

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
March 27, 2017**

A meeting of the Indian Hill Village Council was held on March 27, 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

Visitors present Chief Chuck Schlie, 6525 Drake Road

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

MINUTES: The minutes of the regular meeting of February 27, 2017 had previously been distributed to each Council member. Council member Thayer made a motion to accept the minutes, which was seconded by Council member McGraw and was approved as corrected, 7-0.

CITIZEN PARTICIPATION: Mayor Feigelson said that he would like to congratulate Ms. Minneci on winning the ASPA Individual Contributor Award. He said that as a citizen, as a member of Council and as Mayor, he is very proud of Ms. Minneci. Ms. Minneci thanked the Mayor for his kind words and said that it is not all about her, it is about her team.

FINANCE COMMITTEE REPORT: Council member Kuenning directed Council's attention to a memo titled, "*Finance Committee*". He reported that the Finance and Water Works committees met for a combined meeting on March 17, 2017 to consider several items in advance of the Council meeting.

Council member Kuenning reported that Village staff presented to the Finance and Water Works committees information regarding the annual water rate analysis for evaluation purposes. The dialogue was a continuation from last month's Water Works committee meeting. Council member Kuenning said that he would defer the discussion of this issue to Mayor Feigelson for his Water Works report.

Council member Kuenning reported that the Finance committee reviewed the February financial statements, copies of which were distributed in the Council packet. He explained that because there was not much change from the prior month and there was nothing remarkable in the statements, he would just open up for questions. There being no questions, the financial statements were accepted as issued.

Council member Kuenning reported that Mr. Gully gave the Finance committee an update on the 2016 audit process. The state auditors are to begin on March 16th. The Village's Audit Committee held a pre-audit meeting with state auditors on March 15th. The state auditors provided an overview of their process and the timeline. They indicated that there are no significant changes in the process or legislative items affecting this year's audit.

Council member Kuenning reported that the Finance committee recommends a second reading of an amendment to the Administrative Personnel Ordinance.

AN ORDINANCE AMENDING ORDINANCE FIXING THE COMPENSATION OF PERMANENT EMPLOYEES OF THE CITY OF THE VILLAGE OF INDIAN HILL, NOT COVERED BY ORDINANCES 08-16 AND 09-16 REPEALING ORDINANCE 10-16 was presented and read for the second reading.

Mayor Feigelson thanked the residents who are on the Audit Committee: Mr. Mike Sewell, Mr. Don Siekmann and Mr. George Gibson. Mayor Feigelson said that they do a great job and they provide great background and insight. Having an audit committee with experienced professionals shows the auditors that the Village staff takes the audit very seriously.

Council member Kuenning reported that Ms. Minneci updated the Finance committee on the Director of Administrative Services search process. Over 290 applications were received with approximately 50 being applicable to the position. Seven were chosen for first interviews with Ms. Minneci, Colonel Schlie and Mr. Adkins. One stand out candidate came back for a second interview with Ms. Minneci, Mr. West and Mr. Gully. Additional discussions continue to occur with the candidate.

Ms. Minneci reported that the Village made an offer and it was accepted by Ms. Jessica Chaney. She comes with motivation and desire. She will be starting April 24th which is also the April Council meeting. She will attend the meeting to meet Council.

Council member Kuenning said that he thanks Ms. Minneci and staff for the 2016 Annual Report that has recently been circulated to everyone. He said that it is a very good document for the residents to see what goes on in the Village and the value they receive from the Village.

LAW COMMITTEE REPORT: Council member Armstrong directed Council's attention to a memo titled, "*Law Committee*". He reported that the Law committee met on March 16, 2017 to review several items in advance of the Council meeting.

Council member Armstrong reported that Mr. Crain presented the February/March legal activity report to the Law committee. The report included updates on Green Area transactions, labor contract interpretations, Ordinance drafts and Mayor's Court, and provided an update on meetings with AFSCME representatives regarding contract interpretations.

Council member Armstrong reported that Ms. Minneci indicated that many governmental entities throughout the state are coordinating with a few law firms to file class action lawsuits

against the passage of SB331 which included, in addition to many other topics, the ability for micro wireless cell towers to be installed without local zoning approval and oversight. The basis of the lawsuit is the violation of home rule and violation of the single topic rule for introduction of legislation. The bill was expected to go into effect on March 21st.

Council member Armstrong reported that Mr. West presented a proposed Ordinance Amendment to Chapter 50 – Sewer Regulations that would amend the Village’s Household Sewage Disposal Regulations and replace them with a reference to the rules and regulations of the Ohio Department of Health’s statewide septic system regulations OAC 3701-29. This is simply a housekeeping item to keep the Village Code of Ordinances up-to-date with the current regulations. Mr. Chris Habel with Frost Brown Todd prepared the amendment for the Village. The proposed change will go through the standard three readings. Council member Armstrong said that after discussion, the Law committee recommends the Ordinance for its first reading.

AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES BY AMENDING THE HOUSEHOLD SEWAGE DISPOSAL REGULATIONS TO MEET THE STATEWIDE SEPTIC SYSTEMS REGULATIONS AS CONTAINED IN OHIO ADMINISTRATIVE CODE 3701-29 was presented and read for the first reading.

Council member Armstrong reported that Mr. West provided the Law committee with an update on upcoming Planning Commission meetings.

BUILDINGS & GROUNDS COMMITTEE REPORT: Council member Cowan directed Council’s attention to a memo titled, “*Buildings and Grounds Committee*”. She reported that the Buildings and Grounds committee met on March 21, 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 was included in the Council packet. The Public Works department planted wildflowers at the Little Red Schoolhouse for the Dirt Daubers, removed fallen trees and began routine spring ball field maintenance.

Council member Cowan reported that Mr. West and Mrs. Wade-Dorman presented the Project Management report, a copy of which was included in the Council packet. The Grand Valley Ranger Station has received its certificate of occupancy, and staff has moved into it. Additional grading and drainage is still being completed and the annual Grand Valley Fishing tournament has been scheduled for April 29th at 7:00 a.m.

Council member Cowan reported that Mrs. Wade-Dorman indicated to the Buildings and Grounds committee that construction on the Shooting Range building will begin this week. In addition, Mrs. Wade-Dorman gave an update on the Reforest the Hill Program. Bulletin articles will be presented over the next few months which provide background and officially announce the start of the program. The Village is working with Indian Hill High School and Cincinnati Country

Day School to have students coordinate their projects with this city-wide tree planting event and have a kick-off during Senior Project week.

Council member Cowan reported that staff presented a rendering of a dedication plaque to honor the generous donation of an Indian Hill resident for the construction of the Grand Valley Ranger station. The plaque will be presented at the Community Forum in April and placed at the entrance of the Ranger Station.

Council member Cowan reported that Mr. Adkins presented a request from the Recreation Commission to install an 11x30 lacrosse wall at Camp Dennison. This request has been discussed at Recreation Commission meetings. The Recreation Commission representatives recently met with Mr. Adkins and Mr. Jerry Hensley to discuss ideas on location, aesthetics and maintenance requirements. Mr. Adkins and Mr. Hensley indicated that if the wall is approved, the location is most appropriate by the youth lacrosse fields in the rear of the park. Currently, the Recreation Commission Representatives are preparing a rendering of the wall for the Buildings and Grounds committees' consideration as well as a plan to fund a maintenance account.

Council member Cowan reported that Ms. Minneci indicated that Jason Donovan has agreed to take the position of Rowe Arboretum Manager upon Mr. Chris Daeger's retirement on June 30th. Mr. Donovan will begin shadowing Mr. Daeger on April 3rd.

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 March 21, 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 was included in the Council packet. She reported that staff repaired guardrail on Kugler Mill Road and Taft Place, cleared trees out of right-of-way and cleared honeysuckle at Drake Road, Indian Hill Road and Taft Place, and dealt with road edge erosion and wash out areas caused by last week's significant rain fall.

Council member Barber reported that the 2016-2017 snow season has had thirteen snow events thus far with only 3.75 inches of snow accumulation. Most events involved more icy conditions than snow. This compares to 2016's fourteen snow events with 14.25 inches of snow.

Council member Barber reported that Mr. Adkins reported to the Public Works committee that fifth and sixth candidates have been interviewed and offered a position to replace Mr. Eric Weiss who is retiring on March 31st and Mr. Jason Donovan who is transferring to Rowe Arboretum. New employees are hired from the current civil service list that was created last year.

Council member Barber reported that Mrs. Wade-Dorman presented the project management report, a copy of which was included in the Council packet. She said that Mrs. Wade-Dorman indicated that Municipal Road Funding (MRF) determination continues to be delayed and hopes to have an answer by the end of March. MRF is grant funding for the Shawnee Run Road drainage tunnel improvements.

Council member Barber reported that a request for proposal for the culvert study will be completed soon. She said that Mrs. Wade-Dorman is researching a potential grant opportunity from the Ohio Department of Transportation to assist in the funding for the study.

Council member Barber reported that Village staff provided initial insight to a possible recommendation for a Resolution to approve the Hamilton County Solid Waste Management District Plan. Hamilton County is required to review this plan every five years. If changes are made, the County must receive approval from 60% of governmental entities within the County. She said that staff will provide more information and a copy of the Resolution at next month's meeting.

WATER WORKS REPORT: Mayor Feigelson directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". He reported that the Finance and Water Works committees met for a combined meeting at 7:30 a.m. on March 17, 2017 to review several items in advance of the Council meeting.

Mayor Feigelson reported that the Water Works departmental activity and project manager reports were distributed to the Water Works committee members, copies of which were included in the Council packet.

Mayor Feigelson reported that staff provided additional information from last month's meeting for the annual review of the Village's water rate. Additional information included water revenue projections based on a ten year average rather than a six year average and did not include Kutol, a high water user who moved out of the water district in 2011. Other information included water rate benchmarking which showed that Indian Hill's rate continues to be in the bottom third of all other water distribution communities, even with the 5% rate increases over the last two years. In addition, other communities have routinely had annual water rate adjustments with 2017's increases ranging from 3.75% to 6%. Mayor Feigelson said that after a very thorough discussion, the Water Works and Finance committee members agreed that another rate increase is necessary to ensure sufficient means of replacing significantly old infrastructure, to maintain the integrity of the ten year capital plan and to ensure safe and effective water distribution to customers. A 5% increase was included in last year's legislation to take place on both July 1, 2016 and July 1, 2017. The Water Works committee recommended to maintain the 5% increase for July 1, 2017; consequently, no legislative action will be necessary.

Mayor Feigelson reported that the Water Works committee recommended utilizing a ten year, rather than six year, average usage calculation in the water rate analysis each year.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on March 16, 2017 to review several items in advance of the Council meeting.

Council member McGraw reported that Chief Ashbrock presented the February Fire/EMS reports, copies of which were included in the Council packet. He said that Chief Ashbrock discussed a fire on Tall Trail caused by kerosene heaters which damaged construction equipment.

He also indicated that the EMS billing reimbursements for Indian Hill and Madeira are being adjusted over the next two months due to some reporting difficulties from last year.

Council member McGraw said that Mayor Feigelson presented a Joint Fire District Board report to the Safety committee: 1) the Fire Company has graciously agreed to pay \$40,000 for the training room in the new Indian Hill fire station; and 2) Chief Ashbrock will be under a new employment contract beginning April 1, 2017.

Council member McGraw reported that Chief Ashbrock gave an update on the Indian Hill firehouse construction. He said that Chief Ashbrock discussed a change order which centers on the appropriate fitting of the sprinkler systems in the Madeira and Indian Hill buildings. The costs will be shared by the firehouse construction fund and the architects and subcontractors. In addition, the setting of the new cupola on the Indian Hill building will take place on April 4th.

Council member McGraw reported that Colonel Schlie presented the February Ranger report, a copy of which was included in the Council packet. Various thefts, general information and criminal damage cases were highlighted issues during the month.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on March 21, 2017 to consider two issues.

Council member Thayer reported that the Planning Commission conditionally approved a request to expand an existing private ingress/egress and utility easement on Lots 1, 2 and 3 of the Twin Lakes at Indian Hill Subdivision. He said that the request will allow the private drive to extend to the adjacent 5.6 acres of vacant land owned by Twin Lakes Life Enriching Communities.

Council member Thayer reported that a request for authorization to build a new single family residence on a non-conforming lot of record by Mike Wentz, on behalf of owners Eric and Allison Kahn, was tabled by the Planning Commission. The property is located at 6175 Park Road. The request to build a new single family residence on a non-conforming lot will be considered at the April 18, 2017 Planning Commission meeting.

Council member Thayer reported that because of a lack of time the Planning Commission was not able to completely review a draft amendment to the Zoning Ordinance and this was carried forward.

Council member Thayer reported that the Planning Commission will consider on April 18th an application for variance and expansion of a non-conforming home on a non-conforming lot, from Cynthia Williams Architect on behalf of owners, Donald McGraw and Alicia Bridgeland. The property is located at 8380 Shawnee Run Road. The applicant is proposing to construct a one-story addition to the rear of the existing home. The applicant is requesting a variance to the side yard setback.

CITY MANAGER'S REPORT: Ms. Minneci reported the following:

- April 14, 2017 Administrative offices will be closed for Good Friday
- April 26, 2017 is the Community Forum
- April 29, 2017 is the Grand Valley Annual Fishing Tournament

Ms. Minneci said that Kari Zenni had done a great job preparing the Village Report. The Council members all agreed that it was a tremendous report.

Ms. Minneci requested an Executive Session to discuss pending or threatened litigation. Council member Kuenning moved to enter into Executive Session for the purpose of discussing pending or threatened litigation. The motion was seconded by Council member Cowan and was passed by unanimous roll call vote. Council entered into Executive Session.

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

Respectfully submitted,

Daniel J. Feigelson, Mayor

ATTEST:

Paul C. Riordan, Clerk