

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
January 30, 2017**

A meeting of the Indian Hill Village Council was held on January 30, 2017 at 6:30 p.m. The meeting was held in the Council Chamber of the Village Administration building.

Officials present:

Mr.	Daniel J. Feigelson, Mayor
Mr.	Mark D. Kuenning, Vice-Mayor
Mr.	John B. Armstrong, Council member
Mrs.	Molly R. Barber, Council member
Mrs.	Melissa S. Cowan, Council member
Mr.	Donald C. McGraw, 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

Visitor's present:

Mr.	Todd Hater, 8790 Appleknoll Lane, 45236
Mr.	Will Hater, 8790 Appleknoll Lane, 45236
Mr.	Hal Rodenberg, 5250 Indian Run, 45243
Mr.	Spencer Rodenberg, 5250 Indian Run, 45243
Ms.	Kari Zenni, 6525 Drake Road, 45243

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

MINUTES: The minutes of the regular meeting of December 12, 2016 had previously been distributed to each Council member. Council member Barber made a motion to accept the minutes, which was seconded by Council member Thayer and was approved, 7-0.

SPECIAL MEETING MINUTES: The minutes of the Special meeting of January 10, 2017 had previously been distributed to each Council member. Council member Barber made a motion to accept the minutes, which was seconded by Council member Thayer and was approved, 7-0.

CITIZEN PARTICIPATION: Mayor Feigelson presented the following Resolution to Mrs. Pauline M. Edwards in recognition of her fourteen years of public service.

RESOLUTION NO. - 01-17

**A RESOLUTION OF APPRECIATION TO PAULINE M.
EDWARDS FOR HER SERVICE TO THE CITY OF THE
VILLAGE OF INDIAN HILL, OHIO**

WHEREAS, Pauline M. Edwards began her employment with the City of the Village of Indian Hill on January 27, 2003, and retired from her position on January 27, 2017 after fourteen (14) years of public service; and

WHEREAS, Pauline M. Edwards came to the City of the Village of Indian Hill as the Water Works Account/Billing Clerk with twenty-five years of clerical/accounting experience from three private firms. She was promoted to Administrative Assistant in April 2014 upon the expansion of her duties; and

WHEREAS, Pauline M. Edwards had the responsibility of administering all duties associated with the water billing and collections process, maintaining customer consumption records, processing refunds, researching and resolving customer issues, and providing many avenues of support to the Water Works personnel, including work order coordination and scheduling; and

WHEREAS, Pauline M. Edwards also had many expanded responsibilities beyond water billing. Such duties included collecting, posting, auditing and addressing concerns related to the Village income tax, answering general administration phone calls, assisting with daily deposits, administering monthly general ledgers, and being the Secretary for the Green Areas Advisory Committee; and

WHEREAS, Pauline M. Edwards provided, on a daily basis, a high level of service to the residents of Indian Hill, while also being responsible for developing a water billing department that is modeled in other jurisdictions, and while taking on additional non-water related responsibilities without hesitation; and

WHEREAS, Pauline M. Edwards presented, on a daily basis, a pleasant and cooperative demeanor with the residents of Indian Hill as well as a strong work ethic and sense of Village commitment and support to all of her co-workers; and

WHEREAS, Pauline M. Edwards is retiring from the City of the Village of Indian Hill and will be pursuing other endeavors, and it is appropriate to recognize her valued service.

**NOW, THEREFORE, BE IT RESOLVED BY THE
COUNCIL OF THE CITY OF THE VILLAGE OF
INDIAN HILL, OHIO:**

Section 1. That there be spread upon the records of the City of the Village of Indian Hill this resolution of special thanks and sincere appreciation to Pauline M. Edwards for her respected and valuable service as the Account/Billing Clerk and Administrative Assistant for fourteen (14) years of service and to wish her the very best on this major and meaningful life milestone decision.

Section 2. That a copy of this resolution be presented to Pauline M. Edwards in recognition of the extraordinary contribution of time, effort, kindness, compassion and expertise that she provided to the City of the Village of Indian Hill and its residents and to wish Pauline and her family many happy and healthy years in her retirement.

PASSED: January 30, 2017

Pauline expressed her appreciation to Council and said working for the Village was a wonderful experience; as well as working for and with wonderful people.

FINANCE COMMITTEE REPORT: Council member Kuenning directed Council's attention to a memo titled, "*Finance Committee*". He reported that the Finance committee met on January 20, 2017 to review several items in advance of the Council meeting.

Council member Kuenning reported that in summary, the fiscal year for the Village was very good financially. Tax receipts were very strong, totaling \$13,025,000 for 2016 which was \$2,105,000 over plan. He explained that December variances between 2016 and 2015 are explained in the notes to

the *Statement of Receipts and Disbursements*. The major reason for the variation was there was three pay periods in December 2015 and only two pay periods in December 2016.

Council member Kuenning reported that disbursements for the year totaled \$10,601,000 which was a little less than the recent projection of \$10,800,000 and was \$528,000 under budget for the year. The result was an overage of receipts over disbursements of \$2,221,000 which was very strong results for the year.

Council member Kuenning explained that there were significant expenditures in the CIRF in December 2016 primarily for the Demar Road pier wall and for major street repair equipment for snow removal and a hook hoist installation. Expenditures in the CIRF were below budget by \$379,000 for the year. Council member Kuenning explained that \$98,000 of expenditures would be carried over to 2017 for purchase orders that are known amounts.

Council member Kuenning reported that the sale of water receipts for 2016 was \$2,384,000 which was slightly above the receipts for 2015. He said that this indicates that with the rate increase for 2016 that the volume of water was approximately the same for both years. Water Works expenditures were within budget and were \$387,000 below budget for the year. The results for the year were strong with excess of receipts over disbursements of \$864,000.

Council member Kuenning reported that Water Works CRF disbursements were \$449,000 under budget for the year, however, \$349,000 will be carried over for the high service pump because the total project cannot be done in just one year.

Council member Kuenning explained that in the *Statement of Cash and Investments* the general fund had a balance of zero as of November 30, 2016 and increased to \$2,037,000 as of December 31, 2016. The general fund balance was increased in accordance with the Ordinance which requires that 20% of the prior year disbursements be carried over in the fund to fund the operations for the first four months of the next fiscal year when income tax receipts are very light until the larger amounts are received in April. The CIRF balance increased from \$825,000 as of November 30, 2016 to \$2,826,000 as of December 31, 2016. The fund was increased in order to provide for the disbursements that are projected for 2017. This is also the reason that the CRF for Water Works increased from \$112,000 at the end of November 2016 to \$1,497,000 December 31, 2016. Total cash and investments decreased from \$30,353,000 at the end of November 30, 2016 to \$29,444,000 at December 31, 2016 as a result of normal operations for the month plus disbursements for the new firehouse, which are recorded in the Firehouse Construction Fund. The market value of the Rowe investments as of December 31, 2016 was \$3,318,000 and the unrecognized gain was \$683,000. The market value of the Green Areas investments as of December 31, 2016 was \$2,368,000 and the unrecognized gain was \$1,074,000.

The financial statements for December 2016 had previously been distributed to each Council member. There being no exceptions noted, the financial statements were accepted as issued.

Council member Kuenning reported that Mr. Gully presented to the Finance committee an overview of the Green Areas and Recreational Fund's investments with the Vanguard Index Fund. Over the last ten years, the fund has produced an average annual 6.9% return on investment with a low expense fee rate of 0.05%. No additional management fees, on top of the expense fees, are incurred.

The Finance committee will have Bahl & Gaynor and Bartlett present an investment analysis in February on the Rowe Arboretum Fund and General Fund, respectively.

Council member Kuenning reported that Mr. Gully indicated to the Finance committee that the use of the physical tax forms sent by the Village had declined significantly over the past several years. Therefore, in an effort to reduce costs, tax forms will no longer be sent to all residents. Instead, a postcard will be sent which highlights the tax season and any miscellaneous information pertaining to the year's income tax submission process. Articles will be placed in the upcoming Bulletins and an e-mail blast will be sent to residents in an effort to get the word out about the change. Tax forms are available online and at the Administration building if residents wish to use them.

Council member Kuenning reported that Mr. Gully gave the Finance committee an update on the personnel changes within the Finance department. Sherri Nosek continues to shadow Pauline Edwards until her retirement day which was on January 27th. Thus far, over 140 applications have been received for the Part-time Finance Clerk/Secretary position that had been vacated with Mrs. Nosek taking on Pauline's role as Administrative Assistant. Interviews will occur in February.

Council member Kuenning reported that the Finance committee also reviewed the Resolution of Appreciation for Mrs. Pauline Edwards which was presented previously in the Council meeting.

LAW COMMITTEE REPORT: Council member Armstrong directed Council's attention to a memo titled, "*Law Committee*". He explained that the Law committee met on January 19, 2017 to review several items in advance of the Council meeting.

Council member Armstrong reported that Mr. Crain presented to the Law committee the December/January legal activity report. The report included updates on Green Area transactions, contract review, Code of Ordinance review relating to septic, Mayor's Court and labor contract administration.

Council member Armstrong reported that Mr. West provided a summary of Senate Bill 331 which was signed into law by Govern Kasich at the end of the year. The bill included an amendment addressing the placement of small cell wireless infrastructure in the municipal public right-of-way. Under previous law (ORC 4939), municipalities had some authority in applying regulatory zoning to the placement of these utilities. However, municipalities did not have the authority to deny applications without substantial cause. Senate Bill 331 provides additional authority to the utilities. The legislation dictates the allowable height of facilities to be as tall as 50 feet, gives permission for using the public right-of-way and attaching small cell wireless devices to light poles, utility poles, sign poles, traffic signals and placing poles and devices in residential districts. The size of the wireless equipment is capped at 28 cubic feet. Municipalities will be able to suggest other locations for the devices, but that is limited to be within 50 feet of the proposed location.

Mayor Feigelson explained that this primarily gives them the right to put in a cell tower in the right-of-way. He further explained that this will not affect Indian Hill because there is not enough population density.

BUILDINGS & GROUNDS COMMITTEE REPORT: Council member Cowan directed Council's attention to a memo titled, "*Buildings and Grounds Committee*". She explained that the

Buildings and Grounds committee met on January 24, 2017 to review several items in advance of the Council meeting.

Council member Cowan reported that Mr. Adkins presented the departmental activity report, a copy of which is included in the Council packet. Drywall work had been performed at the Administration building. In addition, fallen trees were removed from Fox Hollow along with honeysuckle being removed at Grand Valley and Kugler Mill fields. Fields are being prepared for the lacrosse and baseball seasons.

Council member Cowan reported that Mr. West presented the Buildings and Grounds committee with the Project Management report, a copy of which is included in the Council packet. A certificate of occupancy is being requested for the Ranger Station at Grand Valley. Items to be completed in the upcoming weeks include parking space paving, exterior painting, seed and straw and gutter installation. Mr. West also provided the Buildings and Grounds committee with an update on the upcoming paddle fish visit by Big Fish Farm and the annual Grand Valley Fishing Tournament on April 29, 2017.

Council member Cowan reported that the annual attendance of 18,154 in 2016 remains consistent with the five year average of 18,470. Figures are based on Grand Valley card swipes minus employee and vendor use.

Council member Cowan reported that the Buildings and Grounds committee reviewed a draft Resolution accepting the 2016 Green Area donation which equated to 1.5302 acres. Council member Cowan said that on behalf of the Village she thanks the Budev family for this very generous donation. Council member Cowan said that the Buildings and Grounds committee recommends passage of the Resolution.

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO
ACCEPT 2016 GREEN AREA GIFTS** was presented and read.

Upon motion by Council member Cowan, seconded by Council member Kuenning, the Resolution was passed by unanimous voice vote. Mayor Feigelson declared Resolution **02-17** adopted.

Council member Cowan reported that Mr. West indicated to the Buildings and Grounds committee that the potential Rowe Arboretum Master Plan consultants are scheduled to be interviewed in February. He also provided an overview of potential Green Area donations for 2017.

Council member Cowan reported that Mrs. Wade-Dorman summarized the upgrades that had taken place thus far at the Shooting Range Clubhouse. She also reported that Mr. West presented a request for a sanitary sewer easement in the green area parcels adjacent to the houses located at 10440 and 10460 Carriage Trail. Both properties currently are on septic. The home at 10460 currently is constructing a bedroom addition which is requiring upgrades to the septic system. The property owner began investigating the possibility of connecting to the sewer and has been coordinating with MSD. The Buildings and Grounds committee reviewed exhibits showing the location of the proposed sanitary sewer line and were informed that the impact on the green area parcels would be minimal due to the existing area being mostly young canopy forest and the minimal width required for construction. Mr. West provided examples of six other green area parcels that had sanitary sewer easements across

them with minimal to no impact to the green area property. Council member Cowan said that the Buildings and Grounds committee expressed their support for granting an easement after determining the responsibility for maintenance, making sure that the sewer line was sized to permit additional houses to connect, understanding any concerns from the adjacent owners, and limiting the number of large trees that need to be removed. Staff also will discuss this request with the Green Areas Advisory committee.

Council member Cowan reported that the Buildings and Grounds committee continued its discussion from last month about allowing non-residents, without Indian Hill resident sponsorship, to rent Livingston Lodge. Information that was included in the discussion was: 1) a rental comparison of other jurisdictions with similar facilities; 2) the significant capital costs that have occurred at Livingston Lodge over the last few years in addition to anticipated future repairs and maintenance and; 3) actual rental data from 2016. The Buildings and Grounds committee also discussed how other Village facilities (Shooting Club, Bridle Trails) are available to non-residents (with a surcharge) without the need for a resident sponsor. The Buildings and Grounds committee asked staff to re-evaluate a rental fee schedule for non-residents that does not require sponsorship and to create a marketing strategy to advertise to the non-residents.

PUBLIC WORKS COMMITTEE REPORT: Council member Barber directed Council's attention to a memo titled, "*Public Works Committee*". She reported that the Public Works committee met on January 24, 2017 to review several items in advance of the Council meeting.

Council member Barber reported that Mr. Adkins provided the departmental activity report, a copy of which is included in the Council packet. She explained that staff completed pier wall inspections at Demar Road, disassembled the crèche and coordinated Christmas tree drop off for the use at Grand Valley. The 2016-2017 snow season has had eight snow events thus far with only three inches of snow accumulation. Most events involved more icy conditions than snow.

Council member Barber reported that Mr. Adkins indicated that two vacant positions within the Collections and Parks division of Public Works have been filled during January. In addition, there are three retirements pending within the department – Mark Feldhues (February 1st), Mike Rankin (February 28th) and Eric Weiss (March 31st). New employees will be hired from the current civil service list to fill those positions as they become vacant. The Village wishes to express its appreciation for the tremendous services these gentlemen have provided the Village over many years and wish them a very happy and healthy retirement.

Council member Barber reported that Mrs. Wade-Dorman presented the project management report, a copy of which is included in the Council packet. She said that Demar Road pier wall project has been completed and the street opened as of January 20th. The project was completed early and under budget. In order to allow the construction to settle, permanent paving on Demar Road will occur sometime in 2018-2019. However, temporary paving will be performed in the spring. She said that Mrs. Wade-Dorman indicated that the Village will know in February about whether it has received grant funding for the Shawnee Run drainage tunnel improvements. Mrs. Wade-Dorman reported to the Public Works committee that the grant, if awarded, will allow the original project submittal to be modified.

Council member Barber reported that the Public Works committee reviewed a Resolution authorizing the City Manager to prepare plans, specifications and the bidding process for 2017

projects, equipment and supplies that exceed \$50,000 or are not on the state bid list. Items include the road resurfacing program, Camargo Road and Kugler Mill Road pier wall construction, Indian Hill Road and Shawnee Run Road culvert repairs, various Public Works/Water Works equipment and vehicles, Water Works generator repair and Rowe Arboretum master plan. Council member Barber said that the Publics Works committee recommends passage of the Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EMPLOY AN ENGINEER TO PREPARE PLANS AND SPECIFICATIONS FOR STREET REHABILITATION, EQUIPMENT, SUPPLIES AND OTHER SPECIAL CAPITAL IMPROVEMENT PROJECTS, ADVERTISE FOR BIDS AND AWARD CONTRACTS FOR THE CONSTRUCTION OF SAID WORK AND PURCHASE OF SAID EQUIPMENT/SUPPLIES was presented and read.

Upon motion by Council member Barber, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Feigelson declared Resolution **03-17** adopted.

WATER WORKS REPORT: Mayor Feigelson directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". He reported that the Water Works committee met on January 24, 2017 to review several items in advance of the Council meeting.

Mayor Feigelson reported that Mr. Adkins provided the departmental activity management report, a copy of which is included in the Council packet. He said that Mr. Adkins highlighted that staff repaired five water main breaks and installed three fire hydrants. Waterline inspections occurred at the firehouse construction site.

Mayor Feigelson reported that Mrs. Wade-Dorman provided the project management report, a copy of which is included in the Council packet. She indicated that general work on the high service pump installation project will occur while awaiting the delivery of the high service pump, which is anticipated in April. The Blome Road water main project came in approximately \$29,500 under budget at a cost of \$771,438.

Mayor Feigelson reported that the Water Works and Deregulation committee reviewed a Resolution authorizing the City Manager to prepare plans, specifications and the bidding process for 2017 projects, equipment and supplies that exceed \$50,000 or are not on the state bid list. Water Works related items include various equipment and vehicles, water meters and generator repair. This Resolution was passed during the Public Works committee report.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on January 19, 2017 to review several items in advance of the Council meeting.

Council member McGraw reported that Captain Smith presented the December Fire/EMS reports, copies of which are included in the Council packet. Captain Smith indicated that total EMS runs for 2016 was thirty less than 2015. In addition, he highlighted how the false alarms were seventy less than 2015. He indicated a possibility for the decrease is the change to the new alarm monitoring system which assisted in residents getting their current alarms updated. Another factor could be that

there were less severe weather incidents in 2016. The storms are usually the cause of many power outages.

Council member McGraw reported that Captain Smith gave the Safety committee an update on the Indian Hill firehouse construction. Although the rainy weather has caused mud issues, the contractors are working diligently on drywall installation, plumbing, electric, HVAC and finalizing the roof. The Safety committee also reviewed an updated financial summary on the construction process.

Council member McGraw reported that Colonel Schlie presented the December Ranger report, a copy of which is included in the Council packet. Theft, dog incident and burglary cases were significant issues during the month. Colonel Schlie highlighted that the deer count in the Village hunting program is down approximately 25 deer from the 2015-2016 deer season. This decrease is similar to what has been seen over the last few years.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on December 20, 2016.

Council member Thayer reported that the Planning Commission approved a special exception request by the Greenacres Foundation at 8300 Spooky Hollow Road under the continuing jurisdiction of the Planning Commission. The request was for the conversion of the Nippert house into offices and programming space for Greenacres mission related activities.

Council member Thayer reported that the Planning Commission also met on January 17, 2017. The Commission at this meeting denied a variance request by Rohit Nayak at 8375 Beacon Hill for a covered patio addition on the rear of the existing home. The request was to reduce the required 20' setback between a principal structure and an accessory structure to 14'. The Commission found that the request did not meet two out of the four variance review criteria and the property owner had other locations to place the addition that would meet the setback requirements.

CITY MANAGER'S REPORT: Ms. Minneci directed Council's attention to the Council Meeting Schedule which had previously been distributed. She reported that the Administrative offices will be closed on February 20th for President's Day.

Ms. Minneci reported that the Community Forum has started to be advertised for April 26th and will held in Council Chambers at 7:30 pm.

Ms. Minneci reported that Mr. Scott Farmer, a longtime resident, has made a very generous donation to replace all the AED's in the police vehicles. She explained that they are working out the cost but it could be as much as \$10,000. She said that the Village is very appreciative and letters of appreciation have been sent to Mr. Farmer.

Mayor Feigelson said that after reviewing the results of the goal setting meeting this year, he believes it might be more appropriate and effective for future incoming Councils to review and modify the continuing goals portion of the report once every two years since these tend to be longer term goals and objectives. This would not impact the annual goals portion of the report which Council would still evaluate and update every year. Council member Kuenning said that he thinks that it is good to

highlight these goals as they incorporate what staff is doing on a daily basis and he agrees with the Mayor's suggestion.

Council member Kuenning said that for the benefit of the Scouts in attendance that the attendance at the Community Forum in April would be a good opportunity for them to learn more about the functions of Council and the Village Administration.

Mayor Feigelson requested an Executive Session for the purpose to discuss personnel related to the retirement of a public employee. The motion was seconded by Council member Barber and was passed by unanimous roll call vote. Council moved into Executive Session.

Council returned from Executive Session, there being no further business to come before Council, Mayor Feigelson declared the meeting adjourned.

Respectfully submitted,

Daniel J. Feigelson, Mayor

ATTEST:

Paul C. Riordan, Clerk