

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
June 15, 2020**

A meeting of the Indian Hill Village Council was held on June 15, 2020 at 6:30 p.m. The meeting was held via remote Webinar access to respect social distancing as required as a result of the Coronavirus pandemic.

Officials present:

Mrs.	Melissa S. Cowan, Mayor
Mr.	Donald C. McGraw, Vice-Mayor
Mr.	Richard J. Hidy, Council member
Mrs.	Elizabeth C. Isphording, Council member
Mr.	Stephen H. Krehbiel, Council member
Mr.	Shayne O Manning, Council member
Mrs.	Monique A. Sewell, 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 May 18, 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 Krehbiel and was approved 7-0.

CITIZEN PARTICIPATION: Rosemary Welsh appeared before Council and explained that she is the President of the Indian Hill Historical Society, which she was representing and she was also representing herself as a resident of Indian Hill. She explained that the planned new septic system would require three mounds on the side-yard of the Little Red Schoolhouse. She said that these mounds could not be camouflaged. She explained that the side-yard could not be used for events such as the Blessing of the Hounds for the Camargo event. Also, gatherings of the Historical Society and their guests and events such as weddings could not be held in the side-yard. She requested that Council consider alternate sites which she labeled, Sites 1 and 2, which are on green areas property. Mayor Cowan thanked Mrs. Welsh for her input into this matter and said that Council would consider it in their evaluation for the placement of the septic system.

FINANCE COMMITTEE REPORT: Council member Sewell directed Council's attention to a memo titled, "*Finance Committee*". She reported that the Finance committee met on May 8, 2020 by remote Webinar access to review several items in advance of the Council meeting.

Council member Sewell also directed Council's attention to the financial statements which were included in the Council packet. Council member Sewell provided the following financial highlights in her financial report:

- a. **Income Tax Receipts:** The Village received \$482,124, which was approximately \$252,000 more than received in May 2019. Year-to-date cash receipts are 16.3% of budget. As a result of COVID-19, the deadline for income taxes was extended from April 15, 2020 to July 15, 2020. Tax

- receipts over the next three months are expected to be sporadic until July 15th.
- b. **Operating Disbursements:** Operating expenditures equated to \$903,063 which is \$260,000 less than May 2019. This is due to May 2019 being a three-pay period month and timing of various payments.
 - c. **CIRF:** Disbursements totaled \$215,944. They are associated with the Muchmore Pier wall project carried over from 2019 and the purchase of a leaf vacuum.
 - d. **Water Works Receipts:** Water usage receipts were \$171,199 which is approximately \$14,000 more than May 2019 receipts. Year-to-date cash receipts are 35.3% of budget.
 - e. **Water Works Disbursements:** Total operating disbursements were \$357,407 which was approximately \$33,000 more than May 2019. This is due to May 2019 being a three-pay period month and timing of payments.
 - f. **Water Works CIRF:** Disbursements totaled \$42,921. This is associated with semi-annual interest payment on the 2009 Water Works bond.
 - g. **Long Term Debt:** The next semi-annual interest payment for the 2009 Water Works bond was paid.
 - h. **Cash and Investments:** Total month-end cash and investments were \$25,827,642 compared to \$26,395,234 in April 2020 and \$34,559,945 in May 2019. Month-to-month and year-to-year changes are affected by the delayed income tax deadline from April 15th to July 15th as a result of COVID-19.
 - i. **Rowe Funds:** The market value as of May 31st was \$3,872,618 which was a 6.8% decrease since 12-31-19. This is in conjunction with the overall stock market decline associated with COVID-19. The unrecognized gain was \$901,019. Total monthly operating receipts, including dividends, were \$7,747 with monthly operating expenses totaling \$14,967 and an investment sale net loss of \$4,801.
 - j. **Green Areas Funds:** The market value as of May 31st was \$3,101,401 which was a 14.5% increase since 12-31-19. The unrecognized gain was \$1,712,009. Total monthly earnings equated to \$44 with monthly expenses totaling \$0.

The financial statements for May 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 Finance committee reviewed the draft 2021 Tentative Tax Budget. This proposed 2021 budget reflects total estimated revenues of \$13,200,000 against estimated operating expenses of \$14,000,000 and capital/retirement reserve expenditures of \$2,900,000. Total ending balance for all 2021 funds is estimated at \$14,900,000. It was noted that the tax budget represents a starting point for the preparation of the more encompassing 2021 budget process. The formal, detailed budget review process begins in July and continues through the December Appropriation Ordinance. This process includes many meetings amongst staff, the Finance Director, Comptroller, City Manager and Council committees

where individual line items are thoroughly analyzed and adjusted as needed. In addition, Council will hold a Strategic Planning session in August which will evaluate priorities for the upcoming year.

The 2021 Tentative Tax Budget includes a 20% reduction in income tax receipts due to the effects known at this time about COVID-19. However, with the stock market on the rise after a significant slump, ever-changing regulations/directives from the state and federal government, and much still unknown about whether a second virus will occur, the decrease is simply a starting point. Income tax receipts will be analyzed on a month by month basis, with revolving COVID-19 effects being a key factor.

Council member Sewell requested the opening of a public hearing on the 2021 Tentative Tax Budget. Mayor Cowan opened the public hearing on the 2021 Tentative Tax Budget. Council member Sewell pointed out that this is just a tentative tax budget which has a lot of thought put into it and Mr. Gully's logic makes a lot of sense the way he looked at income for next year considering the unknown affects of COVID-19 on the tax revenues. There being no other public questions or comments, Mayor Cowan declared the public hearing closed.

A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF THE VILLAGE OF INDIAN HILL FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021 AND SUBMITTING SAME TO THE COUNTY AUDITOR was presented and read.

Upon motion by Council member Sewell, seconded by Council member McGraw, the Resolution was passed by voice vote 7-0. Mayor Cowan declared Resolution **10-20** adopted.

Council member Sewell reported that the Finance committee reviewed an overview of the health insurance renewal for August 1, 2020 through July 31, 2021. She said that the Village is included in the Center for Local Government Benefits Plan Health Insurance pool. It is one of 17 government entities who pool resources to provide effective health care coverage for its employees while also being conscious of the overall budget. The pool is self-insured and includes approximately 650 employees and 1,700 total individuals. She said that the premiums will be increasing by 9.9% beginning August 1, 2020. This is due to a large claim activity (>\$25,000) significantly increasing over the past year. The premium increase was actually higher; however, changes in the prescription program helped reduce it to 9.9% which results in a \$76,000 increase to the Village based on current enrollments. Since 2013, the health insurance plan has had an average yearly increase of 5.8%.

Council member Sewell reported that there will be no changes to the medical or dental plan designs for the 2020-2021 plan year. However, the Village will evaluate the employee portion of the premiums in the upcoming year to determine if a change is needed to assist with rising costs.

Council member Sewell reported that the Finance committee reviewed a draft Resolution which would allow the City Manager to enter into an agreement with Dinsmore & Shohl to be the

Village's bond counsel for the 2009 Series General Obligation refund. The cost for this service is estimated at no more than \$13,000. This Resolution, she said, would be presented under the Law committee report.

Council member Sewell reported that the Finance committee reviewed a draft Ordinance to establish the Coronavirus Fund. She explained that when the federal government passed the CARES Act earlier this year as assistance during the COVID-19 pandemic, a provision in the Act allows for local governments to receive federal funds to offset unexpected expenditures incurred due to COVID-19. Senate Bill 310 in the Ohio General Assembly defines how the funds provided to Ohio will be distributed and how they can be spent. SB 310 requires all jurisdictions to establish a separate fund to account for the intake and disbursements. It is unknown at this time how much the Village will be receiving. Any funds that are not spent must be reimbursed. She said that the Finance committee recommends passage of the Ordinance as an emergency as monies will be distributed immediately after the upcoming passage of SB310.

Council member Sewell reported that the Finance committee reviewed a draft Ordinance allowing the Village to pursue the refunding of the 2009 Series General Obligation debt for water system improvements. This was discussed at last month's committee meeting and will have a net savings to the Village, after administrative fees, of \$124,000. Council member Sewell said that the Finance committee recommends passage of this Ordinance as an emergency in order to start the process immediately to capitalize on lower rates.

Council member Sewell moved for the suspension of the rules for the following two Ordinances. The motion was seconded by Council member McGraw and was passed by roll call vote 7-0.

AN ORDINANCE ESTABLISHING THE CITY OF THE VILLAGE OF INDIAN HILL ("INDIAN HILL") CORONAVIRUS RELIEF, AND DECLARING AN EMERGENCY was presented and read.

Upon motion by Council member Sewell, seconded by Council member McGraw, the Ordinance was passed by roll call vote 7-0. Mayor Cowan declared Ordinance **07-20** enacted.

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,125,000 OF BONDS BY THE CITY OF THE VILLAGE OF INDIAN HILL, OHIO, FOR THE PURPOSE OF REFUNDING VARIOUS PURPOSE GENERAL OBLIGATION BONDS OF THE CITY, AND DECLARING AN EMERGENCY was presented and read.

Upon motion by Council member Sewell, seconded by Council member McGraw, the Ordinance was passed by roll call vote 7-0. Mayor Cowan declared Ordinance **08-20** enacted.

Mayor Cowan pointed out that the House Bill number has been changed to 481.

LAW COMMITTEE REPORT: Council member Hidy directed Council's attention to a memo titled, "*Law Committee*". He reported that the Law committee met on June 4, 2020 by remote Webinar access to review several items in advance of the Council meeting.

Council member Hidy reported that staff gave the Law committee an update on the Green Area Trust Agreement that was created in 1962. He explained that Mayor Cowan had found an article from the 1980's in the Sycamore Messenger where her father was part of the Green Areas Advisory committee which encouraged Council to pass an Ordinance in 1981 which did not permit the Village to sell donated green area land. After reviewing the 1981 Ordinance, it was discovered that the 1962 Trust Agreement was never amended nor re-recorded with the Hamilton County office to include the 1981 changes. Consequently, staff will determine the steps needed to make the necessary updates to the Green Areas Trust Agreement.

Council member Hidy reported that the Law committee reviewed a draft Resolution to enter into a first amendment to the lease agreement associated with the Elliott House. The current agreement includes a septic system that is shared by Livingston Lodge and the current Elliott House owners. Due to state mandates, the system is required to be upgraded. After discussions with the current homeowners, it was agreed that the septic system would be separated into two systems with each party being responsible for their own system. An amendment to the current lease was necessary for this to occur. Council member Hidy said that the Law committee recommends passage of the Resolution to Council.

Council member Hidy reported that staff provided a draft Resolution which would allow the City Manager to enter into an agreement with Dinsmore & Shohl to be the Village's bond counsel for the 2009 Series General Obligation refund that was discussed last month and in tonight's Finance committee report. The costs for this service are estimated at no more than \$13,000. Council member Hidy said that the Law committee recommends passage of the Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO LEASE AND PURCHASE AGREEMENT WITH CHRISTOPHER D. SOUTH AND JULIANNE E. SOUTH FOR THE PROPERTY LOCATED AT 9400 GIVEN ROAD KNOW AS THE ELLIOTT HOUSE was presented and read.

Upon motion by Council member Hidy, seconded by Council member McGraw, the Resolution was passed by voice vote 7-0. Mayor Cowan declared Resolution **11-20** adopted.

A RESOLUTION ENGAGING DINSMORE & SHOHL, LLP AS BOND COUNSEL FOR THE CITY OF THE VILLAGE OF INDIAN HILL, OHIO was presented and read.

Upon motion by Council member Hidy, seconded by Council member McGraw, the Resolution was passed by voice vote 7-0. Mayor Cowan declared Resolution **12-20** adopted.

Council member Hidy reported that the Law committee entered into Executive Session for the purpose of discussing the May legal activity report that included discussions on pending litigation and property acquisition.

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 June 9, 2020 by remote Webinar access to discuss several items in advance of the Council meeting.

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. She said that the highlight of the report was that Grand Valley attendance continues to be at high levels due to the COVID-19 situation.

Mayor Cowan reported that Mr. West has received additional inquiries for potential green area gifts on Whitegate Lane and Camargo Road. Title work and surveying will be pursued upon owner's authorization.

Mayor Cowan reported that the Rowe Arboretum planted several new additions to the collections. In addition, an individual was caught on camera stealing several trees from the Arboretum. Although the culprit did bring the trees back in the middle of the night, the Rangers actively pursued the individual as many were damaged. Ms. Minneci pointed out that the individual was cited to Court this evening.

Mayor Cowan reported that Mrs. Wade-Dorman indicated to the Buildings and Grounds committee that the Redbirdhollow consultant began the stream assessment and met with a resident to mark the headwaters on her property. Upon completion of the assessment, the consultant will meet with additional property owners who have requested areas to be reviewed.

Mayor Cowan reported that the Livingston Lodge septic system design has been finalized and was sent to contractors for pricing. Three contractors provided bids, with Street Sweeps, Inc. coming in the lowest and best at \$49,900. The budgeted amount was \$90,000. The difference in pricing is due to a less complicated system having to be installed than originally planned.

Mayor Cowan reported that the Buildings and Grounds committee reviewed a request from a Grand Valley patron to utilize an electric jet board in the Grand Valley lakes. Due to concerns of safety, noise and overpopulation of the device, the Buildings and Grounds committee was not in favor of allowing electric jet boards.

Mayor Cowan reported that Mr. West updated the Buildings and Grounds committee on another potential generous donation. Dr. Osher, who donated for the upgrade of the baseball fields last year, wished to financially assist with trail improvements in Grand Valley. Staff

currently is working to obtain estimates for drainage repairs and trail realignment for the west trail behind the Park Ranger building.

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 June 9, 2020 by remote Webinar access 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 honeysuckle from the right-of-way in several locations. Staff also cleared trees from right-of-way on Graves and Remington Roads, performed drainage improvements on Hopewell and Weil Roads, removed tree stumps on Blome Road and installed a new Corporation sign on Old Indian Hill Road.

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

- a. **Keller Road Bridge** – The County will be re-ditching and cutting the hill back along the southeast corner to improve site distance.
- b. **Blome Road Bridge** – Due to the state budget process being delayed as a result of COVID-19, the project may be delayed. However, the Village and County continue to work to finalize the design plans.
- c. **Given Road Bridge** – Bid advertisements went out in June with the opening to occur on June 25th.
- d. **Hopewell & South Given Gabion Walls Replacement** – Site assessment and design of both projects continue.
- e. **Remington Road (S.R. 126) Pier Wall Extension and Draining Improvements** – Staff is reviewing the design work by Terracon. Construction is anticipated in 2021.
- f. **Street Resurfacing** – All paving has been completed in addition to all the curb work along Loveland-Madeira Road. Pavement markings are being finalized. Staff is analyzing which alternate projects will be completed. Hopewell Road Bridge is a high priority. It will require lane closures during the day.

WATER WORKS REPORT: Council member Ispording directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". She reported that the Water Works met on June 9, 2020 via remote webinar access to review several items in advance of the Council meeting.

Council member Ispording reported that Mr. Adkins presented the departmental activity report, a copy of which is included in the Council packet. Staff repaired one main break (19 for year) and installed two water taps. Plant operators responded to 205 customer service calls and repaired overhead lift in the high service pump buildings.

Council member Ispording reported that Mr. Frank Bell, Chief Plant Operator, is retiring on June 30th after over 20 years of service to the Village. He is being replaced by Mr. Ron Freson, Plant Operator. They have begun the transition. Mr. Bell has been an extremely valuable employee in the Water department and dedicated himself to ensuring safe and clean water distribution to customers on a daily basis. She said that Council wishes him well in his retirement.

Council member Ispording reported that Mrs. Wade-Dorman distributed the project management report, a copy of which is included in the Council packet with highlights as follows:

- a. **Water treatment plant brine storage tank replacement** – Project has been completed.
- b. **Algonquin water main replacement** – Construction will begin this month. Algonquin residents will be receiving a letter providing information on the project.
- c. **Well #9 rehabilitation project** – Equipment has been ordered with a lead time of twelve weeks.
- d. **Water treatment softener rehabilitation project** – The project received two bids with the lower and best coming in at \$157,270. This is higher than the budget estimate of \$105,000 due to a component inside the tank not being included in the original budget. However, the tank manufacturer felt it was necessary to replace the false bottom plate; therefore, an alternate bid was received which included this component.

Council member Ispording reported that the Water Work committee reviewed the draft Ordinance for the third and final reading for the recommended 10% water rate increase. She said that the Water Works committee recommends passage as an emergency in order for it to become effective on July 1, 2020. An article was placed in last month's Bulletin and will be placed in upcoming Bulletins explaining the rationale for the increase as well as how it will financially affect customers.

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, AND DECLARING AN EMERGENCY was presented and read for a final reading.

Upon motion by Council member Ispording, seconded by Council member McGraw, the rules were suspended by roll call vote 7-0.

Upon motion by Council member Ispording, seconded by Council member McGraw, the Ordinance was passed by roll call vote 7-0. Mayor Cowan declared Ordinance **09-20** enacted.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on June 4, 2020 via remote webinar access to review several items in advance of the Council meeting.

Council member McGraw reported that Chief Oughterson distributed the May Fire/EMS activity report, a copy of which is included in the Council packet. Chief Oughterson indicated that runs continue to be down from last year. Over the past month, daily staffing average was 8.5 which is considerably better than it has been in the prior year. The District currently has received two bids each for the landscaping projects adjacent to the firehouse and for the support vehicle. The department also is nearing completion of revising the Joint Fire District's website.

Council member McGraw reported that Chief Oughterson gave an assessment of COVID-19. He believes there have been no new cases within Madeira and Indian Hill which results in the number remaining at seven. The supply of PPE remains good. The department organized a gesture of appreciation with its partners at Jewish Kenwood Hospital. Various fire companies lined up in front of the hospital to say thank you for the hard work and dedication during the pandemic. There also were 32 requests for birthday parades in May. The department will be applying for funds from the CARES Act but not much has been expended thus far related to COVID-19 except for a UVC light which assists in killing the virus.

Council member McGraw reported that CPR classes remain on hold, but car seat instruction has been reinstated.

Council member McGraw reported that Colonel Schlie distributed the May Ranger's report, a copy of which is included in the Council packet. Cases included general information, theft and OVI. Colonel Schlie also provided an overview of information distributed on social media regarding a planned demonstration that was scheduled to occur on June 6th at Stephen Field. The demonstration is part of the nationwide demonstration to protest the death of Mr. George Floyd. Subsequent to the Safety committee meeting, the demonstration on June 6th did occur and had about 100-125 people without incident.

PLANNING COMMISSION REPORT: Council member Manning directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on May 19, 2020 to review two issues.

Council member Manning said that the Planning Commission approved a request for variance approval to the front yard and street side setbacks to permit construction of a covered porch and pergola addition. The property contains a non-conforming home located at 7700 Graves Road and is considered a historical structure.

Council member Manning reported that the Planning Commission disapproved a request for variance approval to the Blome Road street side setback to construct a pickle ball court on the east side of the existing garage. He said that a lot of neighbors attended this session all in support of the request for variance. The property is located at 8180 Ravenswalk Lane.

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

- a. Village COVID-19 re-openings – Administrative offices, Mayor’s Court, Shooting Club, tennis courts, non-contact sports, skills training only for contact sports. She said that so far everything has been going well and everyone has been very respectful. On June 10th the Governor of Ohio allowed playgrounds to be re-open. However, the Village is keeping the playgrounds closed because there is confusion on the number of people allowed to use the facilities. She said that the Village does not have the resources to do all the additional work. Temporary closed signs remain posted.
- b. July 4, 2020 – Fourth of July Parade and Festival have been postponed due to COVID-19. An article will be placed on the website and the Village Bulletin.
- c. July 4, 2020 – Fireworks will take place at Stephen Field at 9:45 pm – parking in adjacent lots allowed with COVID-19 restrictions.
- d. August 31, 2020 – Strategic Planning/Preliminary Council Goals discussion during the regular Council meeting at 6:30 pm.

Council member McGraw made a motion that Council enter into Executive Session for purpose of discussing property sale and/or acquisition. The motion was seconded by Council member Hidy and was passed by roll call vote 7-0. Council entered into Executive Session. Council returned from Executive Session.

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