

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
February 24, 2020**

A meeting of the Indian Hill Village Council was held on February 24, 2020 at 6:30 p.m. The meeting was held in the Council Chamber of the Village Administration building.

Officials present: Mrs. Melissa S. Cowan, Mayor
 Mr. Donald C. McGraw, Vice-Mayor
 Mr. Richard J. Hidy, Council member
 Mr. Stephen H. Krehbiel, Council member
 Mr. Shayne O Manning, Council member
 Mrs. Monique A. Sewell, Council member

Official on Phone: Mrs. Elizabeth C. Isphording, Council member

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

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

MINUTES: The minutes of the regular meeting of January 27, 2020 had previously been distributed to each Council member. Council member McGraw made a motion to accept the minutes, which was seconded by Council member Hidy and was approved as corrected, 6-0.

FINANCE COMMITTEE REPORT: Council member Sewell directed Council’s attention to a memo titled, “*Finance Committee*”. She reported that the Finance committee met on February 14, 2020 to review several items in advance of the Council meeting.

Council member Sewell also directed Council’s attention to the January 2020 financial statements which were included in the Council packet. Council member Sewell presented the following financial highlights:

- a. **Income Tax Receipts:** The Village received \$333,186, which was approximately \$75,000 more than received in January 2019. January 2019 receipts were higher due to pre-payments falling over into January which were made in December 2018 to take advantage of the tax deduction before the Federal tax changes took place in 2019.
- b. **Operating Disbursements:** Operating expenditures equated to \$1,144,779 which was \$119,000 more than January 2019. This is due to timing of payments.
- c. **CIRF:** Disbursements totaled \$170,658. This relates to waste collection equipment, a patrol vehicle and real estate taxes.
- d. **Water Works Receipts:** Water usage receipts were \$350,753 which was approximately \$145,000 more than January 2019 receipts. This is due to increased usage and the full impact of the 2019 water rate increase. The rate increase was 15% and was initiated in July so it wasn’t until later in the

- year that the full impact was made on the receipts due to the timing of Water Works billings.
- e. **Water Works Disbursements:** Total operating disbursements of \$217,917 were \$10,000 more than January 2019. This is due to timing of payments.
 - f. **Water Works CIRF:** There were no CIRF expenditures this month.
 - g. **Long Term Debt:** There was no activity in January.
 - h. **Cash and Investments:** Total month-end cash and investments were \$27,640,907 compared to \$27,939,269 in December 2019 and \$26,532,736 in January 2019.
 - i. **Rowe Funds:** The market value as of January 31st was \$4,163,445. The unrecognized gain was \$1,124,621. Total monthly operating receipts, including dividends, were \$10,672 with monthly operating expenses totaling \$9,164 and investment sale net gain of \$40,897.
 - j. **Green Areas Funds:** The market value as of January 31st was \$3,251,099. The unrecognized gain was \$1,872,661. Total monthly earnings equated to \$327 with monthly expenses totaling \$360.

The financial statements for January 2020 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 investment advisors from Bahl & Gaynor provided the Finance committee with the annual update on the Rowe Arboretum investments.

Overall, the account in 2019 had an income net growth of 9.93% and an overall income growth of 9.75% since the account's inception in 2005. The Village received \$85,526 in annualized income in 2019 which yielded 2.7%. The annualized income is approximately 20% lower than 2018 due to the transfer of 30% of the equity portfolio to Bartlett's conservative investment strategy in order to provide a more balanced portfolio which matches the Village's revised investment strategy. Within the portfolio, no stocks will ever hold more than 5% of the entire portfolio, and currently, the top ten stocks equate to 36% of the portfolio. The investment objectives of maximizing current income coupled with minimizing downside capital risk continues to be a sound strategy.

Council member Sewell reported that the investment advisors from Bartlett provided the Finance committee its annual update on the investments for the General Fund, Water Works Fund and inactive funds. Due to the restrictions placed on public investments per the Ohio Revised Code, the General Fund portfolio consists only of treasury notes, agency notes, municipal bonds, certificate of deposits and money market funds. Moreover, maturities are limited to five years. Since its inception in 2004, the General Fund's performance has had a 2.06% annualized rate of return. The portfolio primarily consists of investments with a maturity between 1-3 years to account for volatility. In 2019, the average maturity was 1.79 years. This equated to a yield to maturity average of 1.63%.

Council member Sewell reported that Bartlett also presented its new Rowe Arboretum fixed income portfolio which was created in March 2019 due to the transfer of 30% of the Rowe

fund balance from the Bahl & Gaynor account. Since inception, it has had a 4.15% annualized rate of return. As this portfolio was developed on private donations rather than tax dollars, it can include a broader range of investments than the General Fund, such as corporate bonds, and hold longer terms. The portfolio consists of investments with maturity rates ranging from 1-10 years with the average maturity of 4.12 years. This equated to a yield to maturity average of 1.93% in 2019.

Council member Sewell reported that the Finance and Water Works committees will combine meetings on March 17, 2020 at 7:00 a.m. in order to have discussions on annual water rate analysis.

Council member Sewell reported that the Finance committee reviewed a draft Ordinance to create the Recreation Fund in order to accommodate and account for the revenues and expenditures that come from the Recreation Commission now that its financials have been transitioned into the Village's account procedures and financial reporting. She said that the Finance committee recommends emergency passage to create the Recreation Fund.

**AN ORDINANCE ESTABLISHING THE RECREATION FUND,
AND DECLARING AN EMERGENCY** was presented and read.

Upon motion by Council member Sewell, seconded by Council member Manning, the rules were suspended by roll call vote 6-0. Upon motion by Council member Sewell, seconded by Council member Hidy the Ordinance was passed by roll call vote 6-0. Mayor Cowan declared Ordinance **03-20** enacted.

LAW COMMITTEE REPORT: Council member Hidy directed Council's attention to a memo titled, "*Law Committee*". He reported that the Law committee met on February 13, 2020 to review several items in advance of the Council meeting.

Council member Hidy reported that the Law committee convened into Executive Session for the purpose of discussing the January legal activity report that included discussions on pending litigation.

Council member Hidy reported that Mr. West presented to the Law committee a request to construct a breezeway/mudroom and covered porch addition at the Elliott House located at 9400 Given Road. The Village has a ground lease with the property owner and a façade easement that states its purpose is "to assure that no change will be made to the exterior of the Elliott House unless that change is in accordance with the Secretary of the Interior's Standard for Rehabilitation of Historic Properties and in the style of the Waldschmidt House in Camp Dennison". He said that Mr. West presented the plans for the additions, the "Secretary of the Interiors" criteria for additions, photos of the Elliott House and photos of the Waldschmidt House. Council member Hidy said that after a brief discussion, the Law committee agreed that the additions were in conformance with the façade easement requirements.

Council member Hidy reported that staff provided an update on the Charter recommendations. Letters have been sent to all registered voters in the Village explaining the recommended changes and asking residents to exercise their right to vote on March 17th. Thus far, staff has only received a few questions regarding the recommendations.

Council member Hidy reported that as a follow-up to last month's discussions, Mr. West presented to the Law committee a draft Resolution which would allow the City Manager to enter into a license agreement with Mr. and Mrs. Stephen Black for the donation of 3.4175 acre land gift to the Village. The license agreement would permit Mr. and Mrs. Black, their heirs, guests and invitees, to have a license to maintain the existing neighborhood sled riding hill on the property. The property would be deed restricted to be left in its natural state, except for the sled riding hill which will be maintained by Mr. and Mrs. Black. Council member Hidy said that after discussion, the Law committee recommends the Resolution to Council.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH STEPHEN AND SUSAN BLACK AS PART OF ACCEPTANCE OF A 3.4175 ACRE GIFT OF LAND TO THE CITY OF THE VILLAGE OF INDIAN HILL was presented and read.

Upon motion by Council member Hidy, seconded by Council member McGraw, the Resolution was passed by voice vote 6-0. Mayor Cowan declared Resolution **05-20** adopted.

Council member Hidy reported that the Law committee reviewed an Ordinance to accept the right-of-way dedication along Demar Road as part of the plat of DDB Towhee Woods subdivision and recommends a second reading.

AN ORDINANCE APPROVING THE PLAT OF DDB TOWHEE WOODS SUBDIVISION RECORDED IN PLAT BOOK 475, PAGES 85 AND 86 OF THE HAMILTON COUNTY, OHIO RECORDERS OFFICE, AND ACCEPTING THE DEDICATION OF DEMAR ROAD, PARCEL ID NO. 529-0152-0091 was presented and read for the second reading.

Council member Hidy reported that the Law committee reviewed an Ordinance to repeal specific sections of the Code of Ordinances as they relate to police retirement age. He said that the Law committee recommends a second reading.

AN ORDINANCE REPEALING §34.40 AND §34.41 OF THE CITY OF THE VILLAGE OF INDIAN HILL CODIFIED ORDINANCES was presented and read for the second reading.

Council member Hidy reported that the Law committee reviewed an Ordinance to repeal the Personnel Rules of the Manager and the Rules of the Personnel Advisory committee and to

combine them under one Ordinance entitled, Civil Service Rules and Regulations. He said that the Law committee recommends a second reading of the Ordinance.

AN ORDINANCE REPEALING THE PERSONNEL RULES OF THE MANAGER AND THE RULES OF THE PERSONNEL ADVISORY AND APPEALS BOARD AND TO AMEND CHAPTER 35 TO INCORPORATE AND APPROVE THE CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF THE VILLAGE OF INDIAN HILL was presented and read for the second reading.

BUILDINGS & GROUNDS COMMITTEE REPORT: Mayor Cowan directed Council's attention to a memo titled, "*Buildings and Grounds Committee*". She reported that the Buildings and Grounds committee met on February 18, 2020 to review several items in advance of the Council meeting.

Mayor Cowan reported that Mr. Adkins presented the departmental activity report, a copy of which is included in the Council packet. Mayor Cowan reported that Mr. West and Mrs. Wade-Dorman distributed the project management report, a copy of which is included in the Council packet.

Mayor Cowan reported that the annual plant sale at Rowe Arboretum will be April 24, 2020 from 2:00 p.m.-7:00 p.m. (Member's Day) and April 25, 2020 from 10:00 a.m. – 4:00 p.m. (open to public). The Arboretum also is partnering with the American Conifer Society to host a presentation about garden design and grafting on February 29, 2020

Mayor Cowan reported that the Rowe Arboretum Advisory committee has new members to fill two vacancies – Kym Kuenning and Lis Kuhlman. They will begin their terms at the Rowe Arboretum annual meeting in March.

Mayor Cowan reported that the Buildings and Grounds committee reviewed a request to construct a breezeway/mudroom and covered porch addition at the Elliott House located at 9400 Given Road which was previously reported on in the Council meeting by Council member Hidy.

Mayor Cowan reported that Ann Gibson has submitted her resignation as a member of the Green Areas Advisory committee due to family commitments. Currently, there are two vacancies on the committee, and staff has asked for input on people who may be interested in serving.

Mayor Cowan reported that the Green Area Advisory committee's Native Plant subcommittee is planning a celebration of Arbor Day, Native Plant month and Earth Day by planting tree saplings at Grand Valley on April 4, 2020. Mayor Cowan said that the committee members are very committed and are the best committee that she has been involved with in her 13 years with the Village.

Mayor Cowan reported that the Buildings and Grounds committee convened into Executive Session for the purpose of discussing property acquisition.

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 February 18, 2020 to review several items in advance of the Council meeting.

Council member Krehbiel reported that Mr. Adkins presented the departmental activity report, a copy of which is included in the Council packet. Staff cleared trees from the right-of-way in several locations. Staff also performed cold patching, repaired guardrail and performed pier wall inspection on Muchmore Road.

Council member Krehbiel reported that Mr. Adkins reported that in the 2019-2020 snow season there had been eight snow events with a total accumulation of 7.75 inches with 440 tons of salt being used. This compares to 17 snow events with 17 inches of snow and 1,225 tons of salt used this time last year.

Council member Krehbiel reported that Mrs. Wade-Dorman distributed the project management report, a copy of which is included in the Council packet. Council member Krehbiel summarized the following infrastructure projects:

- a. **Keller Road Bridge** – In the spring, the contractor will temporarily close the road to complete surface course paving, striping and final restoration.
- b. **Blome Road Bridge** – The project is under design.
- c. **Given Road Bridge** – Staff entered into a service agreement for the design work. In addition, a notice was sent out to residents adjacent to the bridge in preparation for the surveying work that will take place over the next couple weeks.
- d. **Muchmore Road Landslide** – The project began in February with an anticipated 30 day road closure. The contractor has installed 24 of the 36 plugs and has begun installing rock channel protection along the slope.
- e. **Hopewell & South Given Gabion Walls Replacement** – Staff met with the engineer to evaluate alternative design options to stabilize the areas. The engineer will provide proposals along with estimated costs for staff to evaluate.
- f. **Remington Road (S.R. 126) Pier Wall Extension and Draining Improvements** – Design work is being performed in 2020 with construction anticipated in 2021.

WATER WORKS REPORT: Council member Isphording directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". She reported that the Water Works committee met on February 18, 2020 to review several items in advance of the Council meeting.

Council member Isphording reported that Mr. Adkins presented the departmental activity report, a copy of which is included in the Council packet. She said that staff repaired three main breaks and performed fire hydrant repairs. Plant operators responded to 246 customer service calls and completed the installation of the new brine tank.

Council member Isphording reported that Mrs. Wade-Dorman distributed the project management report, a copy of which is included in the Council packet.

Council member Isphording reported:

- a. **Water treatment plant brine storage tank replacement** – the first tank has been installed and work continues on ensuring proper operations. The second tank will be installed upon completion of the first tank.
- b. **Algonquin Water Main Replacement** – staff has received the engineering and construction specifications for the project. Bid documents are being prepared to advertise the project in March.

Council member Isphording reported that staff provided the Water Works committee with an update on the discussions with the City of Madeira regarding the possibility of having the Village taking ownership of the \$15,000,000 water infrastructure within Madeira. Madeira has asked to have the Village take on all \$15,000,000 of the water mains within the next two years. However, the Water Works committee discussed concerns about this approach and will be scheduling another meeting with Madeira to review other options. She said that staff continues to work on refining accurate proposals to determine what the needed surcharge for Madeira residents would be in order for the Village to cover the addition of newly replaced water mains to its inventory.

Council member Isphording reported that staff provided the Water Works committee with information for the annual review of the Village's water rates which included a ten year cash flow analysis and represents anticipated operating and capital expenditures through 2029. The water revenues in the forecast are based on a ten year historical average of actual collections. She said that the Water Works committee also reviewed water usage data from 2002 through 2019. This spreadsheet highlights the differences in potential revenue during extremely hot years and extremely wet years.

Council member Isphording said that the Water Works committee reviewed benchmarking material which showed Indian Hill's current rate being in the middle of the water distribution systems located throughout Ohio and Kentucky. In addition, anticipated 2020 rates increases for local jurisdictions were reviewed. The Water Works committee discussed various philosophies, with the use of a water rate calculator, on how to achieve appropriate operating fund ending balances each year. The goal is to have sufficient funds that allow for effective and efficient water distribution operations while also having the ability to replace significantly aging infrastructure. The water rate was increased by 5% in 2015, 2016 and 2017, by 8% in 2018 and 15% in 2019. As a reminder, the Village had no increases in 2009-2014. Council member Isphording said she thought that staff did an outstanding analysis on the water rates. The analysis was great work by the staff.

Council member Isphording said that the Water Works committee would like to share information and continue discussions in a combined meeting with the Finance committee to determine the appropriate increase necessary to maintain the fund's viability. A combined meeting of the Finance and Water Works committees is scheduled for Tuesday, March 17, 2020 at 7:00 a.m.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on February 13, 2020 to review several items in advance of the Council meeting.

Council member McGraw reported that Chief Oughterson distributed the January Fire/EMS activity report, a copy of which is included in the Council packet. He reported that Chief Oughterson highlighted EMS runs were 99 for the month. Council member McGraw reported that Chief Oughterson discussed details regarding a fire on Willow Run Court that was caused by the misuse of extension cords to a chicken coop that housed electrical heaters. Fire damage was limited to the outside deck, a shed and the rear exterior of the house.

Council member McGraw reported that Chief Oughterson provided the Safety committee with an update on the career hiring process. Of the forty-two applicants, six have made it to the final interview round with the Chief and the Joint Fire District Board President, Bob Gehring. Chief Oughterson told the Safety committee that he expects to make offers and present a slate of three candidates to the Joint Fire District Board by the end of March. Those who are not offered a position will be offered part-time positions with the District.

Council member McGraw reported that the Joint Fire District has been doing training in the vacated house adjacent to the fire house. Rangers as well as other fire departments have been invited to participate in the training. Prior to the demolition of the home, an asbestos abatement must be completed.

Council member McGraw reported that Colonel Schlie informed the Village that it has received a US Fire Marshall grant to assist in purchasing twenty-six Motorola radios. This grant will provide approximately \$31,000 of the \$100,000 in total costs. These radios are utilizing the funds provided by Mr. and Mrs. Thomas and accounted for in the newly established Ranger fund.

Council member McGraw reported that Colonel Schlie wishes to present the Ranger Achievement Award to Ranger Ray Manning for his efforts in starting an annual charity hockey tournament held at the Indian Hill Winter Club. Since its inception in 2018, the hockey tournament has brought in over \$87,000 to assist police and firefighter families throughout the Cincinnati region with medical costs. Council member McGraw said that this award will be presented at the next Council meeting.

Council member McGraw reported that the Safety committee convened into Executive Session for the purpose of discussing pending legal activity associated with the Ranger report.

PLANNING COMMISSION REPORT: Council member Manning reported that the Planning Commission met on February 18, 2020 and approved a request by the Elliott House. He said that the next Planning Commission meeting has been moved to March 24, 2020.

CITY MANAGER'S REPORT: Ms. Minneci reported the following in her City Manager's report:

Ms. Minneci said that the regular Council meeting scheduled for March 23rd is being rescheduled to March 30th. She said that the resident's will be notified of this change.

Ms. Minneci reminded Council of the following dates:

- a. April 19, 2020 New Resident party at Livingston Lodge 4:00 p.m. ~ 6:00 p.m.
- b. April 24, 2020 Rowe Arboretum annual plant sale – *for members only* 2:00 p.m. ~ 7:00 p.m.
- c. April 25, 2020 Rowe Arboretum annual plant sale – *open to the public* 10:00 a.m. ~ 4:00 p.m.

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

Respectfully submitted,

Melissa S. Cowan, Mayor

ATTEST:

Paul C. Riordan, Clerk