

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
April 18, 2016**

A meeting of the Indian Hill Village Council was held on April 18, 2016 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

- Mr. Frank Cogliano, 6525 Drake Road
- Mr. Keith Lang, 6525 Drake Road
- Mr. Michael Lang, 6525 Drake Road
- Mr. Michael Madsen, 6525 Drake Road
- Mr. Steve Makin, 6525 Drake Road
- Ms. Elizabeth Oliverio,
- Mr. Timothy Oliverio, 6525 Drake Road
- Mr. Dean Ramsey, 6525 Drake Road
- Mr. Chuck Schlie, 6525 Drake Road
- Mr. Peter Stackpole, 785 Ivy Avenue, Glendale, OH 45246
- Mrs. Beth Wood, 6525 Drake Road
- Ms. Kari Zenni, 6525 Drake Road

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

MINUTES: The minutes of the regular meeting of March 21, 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.

CITIZEN PARTICIPATION: Mayor Feigelson presented a Resolution of Appreciation to Timothy M. Oliverio, Assistant Chief/Captain of Patrol for his 33 years of service to the City of the Village of Indian Hill.

Mayor Feigelson read the following Resolutions.

RESOLUTION NO. 10-16

**A RESOLUTION OF APPRECIATION TO TIMOTHY M.
OLIVERIO FOR HIS SERVICE TO THE CITY OF THE
VILLAGE OF INDIAN HILL**

WHEREAS, Timothy M. Oliverio began his employment with the Indian Hill Rangers on January 10, 1983 and is retiring from his position on April 22, 2016 after 33 years of public service; and

WHEREAS, Timothy M. Oliverio, during his tenure with the Indian Hill Rangers had the responsibility of patrol, a supervisor of a patrol squad; and

WHEREAS, Timothy M. Oliverio was promoted to Lieutenant March 6, 1993; and

WHEREAS, Timothy M. Oliverio was Accreditation Manager June 2005; and

WHEREAS, Timothy M. Oliverio was Valedictorian of the Southern Police Institute graduating class November 2005; and

WHEREAS, Timothy M. Oliverio was promoted to Captain of Patrol January 8, 2007; and

WHEREAS, Timothy M. Oliverio was responsible for maintaining the department's policies and training requirements, uniform account and all administrative functions of the department; and

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

**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 Timothy M. Oliverio for his good and valuable service as an Indian Hill Ranger from January 10, 1983 to April 22, 2016 to the City of the Village of Indian Hill and to wish him the very best on this major and meaningful life milestone decision.

Section 2. That a copy of this resolution be given to Timothy M. Oliverio in recognition of his extraordinary contribution of time, effort, and expertise given in the interest of the City of the Village of Indian Hill and its residents and to wish Tim and his wife Ellen many happy and healthy years in his retirement.

Mayor Feigelson said to Captain Oliverio that he, along with Council thanked him for his services and the great job he has done through the years.

Captain Oliverio addressed Council and said that he appreciated them allowing him to service all of these years. He has spent his whole career of police services with the Village of Indian Hill. He said that he was very fortunate to work with the Rangers. He thanked Chief Schlie and said that he is the "best Chief in the State of Ohio"; he cares about the people, the

organization and the mission.

Peter Stackpole introduced himself to Council and explained that he was running for the Municipal Court in Hamilton County and he explained his background.

FINANCE COMMITTEE REPORT: Council member Kuenning directed Council's attention to a memo titled, "*Finance Committee*". He reported that the Finance committee met on April 8, 2016 in order to review several items in advance of the Council meeting.

Council member Kuenning also directed Council's attention to the March 2016 financial statements which were included in the Council packet.

Council member Kuenning explained that there was nothing particularly noteworthy in the financial statements. Explanations for variances are included in the notes to the financial statements. Council member Kuenning explained that the expenditures for March year-to-date are all in-line with the budget for all of the funds and comparable to 2014. He explained that the market value of the Rowe and Green Areas funds increased in value in March.

The financial statements for March 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 provided the Finance committee with an update on the annual State of Ohio audit. The auditors have finished with the cash analysis and are now waiting on the GAAP conversation documentation which is prepared by Schonhardt. The cash analysis went very well with no initial indications of any issues.

Council member Kuenning explained that Mr. Gully reported to the Finance committee that beginning with tax year 2015, the State of Ohio is no longer allowing the retirement income credit to be utilized for incomes over \$100,000. Consequently, the Village also cannot allow the credit as residents are instructed that the credit can only be used if allowed by the State of Ohio. Letters are being sent to those residents who are affected by this change in the state tax regulations.

Council member Kuenning reported that the Finance committee agreed to change the following Finance committee meeting dates:

- November 4, 2016 to November 10, 2016
- December 2, 2016 to December 5, 2016

LAW COMMITTEE REPORT: Council member Armstrong directed Council's attention to a memo titled, "*Law Committee*". He reported that the Law committee met on April 6, 2016 to review several items in advance of the Council meeting.

Council member Armstrong reported that Mr. Crain presented the March/April legal activity report. The report included updates on real estate questions, zoning compliance and environmental regulations. Mr. Crain also provided background on upcoming contract

negotiations with OPBA and AFSCME and an update on a Mayor's Court case that had been recited to Hamilton County at the end of last year.

Council member Armstrong reported that Ms. Minneci and Mr. Habel continued the discussion from last month's Law committee meeting regarding a draft Memorandum of Understanding (MOU) with the Hamilton County Health District. This MOU clarifies the transition process for septic inspections and compliance within the Village that is being brought about due to recent changes in state laws. He said that last year the Law committee evaluated its options regarding the future of septic inspections due to these state changes. At the time, it was recommended to maintain our current contract with the Health District but include adjustments that would be needed to accommodate the new state regulations. This MOU encompasses those adjustments as well as provides a timeline for future transition upon the anticipated retirement of the Village's part-time septic inspector within the next couple of years. Council member Armstrong said that after a thorough discussion, the Law committee will recommend a Resolution allowing the City Manager to enter into a MOU and contract with the Hamilton County General Health District for Public Health Services.

Council member Kuenning asked how this is different than how the Village has operated in the past few years. Ms. Minneci explained that in past years the Village had its own inspector, however, when the economic downturn occurred the Village started a contract with Hamilton County to provide inspection services. She explained that the Village is very experienced in septic tank inspections, however, the Health Services include other areas such as food preparation, etcetera, which are beyond the resources of the Village. Ms. Minneci explained that the County provides these additional services and works in coordination with our part-time septic inspector, Mr. Rick Robinson. He has the responsibility of inspecting 1300 septic tanks each year. Over the last 5 years he has checked each septic tank at least twice. Mr. Robinson is the Village contact that goes to the homes and the county works in conjunction with him. Ms. Minneci explained that in September 2014, the State passed new regulations with regard to septic inspections for the purpose of uniformity in the State of Ohio, much like the income tax regulations. With those regulations, there are requirements which the Village would not be able to do. Neither Mr. Robinson nor the Village has the capacity to issue operating permits. Hamilton County will be utilized to issue the permits. There are also much more restrictive regulations on data bases to be maintained and other requirements. She explained that this Resolution also provides for the transition period for Mr. Robinson to retire in several years. In several years the Village will no longer have a part-time inspector as these duties will transition to Hamilton County. Ms. Minneci explained that this will give the residents the opportunity in time to become accustomed to the change. She explained that the Village will continue to have a person for residents to contact for questions.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AND CONTRACT, IN SUBSTANTIAL FORMAT, WITH THE HAMILTON COUNTY GENERAL HEALTH DISTRICT FOR PUBLIC HEALTH SERVICES was presented and read.

Upon motion by Council member Armstrong, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Feigelson declared Resolution **11-16** adopted.

Council member Armstrong reported that Ms. Minneci presented the Law committee a draft Ordinance enacting and adopting a supplement to the Code of Ordinances. It was noted that the Village does a codification update every two years as a way to keep the official Village of Indian Hill Code of Ordinances, both electronic and hard copy, updated with the latest changes. The last update was done in 2013. He said that the Law committee recommends a first reading of the Ordinance in order to capture all Ordinance changes that have taken place up through December 31, 2015.

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF THE VILLAGE OF INDIAN HILL, OHIO was presented and read for the first reading.

Council member Armstrong reported that Ms. Minneci has received notice from the Liquor Control Board advising that the Village has the opportunity to object to the re-issuance of the current liquor licenses held by Camargo Club, Peterloon, Green Acres and Winter Club. He said that the Law committee members agree that no objections are warranted as there have been no problems or concerns with any of the license holders over the past year.

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 April 12, 2016 to review several items in advance of the Council meeting.

Council member Cowan reported that Mr. Adkins provided the Buildings and Grounds committee with the departmental activity report, a copy of which is included in the Council packet. She said that he highlighted the maintenance performed throughout the buildings and parks. An eight foot fence has been installed at Camp Dennison Park to accommodate the older and taller baseball players. Mr. Adkins mentioned that the Indian Hill Equestrian Club will be utilizing the bridle trails over the weekend for training and classes.

Council member Cowan reported that Mr. West provided the project management report, a copy of which is included in the Council packet. Mr. West gave a construction update on the Grand Valley Ranger Building and the Grand Valley entrance enhancement project.

Council member Cowan reported that Ms. Minneci and Mr. West presented the Buildings and Grounds committee members with an update on various Rowe Arboretum matters:

- a) The twenty-eight hour/week part-time position originally budgeted for 2016 to assist with the transition of the full time Rowe Arboretum Manager retirement has been placed on hold due to his retirement date being extended until later in 2017. The position will be filled with a twenty hour/week intern or co-op to provide

opportunity for the manager to concentrate on projects outside of the day-to-day operations and the Rowe Arboretum Master Plan development.

- b) Staff has met with the Rowe Arboretum Advisory Committee to begin the 2016 Council goal of updating the Rowe Arboretum Master Plan. Committee members and staff will be reviewing arboretum consultants for this project. The committee has indicated it will provide private funding for such consulting. The committee also recommended that a Village Council representative be included in the master plan process.
- c) A request was made to incorporate a beehive within the Arboretum. Staff presented the liability concerns that have been brought up by the Village's risk management group. As an alternative, the committee encouraged the Arboretum to install plants that attract bees for the pollination benefit due to the loss in the bee population.

Council member Cowan reported that Greenacres has requested a Grand Valley pass to be shared by the seven members of the environmental education staff. A majority of the committee recommended that one pass be provided to Greenacres as they can provide valuable feedback and recommendations of the natural features and elements in Grand Valley and are a community partner in rural preservation. This pass may only be used by the seven members and may not be distributed to others.

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 April 12, 2016 to review several items in advance of the Council meeting.

Council member Barber reported that Mr. Adkins provided the Public Works committee with the departmental activity report, a copy of which is included in the Council packet. She explained that staff has been very busy cleaning up debris from the extreme winds and rain storms that have occurred over the last two weeks. In addition, cold patching of potholes is in full swing throughout the Village.

Council member Barber reported that Mr. Adkins provided the Public Works committee with the project management report, a copy of which is included in the Council packet. He reported that the Weil Road pier wall project began on March 28, 2016. Weather permitting, the project is anticipated to be completed by May 19, 2016. Concrete curb repair has been completed for the year with work being performed on Shadyglen Road, South Clippinger Drive and Chinquapin Lane. The 2016 road resurfacing program bid was released on April 13, 2016. It has a bid opening of April 26, 2016, and work is anticipated to begin in early June. Based on bid pricing, roads anticipated to be resurfaced this year include Shawnee Run Road, Druwood Lane, Surreyhill Lane, Miami Road, Rockhill Lane, Hopewell Road and Kugler Mill Road. Alternative bids are being accepted for the Grand Valley Preserve entrance, the Administration building parking lot and Whitegate Lane.

Council member Barber reported that Demar Road was closed April 12-15, 2016 to allow for engineering services that are needed prior to the landslide project that is anticipated to begin in early fall. In addition, Camargo Road, which was engineered last year, is getting ready to bid for landslide repairs.

Council member Barber reported that Ms. Minneci indicated to the Public Works committee that 16 applications were received for the City Engineer/Project Manager position. Mr. West, Mr. Adkins and Ms. Minneci will interview eight of the applicants next week. It is anticipated that the new person would begin by the end of May or beginning of June.

WATER WORKS REPORT: Mayor Feigelson directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". He reported that the Water Works and Deregulation committees met on April 12, 2016 to review several items in advance of the Council meeting.

Mayor Feigelson reported that Mr. Adkins provided the Water Works and Deregulation committee with the departmental activity report, a copy of which was included in the Council packet. Mr. Adkins highlighted that there have been a total of ten water main breaks so far this year. The department also has performed some maintenance on the high service pump building and Well #11.

Mayor Feigelson reported that Mr. Adkins provided the Water Works and Deregulation committee with the Project Management report, a copy of which was included in the Council packet. Electrical upgrades are anticipated to occur after all the equipment has been delivered at the end of April while rehabilitation is being done within the water softening building.

Mayor Feigelson reported that the Water Works committee asked for a second reading to consider a 5% water rate increase beginning July 1, 2016 and July 1, 2017. He said that a summary of the water rate analysis discussions is included in the February 2016 and March 2016 Water Works committee reports.

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 was presented and read for a second reading.

Mayor Feigelson reported that Mr. West presented a request from Duke Energy Ohio, Inc. to grant an easement for overhead electric facilities which serve Water Well numbers 10 and 11 at Craig Lane south of Riverside Drive in Milford. In October 1996, the Village entered into a facilities agreement to allow CG&E to install the overhead electric facilities, however, the easement was never recorded. The granting of the easement does not affect the property or the wells.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CONVEY AN EASEMENT IN ORDER TO ALLOW DUKE ENERGY OHIO, INC., TO SUPPLY AND MAINTAIN OVERHEAD ELECTRIC FACILITIES TO WATER WELL NUMBERS 10 AND 11 OF THE CITY OF THE VILLAGE OF INDIAN HILL WATER WORKS was presented and read for the first reading.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on April 6, 2016 to review several items in advance of the Council meeting.

Council member McGraw reported that Chief Ashbrock presented to the Safety committee the March Fire/EMS report, a copy of which was included in the Council packet. He explained that Chief Ashbrock highlighted that EMS runs remain lower for the year compared to last year – 259 total runs compared to 273 through March 2015. He also provided an update on the hiring process of a new Paramedic/EMT that will replace a current employee who resigned to work for Anderson Township.

Council member McGraw reported that Chief Ashbrock provided an update on the fire station construction. At this time, it is anticipated that the Madeira station, weather permitting, will be completed at the beginning of June. Bid documents for the Indian Hill station are ready to be announced on April 6, 2016 with bids being due on April 27, 2016. At this point in time, construction on the Indian Hill building is anticipated to begin shortly after the 4th of July.

Council member McGraw reported that Colonel Schlie presented the Rangers' Activity Report for March, a copy of which was included in the Council packet. Council member McGraw said that Colonel Schlie indicated that "No Parking" signs will be installed on Graves Road by Rheinstrom Park to avoid unsafe overflow parking onto the street. In addition, the Rangers are being honored at a Boy Scout reception on Sunday, April 10, 2016 at Livingston Lodge where Colonel Schlie and Mayor Feigelson will be presenting. Lastly, a memorial tree will be placed at Rheinstrom Park in honor of a very popular dog walker who recently passed away.

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 15, 2016 to review several items.

Council member Thayer reported that the Planning Commission reviewed a request from the Green Acres Foundation to construct boardwalks and a path over a pond. He reported that this request was approved.

Council member Thayer reported that Sue Mills requested approval of a variance and expansion of a non-conforming home located at 7765 Graves Road. The request was to expand the front entry of the home and to construct additions to the rear of the home. The applicant is requesting a variance to the front yard setback. This request will be considered at the April 19, 2016 meeting.

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

- April 30, 2016 is the annual plant sale at the Rowe Arboretum from 9:00 am – 12:00 pm.
- April 30, 2016 is the Grand Valley Annual Fishing Tournament from 7:00 am – 12 pm.
- May 4, 2016 the Indian Hill High School will present the Annual Water Quality Report at the Green Area Advisory committee meeting at 5:30 pm in Council Chambers. All Council members are invited to attend.

- May 5, 2016 is the National Day of Prayer ceremony which will be held in conjunction with Madeira at McDonald Commons Park at 7:30 am.
- The New Residents' Reception will be held on May 22, 2016 from 4:00 pm – 6:00 pm at the Little Red Schoolhouse. Approximately 180 invitations will be sent out to new residents.

Ms. Minneci requested an Executive Session for the purpose of discussing property acquisition and/or sale of property, including real, personal, tangible and intangible property.

Council member Kuenning made a motion that Council enter into Executive Session for the purpose of discussing property acquisition and/or sale of property, including real, personal, tangible and intangible property. The motion was seconded by Council member Thayer and was passed by unanimously 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