

**MINUTES OF MEETING
INDIAN HILL VILLAGE COUNCIL
February 22, 2010**

A meeting of the Indian Hill Village Council was held on February 22, 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

Officials not present: Mr. Mark E. Tullis, Council member

 Mr. Michael W. Burns, City Manager
 Mr. Donald L. Crain, Solicitor
 Mr. Paul C. Riordan, Clerk/Comptroller

Visitors present: Jane Petrie 7230 Algonquin Dr.
 Jill Petrie 7230 Algonquin Dr.
 Rob Dowdy, Indian Hill Journal

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

MINUTES: The Minutes of the regular meeting of January 25, 2010 had been previously distributed to each Council member. Mayor Ottenjohn declared the minutes accepted as corrected.

FINANCE COMMITTEE REPORT: Council member Feigelson directed Council's attention to a memo titled "Finance Committee Meeting" dated February 18, 2010. He explained that the Finance Committee met on that date to review and discuss several topics in advance of the Council meeting. Council member Tullis was not able to attend the meeting, therefore, Council member Feigelson presented the financial report.

Council member Feigelson reported that at the meeting, Mr. Riordan restated the same concerns that he had at the January meeting about the lower than anticipated revenue attributed to prepayments of 2009 Income Taxes. The Village budgeted for a 15% reduction in 2009 taxes due and payable in 2010 as compared to 2008 taxes due and payable in 2009. Mr. Riordan is concerned that the actual receipts may fall lower than originally anticipated.

Council member Feigelson pointed out in the Statement of Receipts and Disbursements that Income Tax Receipts including pre payments recorded in January 2010, totaled \$773,000 vs. \$1,013,000 recorded in January 2009, which is a significant reduction; approximately 24%.

Council member Feigelson also reported that no Inheritance Tax Receipts were received in the month of January, however, \$143,000 has been received in February and known receipts for the year total \$482,000.

Receipts from all sources total \$904,000 for the month of January 2010 vs. a total of \$1,948,000 for January 2009.

Council member Feigelson also reported that disbursements are generally what is expected this time of year, however, he did point out that snow removal costs totaled \$81,000 this January vs. only \$12,000 last year. The total disbursements for the month were \$930,000 which leaves an excess of disbursements over receipts of \$26,000 which compares to an excess of receipts over disbursements for January 2009 of \$1,116,000.

Council member Feigelson also pointed out that the cash balances are down approximately \$700,000 from the beginning of January, 2010.

Council member Feigelson also reported that Water Work receipts totaled \$148,000 for January, 2010 which is down \$93,000 from the \$241,000 received in January 2009. He explained that the revenue is down 35% due to wet weather conditions accounting for approximately \$58,000 of the reduced revenues for the month. Also, the number of payments received in January 2010 are 322 lower than January 2009 which accounts for approximately \$40,000. He also explained that the first half of February 2010, reflects an increase in revenues resulting from payments not received in January. He also reported that cash & investments totaled \$18,484,000 which is down approximately \$736,000 from the beginning of the month. The Operating Funds totaled \$6,476,000 which is down from \$7,128,000 at the beginning of the month.

Council member Feigelson pointed out that the pre-paid Income Taxes were taken into the Statement of Receipts and Disbursements which reflects a decrease in the Operating Fund balances. He also highlighted that the Bond Funds total approximately \$4,000,000 which should be taken into consideration when considering the total funds.

Council member Feigelson also explained that the Financial packet included a new statement this month titled "Bond Summary 2010. The summary shows that the total principal balance of bonds outstanding is \$8,285,000 with scheduled principal payments for 2010 of \$850,000 plus interest of \$251,000. The principal balance projected for December 31, 2010 is \$7,435,000. The statement also shows that \$718,000 of the total payments will be charged to CIRF and \$382,000 will be charged to Water Works CRF during 2010.

Council member Feigelson also directed Council's attention to another new statement titled "Overage/(Shortfall) Summary Statement." He explained that this is technically the same statement included in the Financial packet, however, he said the purpose of this statement is to show where the revenues are coming from, the disbursements being made, and the net impact. He highlighted that the total revenues for 2010 are budgeted to be \$9,622,000. Total disbursements are budgeted to be \$10,772,000 which results in a shortfall in operations of \$1,149,000. In addition, a transfer will be made to CIRF in the amount of \$2,000,000 bringing the total shortfall to \$3,149,000. This shortfall will be funded from the reserves in the Income Tax Fund, which will reduce the operating funds balance of \$6,502,000 at the beginning of the year down to \$3,352,000 at the end of the year.

Mayor Ottenjohn pointed out that if there is a shortfall of \$3,149,000 for the year 2010 then the Income Tax reserves will be seriously depleted and Council members need to be aware of this fact.

Council member Feigelson also reported that the market value of the investments of the Green Areas and Recreational Fund decreased from \$936,000 at the beginning of the month to \$904,000 at January 31st. In addition, the investments of the Rowe Arboretum Fund decreased from \$1,859,000 to \$1,798,000. These decreases were a result of the overall decrease in the stock market.

The Financial Statement of January, 2010 had previously been distributed to each Council member. There being no exceptions noted, the Financial Statement was accepted as issued.

Council member Feigelson also reported that City Manager Burns provided the Finance Committee with a brief summary of the on going Patrol Officer union negotiations.

LAW COMMITTEE REPORT: Council member Rabenold directed Council's attention to a memo titled "Law Committee Meeting" dated February 18, 2010. He reported that the Law Committee met on February 10, to review and discuss several topics in advance of the Council meeting.

Council member Rabenold reported that City Manager Burns advised the committee that the Anderson Township Board of Zoning Appeals has not yet rendered a decision on the Martin Marietta case. He said a decision may not be made until March.

Council member Rabenold also reported that City Manager Burns updated the committee on the status of the Sloneker septic system repair/replacement issues.

Council member Rabenold explained that City Manager Burns also distributed copies of the proposed ordinance to adopt recent Ohio Revised Code changes to child restraint and lighted headlight regulations into the Village's Code of Ordinances and revising two other penalty sections.

"AN ORDINANCE AMENDING SECTION 72.63, 72.64, 74.03 AND 74.34 OF THE INDIAN HILL CODE OF ORDINANCES TO REFLECT RECENT CHANGES TO THE OHIO REVISED CODE PROVISIONS REGULATING CHILD RESTRAINT SYSTEMS, LIGHTED HEADLIGHTS REGULATIONS, AND TO INCREASE FINES APPLICABLE TO SEAT BELT AND RESTRAINT USE VIOLATIONS"
was presented and read for the second reading.

Council member Rabenold also reported that Messrs. Burns and Crain provided the Law Committee with updates on status of the abandoned house on Indian Hill Road.

GROUNDS COMMITTEE REPORT: Council member McLean directed Council's attention to a memo titled "Grounds Committee Meeting", dated February 18, 2010. She explained that the Grounds Committee met on February 17 to review and discuss several topics in advance of the Council meeting.

Council member McLean reported that Mr. McQueen provided the committee with a relatively brief Grand Valley report. He advised that 17 warnings have been issued to people who were not adhering to the temporary leash rule during ice conditions. He also noted a continuing problem with unauthorized visitors entering the preserve after hours.

Council member McLean also reported that Mr. Chadwell provided a report of departmental activities which are normal winter activities for this time of year. She said that she commends the Public Works employees for all their work and effort during the very tough winter month conditions.

Council member McLean also reported that an ad hoc Veterans memorial study committee has been formed and it met on February 3 and discussed potential additional veteran members. They also discussed some of the tasks that the committee will be focusing on during the next several months. The members felt that holding off on selecting additional members until after the April 18th Historical Society program on veterans may be helpful. The ad hoc committee will meet again on March 3 to review photos of other area memorials.

Council member McLean also reported that City Manager Burns provided the committee with an update on ongoing discussions with the Green Acres Foundation representatives and an adjacent neighbor regarding the possible relocation of a bridle trail. She also said that City Manager Burns advised the committee that he had received an email from the grandson of Harvey Whitacre who was the donor of Whitacre Park. The family would like to donate two benches in his memory and they were looking for information on cost and Village approval. Jerry Hensley is working with Russ Whitacre to provide him with the requested information.

WATER WORKS REPORT: Council member Feigelson directed Council's attention to a memo titled "Water Works Committee Meeting" dated February 18, 2010. He explained that the Water Works Committee met on February 17 to review and discuss several topics in advance of the Council meeting.

Council member Feigelson reported that Mr. Kipp provided a project management report focusing on the water main replacement project. Mr. Kipp and Mr. Adkins reported that the project has been delayed several days due to weather issues. They are projecting that the first part of the project, Graves Road, will now be completed in mid March.

Council member Feigelson also reported that Mr. Adkins provided the Water Works Committee with a departmental activity report which reflected normal activities for this time of year.

Council member Feigelson also explained that the total change orders for the water main project are approximately \$9,300.

PUBLIC WORKS REPORT: Mayor Ottenjohn directed Council's attention to a memo titled "Public Works Committee Meeting" dated February 18, 2010. He explained that the committee met on February 16 to review and discuss several topics in advance of the Council meeting.

Mayor Ottenjohn reported that Mr. Kipp provided a project status report which has already been discussed by Councilmember Feigelson.

Mayor Ottenjohn also reported that Mr. Chadwell provided a departmental activity report which also included a snow and ice control summary since the Village has had a number of significant snow events since the last committee meeting. He said that the activities of the Public Works department are considered fairly typical for this time of year, outside the work done on the snow and ice control.

Mayor Ottenjohn directed Council's attention to the enclosed report titled Snow and Ice Control. He also highlighted that 1,000 tons of salt was ordered on February 12, and the Village uses between 2,000 and 3,000 tons per year. The salt storage bin holds approximately 4,000 tons. He also explained that the Village has spent the bulk of the snow budget for 2010 which is slightly under \$200,000, therefore, if there are significant snow events in the rest of the year then the Village will be over budget in the snow account.

Mayor Ottenjohn also reported that it is necessary to purchase several pieces of equipment for the Public Works and Water Works departments either under the State Purchasing program by competitive pricing with the state program or by advertising for bids. He explained that the committee is in favor of passing the following resolution.

“A RESOLUTION AUTHORIZING THE MANAGER TO PURCHASE CERTAIN EQUIPMENT FOR THE PUBLIC WORKS AND WATER WORKS DEPARTMENTS UNDER A COOPERATIVE PURCHASE ARRANGEMENT OR COMPETITIVE PRICING AND TO ADVERTISE FOR AND ACCEPT BIDS FOR THE SUPPLY OF ONE (1) 2010 UTILITY BED FOR INSTALLATION ON A CAB AND CHASSIS FOR USE BY THE INDIAN HILL WATER WORKS DEPARTMENT” was presented and read.

Upon motion by Mayor Ottenjohn, seconded by Council member Feigelson, the resolution was passed by unanimous voice vote. Mayor Ottenjohn declared Resolution No. 04-10 adopted.

City Manager Burns explained that there would also be purchases of a 2010 compact pickup truck, one full size pickup truck and one recycling dump bed insert. The equipment is available for purchase under a state cooperative purchase agreement or through competitive pricing and it is not necessary for a resolution to be passed for these purchases.

SAFETY COMMITTEE REPORT: Council member Beech directed Council's attention to a memo titled "Safety Committee Meeting" dated February 20, 2010. He explained that the committee met on February 16 to review and discuss several topics in advance of the Council meeting.

Council member Beech reported that Chief Ashbrock provided a normal Fire and EMS activity report for January. He did note that January was a relatively quiet month for both Fire and EMS activity.

Council member Beech also reported that Chief Ashbrock advised the committee that the Fire Department is currently involved in a hiring process to replace three career firefighters who recently retired. To date, they have received 70 applications for these open positions.

Council member Beech also reported that Colonel Schlie provided a normal Ranger activity report which covered the last four weeks. A copy of the report is enclosed with the Safety Committee minutes. There is nothing particular to note in the Ranger activity report. He said that the committee also reviewed copies of the ordinance amending the codified ordinances and noted that

there were no changes from the first reading in January. This ordinance has been read previously in the Council meeting.

Council member Beech also reported that City Manager Burns provided the Safety Committee with an update on the recent discussions with the Patrol Officer bargaining unit.

PLANNING COMMISSION REPORT:

Council member Raines reported that the Planning Commission had not met since the last Council meeting and therefore there was no report.

CITY MANAGER'S REPORT:

City Manager Burns reported the following in his Manager's report. He said the March Council meeting will be held on March 15, therefore, all committee meetings will be held next week, except for the Finance Committee which will be held on March 10.

City Manager Burns also distributed to each Council member a copy of the ethics report which they have to file.

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