

**MINUTES OF MEETING  
INDIAN HILL VILLAGE COUNCIL  
October 19, 2009**

A meeting of the Indian Hill Village Council was held on October 19, 2009 at 7:30 p.m. The meeting was held in the Village Fire Department Training Room.

Officials present:

Mr.	Eppa Rixey IV, Mayor
Mr.	David T. Ottenjohn, Vice Mayor
Mr.	Joseph Beech, III, Council member
Mrs.	Susan K. Holzapfel, Council member
Mrs.	Lindsay B. McLean, Council member
Mr.	Keith M. Rabenold, Council member
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:

Dan Feigelson	5025 Miami Road
Rob Dowdy	Community Press
Link Pavey	8650 Shawnee Run Rd.

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

**MINUTES:** The Minutes of the regular meeting of September 21, 2009, had previously been distributed to each Council member. Mayor Rixey declared the minutes accepted as corrected.

**CITIZENS PARTICIPATION:** Mr. Link Pavey, a resident of Indian Hill residing at 8650 Shawnee Run Road, appeared before Council. Mr. Pavey explained that he had been talking to a number of residents and they all believe it would be wonderful if Indian Hill had a Veterans memorial to show respect to the veterans of the Village. He pointed out that a number of neighboring communities already have a veterans' memorial. He requested that a committee be formed including Council members and staff to brainstorm the Veterans' memorial idea, and determine the proper procedure to follow.

Council member Ottenjohn said he thought that this was a great idea and that it would warrant a discussion in the Grounds committee. He also said it will take a little time to work it through the process.

City Manager Burns explained that the Veterans memorial idea has already been presented to the Grounds committee in an infant form. He said it is on the November schedule for the Grounds committee meeting.

Mayor Rixey said that the funding and the placement of the memorial have to be considered. He said he did not think the Village would want a carbon copy of existing

memorials. It would probably want something that is a little different and a little unique. Mayor Rixey thought the Veterans memorial would be well received by Village residents.

**FINANCE COMMITTEE REPORT:** Council member Tullis directed Council's attention to a memo entitled "Finance Committee Meeting Report" dated October 16, 2009. He explained that the Finance committee met on October 15 to review and discuss several topics in advance of the Council meeting.

Council member Tullis also directed Council's attention to the September 30, 2009 Financial statement packet. He explained that income tax receipts of \$150,000 were received in September, which was more than expected. The Village also received \$294,000 in inheritance tax receipts which was previously forecasted. He explained that the income tax projection has been revised for the year to total of \$6.4 million which is approximately \$900,000 lower than budget. Last month, the projection had the income tax receipts \$1million short for the year. He also reported that the Village received \$125,000 of inheritance taxes in October. He also reported that other receipts included an \$82,000 settlement for the Public Works/Water Works roof repairs. He also reviewed the variances in the expenditures which were primarily due to there being three pay periods in the month of September this year vs. two pay periods in the month of September last year.

Council member Tullis highlighted in the Capital Improvement & Replacement Fund statement that \$34,000 had been transferred in from the General Fund so that the fund would not go negative.

Council member Tullis also explained that the Water Works revenues in the last three months of the year are not expected to be as high as originally estimated because of the cool wet summer. The billings lag three months behind usage. He also reviewed the Statement of Receipts and Disbursements for the Water Works and pointed out the reasons for the variances in expenditures which were also principally the result of the three pay periods in the month of September vs. only two pay periods last year in September.

Council member Tullis pointed out on the Statement of Cash and Investments and Fund Balances that the total funds of the Village are \$21,651,000 which is down from the August balance of \$22,167,000. He also highlighted that the Fund balances included balances of \$3,895,000 for the 2009 Water Works Bond Fund and \$818,000 for the 2009 Administration Building Bond Fund. He also explained that there is \$425,000 of bond payments coming due in November. He also reported that there was not much activity in either the Rowe Arboretum Fund or the Green Areas Fund; however, both funds reflect higher market values for their investments than the previous month's values.

The Financial statement for September, 2009 had previously been distributed to each Council member. There being no exceptions noted, the financial statement was accepted as issued.

Council member Tullis reported that the Finance committee reviewed an ordinance needed to increase appropriation for certain expenditures of the Village. He explained that even

though it is necessary to appropriate funds so that the line items do not go negative, the Village has made over \$1million in cuts in expenditures for 2009. He explained that the General fund would be increased by \$60,000 which includes \$30,000 in legal fees required to resolve litigation in the Martin Marietta case, \$16,000 for Council Chambers furniture and \$15,000 for the installation of snow breaks on the Public Works building roof. He also reported that the insurance HRA and FSA fund required an additional appropriation of \$25,000 to cover the expenditure of employee contributions for healthcare. It is also necessary to increase the Water Works Maintenance and Operation Fund by \$276,000 to make the principle and interest payment on the 2009 Water Works bonds. He said that the committee recommends passage of the ordinance.

**“AN ORDINANCE AMENDING ORDINANCE 01-09 & 13-09 AND MAKING APPROPRIATIONS FOR THE EXPENSES OF THE VILLAGE OF INDIAN HILL FOR THE FISCAL YEAR 2009, AND DECLARING AN EMERGENCY”** was presented and read.

Upon motion by Council member Tullis, seconded by Council member Ottenjohn the rules were suspended by unanimous roll call vote. Upon motion by Council member Tullis, seconded by Mayor Rixey, the ordinance was passed by unanimous roll call vote. Mayor Rixey declared Ordinance No. 16-09 enacted.

Council member Tullis also reported that the Finance committee reviewed a resolution which confirms the anticipated 2010 property tax revenues from the .96 mill the Village levies under the 10 mill limitation. He explained that this is a routine resolution that has to be passed every year. The County has certified that the Village can expect \$935,300 from this revenue source.

**“A RESOLUTION ACCEPTING AMOUNTS AND RATES AS SET FOR THE VILLAGE OF INDIAN HILL BY THE BUDGET COMMISSION, AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR”** was presented and read

Upon motion by Council member Tullis, seconded by Council member Holzapfel, the resolution was passed by unanimous voice vote. Mayor Rixey declared Resolution No. 14-09 adopted.

Council member Tullis also reported that the Finance committee reviewed various changes to the 2010 departmental budget requests. He directed Council’s attention to the statement entitled October/September Budget Changes. He highlighted that the budget for the General fund included an increase of \$55,000, under Building & Grounds – PW/WW roof and door repairs. The CIRF budget has been increased \$50,000 as a result of a change in the process for receiving refunds of real estate taxes related to Green Areas gifts.

Council member Tullis said that staff was concerned about the Water Works revenues for the last four months of the year; therefore, staff has initiated expenditure cuts. He directed

Council's attention to the statement included in the packet which projected the revenues and the expenditures of the Water Works fund out through the year 2014. He explained that the Water Works Operating fund has been reduced by \$156,000 and the Water Works Capital Reserve fund has been reduced by \$101,000. He explained that the Water Works would be in good financial shape out through 2014 after giving consideration to the cuts.

Council member Tullis explained that the reductions bring the budget increase for the General fund down to 5.4% while it was at 5.92% at the previous Council meeting.

Council member Tullis reported that the Finance committee also reviewed a copy of a memo concerning the five audit firms who submitted proposals related to completing the audit of the Village Financial statements for the next five years. He explained that it is necessary to bid out the audit every five years in accordance with State law. He explained to Council that Mrs. Weber and Mr. Riordan completed a review and a rating of the proposals and it was felt that the proposal from Plattenburg provided the best option for the Village. The Plattenburg proposal was slightly higher in the fee structure; however, it was higher in all the other ratings. Therefore, Plattenburg CPA Firm will be used for the Village Audit for the next five years.

**LAW COMMITTEE REPORT:** Council member Rabenold directed Council's attention to a memo entitled "Law Committee Meeting Report" dated October 15, 2009. He explained that the Law committee met on October 12, 2009 to review and discuss several topics in advance of the Council meeting.

Council member Rabenold explained that the committee reviewed a proposed 2010 contract with the Hamilton County General Health District. He noted that the district has held the Village's cost to the same level as 2009. The contract is essentially the same as last year. The committee recommends approval of the resolution and attached contract. The contract calls for payments to the Health District of \$39,000 for 2010.

**"A RESOLUTION AUTHORIZING THE MANAGER TO ENTER INTO A CONTRACT WITH THE HAMILTON COUNTY GENERAL HEALTH DISTRICT FOR PUBLIC HEALTH SERVICES DURING 2010"** was presented and read.

Upon motion by Council member Rabenold, seconded by Council member McLean, the resolution was passed by unanimous voice vote. Mayor Rixey declared Resolution No. 15-09 adopted.

Council member Rabenold also reported that City Manager Burns reported to the Law committee that the Anderson Twp. BZA has established a time line for the Martin Marietta case that extends into 2010.

Council member Rabenold also reported that City Manager Burns reported to the committee on recent noise complaints from neighbors of Peterloon and the Green Acres

Foundation. These complaints were a result of several recent wedding receptions. Staff has been working with both venues to try to eliminate the problem in the future.

Council member Ottenjohn explained to Council that there have been a very small number of complaints.

City Manager Burns explained that the total is approximately eight to ten complaints for the year.

**GROUNDS COMMITTEE REPORT:** Council member McLean directed Council's attention to a memo entitled "Grounds Committee Meeting Report", dated October 15, 2009. She explained that the committee met on October 14 to review and discuss several items in advance of the Council meeting.

Council member McLean reported that Mr. McQueen provided a Grand Valley activity report; a copy of which was attached to the Grounds committee meeting minutes. She explained that improvements continue to be made in the Grand Valley.

Council member McLean reported that Mr. Kipp provided a project status report; a copy of which was attached to the Grounds committee meeting minutes.

Council member McLean reported that the Indian Hill Rangers/Administration building improvements are on schedule and are slated for completion in late December, 2009. She said that the installation of snow guards is currently being pursued at the Public Works/Water Works facility.

Council member McLean also reported that Mr. Davis provided a departmental activity report which included regular maintenance projects for this time of year. She also reported that City Manager Burns advised the Grounds committee that he has an updated list of recreation members and he planned to ask Council to pass a resolution confirming the names at the October meeting, however, City Manager Burns understands that a couple of the new members have not yet accepted their appointments so he will simply defer this request until November.

Council member McLean also reported that the Recreation Commission has appointed a sub-committee to make the recommendation regarding the possible funding of a project in one or more of the Village parks. The Recreation Commission has some funding available for such a project and this committee will examine several alternatives before preparing the recommendation later this year. She also reported that the committee discussed the feasibility of a Veterans memorial at some public location in the Village. She said that a committee will be formed to handle this project. She also reported that the committee reviewed a request from Bonnie Mitsui for permission to repair a fence line and erect some new fencing for sheep containment purposes on the Green Areas property she has been given permission to graze. She explained that the committee discussed the request and felt that allowing temporary electric fencing would be allowable, but no permanent fencing should be permitted on the property because this would not be consistent with Green Areas land management policies.

**WATER WORKS REPORT:** Council member Holzapfel directed Council's attention to a memo entitled "Water Works Committee Meeting Report" dated October 15, 2009. She explained that the Water Works committee met on October 14, to review several items in advance of the Council meeting.

Council member Holzapfel explained that Messrs. Davis and Adkins distributed an activity and project status report to the committee. She said that the water main improvement project is slated to be out to bid during November, and the bid should be awarded in early December.

Council member Holzapfel explained that City Manager Burns advised the committee that due in part to lagging water revenues related to the wet summer, he asked Water Works to trim more expenses out of the 2010 budget requests. The operational budget has been cut by \$156,000 since the September submittal and another \$101,000 has been cut from the Capital Reserve Fund. As a result, the 2010 budget for the combined funds are now projected to be 5.14% lower than actual 2009, and 13.26% lower than budgeted 2009.

Council member Holzapfel also reported that the Water Works would like to advertise for bids for the supply of zinc orthophosphate and rock salt.

**"A RESOLUTION AUTHORIZING MANAGER TO ADVERTISE FOR BIDS FOR ROCK SALT FOR THE WATER WORKS DEPARTMENT OF THE VILLAGE OF INDIAN HILL"** was presented and read.

Upon motion by Council member Holzapfel, seconded by Mayor Rixey, the resolution was passed by unanimous voice vote. Mayor Rixey declared Resolution 16-09 adopted.

**"A RESOLUTION AUTHORIZING THE MANAGER TO ADVERTISE FOR BIDS FOR ZINC ORTHOPHOSPHATE FOR THE WATER WORKS DEPARTMENT OF THE VILLAGE OF INDIAN HILL"** was presented and read.

Upon motion by Council member Holzapfel, seconded by Council member McLean, the resolution was passed by unanimous voice vote. Mayor Rixey declared Resolution No. 17-09 adopted.

Council member Holzapfel reported that the Water Works committee recommends the second reading of the ordinance related to the Greater Cincinnati Water Works agreement renewal.

**"AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CITY OF CINCINNATI FOR THE SUPPLY OF RETAIL WATER SERVICE TO CERTAIN AREAS OF INDIAN HILL, AND WHOLESALE WATER SERVICE AND EMERGENCY OR STANDBY WATER SERVICE TO THE**

**ENTIRE INDIAN HILL SERVICE AREA”** was presented and read for the second reading.

Council member Holzapfel also reported that the opt out program with Integrys is proceeding and it should be in place at the same time that the opt in program phases out in September.

Council member Holzapfel reported that approximately 40 residents are showing an interest of some sort for a group purchase of home standby generators. City Manager Burns will be working with Mike Aaron on how to structure such an arrangement with the interested vendors. He hopes to get information out to interested residents in early November.

**PUBLIC WORKS REPORT:** Mayor Rixey directed Council’s attention to a memo entitled “Public Works Meeting Report” dated October 15, 2009. He reported that the committee met on October 13 to review various items in advance of the Council meeting.

Mayor Rixey explained that Mr. Kipp distributed a project status report, a copy of which was attached to the committee meeting minutes. He explained that Mr. Kipp reviewed the Hamilton County Storm Water District project; the total cost with additions is \$28,455. He also explained that the Village does not have near the problem with this issue as a lot of other municipalities.

Mayor Rixey also reported that the Village will receive the Water Works main improvement bids in November.

Mayor Rixey explained that traffic will be maintained under one lane conditions on Shawnee Run Road. Also, due to the narrow width of pavement on Graves Road, the road will need to be closed in “sections” as the construction moves from one end to another. The construction is estimated to take about six months and will take place during the winter and spring months of 2010.

Mayor Rixey reviewed Mr. Davis’s activity report which was also attached to the Public Works meeting minutes.

**SAFETY COMMITTEE REPORT:** Council member Beech directed Council’s attention to a memo entitled “Safety Committee Meeting Report” dated October 15, 2009. He explained that the Safety committee met twice during the month and the first meeting was on October 12 to review the proposed 2010 budget for the Madeira and Indian Hill joint Fire District. He explained that the budget for the 2010 joint fire district is included with the minutes from the Safety committee meeting. He explained that the budget calls for expenditures slightly in excess of \$3 million. He noted that the 2010 budget reflected a 2.05% increase compared to the estimated 2009 expenditures and a 1.84% increase budget to budget. He said that the Village’s contribution is anticipated to be 50% of the total expenditures.

Council member Beech also explained that he sits on the Fire Board and he can assure Council that the budget has been reviewed in depth. The Fire Department's Finance committee is very thorough; each line item was discussed in great detail.

Council member Beech reported that the Safety committee met on October 13 with several Madeira officials in the Police Chief's conference room. He said that Colonel Schlie distributed copies of his activity report for the month of September. Colonel Schlie quickly highlighted a couple of cases and then left the meeting so that the committee could focus their discussion on the second agenda item.

The meeting was then joined by Madeira Council members Rick Brasington, Tim Dickie, John Dobbs and Madeira City Manager Thomas Moeller. He said the purpose of the meeting was to discuss the 50/50 split of Joint Fire District costs between Madeira and Indian Hill. He said that this has been the split since the last contract, ten years ago. He said there was a friendly and frank discussion of all the inputs to the decision, including such items as demographic information and assessed valuation information. He said that effectively net/net the Village is paying approximately 53% of the expenditures because the City of Madeira receives more reimbursements for emergency runs than the Village of Indian Hill receives. He said that even though it is not official he believes the Madeira officials left the meeting believing the 50/50 split is still appropriate and should continue. This should be confirmed in their next council meeting.

**PLANNING COMMISSION REPORT:** Vice Mayor Ottenjohn reported that the Planning Commission did not meet during the month and therefore, there was no Committee report.

**CTY MANAGER'S REPORT:**

City Manager Burns said that he had nothing to report There being no further business to come before Council, Mayor Rixey declared the meeting adjourned.

Respectfully submitted,

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Eppa Rixey IV, Mayor

ATTEST:

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Paul C. Riordan, Clerk