

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
April 24, 2017**

A meeting of the Indian Hill Village Council was held on April 24, 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
Mr.	John B. Armstrong, Council member
Mrs.	Molly R. Barber, Council member
Mrs.	Melissa S. Cowan, Council member
Mr.	Donald C. McGraw, Council member
Mr.	Abbot A. Thayer, Council member
Ms.	Dina C. Minneci, City Manager
Mr.	Donald L. Crain, City Solicitor
Mr.	Paul C. Riordan, Clerk/Comptroller

Visitors present

Mr.	James Chaney, 4153 Fawn Crossing Dr., Mason, OH 45040
Mrs.	Jessica Chaney, 4153 Fawn Crossing Dr., Mason, OH 45040
Ms.	Denise Driehaus, Hamilton County Commissioner
Mr.	Alex Linser, Chief of Staff, Hamilton County

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

MINUTES: The minutes of the regular meeting of March 27, 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 McGraw and was approved, 7-0.

CITIZEN PARTICIPATION: Ms. Denise Driehaus introduced herself to Council as County Commissioner and as a partner for Indian Hill. She explained that whatever the needs are for the Village she is there to offer support. She distributed a pamphlet titled, "Hamilton County Menu of Opportunity" which listed names of departments and contacts within Hamilton County. She explained that it is their goal to be a partner with all the cities, villages and communities in Hamilton County.

Mayor Feigelson thanked Commissioner Driehaus for coming to the Council meeting and said that Council looks forward to working with her.

Council member Kuenning asked Commissioner Driehaus for her thoughts on the Duke Energy center corridor pipeline expansion. Commissioner Driehaus replied that a public hearing had been set. The County is in opposition of the pipeline and they are a party to try to prevent the pipeline. She said that it is not so much the pipeline but the route it will take.

Ms. Jessica Chaney, the new director of Administrative Services for the Village of Indian Hill introduced herself to Council. Mayor Feigelson said that Council looks forward to working with her for many years into the future. Ms. Minneci reviewed Ms. Chaney's background which included a solid education and experience and she also came with very good recommendations from previous employers. City Solicitor Crain said that he has had the opportunity to work with Ms. Chaney and she is capable to handle any situation that the Village would ask her to do.

FINANCE COMMITTEE REPORT: Council member Kuenning directed Council's attention to a memo titled, "*Finance Committee*". He reported that the Finance committee met on April 17, 2017 to review several items in advance of the Council meeting.

Council member Kuenning reported that the Finance committee reviewed the March financial statements, copies of which were distributed in the Council packet. Council member Kuenning gave the following financial report.

- a. **Income Tax Receipts:** In March, the Village received \$263,347 which approximates the amounts received in March 2016. Income tax receipts are coming in strong during April. Everyone is hopeful that the \$10,935,000 budget will be achieved.
- b. **Operating Disbursements:** March operating expenditures totaled \$824,408 which is \$17,000 more than March 2016. This mainly due to timing of routine payments.
- c. **CIRF:** Disbursements for the month totaled \$166,138. This included costs associated with culvert replacement, purchase of new mini excavator, street repair and a new vehicle.
- d. **Water Works Receipts:** Water works receipts are up 23% over the same time last year with 5% of the increase due to the rate increase. Village staff is doing an analysis to better understand the reasons for the balance of the increase, but it appears to be due to an increase in usage.
- e. **Water Works Disbursements:** Total March operating disbursements were \$780,190 which is \$653,000 more than March 2016. This is due to the timing of the MSD payment.
- f. **Water Works CRF:** March expenditures totaled \$93,582 which was mostly for the cost associated with the new high service pump.
- g. **Cash and Investments:** Total month-end cash and investments were \$28,664,905 compared to \$28,469,346 in February 2017 and \$30,228,481 in March 2016. Month-to-month and year-to-year changes are due to normal operations and the funding of the construction of the new Madeira and Indian Hill fire houses through the Firehouse Construction Fund. Additional funds of \$1,561,809 were added to the Firehouse Construction Fund due to another extraordinarily generous donation from Mr. and Mrs. Thomas.
- h. **Rowe and Green Areas Funds:** There was nothing unusual to report in either of these two funds.

The financial statements for March 2017 had previously been distributed to each Council member. There being no exceptions noted, the financial statements were accepted as issued.

Council member Kuenning said that the Finance committee reviewed the amendment to the Administrative Personnel Ordinance and they recommended a third and final reading.

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 third and final reading.

Upon motion by Council member Kuenning, seconded by Council member Thayer, the Ordinance was passed by unanimous roll call vote. Mayor Feigelson declared Ordinance **02-17** enacted.

Council member Kuenning reported that the Finance committee reviewed an emergency Ordinance to amend the 2017 appropriations. He explained that due to Mr. and Mrs. Thomas' additional donation to the Firehouse Construction Fund, it is necessary to amend the expenses associated with the final construction costs of the Indian Hill Firehouse. He said that the Finance committee recommends emergency passage of the Ordinance due to the need to utilize the additional revenues prior to June when the building is expected to receive its certificate of occupancy.

AN ORDINANCE AMENDING ORDINANCE 07-16 AND MAKING APPROPRIATIONS FOR THE EXPENSES OF THE VILLAGE OF INDIAN HILL FOR THE FISCAL YEAR 2017, 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 Barber, the Ordinance was passed by unanimous roll call vote. Mayor Feigelson declared Ordinance 03-17 enacted.

LAW COMMITTEE REPORT: Council member Armstrong directed Council's attention to a memo titled, "*Law Committee*". He reported that the Law committee met on April 13, 2017 to review several items in advance of the Council meeting.

Council member Armstrong reported that the Law committee met with the Public Safety committee to hear a presentation about the Village's Hunting Program from Ranger Shawn Perdue and Colonel Chuck Schlie. He said that the issue will be covered during the Public Safety report.

Council member Armstrong reported that Mr. Crain presented the March/April legal activity report to the Law committee, a copy of which was included in the Council packet. The report included updates on Green Area transactions, labor contract interpretations, contract review, hunting club regulations and Mayor's Court. Mr. Crain also provided an update to the Law committee on the meeting with the mediator and AFSCME regarding contract interpretations.

Council member Armstrong reported that the Law committee discussed concerns regarding the number of dogs that are under the control of one adult at many of the Village parks. He said that the Law committee felt it would be difficult for one adult, who is responsible for more than two off-leash dogs, to keep the dogs under proper control. The Law committee asked Mr. Crain and Ms. Minneci to research the possibility of a draft Ordinance for Council to review, which restricts the number of off-leash dogs a single person can be responsible for within the Village parks.

Council member Armstrong reported that Ms. Minneci reminded the Law committee that there will be a second reading for the Ordinance amending Chapter 50 – Sewer Regulations that would amend the Village's Household Sewage Disposal Regulations and replace them with a reference to the rules and regulations of the Ohio Department of Health's statewide septic system regulations OAC 3701-29. Council member Armstrong said that the Law committee recommended a second reading.

AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES BY AMENDING THE HOUSEHOLD SEWAGE DISPOSAL REGULATIONS TO MEET THE STATEWIDE SEPTIC SYSTEMS REGULATIONS AS CONTAINED IN OHIO

ADMINISTRATIVE CODE 3701-29 was presented and read for a second reading.

BUILDINGS & GROUNDS COMMITTEE REPORT: Council member Cowan directed Council's attention to a memo titled, "*Buildings and Grounds Committee*". She reported that the Buildings and Grounds committee met on April 18, 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.

Council member Cowan reported that Mr. West and Mrs. Wade-Dorman presented the Project Management report, a copy of which was included in the Council packet.

Council member Cowan reported that Mr. Chris Daeger added over 500 new plant labels at Rowe Arboretum that were made possible by several generous donations.

Council member Cowan reported that Mrs. Wade-Dorman indicated construction on the Shooting Range continues. She also gave an update on the "Reforest the Hill" program. Bulletin articles have and will continue to be presented which provide background and officially announce the start of the program. She also reported that Cincinnati Country Day School is hosting a documentary about Cincinnati's urban forests on May 17, 2017 from 6:00 p.m.-7:00 p.m.

Council member Cowan reported that Ms. Minneci provided an update on the Shooting Club attendance. At this time, there are 531 members with 54% being non-residents and 46% being residents. These percentages have not changed since December.

Council member Cowan reported that Mr. West presented to the Buildings and Grounds committee a request from the Dirt Daubers wanting to place a sign at the Little Red Schoolhouse highlighting the areas where wildflowers, that the organization had donated, were planted. Due to a policy established last year which indicates that plaques and signs for donated greenery should be replaced with tree tags in order to reduce signage in the community, the Village will replace the sign request with a Bulletin article expressing its appreciation to the Dirt Daubers for its generous donation.

Council member Cowan reported that Ms. Minneci and Mr. West indicated that two organizations over the past week have requested to use Village parks for their events. One request cannot be granted due to sporting events already scheduled at the park they are requesting. The Buildings and Grounds committee asked for more information on the second request in order to determine the organization's needs and its expectations of the Village.

Council member Cowan reported that Ms. Minneci presented a request from the Shooting Club to host youth rifle training programs to non-members. After a lengthy discussion, the Buildings and Grounds committee felt that since the Shooting Club is private, it was in the best interest of the Club and the Village to keep its activities centered on the members and their guests.

Council member Cowan reported that Ms. Minneci announced that Mr. Jack Alley, Recreation Coordinator, will be retiring on June 5, 2017. A search process for his replacement is underway. However, Ms. Minneci indicated that this would be a good time to evaluate the Recreation

Commission's responsibilities and how it legislatively interacts with the Village. Further discussions will take place as more information is presented. Mr. Alley's commitment, passion and attention to detail have been abundant over the past seventeen years. His talents and diplomacy will truly be missed. We are appreciative of all he has given to the recreational programs and the community.

Council member Cowan reported that Ms. Minneci indicated to the Buildings and Grounds committee that a Green Areas Advisory Committee (GAAC) survey of the membership had been completed. A tentative game plan has been created to assist in implementing some of the ideas that came from the survey. After more review with GAAC in June, the final game plan will be reviewed with the Grounds committee prior to September when the next GAAC season begins. The results of the survey will be emailed to the Grounds committee members.

PUBLIC WORKS COMMITTEE REPORT: Council member Barber directed Council's attention to a memo titled, "*Public Works Committee*". She reported that the Public Works committee met on April 17, 2017 to review several items in advance of the Council meeting.

Council member Barber reported that Mr. Adkins presented the departmental activity report, a copy of which was included in the Council packet. She said that staff repaired guardrail on Blome Road, cleared trees out of right-of-way on Camargo Road, replaced fill material in wash out areas due to heavy rainfall and received 1,000 tons of salt to fill the salt barn for the next winter season. The 2016-2017 snow season had fifteen snow events with only 3.75 inches of snow accumulation. Most events involved more icy conditions than snow.

Council member Barber reported that Mrs. Wade-Dorman presented the project management report, a copy of which was included in the Council packet. She said that Mrs. Wade-Dorman indicated that the Shawnee Run Road drainage tunnel project was listed as the #4 project for Municipal Road Funding (MRF) determination. Hamilton County Commissioners are expected to hold a public hearing on the MRF final list, and then approve the 2017 MRF projects in May. When awarded, the Village will receive 50% of the total Shawnee Run project costs which is approximately \$166,000. A request for proposal for the Village-wide culvert study will be completed soon.

Council member Barber reported that staff presented a draft Resolution to approve the Hamilton County Solid Waste Management District Plan. Hamilton County is required to review this plan every five years. If changes are made, the County must receive approval from 60% of the governmental entities within the County. The Village has a strong relationship with the County's recycling division as it has received many grants to assist in the purchasing of recycling totes over the past several years. Moreover, the changes included in this update have no negative effect on the Village. Council member Barber said that the Public Works recommends approval of the Resolution.

A RESOLUTION APPROVING THE UPDATE OF THE SOLID WASTE MANAGEMENT PLAN OF THE HAMILTON COUNTY SOLID WASTE MANAGEMENT DISTRICT was presented and read.

Upon motion by Council member Barber, seconded by Council member Thayer, the Resolution was passed by unanimous voice vote. Mayor Feigelson declared Resolution number **04-17** adopted.

Council member Kuenning asked if there were other culverts in need of repair. Ms. Minneci replied that there is a list of culverts which are to be repaired.

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 April 18, 2017 to review several issues in advance of the Council meeting.

Mayor Feigelson reported that Mr. Adkins presented the departmental activity report, a copy of which was included in the Council packet. He reported that three water main breaks were repaired which brings the total for the year to fifteen. In addition, the department submitted the National Pollutant Discharge Elimination System (NPDES) application to the Ohio Environmental Protection Association for the water plant discharge. The application occurs every five years. Well #10 is being cleaned and inspected.

Mayor Feigelson reported that Mrs. Wade-Dorman presented the project management report, a copy of which was included in the Council packet. The installation of the high service pump remains anticipated for May. The generator project kicked off with a site tour by the consultant. The Request for Proposals for the design and engineering of Shillito Lane water main, which will be installed in 2018, was sent out. Proposals are due on May 5, 2017.

SAFETY COMMITTEE REPORT: Council member McGraw directed Council's attention to a memo titled, "*Safety Committee*". He reported that the Safety committee met in a combined meeting with the Law committee on April 13, 2017 to review several items in advance of the Council meeting. He said in addition to the Safety committee members in attendance that Mr. Paul Brachle was also in attendance.

Council member McGraw reported that Chief Ashbrock presented the March Fire/EMS reports, copies of which were included in the Council packet. He reported that Chief Ashbrock discussed an issue with the firehouse software as it relates to producing response time data. In addition, Chief Ashbrock announced that two CPR devices have been purchased which produce automatic compressions to assist in emergency situations.

Council member McGraw reported that that Chief Ashbrock gave an update on the Indian Hill firehouse construction. The project will be ready for concrete by the end of next week, and the first walk through is anticipated for May 15th. In addition, a ceremonial ribbon cutting is being planned for June 5th, 7th or 8th in order to coordinate with the time that Mr. and Mrs. Thomas's family will be in town.

Council member McGraw reported that Colonel Schlie presented the March Ranger report prior to the meeting in order to allow time for other agenda topics. A copy of the meeting minutes were included in the Council packet.

Council member McGraw reported that Colonel Schlie revisited the discussion from last year about the possible implementation of a single file bicycling Ordinance. Due to the passage of a state bill in March which requires automobiles to remain a minimum of three feet from bicyclists when passing, many have expressed concerns about additional traffic accidents and safety. After a discussion, Colonel Schlie recommended, and the Safety committee agreed, to monitor how the new state legislation affects traffic patterns. If safety concerns or accidents increase, the Safety committee

will re-evaluate whether local legislation is necessary. The Safety committee asked Colonel Schlie to put an article in an upcoming Bulletin to educate the residents on the new state three foot mandate.

Council member McGraw reported that at the request of Council, Ranger Shawn Perdue and Colonel Schlie presented a very thorough background on the current Indian Hill Hunting Program. This presentation was centered on two central questions: a) why does the Village do what it does? b) do we wish to change policy to make residents a priority? If so, what is the best way to ensure the program's continued safety and efficiency which has been priority since its inception? The focus of the program is simply to maintain, not to eradicate the deer population. It has always been a sanctioned, not recreational program. Moreover, an emphasis was placed on the fact that this is a Village program and not an individual staff member's program. It currently is being implemented with the policies created by prior staff members and overseen by Council. After a very lengthy discussion, the Public Safety and Law committees decided the following:

1. Mayor Feigelson and the City Manager would meet with Mr. Brachle to understand his expectations and see what suggestions he may have to improve the program.
2. Staff will evaluate the current process to see if there is an effective, efficient and safe way to make residents a priority without sacrificing the program's mission and values.
3. Staff will monitor the hunters to determine if they are meeting the acceptable levels of harvest, which is determined on a year-to-year basis.
4. Staff will present any changes to the program to the current hunters prior to the 2017 season and implement over time.
5. Staff will evaluate the Village's risk management aspect of the program.
6. Council understands that staff's hunting expertise and experience is a strong and reliable factor when determining policy, and that such policy may need to change from time to time at staff's discretion based on current deer population, changes in state regulations or other factors.

PLANNING COMMISSION REPORT: Council member Thayer directed Council's attention to a memo titled, "*Planning Commission*". He reported that the Planning Commission met on April 18, 2017 to consider several requests.

Council member Thayer reported that the Commission tabled case #17-005 which was a request for authorization to build a new single family residence on a non-conforming lot of record by Mike Wentz, on behalf of owners Eric and Allison Kahn. He said that a special meeting has been scheduled for Tuesday, May 23, 2017 at 7:00 p.m. for the continuation of the hearing.

Council member Thayer reported that the Commission conditionally approved case #17-006 which is a request for a variance to construct an addition onto the rear of an existing non-conforming home on a non-conforming lot from Cynthia Williams Architect, on behalf of owners, Donald McGraw and Alicia Bridgeland. This request was conditionally approved subject to the condition that the addition does not make the current non-conforming setback worse. The property is located at 8380 Shawnee Run Road.

CITY MANAGER'S REPORT: Ms. Minneci reported the following:

- The Community Forum will be held this coming Wednesday, April 26th at 7:00 p.m.
- April 29, 2017 the Village will hold the annual fishing tournament at Grand Valley

- April 29, 2017 the annual plant sale will be held at the Rowe Arboretum. There will be a special pre-sale on April 28th for members of the Rowe Arboretum.
- May 3, 2017 the Indian Hill High School students will present their water quality report. The report will also be given to the Green Area Advisory Committee
- National Day of Prayer will be May 4th and an invitation will be sent to all Council members. The celebration will be held at Stephan Field at 7:30 a.m.

Mayor Feigelson requested that Council enter into Executive Session with the City Solicitor to consider pending or threatened litigation against the Village. The motion was seconded by Council member Kuenning and was carried by unanimous roll call vote. Council entered into Executive Session.

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

Respectfully submitted,

Daniel J. Feigelson, Mayor

ATTEST:

Paul C. Riordan, Clerk