

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

A meeting of the Indian Hill Village Council was held on February 27, 2017 at 6:30 p.m. The meeting was held in the Council Chamber of the Village Administration building.

Officials present:

Mr.	Daniel J. Feigelson, Mayor
Mr.	Mark D. Kuenning, Vice-Mayor
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

Official's absent: Mr. John B. Armstrong, Council member

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

**MINUTES:** The minutes of the regular meeting of January 30, 2017 had previously been distributed to each Council member. Council member Thayer made a motion to accept the minutes, which was seconded by Council member Cowan and was approved as corrected, 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 February 17, 2017 to review several items in advance of the Council meeting.

Council member Kuenning reported that the investment advisors from Bartlett provided the Finance committee its annual update on the investments for the General Fund, Water Works Fund and inactive funds. He said that due to the restrictions placed on public investments per the Ohio Revised Code, the portfolio consists only of treasury notes, agency notes, municipal bonds, certificate of deposits and money market funds. Moreover, current bond maturities are limited to five years or less per investment objectives. Since its inception in 2004, the account's performance has had a 2.09% annualized rate of return. Interest earned in 2016 was approximately \$150,000 representing a gross annual return of 1.1%. The portfolio primarily consists of investments with a maturity between 1-3 years. The Bartlett advisors, with the recommendation of the Finance committee, agreed that it may be beneficial to increase the duration of the portfolio assets partially to 3-5 years in an attempt to obtain higher yields. 2017 interest income is projected to be around \$164,000 or 1.1%.

Council member Kuenning reported that the investment advisors from Bahl & Gaynor provided the Finance committee its annual update on the Rowe Arboretum investments. The current annualized cash yield for the portfolio is 3.0%, with a total net return in 2016 of 12.76%. Since its inception in 1992, the account's performance has had a 9.18% annualized return rate net of fees. In 2017, it is estimated that the account will yield approximately \$102,751 in income. The Village received \$100,000 in income in 2016. The advisors emphasized that the portfolio, as directed, only includes stocks that pay dividends and have greater than a 2% yield. The investment objectives of

maximizing current income coupled with minimizing downside capital risk continues to be sound and is recommended to be continued. Council member Kuenning said that 9.18% annualized rate of return is considered “good” especially with the minimum downside risk. He said that future income growth is targeted at 6.8%. Currently, there are 41 stocks in the portfolio.

Council member Kuenning reported that the Finance committee discussed several scenarios presented by the Bahl & Gaynor advisors to address the current investment’s ability to provide for the future funding needs of the Rowe Arboretum. The scenarios projected the ending value of the fund in 2020 given the current revenue and expense forecasts in a declining, flat and increasing market. They also discussed the potential future capital infusion needs in each market in order for the fund to break-even. The last scenario discussed the funds needed to make the fund self-sustaining in perpetuity at projected rate of spending. Council member Kuenning said that further discussions and meetings with the Bahl & Gaynor advisors will be taken place on this matter.

Council member Kuenning directed Council’s attention to the January 31, 2017 financial statements which were included in the Council packet. Council member Kuenning gave the following financial report.

- a) **Income Tax Receipts:** In January, the Village received strong income tax receipts in the amount of \$1,296,252 which is approximately \$759,000 more than received in January 2016. He explained that is probably due to the timing issue of pre-payments being received in 2017 versus the last few days of 2016. He said that over the years it appears that there is a growing trend for residents to pre-pay income taxes each year. Council member Kuenning mentioned that the budgeted income tax should be \$10,913,000.
- b) **Operating Disbursements:** Total January operating disbursements totaled \$942,907 which is \$25,000 less than January 2016. This is due to timing of workers’ compensation payment due to the state’s change from retrospective billing to prospective billing.
- c) **CIRF:** Disbursements for the month totaled \$30,947.
- d) **Water Works Receipts:** Water usage receipts were strong for January in the amount of \$268,106 which is approximately \$88,000 more than January 2016 receipts.
- e) **Water Works Disbursements:** Total January operating disbursements were \$180,224 which was \$32,000 more than January 2016 due to timing of routine payments.
- f) **Water Works CRF:** Total January expenditures equated to \$2,345. This represents high service pump repairs from a 2016 purchase order.
- g) **Cash and Investments:** Total month-end cash and investments were \$29,158,626 compared to \$29,444,890 in December 2016 and \$30,878,873 in January 2016. Month to month and year to year changes are due to normal operations and the funding of construction of the new Madeira and Indian Hill firehouses through the Firehouse Construction Fund.
- h) **Rowe Funds:** The market value as of January 31<sup>st</sup> was \$3,345,639 and the unrecognized gain was \$750,945.
- i) **Green Areas Funds:** the market value as of January 31<sup>st</sup> was \$2,404,268 and the unrecognized gain was \$1,111,090.

The financial statements for January 2017 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 staff reviewed items from Governor Kasich’s draft State of Ohio biennial budget that affect local governments. One item revolves around consolidating

the collection of all local business income tax returns at the state level through the Ohio Business Gateway. The other involves changing the distribution formula of the Local Government Fund. Council member Kuenning explained that this would not affect the Village of Indian Hill too much in that it does not have very many returns that this would affect. He said that the real concern is if the State is going to consolidate collection of business returns then what is their next step for collection from the residents.

Council member Kuenning explained that our share of the local government fund could be cut further. However, our distribution is presently quite small and therefore it cannot be cut by a large amount.

Council member Kuenning explained that he along with Mayor Feigelson and staff met with Representative Brinkman to address these issues, their effects on Indian Hill and the concern of how these budget provisions could bring about more changes in the area of local income tax collection that could negatively affect the Village. He said that staff has scheduled a meeting with Senator Steve Wilson next month to address the same concerns. He said that the state's budget is mandated to be passed by July 1, 2017. It is not definite whether these two local government provisions will make the final approval. He said that staff will keep the Finance committee informed as information is received.

Council member Kuenning reported that Ms. Minneci discussed the upcoming June retirement of Mr. Chris Daeger, Rowe Arboretum Manager. With the inception of the Master Plan and the Village's mission to increase the Rowe Arboretum Fund's endowment to ensure self-sustainability in the future, the Rowe Arboretum Manager position will be expanding its duties beyond the daily maintaining of the property. Consequently, a recommendation was made to increase the current salary range for the position to accommodate these additional responsibilities. The change in the salary range also provides an opportunity for an internal candidate to be considered who possesses the required arborist certification and who has the skills, experience and public presentation abilities that would highly benefit the Arboretum during this time of transition and into the future. Council member Kuenning said after thorough discussions, the Finance committee agreed to recommend a first reading of an amendment to the Administrative Personnel Ordinance.

Council member Kuenning reported that Ms. Minneci presented an Employee Merit Program for the Finance committee's review. The purpose of the program is to recognize employees for exemplary service highlighted through a specific project, task or accomplishment. Recommendations for the recognition are submitted by department heads and approved in conjunction with the City Manager. Any distributions from the program will not increase base salaries, and they are not guaranteed. Council member Kuenning said that after a thorough discussion, the Finance committee agreed to recommend a first reading of an amendment to the Administrative Personnel Ordinance which provides for annual appropriations to the program. Such appropriations may vary from year to year.

Council member Barber said that she would like to reiterate that the way the merit program is designed that it is very good. It could be very obvious to anyone why a person is receiving a special merit award.

**AN ORDINANCE AMENDING ORDINANCE FIXING THE  
COMPENSATION OF PERMANENT EMPLOYEES OF THE CITY  
OF THE VILLAGE OF INDIAN HILL, NOT COVERED BY**

**ORDINANCES, 08-16 AND 09-16 REPEALING ORDINANCE 10-16**  
was presented and read for the first reading.

**LAW COMMITTEE REPORT:** Ms. Minneci, in Council member Armstrong's absence, directed Council's attention to a memo titled, "*Law Committee*". She explained that the Law committee met on February 16, 2017 to review several items in advance of the Council meeting.

Ms. Minneci reported that Mr. Crain presented the January/February legal activity report to the Law committee. The report included updates on Green Area transactions, labor contract interpretation and Mayor's Court. She said that Mr. Crain also provided an update on meetings with AFSCME representatives regarding contract interpretations.

Ms. Minneci reported that she presented to the Law committee a draft copy of the agenda for the upcoming Community Forum to be held on April 26, 2017 at 7:00 pm in Council Chambers. This Forum takes place every two years and is an opportunity for residents to meet and ask questions of Council and staff on any topic related to the Village. The Forum will be divided into the following sections: 1) Introduction by the Mayor; 2) Council overview of committees; 3) Current events overview by staff and 4) Question and Answer session. Informational documents will be distributed at the Forum and light refreshments will be served. Ms. Minneci said that she will provide a draft copy of the agenda to all Council members for review. In addition, Ms. Minneci will provide a summary of each Committee's responsibilities to each Council Chairperson for their review.

Ms. Minneci reported that Mr. West presented to the Law committee with a request for an Ordinance that has the Ohio Board of Building Standards certifying the Village for enforcement of the residential code of Ohio. The Ordinance indicates that the Hamilton County Building Inspector, on behalf of the Village, will exercise enforcement authority, accept and approve plans and specifications and make inspections. The Hamilton County Department of Development contacted the Village that it was time for the Village to update its compliance with the adopted residential code of Ohio and that the Village needed to obtain its certification as a Residential Building Department. Ms. Minneci said that Mr. Crain added that the Village should pass the Ordinance as an emergency to bring the Village in compliance with Ohio's Residential Code and to allow the Hamilton County Building Inspector to continue to enforce the code. Ms. Minneci said that changes to Section 6 of the Ordinance are required to put the Village in compliance with changes that took place at the state level. A provision in the draft Ordinance which held Hamilton County Building Inspector harmless for certain claims when acting in the capacity of the Village's building inspector has been deleted from the Ordinance that is before Council for recommended approval.

**AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE CITY OF THE VILLAGE OF INDIAN HILL, OHIO FOR ENFORCEMENT OF THE RESIDENTIAL CODE OF OHIO WITH THE CONDITION THAT THE HAMILTON COUNTY BUILDING INSPECTOR EXERCISE ENFORCEMENT AUTHORITY AND ACCEPT AND APPROVE PLANS AND SPECIFICATIONS, AND MAKE INSPECTIONS AND AUTHORIZING AN AGREEMENT FOR SUCH ENFORCEMENT BETWEEN THE CITY OF THE VILLAGE OF INDIAN HILL AND HAMILTON COUNTY BOARD OF COUNTY COMMISSIONERS AND TO AMEND CHAPTER 150.3 OF THE**

**CODE OF ORDINANCES BY AMENDING THE SERVICES OF COUNTY BUILDING INSPECTOR FOR THE EXERCISE OF ENFORCEMENT AUTHORITY AS NECESSARY 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 Thayer, seconded by Council member Barber, the Ordinance was passed by unanimous roll call vote. Mayor Feigelson declared Ordinance **01-17** enacted.

**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 February 21, 2017 to review several items in advance of the Council meeting.

Council member Cowan reported that Mr. Adkins presented the departmental activity report, a copy of which was included in the Council packet. The Public Works department cleaned planting beds throughout the Village. In addition, they performed grade work around the new Grand Valley Ranger Station as well as repaired the park sign - removed honeysuckle from Whitacre Park. She said that Mayor Feigelson inquired about painting the restroom facility at Drake Park and Mr. Adkins indicated that this has been discussed and they are looking to change the color as well as possibly replacing the roof.

Council member Cowan reported that Mrs. Wade-Dorman presented the Buildings and Grounds committee with the Project Management report, a copy of which was included in the Council packet. Final inspection on the Grand Valley Ranger Station was completed last week and the certificate of occupancy is contingent on final grading which is anticipated to be completed by week-end. Seventy-five trees have been dropped into the Grand Valley lake to assist with the fish population.

Council member Cowan reported that the Rowe Arboretum Advisory committee interviewed four consultants for the Rowe Arboretum Master Plan. The Buildings and Grounds committee unanimously selected MKSK. Mr. West is working through contract details with anticipation of the process to begin in March.

Council member Cowan reported that Mrs. Wade-Dorman indicated to the Buildings and Grounds committee that all construction bids have been received for the Shooting Range. After reviewing the bids, Bittner Construction was chosen for the general construction while Hollstegge electric was chosen for the electrical.

Council member Cowan reported that Mrs. Wade-Dorman provided an update on the Village's "Reforest the Hill" program. Staff has met with Mr. Tim Sharp in addition to Indian Hill High School and Cincinnati Country Day representatives to begin coordinating a jump start to this ambitious tree planting program by coordinating it with the year-end senior projects and then continuing the efforts with a city-wide tree planting event in the fall. Mrs. Wade-Dorman indicated this program also is eligible to count toward the Village's educational component required for the Storm Water Management Plan.

Council member Cowan reported that Ms. Minneci discussed the upcoming retirement of Mr. Chris Daeger, Rowe Arboretum Manager, in June. She said that this matter had been previously discussed during the Council meeting by Council member Kuenning.

**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 February 21, 2017 to review several issues in advance of the Council meeting.

Council member Barber reported that Mr. Adkins provided the departmental activity report, a copy of which was included in the Council packet. Staff repaired guardrail on Camargo Road, cleared trees out of right-of-way and cleared honeysuckle at Spooky Hollow and Loveland-Madeira Roads. The 2016-2017 snow season has had twelve snow events thus far with only three inches of snow accumulation. Most events involved more icy conditions than snow. This compares to 2016's eleven snow events with 10.25 inches of snow.

Council member Barber reported that Mr. Adkins indicated that a fourth Public Works' person has been interviewed and offered a position to replace Mike Rankin, who is retiring on February 28<sup>th</sup>. New employees are hired from the current civil service list that was created last year.

Council member Barber reported that Mrs. Wade-Dorman presented the project management report, a copy of which was included in the Council packet. Mrs. Wade-Dorman indicated to the Public Works committee that Municipal Road Funding (MRF) determination has been delayed until March. MRF is grant funding for the Shawnee Run drainage tunnel improvements. Mrs. Wade-Dorman gave an overview of the Village's development of its Storm Water Management Plan. There are six measures required by the Village's Ohio EPA permit. However, the largest part of the plan will be to update the Village's current regulations to comply with the state permit and to develop educational components. Mrs. Wade-Dorman also provided 2016 statistics related to the Village's illicit discharge detection and elimination program.

**WATER WORKS REPORT:** Mayor Feigelson directed Council's attention to a memo titled, "*Water Works and Deregulation Committee*". He reported that the Water Works committee met on February 21, 2017 to review several items in advance of the Council meeting.

Mayor Feigelson reported that Mr. Adkins provided the departmental activity management report, a copy of which was included in the Council packet. Mr. Adkins highlighted to the Water Works committee that staff repaired ten water main breaks and installed three new water service taps. Waterline inspections occurred at the firehouse construction site.

Mayor Feigelson reported that Mrs. Wade-Dorman provided the project management report, a copy of which was included in the Council packet. She indicated that new stairs have been installed into the basement of the High Service Pump building. Shut down of the clear well is scheduled for February 27<sup>th</sup>. This will allow the contractor to core through the wall during non-peak demand time and install valves. Request for Proposals (RFP) for the design of the generator improvements are due on February 23<sup>rd</sup>. The estimate for the design portion of the project is \$190,000.

Mayor Feigelson reported that staff provided the Water Works committee information for the annual review of the Village's water rate which included a ten year cash flow analysis that represents anticipated operating and capital expenditures through 2026. These figures were compared to those

presented in February 2016. Due to wet conditions, the 2016 and the previous three year actual water receipts did not meet projections. This changed the revenue projections due to the average six year usage decreasing. He said that the Water Works committee discussed various philosophies, with the use of a water rate calculator, on how to achieve appropriate operating funding ending balances each year. The goal is to have sufficient funds that allow for effective and efficient water distribution operations while also having the ability to replace aging infrastructure. The water rate was increased by 5% in 2015 and 2016 after eight years without an increase. Mayor Feigelson said that the Water Works committee asked staff to provide additional information which projects future water revenues based on a ten year average rather than a six year and which does not include Kutol, a high water user who moved out of the water district in 2011. The Water Works committee would like to share information and continue discussion with the Finance committee next month to determine if there is a justifiable need to amend the 2016 Ordinance which incorporated a 5% rate increase for 2016 and 2017. Mayor Feigelson said that the Water Works committee was reminded that there will be a combined Water Works and Finance committee meeting on March 17, 2017 at 7:30 am.

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

Council member McGraw reported that Chief Ashbrock presented the January Fire/EMS reports, copies of which were included in the Council packet. He said that Chief Ashbrock indicated that there was a high number of mutual aid calls during the month. They also discussed a chimney fire incident on Drake Road.

Council member McGraw said that Mayor Feigelson requested an article be placed in the *Indian Hill Bulletin* and Fire District newsletter reminding residents to have their chimneys cleaned.

Council member McGraw said that he inquired about a vacated hydrant at the end of Varner Road which dated back into the 1920's.

Council member McGraw reported that Chief Ashbrock gave an update on the Indian Hill firehouse construction. The contractors continue to take advantage of the mild weather this winter. The project remains within its original June completion date.

Council member McGraw reported that Colonel Schlie presented the January Ranger report, a copy of which was included in the Council packet. Auto thefts, general information and ID thefts were significant issues during the month. Colonel Schlie highlighted to the Safety committee that the final deer count for the 2016-2017 hunting program was 166 deer and 22 coyotes, both numbers exceeded the amounts for 2015-2016 hunting season.

Council member McGraw reported that Colonel Schlie indicated that the Village Rangers have adopted and implemented use of force state standards established by Ohio Collaborative Community Police Advisory Board as part of the State of Ohio's efforts to strengthen community and police relations.

**PLANNING COMMISSION REPORT:** Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on February 15, 2017 to consider several issues.

Council member Thayer reported that the Planning Commission conditionally approved a special exception request by the Camargo Club at 8605 Shawnee Run Road which was approved under the continuing jurisdiction of the Planning Commission. The request was for the renovation of the golf practice range facility, installation of 5'-8' high serpentine landscape berm to screen the range, relocation of the short game range and the construction of a new golf instruction building.

Council member Thayer reported that the Planning Commission conditionally approved a special exception request by the Cincinnati Country Day School at 6905 Given Road which was approved under the continuing jurisdiction of the Planning Commission. The request was for the replacement of a temporary/seasonal soccer field scoreboard with a permanent scoreboard in the same location.

**CITY MANAGER'S REPORT:** Ms. Minneci reminded Council of the Community Forum to be held on April 26, 2017 at 7:00 pm in Council Chambers.

Ms. Minneci reported that she received a letter from Mr. Thomas explaining that he will be contributing up to \$200,000 for a new ambulance for the Fire department.

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

Respectfully submitted,

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Daniel J. Feigelson, Mayor

ATTEST:

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Paul C. Riordan, Clerk