

**Village of Mariemont
Council Meeting
August 12, 2024**

Mayor Brown called the meeting to order at 6:30 p.m. with the Pledge of Allegiance. Present were Mr. Ayer, Mr. Bartlett, Mrs. Brownknight, Dr. Lewis, Mr. Van Stone and Mr. York.

Minutes:

Mr. Van Stone moved, seconded by Mrs. Brownknight to accept the Council minutes as written for July 22, 2024, and the Special Meeting of Council July 24, 2024. On roll call; six ayes, no nays.

Communications:

*From Assistant Fire Chief Copeland: July 2024 Monthly Report

*From Service Superintendent James: July 2024 Monthly Report. Mayor Brown complimented what a fantastic job Mr. James is doing at the maintenance facility cleaning it up and organizing it. He appreciates the workspace while he is working on the trellis work.

*From Tax Administrator Barlow: July 2024 Monthly Report. Mr. Barlow said projections are varied due to the changing tax due date during the Covid period. Going forward he expects the numbers to be more in line. To date collections are up \$312,000 compared to last year.

*From Building Official Holloway: June 2024 Monthly Report/July 2024 Monthly Report and Updated Project List. Mr. Holloway said in both June and July there were numerous hours spent on supporting administrative tasks associated with records requests. Mr. Van Stone asked what the source of the records request is. Mr. Holloway said a resident is asking a lot of broad records request. Some deal with permits, others with protocols and policies. It has consumed a great deal of time. He is working with the assistance of Solicitor McTigue

*From Engineer Ertel: Spending Request \$22,000 – additional design fee to relocate two utilities in Dogwood Park as part of the Dogwood Park Renovation Project. Mrs. Brownknight moved, seconded by Mr. Ayer to approve the request. On roll call; six ayes, no nays.

*From Engineer Ertel: Spending Request Per Resolution R-16-23; Purchase Order 165-2024 Request to pay 8th partial payment of the design fee for the Dogwood Park Renovation Project. Mr. Bartlett moved, seconded by Mr. York. On roll call; six ayes, no nays.

Permission to Address Council:

Ms. Lila Wells, 3700 Pleasant Street, was granted permission to address Council. She expressed concerns regarding the proposed installation of a concrete walking path around the perimeter of Dogwood Park as part of the Centennial Project. While she can appreciate the intention to improve our park and all the effort in acquiring funding, she believes this path would not be in the best interest of preserving our park's historic design and natural simplicity. There was so much opposition to the path at the final public hearing last fall that others and herself understood it was to be removed from the plan. She was very surprised to see in the June 24, 2024, Council minutes that it passed and was expanded to 6 feet wide. After talking to several members of various committees who were opposed to the path but did not feel comfortable speaking out against it, she decided to see who else in the community opposed the path. The vast majority of residents she spoke with agreed and questioned:

“Why more concrete?”

“Aren’t we a Tree City?”

“What if someone gets hit by a baseball while they’re walking?”

“What about increased maintenance costs, including leaf, and snow removal?”

“What if someone slips on the ice?”

“Our park is already small, why make it smaller?”

“Where will the cross-country team do grass workouts?”

These are just a few of the concerns voiced. In just about a week, she attained about 100 signatures from adult residents of varying ages. She is asking Council on their behalf to reconsider this part of the plan. According to a Tree Board Member, trees all around the perimeter of park would be jeopardized, including one of the largest of its type in Hamilton County. However, she could not find an arborist report on public record. The park’s 100-year design has endured thus far and it did not include a concrete sidewalk. She and countless others managed to get our kids to the playground and park using the sidewalk on the other side of Pleasant St. Why add it now for a small convenience at the expense of trees, birds, grass and aesthetic? It is a nature preserves and bird sanctuary after all. The parking lot expansion is already using green space, trees, but at least it’s addressing a safety issue by creating a drop off zone. In order to put in the perimeter, concrete all the ball fields are moving in towards the center and reducing the center field size. Accessibility to the back corner ball field can be solved using alternative natural ADA approved materials like crushed stone or tree mulch. She is not opposed to progress or improvement but just trying to salvage what little green space we do have and preserve the park’s historic design. Mariemont’s strength lies in its commitment to historic preservation. The rest of the centennial project involves a lot of changes already. Let’s take a step back because once it’s done, it’s done. Please reconsider and remove the concrete walking path and sidewalk along Pleasant Street as part of the Dogwood Park Centennial Project.

Mr. Greg Wells, 3700 Center Street, was granted permission to address Council. He urged Council to pause with all the concrete. It feels like we are expanding the concrete footprint for those who live outside of the Village and drive to the community mostly for ball games. We are losing much desired green space. The proposed parking is massive and does not need to go so deep into the park. Once the green space is taken away – you are not going to get it back. After the meeting in the fall, many people believed there was going to be a formal proposal without a sidewalk.

Mr. York said he was sorry that residents feel this way. When it started, flyers were distributed and meetings were held with residents on Pleasant Street. The Mariemont Preschool Parents, Recreation Assoc., Mariemont City Schools were all engaged from the beginning and endorsed the plan. He was working on being a good steward of the Centennial Plan. He is not sure what latitude there is at this point. There is considerable outside funding for this project. It was in the Town Crier ten times, it has been on the Village website for two years, concept boards have been displayed at Kiwanis, Taste of Mariemont, along with 18 letters of recommendation for the project.

Mr. Jerry Stephens, 3709 Center Street, was granted permission to address Council. He signed the petition as he believes it is quite a bit of landscape that is being taken away. It is never too late to do the right thing.

Mr. John Cowell, 4400 Plainville Road, was granted permission to address Council. He was a long-time resident who spent much time at Dogwood Park. He asked if there was a safety issue. It is too much sidewalk. We should not make a change simply for change, but only if it is a safety need.

Mr. Steve Pipkin, Mariemont Tree Advisory Board, was granted permission to address Council. He wants to be assured that the feel of the green space in the park will be maintained. With the installation of a sidewalk, it is very possible that the construction will damage and impact the critical root zone of many trees. It could cause erosion issues in the areas prone to erosion. He suggested seeking other alternatives to concrete.

Mr. Paul Mace, 6639 Elm Street, was granted permission to address Council. He is supportive of the proposed funding to the Patriot Park rehabilitation that Council is going to address. In the area there are 26 children under the age of 16. The area is well used by many local residents and the pad needs to be re-paved. In addition, the ask is to leave the honeysuckle in place and not be removed. It was reiterated by a neighbor that the area is a gathering place for those in the neighborhood and a fun place for the children to play.

Mr. Syd Sabo, 3857 Indianview, was granted permission to address Council. He was surprised to see workmen placing stakes in the Trolley Line Park. He feels his arguments were moot and the meeting that was promised did not happen. The feeling is the residents have been dismissed and do not matter.

Mayor Brown said Council has listened to many of his concerns. Not everyone is going to agree with the project. It is his hope that once the project is complete with landscaping that people will be happy with what was done. Mr. Bartlett stated that many of Mr. Sabo's ideas were utilized from the meeting discussions.

Dr. Lewis said our parks are landmarks. She feels strongly that whether it is a structure or a path going in a park, that it needs to be approved by the ARB. It is worth asking the question to add the extra step. Mayor Brown said the gray area is the word structure. Dr. Lewis said the code should be re-examined and look at making a change. Going forward any change to a park regardless of structure interpretation should be examined by the Rules and Law Committee to see if they recommend a change should be made. It was mentioned that Building Official Holloway should be part of the discussion. Dr. Lewis agreed to research the matter further.

Motion to Pay the Bills:

Mr. York moved, seconded by Mr. Ayer to pay the bills as submitted. On roll call; six ayes, no nays.

Committee Reports:

The Health and Recreation Committee met on Monday June 29th at Patriot Park. Present at the meeting were Health and Recreation Committee members Randy York (Chair), and Matthew Ayer (Member). Also in attendance were Mayor Bill Brown, Maintenance Supervisor Ben James, Zoning Officer Rod Holloway, and 20 area residents. The purpose of the committee meeting was:

To propose volunteer-driven updates to Patriot Park

On Friday June 19th, Randy York, Ben James, Rod Holloway, and Steve Pipkin (Mariemont Park Board) surveyed Patriot Park to develop a plan for cost-effective and volunteer driven park improvements that would be executed at Patriot Park on a volunteer day to be scheduled on Wednesday September 11, 2024. This exercise was prompted by the planned repaving of Patriot Lane. The Health & Recreation Committee reviewed the proposed updates to Patriot Park and requested and noted area resident input on each project. Listed below are the proposed upgrades and near-consensus recommendation of the area residents:

Asphalt Pad – the asphalt pad is used by area residents, and they want to keep it. They requested that the pad be re-paved. Engineer Ertel estimates that to overlay the area with 2 inches of asphalt would cost approximately \$2,100.

Honeysuckle – The residents want the honeysuckle to remain so it will not be removed.

The residents also requested:

The ivy around pine trees should be removed and be replaced with pine straw

The sign in the middle of the park should be removed

Two additional park benches should be added (one at the asphalt pad and one at the west end of the park)

Trash can will remain

A "Doggie Bag" dispenser would be added

The “Arbor-Day” tree evaluated for relocation to the perimeter of the park 4-6 trees be added around the perimeter of the park (based upon input from TAB and Park Board)

In addition, five distressed trees/shrubs have been identified for removal (these have been designated with a pink ribbon), Other trees in the park will be evaluated for possible removal only if necessary and limbed up (crowing, cleaning, lifting). John Swisher agreed to take the lead on the repairs and reconditioning of the Tyler Swisher monument including the flagpole, pad, and lighting. An additional memorial is proposed that would need to be reviewed by Village Council. The residents also expressed frustration with the on-going damage to the park from the Rumpke trucks and the committee requests that the mayor assign this issue to the Public Works Committee. The Health & Recreation Committee recommends that the necessary funds be approved and allocated for Patriot Park. This includes asphalt overlay, tree crowning, cleaning, lifting, and potential removal by a third party, and the procurement of six additional trees that will be planted this fall by volunteers. The projected cost to the Village is estimated at \$7,000 with all other upgrades executed by volunteers under the direction of the Mariemont Maintenance Department. The meeting was adjourned at 7:30pm.

Discussion at the Committee of the Whole meeting determined that Council felt that it was better to spend an extra \$2,000 to grind out the asphalt pad and redo it, than band-aid it. The money would come out of the 2024 budget. Council discussed the allocation of money for street trees and park trees. It is easier to track the spending on trees if it all comes from one account; it also becomes over kill to have an account line for everything. The trees are estimated to cost \$300 each with volunteers willing to plant them. It does make sense to do the work while J.K. Meurer is in the Village working. Mr. Bartlett moved, seconded by Mr. Ayer to table the report until the prioritize exercise is complete and then amend the report if necessary. On roll call; six ayes, no nays. It was suggested that Engineer Ertel look at the area to what can be done to minimize damage to the park by the Rumpke trucks.

Mrs. Brownknight moved, seconded by Mr. Bartlett to accept the recommendation of the Public Works & Service Committee that met on July 24, 2024, at 3:35 PM. In attendance were the Committee Chairperson Bob Van Stone, Committee Members Randy York and Rob Bartlett, Mayor Brown, Supervisor Ben James, and many members of the Tree Advisory Board (TAB) including Kristin Van Scoy, Mary Beth York, Barb Whitaker, and Dr. Marcy Lewis. The focus of the meeting was on the proposed budget proposed by the TAB which totaled \$117,500. Although the cost varies somewhat year to year, this is a reasonable estimate of the proposed annual budget for the next 6 years. One objective of the meeting was to identify how much of this proposal was in the existing village budget and how much was a new expenditure. This occurred by an open discussion between the committee members and the members of the TAB. The elements of the proposed budget are:

1. New tree plantings (\$38,500). This cost would be for planting approximately 70 sustainable trees by a nursery each year. There would be no additional cost to the village. The 2024 Permanent Improvement Budget (4902) is budgeting \$10,000 for tree planting. Starting in 2025 the Permanent Improvement Budget (4902) tree planting budget is \$38,500, an increase of \$28,500 over the 2024 budget.
2. Annual, district-wide crown cleaning /lifting (\$28,000). This work would be performed by an outside contractor and is a new expense for the village.
3. Safety / Storm Pruning and Tree Removals (\$51,000). Some of this expense is already in the Service Department budget. Mr. Bartlett reported that in 2022 the Village spent \$54,866 and in 2023 that expense was \$43,870 on this type of work. This averages \$49,368 so an additional \$1,632 would be necessary for this effort.

The following table summarizes these numbers. Based on these estimates an additional \$58,500 would need to be added to the village budget starting in 2025, however since \$38,500 is provided for tree planting in the 5-year plan for this period, the increase funding not already planned is \$29,632.

	New Tree Planting	Crown cleaning / Lifting	Safety / storm cleaning & Removal	Total
Fund	Permanent Improvement	Service Dept. Budget	Service Dept. Budget	
TAB Proposal	\$38,500	\$28,000	\$51,000	\$117,500
2024 Budget	\$10,000		\$49,368	\$59,368
Additional funding needed starting in 2025	\$28,500	\$28,000	\$1,632	\$58,132
Funding in 5 year plan	\$38,500		\$49,368	\$87,868
Currently unfunded	\$0	\$28,000	\$1,632	\$29,632

Mr. Van Stone pointed out that if the TAB plan were spread over 8 years instead of 6 years, the total cost would not reduce but the annual expenses could be reduced by 25%. Mrs. Van Scoy cited a study from the ODNR which recommends crown cleaning and lifting every 5 years and thus the 6-year proposal is already stretching that time frame. The issue was left unresolved. Ben James was questioned about the potential need for more workforce hours from the Service Department. He said that it was not clear that he would need more workforce hours as long as the TAB maintains its current level of volunteer activity. Currently, the TAB uses Service Department equipment to water the trees for the two years after planting. It takes 5 hours to water 50 trees each week and based on the current TAB plan, 140 trees will need to be watered. A concern was expressed about the mulching of up to 420 trees after the 6-year program is completed. Mrs. Van Scoy said that over time, implementing district-wide crown cleaning/lifting may reduce the amount of money that the Service Department spends maintaining trees in the Village. Mayor Brown raised the issue of the complicated application process for individuals who wanted to plant a tree in the right of way ahead of the district schedule proposed by the TAB. Members of the TAB said the proposed master plan was still a draft and this issue could be worked. Mr. Van Stone asked how the records and documentation on the trees would be maintained in the future. Mr. York said he has seen the very sophisticated spreadsheets currently maintained by the TAB. Mr. Bartlett asked Mrs. Van Scoy what was the minimum funding that TAB needs for the remainder of this year for fall planting. Mrs. Van Scoy replied that they would need a total of \$20,000 in order to replace the 35 trees that typically need to be removed each year, which is \$10,000 more than was budgeted in the Permanent Improvement fund for 2024. Mr. York moved that \$10,000 be added to the 2024 Permanent Improvement budget. All committee members agreed. Dr. Lewis noted that however the Village Council decides to fund the tree initiative, the funding needs to be more than the \$10,000 currently in the budget. The meeting was adjourned at 4:05 PM.

Mr. Van Stone said since the meeting, new information has been given that the \$20,000 is going to come out of the Tree Planting Fund in the General Fund. No cost will need to be adjusted in the Permanent Improvement Fund. Mr. Ayer moved, seconded by Mr. Bartlett to amend the report to remove the noted \$10,000 for the Permanent Improvement Fund. On roll call; six ayes, no nays.

Miscellaneous:

Village Offices will be closed Monday September 2, 2024, in Observation of Labor Day

Resolutions:

“Resolution Authorizing the Donation of a Police Vehicle that is Unneeded, Obsolete, and/or Unfit for Municipal Purposes to the Elmwood Police Department and Authorizing the Mayor of the Village of Mariemont to Enter Into Any or More Agreements with the Elmwood Police Department to Memorialize, Inter Alia, the Donation of the Police Vehicle in its Current “As-is, Where-Is, With All Faults: Condition, and to Ensure the Elmwood Police Department Removes all Decals and Police Markings from the Vehicle; and To Declare Emergency” had a first reading .Mr. Van Stone move, seconded by Dr. Lewis to suspend the rules to allow for the second and third readings. The Resolution had a second and third reading. Chief Hines said Elmwood Place is desperate for a vehicle. Mrs. Brownknight moved, seconded by Mr. Van Stone to adopt the Resolution. On roll call; six ayes, no nays. Mrs. Brownknight moved, seconded by Mr. Van Stone to invoke the Emergency Clause. On roll call; six ayes, no nays. Resolution No. R-40-24 was adopted.

“Resolution Approving Interfund Advance of Funds from the General Fund to Other Fund Categories; and To Declare Emergency” had a first reading. Mr. Ayer moved, seconded by Mr. York to suspend the rules to allow for the second and third readings. On roll call; six ayes, no nays. The Resolution had a second and third reading. Mr. Ayer moved, seconded by Mr. York to adopt the Resolution. On roll call; six ayes, no nays. Mr. Ayer moved, seconded by Mr. York to invoke the emergency clause. On roll call; six ayes, no nays. Resolution No. R-41-24 was adopted.

Ordinances:

None

The meeting was adjourned at 8:00 p.m.

William A. Brown, Mayor

Kelly I. Rankin, Fiscal Officer