

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
May 18, 2015**

A meeting of the Indian Hill Village Council was held on May 18, 2015 at 7:00 p.m. The meeting was held in the Council Chamber of the Village Administration building.

Officials present: Mr. Keith M. Rabenold, Mayor
 Mr. Daniel J. Feigelson, Vice-Mayor
 Mrs. Molly R. Barber, Council member
 Mrs. Melissa S. Cowan, Council member
 Mr. Mark D. Kuenning, Council member
 Mr. Abbot A. Thayer, Council member

Officials absent: Mrs. Laura S. Raines, Council member

 Ms. Dina C. Minneci, City Manager
 Mr. Donald L. Crain, City Solicitor
 Mr. Paul C. Riordan, Clerk/Comptroller

Visitors present: Ms. Elisabeth Kuhlman, 4700 Drake Road
 Mr. Miles Longevin, 8470 Kugler Mill Road

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

MINUTES: The minutes of the regular meeting of April 20, 2015 had previously been distributed to each Council member. Council member Thayer made a motion to accept the minutes, which was seconded by Council member Feigelson and was approved, 6-0.

FINANCE COMMITTEE REPORT: Council member Kuenning directed Council's attention to a memo titled, "*Finance Committee*". He reported that the Finance committee met on May 11, 2015 to review several issues in advance of the Council meeting.

Council member Kuenning directed Council's attention to the April 2015 financial statements which were included in the Council packet. Council member Kuenning reported the following financial report.

- a. **Income Tax Receipts:** The Village had a very strong April in terms of cash receipts which totaled \$7,766,024. Year-to-date tax receipts of \$9,114,708 are ahead of last year receipts year-to-date at a lower tax rate this year. Income tax receipts are at 91% of budget. The Finance committee agreed that there should be no problem meeting the Income Tax receipts budget for this year. Council member Kuenning explained that the Village typically receives by April income tax receipts totaling 75%-85% of the total for the year; therefore, the 91% received year-to-date indicates a very strong year for income tax receipts.
- b. **Real Estate Tax:** The Village received the first settlement in the amount of \$82,243. However, it was reduced by \$36,551 due to refunds on estate taxes. This deduction is accounted for in the "Other Receipts" line item.

- c. **Operating Disbursements:** April operating expenditures total \$842,602 and expenditures year-to-date total \$3,291,162. There were no extraordinary disbursements during April. Year-to-date expenses are tracking to budget.
- d. **CIRF:** There were no significant capital disbursements in April.
- e. **Water Works Receipts:** Water usage receipts for April were \$103,043 which is approximately \$39,000 less than April 2014 receipts. This is due to a delay in sending out invoices. Actual April billings are relatively comparable for the past few years.
- f. **Water Works Disbursements:** Water Works disbursements are tracking to year-to-date budget.
- g. **Water Works CIRF:** The only significant expenditure was for a truck.
- h. **Cash and Investments:** Total month end cash and investments were \$37,632,074 compared to \$29,539,230 in April 2014 and compared to \$30,561,054 at the end of March 2015. The large increase for the month is primarily due to the large collection of income tax in April. The large increase from April last year is due to the inclusion of the fire house donation funds. These funds will decline rapidly once the construction of the Madeira fire station begins this summer.
- i. **Long-Debt Schedule:** There were no changes during the month.
- j. **Rowe Funds:** The market value as of April 30, 2015 was an increase of 1.03% over the March investments. The market value as of April 30th was \$3,194,508. The unrecognized gain was \$709,972. Total monthly earnings equated to \$122,798 with monthly expenses totaling \$33,273. Total monthly earnings included significant gains from the sale of stocks.
- k. **Green Areas Funds:** The market value as of April 30, 2015 was \$2,232,494 which was up .78% from the March investment balance. The unrecognized gain was \$1,279,344. Total monthly earnings equate to \$33 with monthly expenses totaling \$86.

The financial statements for April 2015 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 the Finance committee reviewed a Resolution recommended by Ms. Minneci to amend the Center for Local Government Benefits Pool's (CLGBP) Joint Self-Insurance Agreement. The CLGBP created a subcommittee to review the current Joint Self-Insurance Agreement to provide more succinct and effective language as it relates to CLGBP members wanting to withdrawal from the health insurance pool. The Finance committee reviewed a summary of the proposed changes for review. Council member Kuenning said that the Finance committee recommends a Resolution authorizing an amended agreement with the Center for Local Government Joint Self-Insurance Benefits Pool.

**A RESOLUTION AUTHORIZING AN AMENDED AGREEMENT
WITH THE CENTER FOR LOCAL GOVERNMENT JOINT SELF-
INSURANCE BENEFITS POOL** was presented and read.

Upon motion by Council member Kuenning, seconded by Council member Cowan, the Resolution was passed by unanimous voice vote. Mayor Rabenold declared Resolution number **08-15** adopted.

Council member Kuenning reported that the Finance committee reviewed an update on a resident's question concerning the small business deduction add-back that was incorporated into the Village's income tax form in 2014.

Council member Kuenning reported that he gave the Finance committee a legislative update. He also provided copies of the actual House amendments to HB64 which were submitted by Representative Brinkman. He explained that such submissions would help preserve the Village's use of Ohio AGI as its tax base. The amendments passed the House and are now being reviewed by the Senate. The Senate is anticipated to vote on all the HB 64 amendments sometime in late May, and the Governor is expected to sign a version of HB 64 in June. He explained that the Senate is taking a fresh look at the bill primarily as it relates to the other economic issues in the bill; particularly the very controversial tax plans incorporated in the bill that the Governor proposed which the House did not go along with. Council member Kuenning said that it is anticipated that the Senate will vote on all HB 64 amendments sometime in late May, and the Governor is expected to sign a version of HB 64 in June.

Council member Kuenning reported that the Finance committee agreed that next month's Finance meeting be moved from June 5, 2015 to June 8, 2015 at 7:30 am.

Council member Kuenning reported that the Finance committee convened into Executive Session to discuss property acquisition and/or sale of property, including real, personal, tangible and intangible property.

LAW COMMITTEE REPORT: In the absent of Council member Raines, City Manager Minneci directed Council's attention to a memo titled, "*Law Committee*". She reported that the Law committee met on May 7, 2015 to review several items in advance of the Council meeting.

Ms. Minneci reported that Mr. Crain presented the April/May legal activity report which centered on the review of non-conforming lots of record, title issues and reviews, license agreements, legal case updates, contract interpretations, dog ordinance draft and Mayor's Court activities.

Ms. Minneci reported that Mr. Crain provided two versions of an animal matter ordinance for the Law committee's consideration. After discussion about the appropriate location for the legislation within the Code of Ordinances, the Law committee recommends a first reading to Council to approve an Ordinance amending Chapter 91 by adding Section 91.06 entitled, "Voiding of Animal Fecal Matter" and adding a penalty section to the existing Section 91.99. This will allow for penalties up to \$250 or \$500 if two violations occur within 30 days.

Council member Feigelson mentioned that in several of the first "whereas" sections of the Ordinance it just says, "Indian Hill" versus "the City of the Village of Indian Hill" and he requested that this be corrected.

AN ORDINANCE AMENDING CHAPTER 91 OF THE CODE OF ORDINANCES BY ADDING SECTION 91.06 "VOIDING OF ANIMAL FECAL MATTER" AND ADDING A NEW PENALTY SECTION TO EXISTING SECTION 91.99 was presented and read for the first reading.

Ms. Minneci reported that the Law committee reviewed an update on a Drake Road property that has been in foreclosure since 2012. Staff will contact the lender's property preservation department to discuss concerns related to dead ash trees.

Ms. Minneci reported that staff provided the Law committee with an overview of changes that the State of Ohio implemented on January 1, 2015 regarding septic inspections. The State now formally regulates all septic programs in all counties. Staff will work with Mr. Crain to determine how these new regulations affect Indian Hill's current inspection program and its agreement with Hamilton County Health District. In addition, staff will research options for future septic program implementation.

Ms. Minneci reported that the Law committee convened into Executive Session to discuss property acquisition and/or sale of property, including real, personal, tangible and intangible property.

BUILDINGS & GROUNDS COMMITTEE REPORT: Mayor Rabenold directed Council's attention to a memo titled, "*Buildings and Grounds Committee*". He reported that the Buildings and Grounds committee met on May 12, 2015 to review several items in advance of the Council meeting.

Mayor Rabenold reported that Messrs. Adkins and Kipp provided the Buildings and Grounds committee with departmental activity and project management reports, copies of which were attached to the meeting minutes. Mayor Rabenold reported that Mr. Adkins highlighted the commencement of the wildflower project on Shawnee Run Road near State Route 126. He explained that Mr. Kipp gave an update on the Spring Bass Fishing Tournament and stated that results of the fishing tournament are included in the report attached to the meeting minutes. He also reported the purchase of trash receptacles that will be placed throughout Grand Valley. David Yeager and Jason Iles won the fishing contest with the largest fish and the most pounds caught.

Mayor Rabenold reported that the Buildings and Grounds committee received an update from Ms. Minneci on the application process for the Range Supervisor opening that occurred due to Tom Kanis' retirement on July 1, 2015. Mr. Kanis has sent the job announcement to all members of the Shooting Club for them to disburse as well as local gun clubs. The position also has been posted on the Village's website. The application deadline is May 20, 2015. The search committee includes the City Manager, Colonel Schlie and members of the Shooting Club Advisory Committee. It is anticipated the new person would begin in mid-June to work alongside Mr. Kanis for several days.

Mayor Rabenold reported that the Indian Hill Historical Society has placed the relocation of the Little Red Schoolhouse's flag pole on hold. He said that they wish to concentrate on restoring the grass around the building which has slightly deteriorated due to the increase in tents needed for outside events.

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 May 12, 2015 to review several items in advance of the Council meeting.

Council member Barber reported that Messrs. Adkins and Kipp provided the Public Works committee with departmental activity and project management reports, copies of which were attached to the meeting minutes. She explained that Mr. Adkins highlighted the locations where honeysuckle has been trimmed back from the roadside and where drainage areas have been improved.

Council member Barber reported that Mr. Kipp provided the Public Works committee with a street listing for this year's road resurfacing program. Bidding for the program will be in May with resurfacing running from June 8th to August 14th. This timeframe takes into consideration the school's start date. She explained that Mr. Kipp indicated he is aware of three vendors thus far that plan on providing bids for the project. A list of the streets is included in the Council packet.

Council member Barber reported that Mr. Kipp provided the Public Works committee with a listing of Village areas where Cincinnati Bell currently is installing cable for its Fioptics service. The listing is also included in the Council packet.

Council member Barber reported that the Keller Road bridge was reopened on Friday, April 17, 2015. The Hamilton County Bridge Engineer's personnel constructed a temporary concrete "large-block" wingwall to retain the bridge approach's earthen fill behind the wall. The bridge is still safe for vehicular use but the Village and Hamilton County will continue surveillance of the structure. Funding for future replacement of the bridge will be researched.

WATER WORKS REPORT: Council member Cowan directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". She reported that the Water Works committee met on May 12, 2015 to review several items in advance of the Council meeting.

Council member Cowan reported that Mr. Adkins provided the Water Works committee with the departmental activity. A copy is attached to the meeting minutes. She explained that Mr. Adkins highlighted for the Water Works committee that the Ohio Environmental Protection Agency (OEPA) has indicated that the Village's brine discharge system has no impact on the aquatic life of the Little Miami River.

Council member Cowan presented the following Ordinance for a second reading.

AN ORDINANCE CHANGING THE RATES TO BE CHARGED FOR WATER SUPPLIED TO CUSTOMERS BY AMENDING SECTION 51.55 RATES OF THE CODE OF ORDINANCES was presented and read for a second reading.

Council member Feigelson requested that the references to "Indian Hill" be corrected to read the "City of the Village of Indian Hill".

SAFETY COMMITTEE REPORT: Council member Feigelson directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met on May 7, 2015 to review several items in advance of the Council meeting.

Council member Feigelson reported that Chief Ashbrock presented the Fire/EMS report for April, a copy of which is attached to the Safety committee meeting minutes. Council member Feigelson reported that EMS runs remain higher this year than last year. Mutual Aid received runs were significantly higher than in past months due to the Fire District having an ambulance out of service for repairs.

Council member Feigelson reported that Colonel Schlie presented the Rangers' Activity Report for April, a copy of which is attached to the Safety committee meeting minutes. He explained that Chief Schlie reported that the Rangers will be working the upcoming After Prom at Indian Hill High School. Newly hired Officer Mike Wedding has begun his field officer training while Officer Brad Bird has successfully completed his training and is patrolling on his own.

Council member Feigelson reported that Mayor Rabenold received a letter from a resident concerning bike safety in the community. The Safety committee reviewed the letter and discussed past reports which analyzed the creation of off-road bike trails. This concept proved to be too costly and logistically inefficient. Colonel Schlie indicated that it would be difficult to have a lane specifically for bikes because they either have to be on both sides of the roadway or, if on one side, it must be wide enough for the bikes to travel in both directions with a dividing line. Council member Feigelson explained that the Safety committee recommended researching the costs and effects of incorporating additional road width in the annual road resurfacing program to accommodate the increased bicyclist population. He said that staff will provide updates on this research as well as look into grant opportunities. He said that they considered possibly increasing the width every time they do a road resurfacing to increase the width for bicyclist.

Council member Feigelson reported that Ms. Minneci provided the Safety committee with an update on the alarm monitoring process. He said that after 18 months, approximately 50% (600 out of 1200) of the alarms directly connected to the Rangers' station have had their transmitters upgraded to remain compatible with the Village's new radio system. He said that December 31, 2015 has been established as the date that all residents who wish to remain directly connected to the Rangers must have their transmitters replaced.

Council member Feigelson reported that Koorsen will be sending letters to all 600 residents who have not upgraded. This letter indicates ninety openings, each month, will be available from June through December for residents to sign up for installation. To communicate the December 31st deadline as much as possible, he said that staff will place articles in all upcoming Bulletins, e-mail blasts will be sent on a periodic basis and the website has been updated to reflect the final date.

Council member Kuenning questioned why EMS runs were up over last year. Council member Feigelson replied that most of the increased EMS runs are in Madeira and they are due to the nursing home runs.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on April 21, 2015.

Council member Thayer reported that the Planning Commission conditionally approved the Special Exception request from Turner Farm, Inc. located at 7400 Given Road. The Special Exception will allow the conversion of an existing out building into a “place of assembly and demonstration kitchen” to educate the public about organic farming, health and wellness thru the preparation of food.

Council member Thayer reported that the Planning Commission denied the variance requests by James Tinkham, Homewood Development LLC, for the construction of a new dwelling on a non-conforming lot of record for the property located at 7440 Indian Hill Road. He said that the applicant was requesting a variance to the side yard setback and height of the proposed dwelling.

CITY MANAGER’S REPORT: Ms. Minneci reported that the Grand Marshal for the July 4th parade will be Mr. Harold Thomas and Mrs. Margret Thomas (In Memorium). She said that the Village is honored to have them as the Grand Marshals and that the Village thanks them for the very generous donation to fund the new fire houses. She said that Mr. Thomas is very excited about attending the event. Council member Feigelson said that work is being done to have Mr. Thomas ride on a vintage fire truck.

Ms. Minneci reported that Monday, May 25th the Village offices will be closed for Memorial Day. The annual Memorial Day celebration will be held at Armstrong Chapel at 10:30 am.

Ms. Minneci reported that June 8th is the approximate date where the Madeira fire house will be consolidating into the Indian Hill fire house.

Ms. Minneci reported that July 4th the Village will hold its annual parade and celebration festival. The fireworks will be held at Stephen Field as they were last year.

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

Respectfully submitted,

Keith M. Rabenold, Mayor

ATTEST:

Paul C. Riordan, Clerk