

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
MAY 19, 2008**

A meeting of the Indian Hill Village Council was held on May 19, at 7:30 p.m. The meeting was held in the Council Chamber of the Village Administration Building.

Officials present:

Mr.	Eppa Rixey IV, Mayor
Mr.	David T. Ottenjohn, Vice Mayor
Mr.	Joseph Beech, III, Council member
Mrs.	Susan K. Holzapfel, Council member
Mrs.	Lindsay B. McLean, Council member
Mr.	Keith M. Rabenold, Council member
Mr.	Mark E. Tullis, Council member
Mr.	Michael W. Burns, City Manager
Mr.	Paul C. Riordan, Clerk/Comptroller
Mr.	Don Crain, Solicitor

Visitors present for new Officers swearing in Ceremony	Bren Miller	
	Lori Williams	
	Cheryl Tanner	7803 Greenbriar Ln. 45243
	Linda Miller	578 Wards Corner Rd. 45243
	Bill Miller	578 Wards Corner Rd. Loveland 45140
	Bill Miller, Jr.	7128 Garden Rd. 45236
	Maribeth Brakvill	5884 Stonebridge Cr. 45750
	Bob Brakvill	5884 Stonebridge Cr. 4570
	Steve Makin	I. H. Ranger
	Brian Dearborn	I. H. Ranger
	Denise Burkert	I. H. Dispatcher
	Michael Madsen	I. H. Ranger
	Keith Lang	I. H. Ranger
	Kari Zenni	Clerk of Court
	Michael Dressell	I. H. Ranger

Immediately preceding the council meeting Colonel Schlie swore in Mr. Mike Miller as an Indian Hill Ranger. Officer Miller comes to the village as a 12 year veteran in law enforcement. His father Bill Miller was an Indian Hill Ranger from 1966-1977.

MINUTES: The Minutes of the regular meeting of April 21, 2008 had previously been distributed to each Council member. Mayor Rixey declared the minutes accepted with changes as issued.

PUBLIC HEARING: Mayor Rixey opened the public hearing on the proposed zoning text amendments related to entryway fences, walls, and gates, and asked City Manager Burns to give an overview of the amendments.

City Manager Burns explained that the Planning Commission is trying to bring the code into agreement with what is actually happening in the village. He said that the new entryway regulations provided for only a 6' limitation, it did not provide for columns, or gates, which exceeded 6'. A number of cases came before the Planning Commission for variances in regards to the height of gates and columns. The proposed amendments are intended to clarify the current regulations and provide for more reasonable height standards for entryway gates, and columns.

City Manager Burns then reviewed the different height limitations for entryway fences, walls, and columns which are detailed in the amendments

Council member Ottenjohn said that the Planning Commission felt that this helped from a clarification stand point, but it also made the code a little more liberal to allow for the columns to be higher. He said that without these changes there would be many requests for variances to the height limitations.

“AN ORDINANCE AMENDING THE DEFINITIONS CONTAINED IN SECTION 3 OF THE INDIAN HILL ZONING ORDINANCE RELATED TO COLUMNS, EARTHEN BERMS, FENCES, GATES, AND WALLS AND AMENDING SECTION 59.8 ENTRYWAYS TO PROPERTY OF THE VILLAGE OF INDIAN HILL ZONING ORDINANCE, was presented and read for the first reading.

There being no further questions or comments on the proposed text amendments, Mayor Rixey declared the public hearing closed.

FINANCE COMMITTEE REPORT: Council member Tullis directed council's attention to a memo entitled "Finance Committee Meeting Report" dated May 15, 2008. He explained that the Finance committee met on May 15 to review and discuss several topics in advance of the Council meeting.

Council member Tullis highlighted that in April, \$6,017,000 was received for income tax. This brings the total income tax receipts for year to date April to \$7.3 million which compares to \$7.4 million for the same period last year. He said that income tax projections to be received for the year show that the receipts should be very close to budget, possibly \$50,000 short.

Council member Tullis also reported that the known revenues for the inheritance tax receipts are \$527,000 vs. the budget for the year of \$2,000,000.

Council member Tullis also highlighted that when the \$6,000,000 CD matured in the month of April, it was reinvested into the Star Ohio Fund. He also pointed out that the total investment in all funds is \$23,065,000.

There being no exceptions noted, the financial statements for April were accepted as issued.

Council member Tullis directed council's attention to a document entitled "Investment policy and guidelines, Rowe Arboretum Fund and Green Areas Endowment Fund, Village of Indian Hill, adopted October 23, 2000." He explained that Bahl and Gaynor has reviewed the policy and has recommended several changes. It has also been reviewed by City Manager Burns, Mrs. Weber and Mr. Riordan. He said that he would like to have this policy approved at the next council meeting. He said that it clarifies the change in strategy to more income growth for the Rowe Arboretum Fund.

Council member Ottenjohn explained that the finance committee will be determining in October the monies available for the Administration/Ranger building renovation.

The village is receiving funds from the County Auditor for bridge deck resurfacing; the village has determined that it is in the best interest of the Village of Indian Hill to appropriate funds for the bridge deck resurfacing from the Municipal Road Fund. This ordinance increases the Municipal Road Fund appropriation totals from \$0 to \$55,244.

"AN ORDINANCE AMENDING ORDINANCE 01-08 AND MAKING APPROPRIATIONS FOR THE EXPENSES OF THE VILLAGE OF INDIAN HILL FOR THE FISCAL YEAR 2008, AND DECLARING AN EMERGENCY" was presented and read.

Upon motion by Council member Tullis, seconded by Mayor Rixey, the rules were suspended by unanimous roll call vote. Upon motion by Council member Holzapfel, seconded by Council member Ottenjohn, the ordinance was passed by unanimous roll call vote. Mayor Rixey declared Ordinance No. 09-08 enacted.

Council member Tullis also reported that the Finance Committee was provided an overview of the preliminary health care insurance renewal under the CLG Cooperative. The United Health Care renewal came in at an increase of 9.9% over 2007. The budget was prepared using a 5% increase. Staff is looking at ways to offset this increase by encouraging participation in the HSA option and examining other funding alternatives.

Council member Tullis also reported that there will be a post audit review meeting to be held at 8:00 a.m. on June 4, 2008.

LAW COMMITTEE REPORT: Council member Rabenold directed council's attention to a memo, dated May 13, 2008. He reported that the Law committee met on May 9 to review and discuss several topics in advance of the council meeting.

Council member Rabenold reported that the committee reviewed copies of a memorandum written by State Representative Larry Wolpert. The memorandum outlines the most recent changes to HB 154 related to Mayor's Courts. The major changes of interest to the

village were the mechanics for appointing the magistrate and the court clerk. The new language provides that the local community would make the appointments. This is an improvement over the previous versions of the bill. This bill has been passed out of committee and is now in the conference committee.

City Manager Burns said that he estimates that if the bill passes it would go into affect January 1, 2009.

GROUNDS COMMITTEE REPORT: Council member McLean directed council's attention to a memorandum entitled "Grounds Committee Report", dated May 14, 2008. She reported that the Grounds Committee met on that date to review and discuss several topics in advance of the Council meeting.

Council member McLean reported that Mr. McQueen provided a Grand Valley activity report, which is attached to the grounds committee meeting memo. There was discussion about recent abuses of the liberal guest policy. City Manager Burns suggested to the committee that a limit of 2 guests per pass holder be established, and allow for special exceptions by the Preserve Manager. Council member McLean reported that the grounds committee agreed with this suggestion.

Council member Ottenjohn said that he believes that the village should be very careful and not be arbitrary when revoking someone's pass to the Grand Valley.

Council member Rabenold said that this will be discussed at the next Grounds committee meeting.

Council member McLean also reported that Mr. Kipp provided a project status report, a copy of which is attached to the memo. She highlighted that Cole + Russell Architects have submitted the initial preliminary plan showing proposed elevations for the Indian Hill Rangers/Administration building improvements. She also reported that KZF Design, Inc. and Bentley Koepke Landscape architects are working on the plans for the pedestrian bridge.

Council member Mclean also reported that Mr. Davis provided a departmental activity report, a copy of which is attached to the memo. She said that these were normal activities for this time of year. She highlighted that an area was prepped for planting and the installation of a plaque at Stephan Field for the Fry memorial tree.

Council member McLean also reported that the committee reviewed a draft ordinance related to the summer program at Stephan Field Park. This ordinance sets the pay for the program director and activity supervisor and authorizes an agreement with Camargo Racquet Club for the provision of tennis lessons. She said that the committee recommends emergency passage of this ordinance.

"AN ORDINANCE AUTHORIZING THE EMPLOYMENT OF A PLAYGROUND DIRECTOR AND AN ACTIVITIES SUPERVISOR; AUTHORIZING THE ISSUANCE OF CERTAIN PERMITS AND

ESTABLISHING RATES THEREFORE; AND, AUTHORIZING THE MANAGER TO ENTER INTO A CONTRACT WITH THE CAMARGO RACQUET CLUB FOR THE PROVISION OF SUMMER TENNIS LESSONS AND DECLARING AN EMERGENCY” was presented and read.

Upon motion by Council member McLean, seconded by Council member Tullis, the rules were suspended by unanimous roll call vote. Upon motion by Council member Mclean, seconded by Council member Holzapfel, the ordinance was passed by unanimous roll call vote. Mayor Rixey declared Ordinance No. 10-08 enacted.

Council member McLean reported that the committee also reviewed current Ranger/Administration preliminary plans. Staff has narrowed the field of construction manager candidates to two (2). The two finalists are Cincinnati Construction Management and Dugan and Meyers. The final interviews will take place in the Phinney House on May 19 and all Council members were invited to attend.

Council member McLean also reported that she contacted Mr. Goodman about the garage which was discussed at the last Council meeting. He said he had several things to take care of but that he would be happy to have council members come over and view the garage. A date will be set.

WATER WORKS REPORT: Council member Holzapfel directed council’s attention to a memo entitled “Water Works Committee Meeting Report” dated May 14, 2008. She reported that the Water Works committee Met on that day to review and discuss several topics in advance of the council meeting.

Council member Holzapfel reported that Mr. Davis provided a departmental activity report, a copy of which was attached to the memo. She highlighted that an agreement has been entered into with Burgess & Niple Engineers for the creation of the new water model and master plan for future system improvements. The contract has a “not to exceed” clause in the amount of \$41,500. The original budgeted amount was \$35,000. however; the improvements for the City of Madeira will be examined prior to entering into a new contract. This has necessitated the additional cost. Completion of the project is scheduled for late August.

Council member Holzapfel reported that the Tupelo Lane/Tecumseh Trail water main replacement project was awarded to Carter Construction, a division of Plainville Equipment; based on their low bid in the amount of \$275,016. The work on the project should commence in approximately a week to ten days. The original amount budgeted for the project was \$360,000.

Council member Holzapfel also reported that the softener replacement project met with a slight delay due to the need for additional reinforcement of the concrete floor located inside the plant. Substantial completion for this project should still be in late June.

Council member Holzapfel asked City Manager Burns to report on the repairs to the generator.

City Manager Burns reported to council that the village consultant is completing a review of the circumstances involved in the preceding failures. He expects to facilitate a meaningful discussion with all the involved parties regarding responsibilities, but it is imperative that the Village proceed with the repairs and get the generator back on line as soon as possible. Staff has compared the cost of a repair by the original manufacturer, KATO, as well as an alternative supplier and the alternative choice would involve a significantly higher expense. (\$100,000 higher) Staff would like to proceed with the repair by KATO, at an estimated cost of \$40,000-\$70,000. Since the water main project came in under budget, funds are available in the Water Works Capital Reserve Fund to complete the repair, but the Village Charter requires consultation and approval by council for emergency expenditures in excess of \$25,000. City Manager Burns requested a motion and voice vote on this matter by council. City Manager Burns also said that a replacement cost of the generator would be approximately \$750,000 - \$800,000.

Mayor Rixey moved that City Manager Burns be authorized to make the expenditure for the repair of the generator with the caveat that it not be put into service until the problem with the generator is identified. The motion was seconded by Council member Holzapfel and was carried by unanimous voice vote.

Council member Holzapfel also reported that the Water Works committee reviewed copies of the 2007-2008 Water Quality Study prepared by Indian Hill High School students working cooperatively with the Greenacres Foundation.

City Manager Burns noted to the committee that while the water quality report was consistent with other reports presented during recent years, some of the fecal coliform numbers were up during months when drought conditions were prevalent. It was also noted that the students have continually expressed concerns about the use of yard chemicals.

Council member Ottenjohn said that he thought the report was very well done and he asked City Manager Burns to write a complimentary letter to the High School students thanking them for their services.

PUBLIC WORKS REPORT: Mayor Rixey directed council's attention to a memo entitled "Public Works Committee Meeting Report", dated May 15, 2008. He reported that the Public Works committee met on that day to review and discuss several topics in advance of the Council meeting.

Mayor Rixey reported that Mr. Kipp provided a project status report which is attached to the memo. He explained that the Hamilton County Bridge Engineer's office along with the Village of Indian Hill will be painting the historic truss bridge on Blome Road. The work has been pushed back from this summer to September 2008 and it could even be pushed into 2009. The work will require the closing of Blome Road to thru traffic. Work will last approximately four (4) weeks. The estimated cost of painting the bridge is \$80,000.

Mayor Rixey also reported that Mr. Kipp's report included a list of the roads that will be resurfaced this year. The total length of the roads is 6.7 miles and the cost is estimated to be

\$560,000. Mayor Rixey also reported that five (5) bridge decks will be resurfaced with the help of the Hamilton County Municipal Road Fund; estimated cost is \$55,000.

Mayor Rixey also said that Filing/Review Fees for Lot Splits, Minor Subdivisions and Major Subdivisions are being reviewed for updating of costs. This includes field and office review of storm drainage/calculations, Natural Resource Protection requirements, and Construction Plans for acceptance by Planning Commission.

Mayor Rixey also noted that Construction Inspection Fees (based on street length) will also be reviewed. The new fees will be presented next month.

Mayor Rixey also reported that KZF Design, Inc. has submitted a preliminary roundabout design for review comments. The preliminary plan is being reviewed by the different utility companies for their comments in conjunction with the proposed relocation of their existing utilities.

Mayor Rixey also reported that Mr. Davis provided a departmental activity report, a copy of which is attached to the memo for council's review.

Mayor Rixey reported that City Manager Burns advised that staff has been dealing with a problem involving a wall which has been constructed immediately adjacent to the edge of pavement at the corner of Carriage Trail and Carolines Trail. City Manager Burns reported to council that this problem has been eliminated.

Mayor Rixey also reported that the committee reviewed a new waste collection brochure which will be provided to each household.

SAFETY COMMITTEE REPORT: Council member Beech directed council's attention to a memo entitled "Safety Committee Meeting Report" dated May 13, 2008. He reported that the Safety Committee met on May 12 to review and discuss several topics in advance of the Council meeting.

Council member Beech reported that Chief Ashbrock provided Fire and EMS activity reports for April, which reflected normal activities.

Council member Beech also reported that the Fire Board met with the EMS billing company, who recommended that the Fire District increase the EMS fees for BLS runs. Madeira has indicated support of the increase, and it is appropriate that Indian Hill also indicate whether an increase is acceptable. Chief Ashbrock has been working on some cost estimates, but they are not yet complete. After discussion, the committee decided to review the Chief's estimates in June and make their own recommendation to Council at that time. Council member Beech explained that it is being considered to raise the charges to non residents and to the insurance company of residents; they are considering raising the cost of a basic run from \$300. to \$400., and to start charging mileage from a central point in the village to each of the hospitals.

Council member Beech reported that Chief Ashbrock advised the committee that FF/EMT Tom Rohrscheib has announced his retirement effective July 1, 2008. The Fire Board has asked both Madeira and Indian Hill to recognize his service to the two communities with resolutions of appreciation. The Safety committee was in agreement with this request and asked City Manager Burns to draft a resolution.

“A RESOLUTION OF APPRECIATION TO TOM ROHRSCHEIB FOR HIS SERVICE TO THE VILLAGE OF INDIAN HILL” was presented and read.

Whereas, Tom Rohrscheib has been a valued associate of the Madeira & Indian Hill Joint Fire District since July, 18, 1971. He is especially credited with spearheading the address sign program in the Madeira & Indian Hill Joint Fire District which was very successful in facilitating fire department response to incidents and has been duplicated by other fire departments throughout the Cincinnati area. He has also been intricately involved in the water supply/hydrant program for the Madeira & Indian Hill Joint Fire District and supported the program with meticulous record-keeping and attention to detail.

Tom Rohrscheib is retiring from the Madeira & Indian Hill Joint Fire District and will be pursuing other endeavors, and it is appropriate to recognize his valued service to Indian Hill.

Therefore, be it resolved by the Council of the Village of Indian Hill Ohio that there be spread upon the records of Indian Hill this resolution of special thanks and sincere appreciation to Tom Rohrscheib for his good and valuable service as a Junior Fireman, a Volunteer Fireman, and a professional Firefighter/EMT for thirty-seven years from July 18, 1971 to July 1, 2008.

A copy of this resolution will be given to Tom Rohrscheib in recognition of his fine contribution of time, effort, and expertise given to the interest of the Village of Indian Hill and its residents.

Upon motion by Council member Beech, seconded by Council member McLean, the motion was passed by unanimous voice vote. Mayor Rixey declared Resolution No. 08-08 adopted.

Council member Beech also reported that Captain Oliverio provided a police activity report for the month of March, a copy of which is attached to the memo.

Council member Beech also reported that the committee reviewed the most current preliminary plans for the building additions. He said the committee had expressed concern about the size of the building and its cost, its appearance, and its internal efficiency. However, subject to the Planning Commission's review, and the final cost estimates, and following several more discussions, the committee was now satisfied that the plan was appropriate for the long term needs of the village.

PLANNING COMMISSION REPORT: Council member Ottenjohn reported that there has been no Planning Commission meeting since the last Council meeting. He said that the

Planning Commission is meeting Tuesday evening and will complete a preliminary view of the Rangers/Administration plans and discuss the project time line.

CITY MANAGER'S REPORT: City Manager Burns, in his City Manager's report reminded Council that the Memorial Day ceremony is next Monday and starts at 10:30 a.m. at Armstrong Church.

Mayor Rixey made a motion that Council enter into executive session to discuss litigation and property issues . The motion was seconded by council member Beech and was carried by unanimous roll call vote. Council moved to executive session. Council returned from executive session.

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

Respectfully submitted,

Eppa Rixey IV, Mayor

ATTEST:

Paul C. Riordan, Clerk