

**MINUTES OF MEETING  
INDIAN HILL VILLAGE COUNCIL  
August 30, 2010**

A meeting of the Indian Hill Village Council was held on August 30, 2010 at 7:00 p.m. The meeting was held in the Council Chamber of the Village Administration building.

Officials present:

Mr.	David T. Ottenjohn, Mayor
Mr.	Joseph Beech, III, Vice Mayor
Mr.	Daniel J. Feigelson, Council member
Mrs.	Lindsay B. McLean, Council member
Mr.	Keith M. Rabenold, Council member
Mrs.	Laura S. Raines, Council member
Mr.	Mark E. Tullis, Council member
Mr.	Michael W. Burns, City Manager
Mr.	Donald L. Crain, City Solicitor
Mr.	Paul C. Riordan, Clerk/Comptroller

Visitors present:

Mr.	Link Pavey	8650 Shawnee Run Rd.
Mr.	Bill Sloneker	8625 Indian Hill Rd.
Mr.	Art Leonard	5865 Graves Lake Drive

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

**MINUTES:** The Minutes of the regular meeting of June 21, 2010 had previously been distributed to each Council member. Mayor Ottenjohn declared the minutes accepted as corrected.

**CITIZEN PARTICIPATION** Mayor Ottenjohn opened the meeting for citizen participation. Mr. William Sloneker addressed Council and explained that he is having a problem with his septic system which he said is a result of State regulations passed five or six years ago. The regulations allowed the health boards of Counties and Municipalities to impose more stringent guidelines than were required by the State. He thought this was done so that they could consider certain situations, such as proximity of water systems, etc. He said that he and his lawyer attended a Board meeting and it was evident that the County Board of Health misrepresented what the engineer said. His variance request was denied and he has been pumping out his system every 10 days at a cost of \$250. The State of Ohio has subsequently passed a revision to their regulation. This amendment was passed in July. He said that the Village has approximately 1,700 of these systems which will have to be replaced over time. He explained that the State wants the residents to repair their system, whereas, the County wants the system replaced. It will cost \$5,000 to repair his system and cost approximately \$31,000 to replace it. He said that the State amendments, which go into effect in September, require the County to justify their economic justification if the County is going to place requirements which are more stringent than the State requirement. He is requesting that the Village gain much more expertise and knowledge on this subject and form a committee or group to advise residents and to help support their case against the County. This might result in the County acting in a more reasonable fashion.

City Manager Burns said that he did not want to downplay what Mr. Sloneker has said about the systems; however, the Village has approximately 1,400 septic systems, and it is a little unfair to say that all 1,400 of the systems are at risk. He said that most of the systems are newer and will

probably never fall under the State regulation. He said that it is the very old systems that are an issue. Some are worn out and were never installed correctly in the first place and are possibly 80 or 90 years old. He said again, that he does not want to downplay that a correction could be made at a cost substantially less than \$31,000. He said the problem is not as broad as Mr. Sloneker presented.

Mayor Ottenjohn explained to Mr. Sloneker that he and the rest of Council are trying to learn more about this issue and possibly it is appropriate for one of the Village's main committees to review the issue and determine if a special committee should be formed to study it.

Council member Beech asked Mr. Sloneker if he had brought this issue to the Hamilton County Commissioners who he thought should be handling this issue. Mr. Sloneker replied that he talked to one of the members who explained that the County does not have authority over the Health Board.

Mr. Sloneker said that he thought the Village could be an advocate for the residents of Indian Hill on this issue with the County.

Council member Beech said that the Village of Indian Hill could not tell the county what to do, however, it could say what it thought wasn't right.

City Manager Burns explained that the Hamilton County Health Board is the Village's Health Board and the staff is discussing this issue with them at this time.

Mr. Sloneker said he wasn't necessarily asking for Village help in his case.

City Manager Burns said that he agrees with Mr. Sloneker that this is an issue that the Village needs to take up, and it has, but just remember there are two sides to any issue and in the case where one resident is receiving the effluent that is untreated is just as critical an issue to them, so both sides have to be reviewed.

Council member Rabenold said that he recommends that the Law Committee take up this issue for further review.

Mayor Ottenjohn requested that the Law Committee also consider whether a separate committee should be set up to review this issue.

Mayor Ottenjohn said that since there was no objection, the Law Committee will take up this issue and also determine if a sub committee should be formed to consider the septic tank issue further.

**GROUNDS COMMITTEE REPORT:** Council member McLean directed Council's attention to a memo entitled "Grounds Committee meeting" dated August 25, 2010. She reported that the Grounds Committee met on August 25 to review and discuss several topics in advance of the Council meeting. Council member McLean explained that Mr. Lincoln Pavey and Mr. John Bentley were also at the meeting to discuss the Veterans' Memorial.

Council member McLean reported that City Manager Burns provided a recap of the Veteran's memorial study committee meetings over the last 4-5 months. She advised that the

Veteran's committee has now settled on a preferred location and preliminary design for the memorial. The location is at the south east end of the Bird Sanctuary.

Council member McLean distributed copies of the design to the Council members. The memorial cost is estimated to be approximately \$100,000. The Veterans' memorial will honor residents in the past, present and future. The memorial committee is working to identify possible key donors and develop a marketing piece for use during fund raising efforts. She said that the committee would like to move forward with the memorial, however, they would like to have Council's approval. She said the plan is to approach donors starting in the fall, and also go out for bids in the fall. The project is scheduled to be concluded by late spring with a dedication on July 4, 2011. She explained that the Grounds Committee approved the design and the location and the time table and is requesting Council's approval to proceed.

Mr. Lincoln Pavey addressed Council. He said that Council member McLean has been a very dedicated committee member and he supported what she reported.

Council member McLean requested that it be noted that this committee was started at the request of Mr. Pavey.

Mayor Ottenjohn requested that it be clarified that the \$100,000 cost for the project would be funded by donations and Council member McLean said that this was accurate.

Council member McLean moved that Council approve the Veterans Memorial project and to proceed as presented. The motion was seconded by Council member Tullis and was passed by unanimous voice vote.

Council member McLean reported that Mr. McQueen provided the Grounds Committee with a report on the Grand Valley activities. She highlighted that there was a continual problem with damage to the canoe paddles and there have been several swimming violations. She said on the positive side, there are approximately 15 new entrance cards issued each week. She reported that there are approximately 3,000 people enjoying the preserve.

Council member McLean reported that Mr. Adkins presented a Public Works Activity report which covered typical activities for this time of year.

Council member McLean reported that Mr. Couch presented, on behalf of Mr. Kipp who was on vacation, a project manager report. He said that all the projects are progressing as planned, including the water works project.

Council member McLean also reported that there are several trees on the Phinney House side of the Administration complex which are in very bad shape and are dying and will have to be taken down. She also reported that an easement is being requested by Duke Energy which involves a 20 x 15 ft. area of Grand Valley property adjacent to Zumstein Avenue. She said that staff is of the opinion that the easement will not adversely effect Village property in any way and the location on the very southwest edge of Grand Valley will not impact operations.

Council member McLean said the Grounds committee is in agreement that granting an easement is appropriate.

**“AN ORDINANCE AUTHORIZING THE MANAGER TO CONVEY AN EASEMENT TO DUKE ENERGY FOR THE INSTALLATION OF A NATURAL GAS DISTRIBUTION FACILITY ADJACENT TO AN EXISTING DUKE FACILITY ON VILLAGE OWNED PROPERTY AT THE CORNER OF ST. 126 AND ZUMSTEIN AVENUE IN SYMMES TOWNSHIP”** was presented and read for the first reading.

Mayor Ottenjohn requested that the description of the area covered be worked into the beginning of the ordinance.

Council member McLean also reported that Mr. & Mrs. Lee Comisar have now held the old Stayden property, located at the corner of DeMar Road and Towhee Lane for more than a year, and they would like to donate it to the Village with the stipulation that the Village demolish the home and storage building on the property.

City Manager Burns said that the cost for the demolition would be approximately \$7,000 and it would be charged to the Green Areas.

Council member McLean said that the committee was agreeable to this course of action and was requesting that Council give it's approval. Council was in agreement with this course of action.

Council member McQueen also reported that City Manager Burns advised the Grounds Committee that staff has negotiated a final contract close out settlement with Dugan & Meyer's, (D&M) for contract management services in connection with the Police and Administration building project. There was a contract provision specifying additional incentive payments based upon cost savings realized during the project, but there is some difference in opinion between staff and D&M on the original budget amount and the extent of the savings. Staff has proposed settling the amount due with a payment of \$22,500 which represents the actual value of preconstruction work provided by D&M, and they are acceptable to this settlement. Funds are available in the construction account to make this payment; and absent an objection by council, City Manager Burns intends to issue the payment and close out the contract with D&M. Council member McLean explained that City Manager Burns said that the staff has been very happy with the D&M efforts throughout the project. The Grounds committee members indicated that they had no objection to this course of action.

Council member McLean reported that one of the goals for the committee for 2010 and beyond was to do some planning related to the preservation and expansion for the bridle trail system. She explained that City Manager Burns would like to kick off this effort by having a joint Grounds committee and Green Areas Bridle Trail sub-committee meeting to discuss the issues and opportunities confronting the bridle trail system. Council member McLean explained that the committee would be meeting to consider this issue. She also reported that the Public Works committee will be meeting very soon on the 2011 budgets.

**FINANCE COMMITTEE REPORT:** Council member Tullis directed Council's attention to a memo entitled "Finance Committee Meeting" dated August 26, 2010. He reported that the Finance Committee met on two occasions, August 12<sup>th</sup> and August 26<sup>th</sup> to discuss a number of topics in advance of the Council meeting.

Council member Tullis reported that there was nothing unusual in the June Financial statements and therefore, he would only review the July statement, since June would be included in the July year to date summary.

Council member Tullis reported that at the August 12<sup>th</sup> meeting, the Finance Committee discussed the 2011 budget review process and reviewed some preliminary revenue projections for 2010, 2011, 2012, and 2013. The committee asked staff to prepare additional projections for their August 26 meeting. He explained that the committee was specifically concerned about a worse case scenario over the next several years to see what, if any, income tax increase may be needed.

Council member Tullis said that it is known now that the Village will receive at least \$1.3 million in estate tax receipts, therefore it is possible to defer the implementation of furlough days through the end of 2010, and consider this option or other personnel related cuts as part of the 2011 budget process. He said that the Public Works department is currently down three employees and there are possibly two retirements in 2011 that would not be replaced. He said the committee agreed to recommend to Council that furlough days be deferred through the end of the year.

Mayor Ottenjohn requested a voice vote on this issue. Council member Tullis moved that Council accept the Finance Committee's recommendation to defer furlough days through the end of the year. The motion was seconded by Council member Feigelson and was carried by unanimous voice vote.

Council member Tullis also reported that Mr. Michael Sewell, a resident of the Village, is being considered as a new Audit committee member and the Finance committee would like to meet with him at the September Finance committee meeting.

Council member Tullis also explained that the Finance committee met with members of the Rowe Arboretum committee approximately five months ago and discussed the investment policy for the Rowe Arboretum funds. Mr. Greg Rowe, who attended the meeting, expressed his concern that he was not happy with the performance of the investments. Council member Tullis said the Finance committee had another meeting a month later on the Rowe Arboretum investments, and Mr. David Skidmore, who is a member of the committee, attended that meeting. Mr. Skidmore thought the policy of providing income through dividends and interest was working effectively and had no interest in changing the policy. Council member Tullis also reported that City Manager Burns has tried to contact Mr. Rowe several times to invite him to attend meetings on this issue and they have not been able to connect. Therefore, the Finance committee will wait to hear from Mr. Rowe before an additional meeting is set up.

Council member Tullis directed Council's attention to the July Financial Statements which had previously been distributed. He explained that the Village received \$46,000 of income tax receipts in the month of July which brings the year to date amount to \$4,909,000. It is estimated that the Income Tax Receipts will be approximately 18% below receipts for 2009. This compares to the budgeted amount of the reduction of 15%. He reported that known Estate Taxes are \$1.3 million, leaving a remaining balance from the Estate Tax budget of \$700,000.

Council member Tullis also reviewed several of the notes to the Financial Statements which explained basically the different timing issues in the Receipts and Disbursements, plus a posting error which had been corrected. Council member Tullis explained that disbursements exceeded receipts by \$246,000 for the month of July which is typical for this time of year.

Council member Tullis also reviewed the CIRF Fund Statement and pointed out that there was not much activity for the month. He also reviewed the notes to the statement.

Council member Tullis also reported that the sale of water receipts is still trailing the receipts of last year due to the wet weather in the spring of 2010. He pointed out that the receipts in July are actually for the billings made in April. Receipts of the Water Works should increase significantly over the next several months because of the dry summer period. The Water Works showed receipts over disbursements for the month of \$221,000.

Council member Tullis reported that the total of all cash and investments and fund balances as of July 31 is \$17,566,000 which is down from \$17,940,000 at the beginning of the month. He also directed Council's attention to the Income Tax Fund Balance of \$8,070,000 and highlighted the Water Works Fund balance of \$2,308,000 and the Water Works CIRF Fund balance of \$482,000.

Council member Tullis reported that the Market value of the Rowe Arboretum Funds at the end of July was \$1,916,000 which is an increase from the balance at the end of June of \$1,788,000. He also reported that the market value of the Green Areas and Recreational Fund investments at the end of July equals \$934,703 compared to the beginning of the month balance of \$873,696. He reported that the dividends and interest budget for the Rowe Arboretum is on schedule.

The Financial Statements for June and July 2010 had previously been distributed to each Council member. There being no exceptions noted. The Financial Statements were accepted as issued.

Council member Tullis also directed Council's attention to a statement entitled "No tap in fee transfer for Water Works – No Tax Increase." He explained that the Finance committee considered several alternative future finance scenarios extending to 2013. He explained that this statement forecasts operations and fund balances for the year 2010 to 2013 based on certain assumptions. The assumptions are attached to the statement. The first assumption is that the total estate tax received in 2010 would total \$1,300,000, which is \$700,000 under what is currently budgeted. He explained that this is a worse case scenario projection. He explained that based on the assumptions, the General Fund balance at the end of 2010 would be \$1,918,000 which is the maximum amount to carry forward which is 20% of the 2010 expenditures. This fund balance is necessary in order to operate the Village during the first 3 ½ months of the year when revenues are light. He also pointed out that the Income Tax Fund would have a balance at the end of 2010 of \$2,790,000. The Income Tax Fund balance at the end of 2011 is projected to be \$221,000 which means that 2 ½ million of the Income Tax reserves carried over from 2010 would be used to operate the Village in 2011. He said we are in effect balancing the budget from income tax receipts and estate tax receipts from previous years. In several in several prior years the Village received as much as \$7,000,000 & \$8,000,000 in some years in estate taxes. Also, our Income Tax reached a height of almost \$8,000,000 in both 2007 and 2008 but is currently running approximately \$5,000,000 per year. He pointed out that the CIRF ending balance for 2010 would be \$1,803,000, however, the Village has not done any road projects this year and has cut back on other expenditures which normally are charged to this fund.

Based on this scenario, in 2011, the Village would continue to be in fairly good shape, with the General Fund having a balance of \$1,958,000, the Income Tax Fund at \$221,000 and the CIRF at \$1,782,000. He explained that the Village likes to keep approximately \$2,000,000 in the CIRF Fund balance. He explained that in 2012 the General Fund balance drops to \$755,000 and the CIRF Fund

balance drops to a negative \$312,000 which does not work. The situation is even worse in 2013. He also pointed out that the Water Works is in very good shape with total fund balances of \$2,974,000 at the end of 2010 and it is projected that the balance would be as high as \$2,631,000 at the end of 2013.

Council member Tullis then directed Council's attention to the enclosed statement entitled "Water Tap in Fee Transfer and Tax Increase to .5% in 2011, .55% in 2012 and .65% in 2013." He reiterated that this is the first pass at the budget, and is not suggesting that an Income Tax increase is being planned. He explained that the Finance Committee wants to see the effect on Operations and Fund balances in a worse case scenario which includes transferring \$726,000 of a tap-in-fee receivable from the Water Works Operation Fund to the CIRF Fund and increasing the tax rates by 0.1% in 2011, .05% in 2012, and .1% in 2013. He explained that transferring the \$726,000 leaves the Water Works Funds in very good shape with a balance in excess of \$2,400,000 in 2011 and \$1,905,000 in 2013. Making the tap-in-fee transfer and increasing the tax rates results in the Village being in good financial shape. The General Fund balance starting each year would be at the maximum 20% of previous years' expenditures and the CIRF Fund balances would be over \$2 million in each year.

Council member Tullis said again that this is the worse case scenario. He is not saying that Income Taxes are going to go up, however, the Village has to plan on doing several capital improvement projects that have been on hold during the past 2 years. He stated that we cannot go another year without doing road resurfacing. \$250,000 for road resurfacing is included in 2011 which basically fixes the roads which were torn up for the Water Works project. Council member Tullis said the Village has to be funded properly to take care of our roads, our parks, provide good police and fire protection and take care of our employees.

Council member Beech said that he realizes these were preliminary numbers and there is more than four months to go to decide on the budget for 2011, however, he has had several people approach him who are considered to be frugal individuals, and they are saying go ahead and raise the taxes because we have a real estate problem. We need to keep Indian Hill a place where people want to live. They say it is not the time to let the roads or the services decline

Council member Tullis said that he does not want to raise taxes, however, the Village is not as crisp as it use to be and we do not want to let it deteriorate and have property values decrease.

Mr. Sloneker said that you have to look at the total tax bill of the residents.

Council member Tullis also reported that the Finance Committee reviewed pending radio frequency changes which will render most of the Public Works radios and the Rangers base station obsolete by the year 2011. He said staff has examined both a lease and purchase option for replacing affected radios with new equipment. The cost is \$35,000 with a trade in value for the old radios of \$2,400. The Finance Committee felt that the purchase option was the most cost effective.

Council member Tullis also reported that the Finance Committee reviewed the possibility of charging the non Ohio resident property owners a fee for services in lieu of taxes for individuals who have homes in Indian Hill but only spend approximately 6 months of a year in them. City Manager Burns has been researching this issue and he reported to the committee that the Ohio Revised Code provides for payments in lieu of taxes in connection with tax increment financing programs which are generally applicable to schools but there are no ready examples or apparent implied authorization

where a city could institute such a charge. City Manager Burns said that he is trying to compute the number of individuals in the Village that this would affect. The committee will be discussing this more in the future.

**LAW COMMITTEE REPORT:** Council member Rabenold directed Council's attention to a memo entitled "Law Committee Meeting". He explained that the Law committee met on August 18 to consider several issues in advance of the Council meeting.

Council member Rabenold reported that the Law committee discussed a verbal request by Mr. William Sloneker at the June 21, 2010 Council meeting, advocating that the Village notify all residents with septic systems that the Hamilton County General Health District may require the replacement of failed system components with very expensive new systems or major system components. The committee agreed that City Manager Burns should prepare an article for the September Bulletin focusing on the importance of maintaining septic systems in good working order for the benefit of their neighbors and the environment in general. The article should also advise that some system failures may require substantial and expensive repairs or replacements in order to meet current system standards.

Council member Rabenold reported that City Manager Burns also shared copies of recent e-mails from Mr. Sloneker regarding his septic system and the responses from the Village and the County Health Department. He also indicated to the committee that Mr. Sloneker has requested data on Village salaries and pension contributions.

Council member Rabenold reported that City Manager Burns also indicated to the committee copies of a 2011 Hamilton County Health District contract. The proposed contract is always delivered well in advance of the end of the year, so it is not imperative that the Village act on the proposed contract at the August Council meeting. The Law Committee members suggested adding a sentence in paragraph three (3) to clarify who has the responsibility of resolving any continuing citation or system failure issues. He explained that City Manager Burns will review alternative language with the Health Commissioner and bring a revised agreement back to the committee at their September meeting.

Council member Rabenold also reported that the Law Committee reviewed a draft three year renewal agreement with Frost Brown Todd (FBT). The agreement provides for no increase in the retainer and a 10% discount on the hourly rates for extra services under the contract. He said the committee also reviewed a spread sheet detailing the fees that have been paid to FBT over the last several years, especially those related to the Martin-Marietta limestone mine case. The committee members discussed one additional language change clarifying that the employment of associates to perform services under the General Services provisions of the agreement will be covered by the retainer and not involve any additional fees. He said that subject to the review of the amended language, the Law committee will recommend passage of a resolution authorizing the manager to execute a new three year agreement with FBT.

Council member Rabenold said that he thought that Mr. Crain and Scott and other members of Frost Brown Todd have done a very good job with the Village issues, and have provided good counsel to the Village for a number of years.

**“A RESOLUTION AUTHORIZING THE MANAGER TO EXECUTE A  
COMPENSATION AGREEMENT WITH DONALD L. CRAIN AND**

**“FROST BROWN TODD LLC FOR LEGAL SERVICES RELATED TO THE POSITION OF CITY SOLICITOR”** was presented and read.

Upon motion by Council member Rabenold, seconded by Council member Feigelson, the resolution was passed by unanimous voice vote. Mayor Ottenjohn declared Resolution No. 11-10 adopted.

Council member Rabenold also reported that the Law Committee reviewed the negotiated collective bargaining agreement with the Ohio Patrolmen’s Benevolent Association (OPBA) He said that this would be discussed further in the Safety Committee meeting report.

Council member Rabenold also reported that they reviewed a status report on the Martin-Marietta appeal. A case meeting was held on August 9<sup>th</sup>, and it appears that the appeals will be consolidated into one case.

Mr. Sloneker asked why the Village is involved in the Martin-Marietta case. Mayor Ottenjohn explained that it was felt that it was in the best interest of the residents of Indian Hill for the Village to get involved. There are a number of issues that could be problematic for some residents including noise, light pollution, and traffic. City Manager Burns explained that this issue has been going on for several years and it has had reams of expert testimony on noise, light and traffic pollution. The experts were hired by other concerned groups. Mr. Sloneker said that the Village is helping the residents with the mine problem but they are not helping him with his septic problem. Mayor Ottenjohn said that this is not true; the Village has tried to help Mr. Sloneker and will continue to try to help him, and they will try to understand the issues. He said we may at times disagree with you but we are making an attempt and we are trying to understand the issues and circumstances. The Law committee is also taking up the question of forming another committee to study the septic system issues.

Mayor Ottenjohn told Mr. Sloneker that he thinks it’s good that he is involved. He said he was sorry that it took him to have a personal situation that caused a catalyst for him to get involved. He said to Mr. Sloneker “You are smart, articulate and you have good ideas.” He said that he is not saying that he agrees with all of them but he is delighted to hear from him.

**WATER WORKS REPORT** Council member Feigelson directed Council’s attention to a memo entitled “Water Works Committee meeting” dated August 25, 2010. He reported that the Water Works committee met on August 25, to review and discuss several topics in advance of the Council meeting.

Council member Feigelson reported that Mr. Adkins provided a project status report on the Phase 1 infrastructure improvements. This phase of the project is expected to be completed by mid September. The bids have also been received on Phase 2a and the low bid totaled \$254,833, which is \$30,000 under the engineer’s estimate. He said that since the bids have come in under budget, staff would like to proceed with this work. The Water Works committee agreed with the proposal to expedite the project. He explained that the Demar Road project is nearly ready to bid, and that this will be presented for review in September. Council concurred with this decision to move forward.

Council member Feigelson reported that before Phase 1 the estimated cost was \$4,038,000 The contract was \$2,899,000, and the amount billed and paid today is \$2,048,000,

Council member Feigelson also reported that Mr. Adkins presented an activity report for June and July, and nothing was out of the ordinary.

Council member Feigelson also reported that the Water Works Committee reviewed the tap-in-fee that had previously been discussed in the Finance Committee report. He also directed Council's attention to a spread sheet included in the packet which showed how the initial cost had grown to be the amount of \$738,000 which included interest over a long period of years.

**PUBLIC WORKS REPORT:** Mayor Ottenjohn directed Council's attention to a memo entitled "Public Works Committee Meeting" dated August 25, 2010. He reported that the Public Works Committee met on August 24 to review several items in advance of the Council meeting.

Mayor Ottenjohn reported that Messrs. Couch and Adkins provided a project management report in the absence of Mr. Kipp who was on vacation. Most of the report dealt with the water main project which is impacting roads. Nothing in the report required additional detailed reporting.

Mayor Ottenjohn also reported that Mr. Adkins provided a departmental activity report. Mayor Ottenjohn highlighted the items concerning black topping; he explained that the Village is patching a number of road ways until next year when some road resurfacing will be back in the budget.

**SAFETY COMMITTEE REPORT:** Council member Beech directed Council's attention to a memo entitled "Safety Committee Meeting" dated August 25, 2010. He reported that the Safety committee met on August 24 to review several issues in advance of the Council meeting.

Council member Beech reported that Colonel Schlie provided a police activity report for June and July. He especially noted the recent accident involving juveniles on South Clippinger which involved multiple serious injuries. The case is still under review by the Hamilton County Prosecutor's Office and charges are expected to be filed shortly.

Council member Beech explained that the committee reviewed the tentative bargaining unit agreement with the Ohio Police Benevolent Association (OPBA) representing the Ranger Patrol Officers. The contract provides for wage increases of 0% in 2010, and 2% in both 2011 and 2012. There is a provision that stipulates that the bargaining unit employees will receive any percentage increase in excess of the agreed to increases if any other hourly employees receive higher percentage raises during the term of the contract. There were also changes to the threshold at which Officer-in-Charge pay applied to patrol officers and minimum court time was increased from 3 to 4 hours. The union has ratified the tentative agreement, and City Manager Burns asked the Safety Committee to recommend passage of a resolution authorizing the Mayor, Manager, and Police Chief to execute the agreement on behalf of the Village. Committee members were agreeable to this request.

**"A RESOLUTION AUTHORIZING THE MAYOR, CITY MANAGER, AND POLICE CHIEF TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION"** was presented and read.

Upon motion by Council member Beech, seconded by Council member Tullis, the resolution was passed by unanimous voice vote. Mayor Ottenjohn declared Resolution No.12-10 adopted.

Council member Beech also reported that Chief Ashbrock provided a fire and EMS activity report for July. Chief Ashbrock also advised that the fire district has reached a tentative bargaining unit agreement with the firemen. The EMS runs continue ahead of last year. Fire damages year to date are extremely low. He also reported that the fire district has reached a tentative bargaining unit agreement with the firemen.

Council member Beech reported that due to pending radio frequency changes by the Federal Government, which established a new radio band for local governments, it will be necessary to upgrade a base station in the Rangers headquarters and replace all the radios in Public Works. This issue had been covered in the Finance Committee report.

Council member Beech reported that City Manager Burns suggested that the committee set a special 2011 budget review meeting during September to review the Police and Fire budget submittals to replace the later Safety committee meeting in September and involve a longer than usual meeting duration. The committee decided to meet at 7:15 a.m. on September 17.

**PLANNING COMMISSION REPORT:** Council member Raines directed Council's attention to a memo entitled "Planning Commission Report" dated August 17, 2010. She reported that the Planning Commission met on that day to consider one item.

Council member Raines reported that the Commission approved a request by Mr. Greg Leszczuk, at 6625 Drake Road for a variance to permit the construction of a garage addition within the required front yard setback.

**CITY MANAGER'S REPORT:**

City Manager Burns said that they had covered everything so well that he did not have anything to include in his manager report.

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

Respectfully submitted,

---

David T. Ottenjohn, Mayor

ATTEST:

---

Paul C. Riordan, Clerk