RESOLUTION APPROVING THE REQUEST OF THE MADEIRA & INDIAN HILL JOINT FIRE DISTRICT TO REPLACE THREE (3) PART-TIME FIREFIGHTERS/PARAMEDICS WITH THREE (3) FULL TIME FIREFIGHTERS/PARAMEDICS was presented and read.

Upon motion by Council member McGraw, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Kuenning declared Resolution number **12-18** adopted.

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

Council member Thayer reported that a special exception request by Greenacres Foundation at 8400 Blome Road was approved. The approval will allow a 2600 SF expansion of

the existing greenhouse to increase production and programming space for Greenacres mission related programs.

Council member Thayer reported that a Concept Plan submitted by the Emery Brothers Limited Partnership for The Meadows at Peterloon Subdivision was conditionally approved. The subdivision is located north of Perin Lane, south of Hopewell Road, and east of Montgomery Road. The plan will subdivide 131.37 acres into 42 building lots and includes the donation of 28.89 acres of Green Areas.

Council member Thayer reported that a sanitary sewer easement plat submitted by the owners of 10440,10460 and 10480 Carriage Trail was approved. The sanitary sewer easement will allow the three homes to connect to the existing sanitary sewer.

Council member Thayer said that the next Planning Commission meeting will be held on October 16, 2018.

CITY MANAGER'S REPORT: Ms. Minneci reported that the Public Hearing on 2019 budget will be held on November 19, 2018.

Mayor Kuenning made a motion that Council enter into Executive Session to discuss pending litigation with legal counsel. The motion was seconded by Council member Thayer and was passed by unanimous roll call vote. 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