

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
October 19, 2015**

A meeting of the Indian Hill Village Council was held on October 19, 2015 at 6:30 p.m. The meeting was held in the Council Chamber of the Village Administration building.

Officials present:

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| 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 |
| Mrs. | Laura S. Raines, Council member |
| Mr. | Abbot A. Thayer, Council member |
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| Ms. | Dina C. Minneci, City Manager |
| Mr. | Donald L. Crain, City Solicitor |
| Mr. | Paul C. Riordan, Clerk/Comptroller |

Visitors present: See Attached

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

MINUTES: The minutes of the regular meeting of September 21 2015 had previously been distributed to each Council member. Council member Kuenning made a motion to accept the minutes, which was seconded by Council member Thayer and was approved as issued, 7-0.

PUBLIC HEARING: Mayor Rabenold opened up the public hearing on the Planning Commission Case 15-006 Appeal.

The Village Solicitor, Don Crain, swore in those in attendance who would be providing testimony.

Mr. Jon West, Assistant City Manager presented the Staff Report. He presented that the appeal was for the Village of Indian Hill Planning Commission Findings of Fact and Conclusions of Law for the location of a new residence at 9176 Old Indian Hill Road, applicants Shawn and Tammy Hill, Planning Commission Case #15-006.

The application was for a request to locate the proposed new residence at a location other than required by Section 83.1 of the Zoning Ordinance. Thru research, staff could not find previous case history on a request to move the home closer to the road than the average setback of the two adjacent homes; however there were several cases where the Planning Commission approved locating a home further back on the lot than the average setback.

Section 83.1 of the Zoning Ordinance states:

“When an application for a building permit is made to construct a residence between two existing residences on the same side of the street, where such existing residences are 500 feet or less from each other, the least depth of the front yard of such new residence shall be the average depth of the existing front yards of such existing buildings or the required setback for the district in which the applicant’s lot is located, whichever is the greater distance.

If the applicant desires to locate such proposed residence at any other location, the applicant shall make an application to the Planning Commission to otherwise locate such proposed residence. Upon such application and in order to assure orderly development of the land and provide for the health and safety of the community, the Planning Commission shall take into consideration all relevant factors bearing upon the proper location of such proposed residence including, but not limited to,

1. The location of existing residences,
2. The date and time such residences were created,
3. The conformity to the front yard requirements of the area in which the lot is located,
4. The terrain of adjoining lots and locations of buildings thereon,
5. The character and other features of applicant's proposed residence,
6. The probable locations of other proposed residences on the same side of the street, and
7. Any undue hardship which may result from requiring the front yard depth to be as above provided.

If the application to otherwise locate such proposed residence is denied such residence shall be located as above provided in the first paragraph of this Section 83.1."

He stated that two Public Hearings were held by the Planning Commission. The first hearing was held on July 21, 2015. The applicant was requesting approval from the Planning Commission to construct the home at a front yard setback of 100' (which is the minimum front yard setback permitted in District "A"), whereas Section 83.1 requires a setback of 145', which is the average setback of the home at 9150 to the west (200') and 9180 to the east (90'). The two existing residences on each side of the proposed residence are approximately 300' apart. At the end of the meeting, the Planning Commission requested that the applicant look at moving the house as far back on the lot as they could as well as meeting with the neighbors to see if they could reach a compromise.

The second public hearing was held on August 18, 2015. The applicant submitted a revised site plan with a front yard setback of 117'. The applicant also provided an exhibit depicting the limits of the 20% steep slope and the location of the house in relation to the steep slopes at the 117' setback and the 145' setback. At the end of the meeting, the Planning Commission concluded that the narrowing shape of the lot, existing drainage swales on each side of the lot and topography of the lot as you move further back on the lot creates an unusual physical condition. The granting of the request will overcome an undue hardship for the applicant and the granting of the request satisfies the standards set forth in Section 83.1 of the ordinance. The Planning Commission approved the applicants request to locate the house at the 117' front setback as outlined in the Findings of Fact and Conclusions of Law. There were 35 residents that signed petitions in opposition of the applicant's request.

Mr. West read into the record the PLANNING COMMISSION FINDINGS OF FACT for which the appeal was based.

Mr. West provided a list of 43 residents opposing the request that was submitted today.

Mr. West provided a letter in opposition of the request that was received today by Nolan Marx and Samantha MacConnell Marx at 9005 Old Indian Hill Road.

Mr. West provided a letter in opposition of the request that was received last week by Marc Manley and Colby Chapman at 9200 Old Indian Hill Road.

Mr. West stated that Per Section 101.3 of the Zoning Ordinance, "An appeal to the Council may be taken by any property owner ... affected by any ruling of the Planning Commission." Council shall give its decision upon such an appeal within thirty (30) days from the close of the hearing.

Mr. West completed his presentation of the staff report. Mayor Rabenold asked for the Appellants to step forward and provide their testimony.

Mayor Rabenold asked if anyone else in the audience wished to provide testimony in opposition to the Planning Commission decision.

Mayor Rabenold asked for the Appellees to step forward and provide their testimony.

Mayor Rabenold asked if anyone else in the audience wished to provide testimony in favor of the Planning Commission decision.

Mayor Rabenold asked if there were any neutral comments.

Mayor Rabenold opened the discussion with council. Several council members asked questions of the Appellees and Appellants.

Mayor Rabenold closed the public hearing and asked council if they were prepared to make a decision on the appeal. After a brief discussion, Council decided that it would exercise its right to review the facts and testimony and make a decision within 30 days of the close of the public hearing.

FINANCE COMMITTEE REPORT: Council member Kuenning directed Council's attention to a memo titled, "*Finance Committee*". He reported that the Finance committee met on October 13, 2015 to review several issues in advance of the Council meeting.

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

- a. **Income Tax Receipts:** The Village received \$186,966 which is \$18,950 less than receipts received in September 2014. Total receipts for the year are \$9,748,667 which is \$853,025 more than last year and 96.9% of budget.
- b. **Real Estate Tax:** The Village received no real estate tax which brings the year to date total to \$760,417.
- c. **Operating Disbursements:** September operating expenditures equate to \$836,041 which is about \$11,000 less than September 2014. This difference is due to a timing difference in various payments, irrigation system install, and increase in income tax refunds.
- d. **CIRF:** September expenditures equated to \$104,892 due to road resurfacing and culvert replacement program. Total expenditures of \$1,917,000 are projected for the year.
- e. **Water Works Receipts:** Water usage receipts for September were \$147,739 which is approximately \$20,000 less than September 2014 receipts. This is due to decrease in

- usage. Year to date receipts equate to \$1,497,823 and are approximately \$57,000 more than 2015 year to date and 62.4% of budget.
- f. **Water Works Disbursements:** Total September operating disbursements of \$146,388 is approximately \$20,000 more than September, 2014. This is due to timing of payments, purchase of softening salt and transmission repair.
 - g. **Water Works CRF:** September expenditures equated to \$32,980 due to treatment plant improvements, meter changeover and engineering for water mains. It is expected the budget will be spent.
 - h. **Cash and Investments:** Total month end cash and investments were \$33,744,071 compared to \$34,281,211 in August 2015. This is due to the inclusion of the fire house donation investments which have begun to decline as construction has commenced in Madeira.
 - i. **Rowe Funds:** The market value as of September 30th was \$2,885,344. The unrecognized gain was \$344,990. Total monthly income equated to \$17,537 with monthly expenses totaling \$14,139.
 - j. **Green Areas Funds:** The market value as of September 30th was \$2,080,438. The unrecognized gain was \$802,625. Total monthly earnings equate to \$21 with monthly expenses totaling \$2,217.
 - k. **Bond Summary:** A large payment is due in November.

The financial statements for September 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 draft of an Ordinance amending the 2015 Appropriations Ordinance to allow for additional expenditure of \$21,550 for tuition reimbursement. This is due to a mandate placed on the Village through a binding arbitration process. He said that the Finance committee recommended emergency passage of the Ordinance.

AN ORDINANCE AMENDING ORDINANCE 12-14 AND MAKING APPROPRIATIONS FOR THE EXPENSES OF THE CITY OF THE VILLAGE OF INDIAN HILL FOR THE FISCAL YEAR 2015 AND DECLARING AN EMERGENCY was presented and read.

Upon motion by Council member Kuenning, seconded by Council member Thayer, the rules were suspended by unanimous roll call vote.

Upon motion by Council member Kuenning, seconded by Council member Thayer, the Ordinance was passed by unanimous roll call vote. Mayor Rabenold declared Ordinance **05-15** enacted.

Council member Kuenning reported that staff provided the Finance committee with updated 2016 preliminary operating and CIRF budgets for the accounts associated with the Finance department. Changes from these accounts included: 1) combining the City Manager and Planning Commission accounts, 2) combining the Clerk/Comptroller and Income Tax accounts and 3) increasing the income tax refund line item to account for more than usual refunds throughout the year. He said that staff also recommended to combine the City Solicitor account under Council but will maintain a separate line item to highlight the expenses associated with it.

Council member Kuenning reported that the Finance committee reviewed an updated 2016 Summary of Expenditures by department and funds. The following are highlights for the 2015 year-end and 2016 budget:

- a. 2016 total operating budget is estimated to be \$322,246 over the 2015 projected total which is a 2.9% increase. This includes the replacement of a vacant position in Public Works, a 5% anticipated increase in risk management insurance, and a part year 5% increase in health insurance.
- b. 2016 capital expenditures are estimated to be \$2,200,000 more than the 2015 projected year-end total for capital. A significant portion is the \$1,600,000 dedicated to the Blome Road project for which two grants have been applied to cover 100% of such costs. In order to be eligible for the Grant, this expenditure has to be included in the budget. \$500,000 of the difference is attributed to a \$300,000 increase in road resurfacing and \$200,000 in culvert and landslide repairs. These major capital projects are the Village's attempt to catch up on much needed infrastructure repair that was delayed during the economic downturn.
- c. The 2015 projected total year-end for operating and capital is expected to be \$12,700,000 million which is \$133,179 less than budgeted.

Council member Kuenning reported that the Finance committee reviewed an updated Budget Overage (Shortfall) Summary Statement, a copy of which is included in the Council packet. The following are highlights:

- a. The 2015 year end forecast for operating and capital indicates a \$315,193 overage when expenditures are compared to revenues. This is a combination of approximately \$1,300,000 more in income tax revenues than anticipated and expenditures totaling less than originally budgeted.
- b. 2016 budget indicates a shortfall of \$2,600,000. However, \$1,600,000 of this is attributed to the Blome Road project. Any revenues received from grants associated with this project have not been accounted for in the budget process. In addition, as stated above, approximately \$500,000 is associated with infrastructure development. Anticipated income tax revenues for 2016 also are a factor as they were reduced to account for unusually high income tax refunds in 2015 and one specific income tax payment that was designated for a one time sale.
- c. 2017-2019 budget years include a 1.5% increase each year for income tax revenues at the current 0.575% tax rate. It also includes anticipated operating expense increases as well as a capital fund based on the ten year capital plan. 2018 includes the final payment on the 2009 bonds for the administration building addition.

Council member Kuenning explained that the budget process is continuing and the numbers reviewed are preliminary and there will be a public hearing at the November Council meeting on the 2016 budget when it will be presented in full.

Mr. Kuenning presented a Village Reserves Policy and Income Tax Analysis. As it does every year, the Committee discussed various factors that must be taken into consideration when determining the income tax rate for the upcoming year. Such factors include appropriate reserve levels for future known and estimated liabilities, possible operating deficits, and cash flow needs due to the main source of revenue, income tax, being delayed until April of each year. In addition, new regulations now require all local governments to record Ohio Public Employees System and Ohio

Police and Fire pension system potential payouts as liabilities in case both pension systems are unable to fulfill their obligations. After considerations of these factors, an appropriate level of reserve can be determined.

After in depth discussions, the Committee felt the current tax rate of 0.575% was appropriate to ensure a strong year end reserve amount for tax year 2016 (based on 2015 income). 2017-2019 year end reserves also looked strong with the current tax rate; however, the same income tax analysis will continue each year as revenues and expenditures become more defined.

Council member Kuenning reported that the Finance committee reviewed a draft of the Village's Income Tax Ordinance that Frost Brown Todd has reviewed it in order to assure compliance with House Bill 5 and House Bill 64 changes. He said that staff reviewed these changes with Frost Brown Todd and felt confident all the state requirements were satisfied. The changes also include a more effective definition of part-year resident. He said that the Finance committee recommended a first reading of the reviewed Income Tax Ordinance.

AN ORDINANCE TO AMEND CHAPTER 93 OF THE CODIFIED ORDINANCES OF THE CITY OF THE VILLAGE OF INDIAN HILL REGARDING MUNICIPAL INCOME TAX was presented and read for the first reading.

Council member Kuenning explained that most of the changes have to do with HB 5 even though the Village's tax base was grandfathered in House Bill 5. He said that there were many definitions related to business income that are mandated that all municipalities have to put into their tax Ordinance. A copy of Chapter 93 Municipal Income Tax Ordinance was included in the Council packet. It was a red line marked-up copy.

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

LAW COMMITTEE REPORT: Council member Raines directed Council's attention to a memo titled, "*Law Committee*". She explained that the Law committee met on October 10, 2015 to review several items in advance of the Council meeting.

Council member Raines reported that Mr. Crain presented the September/October legal activity report. The report included updates on Green Area transactions, real estate questions, contract review, environmental regulations, Income Tax Ordinance review and Planning Commission.

Council member Raines reported that Mr. West provided the Law committee with a draft Resolution recommending that a nuisance abatement be ordered for the property at 7450 Drake Road. The property has been in bankruptcy for several years and has not been properly maintained. This Resolution will put the bank and property owner on notice that the property must be cleaned up and all hazards, specifically the many dead ash trees that are in unsafe conditions, must be taken care of within fourteen days. If the owner or bank do not abide by the notice, the Village will have the opportunity to clean up the property and assess the owner's property tax for reimbursement of contracting services.

A RESOLUTION TO DECLARE THAT THE OWNERS MAINTENANCE OF 7450 DRAKE ROAD, PARCEL 6290-221-0034, HAS BEEN NEGLECTED AND CONSTITUTES A PUBLIC NUISANCE PER SECTION 94 OF THE INDIAN HILL CODE OF ORDINANCES AND THE OHIO REVISED CODE AND DECLARING THE STRUCTURE INSECURE. THE CITY OF THE VILLAGE OF INDIAN HILL COUNCIL ORDERS THE OWNERS TO ABATE THE NUISANCE WITHIN SEVEN DAYS; AND IF SUCH NUISANCE IS NOT ABATED WITHIN SEVEN DAYS, COUNCIL AUTHORIZES THE CITY MANAGER TO ABATE THE NUISANCE AND/OR CONTRACT THE ABATEMENT AND ASSESS THE COST TO THE PROPERTY TAX DUPLICATE was presented and read.

The owners and all lien holders of record of the property located at 7450 Drake Road, parcel 6290-221-0034, have been provided advance notice of the involved City of the Village of Indian Hill Council meeting and the City of the Village of Indian Hill Council has determined that the owners maintenance of the property constitutes a nuisance and that the abatement and securance of said nuisance is necessary to further the public health, safety and general welfare.

Upon motion by Council member Raines, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Rabenold declared Resolution number **13-15** adopted.

Council member Raines reported that Mr. Crain and Mr. West presented the Law committee with an overview of the administrative process associated with the Planning Commission appeal that took place during this Council meeting.

Council member Raines reported that the Law committee reviewed the fire hydrant Ordinance and recommended passage on a non-emergency basis.

AN ORDINANCE AMENDIND CHAPTERS 51, 92 AND 150 OF THE CODE OF ORDINANCES BY AMENDING THE FIRE SERVICE AND WATER WORKS REGULATIONS TO MEET THE CITY OF THE VILLAGE OF INDIAN HILL STANDARDS FOR FIRE PROTECTION was presented and read for the third reading.

Upon motion by Council member Raines, seconded by Council member Thayer, the Ordinance was passed by unanimous roll call vote. Mayor Rabenold declared Ordinance **06-15** enacted.

Council member Raines reported that the Law committee convened into Executive Session to discuss pending litigation.

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

Mayor Rabenold 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. The report highlighted the maintenance performed throughout all the parks, green areas and bridle trails.

Mayor Rabenold reported that Mr. Kipp provided the Buildings and Grounds committee with the Project Management report, a copy of which is included in the Council packet. He highlighted that the new bench that will be installed at the Veterans Memorial will match the two current benches. All three of these benches will be engraved with the names of the “Founding Fathers” of the Village’s Veterans Memorial – Link Pavey, Charlie Stix and Art Leonard.

Mayor Rabenold reported that the Buildings and Grounds committee reviewed updated 2016 preliminary operating and CIRF accounts related to the Grounds committee. Changes on these accounts since the last committee meeting include: 1) decreasing part-time salaries in Grand Valley to account for new hires at lower hourly rate, and 2) decreasing part-time salaries in Parks to match historical costs.

Mayor Rabenold reported that Mr. West gave an overview to the Buildings and Grounds committee of the Radio Range – Phase 2 project. The project includes the installation of an 18” deep and 70’ wide vernal pool, a walking trail that will lead into the woods by Voorhees Vineyard subdivision and addition of more wildflowers and bulbs. The current prairie grass has been cut and will be reseeded. The Indian Hill Garden Club will be supplying both funding and volunteers to assist in the project.

Mayor Rabenold reported that Mr. Adkins indicated that he received a request from the Indian Hill Historical Society to plant trees in honor of Mrs. Mary Krombholz at the Little Red Schoolhouse and the Bunnell House. Mr. Jerry Hensley has worked with the Historical Society to find the most effective locations for the trees. The Historical Society will supply funding for the trees and installation. The Buildings and Grounds committee was in favor of the request.

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 October 12, 2015 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. Mr. Adkins highlighted the locations of tree clearing in the right-of-way as well as locations of blacktop repairs. The Public Works committee also had discussions on how street repairs such as landslides, water main and culverts are coordinated with the resurfacing program.

Council member Barber reported that Mr. Kipp provided the Public Works committee with the project management report, a copy of which is included in the Council packet. Mr. Kipp highlighted that the entire street resurfacing program for 2015 has been completed. Due to being under budget, the Village was able to add 1,425 feet of curb repair to the program. Weil Road landslide repairs are still being engineered. At this time, the project is expected to go out to bid in November. Depending on how bids are received, the project may have to be divided into two separate phases.

Council member Barber reported that Ms. Minneci presented an updated 2016 preliminary operating and CIRF budget for accounts related to Public Works. The only changes that have

occurred since the last committee meeting include: 1) combining the Waste and Recycling accounts 2) moving the purchase of an arm mower from 2016 to 2017 under CIRF and 3) reducing cost of 2015 vehicle purchases to account for trade-in values under CIRF.

Council member Barber reported that the Village has received a reimbursement of \$11,970 from the Ohio Attorney General's office as its portion of the salt case settlement.

Council member Feigelson said that he has received several complaints from residents about the damage that Lewis Tree Service has done clearing trees and he has talked with Mr. Adkins about it. Ms. Minneci said that the Village staff will go in and clean up right-a-ways where it has occurred. Council member Barber said that it will look better once the greenery comes back.

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 and Deregulation committee met on October 12, 2015 to review several items in advance of the Council meeting.

Council member Cowan reported that Mr. Adkins provided the Water Works and Deregulation committee with the departmental activity report, a copy of the report was included in the Council packet.

Council member Cowan reported that Mr. Adkins highlighted the continued replacement of the 1" and 1.5" water meters throughout the Village due to the ten year life coming due this year.

Council member Cowan reported that there was no project management report this month.

Council member Cowan reported that Ms. Minneci provided updated 2016 preliminary operating and CIRF accounts related to Water. The changes that have taken place since the last committee meeting include: 1) decreasing health insurance to account for changes in plans by employees and 2) adjusting the sewer reimbursement to match with the water revenues.

SAFETY COMMITTEE REPORT: Council member Feigelson directed Council's attention to a memo titled, "*Safety Committee*". He explained that the Safety committee met on October 9, 2015 to review several items in advance of the Council meeting.

Council member Feigelson reported that Chief Ashbrock presented the September Fire/EMS report, a copy of which is included in the Council packet. EMS runs are beginning to meet the same pace as last year with 818 thus far in 2015 compared to 840 through September 2014. There were three fire runs in Madeira but none of them were substantial.

Council member Feigelson reported that Chief Ashbrock indicated that the Madeira & Indian Hill Joint Fire District held a special meeting on October 8, 2015 to approve the GMP contract for the Madeira fire station. In addition, the Fire District discussed working with Oswald, the construction manager at risk and MSA, the architect, to receive updated estimates on the current design of the Indian Hill building based on bids received for the Madeira station.

Council member Feigelson reported that Colonel Schlie presented the Rangers' activity report for September, a copy of which is included in the Council packet. Deer hunting season began with over 200 registered hunters in the Village's deer program. Colonel Schlie reminded the Safety

committee that the homecoming parade on Drake Road would begin at 5:00 pm that evening and fireworks would be set off during the football game.

Council member Feigelson reported that Ms. Minneci provided an updated 2016 preliminary Public Safety operating and CIRF budget. Since last month, the operating budget was increased to accommodate an official determination regarding tuition reimbursement. All other expenditures remained the same.

Council member Feigelson reported that Mr. Aaron provided an update on the alarm monitoring transition. Since the beginning of the year, the Village has notified residents that December 31, 2015 is the last day to replace the transceiver in their alarm system if they wish to remain monitored by the Rangers. At this time, there are approximately 350 out of 1,200 homes with current monitoring service that have not replaced the necessary equipment or scheduled a replacement. The Village will be sending letters to these residents to ensure they understand the process and remind them again that the deadline is fast approaching.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on October 15, 2015 to consider several issues.

Council member Thayer reported that the Planning Commission reviewed a variance request by Geoff and Shellie Leder at 7755 Surreyhill Lane which was tabled for the construction of an addition to the rear of the home and garage addition to the front of the home. The applicant is requesting a variance to the rear yard and front yard setbacks.

Council member Thayer reported that the Planning Commission would meet on October 20, 2015 to consider three issues:

- Case 15-013: Jeffrey Betts is requesting variance approval for the construction of a detached garage to the rear of the home. The property is a non-conforming lot located at 6420 Miami Road. The applicant is requesting variances to the side yard setback and the allowable impermeable surface.
- Case 15-014: Hannibal Development Company is requesting final plat approval for Phase 2A of the Twin Fences Subdivision at Peterloon. The final plan calls for 21.6 acres to be subdivided into 7 building lots served by a dedicated public road.
- Case 15-015: Cincinnati Country Day School at 6905 Given Road, is requesting special exception approval under the continuing jurisdiction of the Planning Commission for the placement of special event banners that would be affixed to three existing parking lot light poles.

CITY MANAGER'S REPORT: Ms. Minneci reported that the City offices will be closed on November 11, 2015 in observance of Veterans Day and on that same day, the Village will be holding a Veterans Day ceremony at 11:00 am at the Veterans Memorial. During the ceremony, there will be a dedication of benches which were referred to earlier in the Council meeting for the Veterans Memorial Founding Fathers: Mr. Link Pavey, Mr. Charles Stix and Mr. Art Leonard.

Ms. Minneci reported that on November 16, 2015 there will be a public hearing on the 2016 Appropriations budget. There will be a notice in the *Indian Hill Bulletin* announcing the public hearing. There will also be a draft of the 2016 budget for the public to review on the Friday

(November 13, 2015) prior to the Council meeting. She explained that the budget is still in process and the final approval will be made in December.

Ms. Minneci requested an Executive Session to discuss pending, threatened or imminent court action with legal counsel, pursuant to Ohio Revised Code sec. 121.22(G)(3).

Council member Kuenning moved that Council move to Executive Session to discuss pending, threatened or imminent court action with legal counsel, pursuant to Ohio Revised Code sec. 121.22(G)(3). The motion was seconded by Council member Thayer and was passed by unanimous roll call vote. Council moved into Executive Session.

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

Respectfully submitted,

Keith M. Rabenold, Mayor

ATTEST:

Paul C. Riordan, Clerk