Village of Mariemont
Council Meeting
August 26, 2024

Mayor Brown called the meeting to order at 6:30 p.m. with the Pledge of Allegiance. Present were Mr. Ayer, Mr. Bartlett, Dr. Lewis, Mr. Van Stone and Mr. York. Mrs. Brownknight arrived at 7:10 p.m.

Minutes:

Mr. Bartlett moved, seconded by Mr. York, to accept the Council minutes as written for August 12, 2024. On roll call; five ayes, no nays. Mr. Ayer moved, seconded by Mr. York, to accept the Committee of the Whole minutes as written for August 12, 2024. On roll call; five ayes, no nays.

Communications:

*From Police Chief Hines: July 2024 Monthly Report. The Elmwood Police Department's police chief thanked the Village for the donation of the police car. Safety Services Night Out was a huge success, with a historically large turnout and plenty of positive feedback. The Village received thanks from a resident for the smooth and safe running of the Tour de CROWN bike ride over the weekend. Ted Brown was a big help setting everything up for that.

*Prioritization Project Summary Report. Mr. Ayer condensed the results. The Concourse Pergola ranked at the top. Also clear to Mr. Ayer was that the 2024 projects were ranked high, specifically the wading pool and Patriot Park picnic pad. Everyone agrees that the office renovation should be budgeted this year, as well as the LED lights. Generally, there is agreement between Council and staff on most issues. Chief Hines ranked lighting in the parking lot by Dale Park as the top priority in Old Town for safety reasons. Regarding the wading pool, all of the work done in 2024 is privately funded. A discussion ensued regarding the sidewalks. The sidewalk by the tennis court is starting to slide down the hill. Mr. York got a bid for the repair of that sidewalk. Mr. Bartlett moved, seconded by Mr. York, to move forward with the project that was previously budgeted for the walk there. The total cost is around $5000. On roll call, five ayes, no nays. A Spending Request will be necessary if the bid is over $5000.

*Bids Wading Pool Project Summary. To be discussed in the Committee Report.

Permission to Address Council:

None

Motion to Pay the Bills:

Mr. York moved, seconded by Mr. Van Stone to approve the bills. On roll call; five ayes, no nays.

Committee Reports:

Health and Recreation Committee:
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.

$4,000 for total replacement or grinding and $1,800 for trees would make it $5800. The crowning would come out of the regular operational budget for the maintenance department. Mr. Van Stone asked for clarification on where the money was coming from. Fiscal Officer Rankin will look at if we have money for the additional trees, beyond the 30 that the Tree Advisory Board requested. Dr. Lewis moved to amend the report to approve the $4,000 and revisit the approval of the additional amount pending reconciliation by our fiscal officer, seconded by Mr. Van Stone. On roll call; 5 fives, no nays. Mr. Bartlett moved, seconded by Mr. Van Stone to accept the amended report. On roll call; five ayes, no nays. Mr. Ayer clarified that we have voted and approved spending the $4,000 in Permanent Improvement for the pad. The six new trees are pending.

Finance Committee:
The Finance Committee met on Monday, August 19, 2024 at 4:00 pm to discuss renewing the Village's risk management insurance. Present at the meeting were Finance Committee members Rob Bartlett and Bob Van Stone, Mayor Bill Brown, Senior Administrative Assistant Joanee Van Pelt, and Karie Novesl from Hylant.

The Finance Committee reviewed the proposal for risk management coverage from Hylant for 2024. If we did not change any of the coverage levels in the plan, the Village's cost would go from $39,087 in 2023 to $43,772 in 2024, an increase of $4,685 or 12%.

The Finance Committee discussed four items with Ms. Novesl:

1. There are currently eight police cars listed on the new policy versus our typical six cars. That is because our two new cars have not finished being outfitted yet. Ms. Novesl shared that if we were able to get rid of the two oldest surplus cars by September 26, 2024, then our new premium would go down by $750. Chief Hines is aware of this and will work to ensure that we no longer own the two oldest cars by that date (we have already given one car to the village of Elmwood).
2. Currently, all of the police cars are insured up to their actual cash value. If they were insured up to their replacement value, our premium would increase by $450/car insured. In looking at our claims history, over the past 31 years we have never totaled a car, so a claim has never exceeded the actual cash value.
3. Ms. Novesl shared new coverage that is available for Malicious Acts. This would cover the Village for up to $1,000,000 aggregate for any action taken at a village event or on village property by an individual with intent to cause harm. This would cover anybody attending the village event or on village property. The cost of this insurance would be $420.
4. Previously, our Cyber Attack insurance deductible was $25,000. Last year, we decreased the deductible to $10,000. The savings of taking the deductible back up to $25,000 would be $390. With Mike Manford as our new IT support, we have upgraded our IT equipment and quarterly tests are being performed on our cyber security and systems.

The Finance Committee voted unanimously to recommend that: a) we ensure the two surplus police cars are no longer owned by the Village by September 26, 2024, b) we continue to insure our police cars up to their actual cash value, c) we sign up for the new Malicious Acts coverage, and d) we increase our Cyber Attack deductible from $10,000 to $25,000. This would result in a new premium of $43,052, an increase of 10% versus our 2023 premium. If council agrees with this recommendation, this needs to be passed via an emergency resolution at the August 26 council meeting, as the new insurance policy goes into effect on August 26, 2024.

Mr. York moved, seconded by Mr. Van Stone to accept the report as written. On roll call; six ayes, no nays. Mr. Bartlett added that Solicitor McTigue got back to him regarding the liability with trees falling and said we are fine. Superintendent James said at a previous meeting that he would complete a drive-by evaluation of the trees with the arborist from Shawnee at the beginning of the growing season. Mayor Brown said we need to confirm with Shawnee about this in the spring.

Safety Committee:
The Safety Committee met on Monday July 29, 2024 at 4PM. Present were Safety Committee members Matthew Ayer (Chair), Rob Bartlett (Vice Chair), and Randy York (Member); MPD Chief Rick Hines and Lieutenant Nick Pittsley; Mariemont Rec Association (MRA) Board Members Jordan Gaietto and Amy Everhart; and residents Tim & Julena Bingaman, Rob Egli, Maggie Kenner, Dexter Simpson and Lila Wells.

The agenda consisted of considering alternative measures for providing and regulating parking, reducing congestion and improving safety on Pleasant Street. Presently, parking is permitted on the east side of Pleasant. The street is relatively narrow and becomes highly congested, particularly on soccer and baseball game days.

Residents directly across from the park reported that it is not unusual for visitors to park illegally in “No Parking” curbed areas, or occasionally blocking their driveway.

Several potential alternatives were discussed:

- Do Nothing
- Provide parking stickers for “resident only” parking – Chief Hines advised that option is not legal as it is a public street
- Move parking to West (park) side of the street
- Limit parking on Pleasant specifically on game days
- Implement “No Parking” from Denny to Fieldhouse
- Block Pleasant Street at Wooster and re-route traffic
- Enhance communication regarding parking for MRA visiting families

After discussion, Chief Hines noted that MPD would enhance parking enforcement on game days. Based on MRA and MPD recommendations, the Committee recommended that for the 2024 Fall Season (soccer), MRA would enhance communication to its visiting teams, including a letter from Chief Hines, and a map showing ample parking on Mariemont Avenue and other alternatives. The effectiveness of this measure will then be evaluated. Planned construction activities at Dogwood Park will require MRA to utilize alternative venues for the 2025 Spring/Summer/Fall sports seasons. The meeting adjourned at 5:05 PM.

Mr. York moved, seconded by Mr. Bartlett, to accept the report as written. On roll call; six ayes, no nays. Chief Hines noted that the letter he agreed to draft and send has been sent to Amy Everhart and she will get that letter out.

Safety Committee:

The Safety Committee met on Tuesday August 20, 2024 at 7:30 PM. Present were Safety Committee members Matthew Ayer (Chair), Rob Bartlett (Vice Chair), and Randy York (Member); Mariemont Pool Commission Members Tom Gilmore, Alicia Stock, Tim Wiley and Mandy Rohal; Village Engineer Chris Ertel; and residents Carter Ruml and Doug Zemke.

Mr. Ayer recognized the Pool Commission members for their successful capital campaign, presently with $159K in pledges; ~$90K in receipts to the Mariemont Legacy Foundation (MLF); with an additional $50K imminent from a small set of major donors; and targeted total campaign receipts of $168K by December 1.

The Pool Commission described the importance of implementing the project for the 2025 season, with many donors expecting their children to use the new pool; and with the current wading pool “closed” and in need of significant repair if it were to be reopened for 2025. Mr. Ertel confirmed that the competitive bidding process was complete. Mr. Ayer confirmed that the Contractors would include temporary (orange plastic) fencing for security during construction activities.

The attached Project Summary and cost estimate were presented and discussed. Project costs have increased from $225K to $252K. The Pool Commission is requesting that the Village increase its contribution from $75K to $84K, while the Pool Commission increases private fundraising from $150K to $168K. These adjusted values maintain the one-third Village and two-thirds private funding as originally proposed.

Mr. Ayer and Mr. Bartlett described that within the municipal financing framework, it would be necessary in 2024 to phase in permanent improvement spending requests such that funds have already been received via MLF before purchase orders are issued. Mr. Ayer agreed to work with the Pool Commission and Engineer Ertel to develop a conforming plan and schedule for 2024 v 2025 permanent improvement expenditures.

After discussion, Mr. York moved and the Safety Committee unanimously concurred to accept the Plan, including:

- Accepting the bids;
- Recommending to Council increasing the 2025 Village Permanent Improvement commitment from $75K to $84K;
- Preparing the appropriate emergency legislation for the August 26 Council meeting.

The meeting adjourned at 8:15 PM.

Mr. Ayer noted that the emergency legislation is not for this evening, but for when we reach the maximum amount we would be spending in the private funding for 2024. The total maximum is $144,000. We have $127,000 that the Mariemont Legacy Fund is ready to write a check for and we have a $25,000 contribution that is in the mail. If Council accepts this proposal, Mr. Ayer would like to have an emergency meeting once that last contribution comes in. Mills Fence has us penciled in. The next phase would be demolition. They can get started on the drawings once they have a letter of intent from Mariemont. The $140,000 in 2024 is for demolition, digging the pool, fence removal, and setting the steel between three different vendors. Mr. Ayer moved, seconded by Mr. Bartlett, that we amend the report to prepare the appropriate emergency legislation for a special meeting of council when the 2024 funds are received. On roll call; six ayes, no nays. Mr. Bartlett moved, seconded by Mr. York to accept the amended report. On roll call; six ayes, no nays. The next steps entail getting a letter of intent to the vendor to get the drawings, receive the money, schedule an emergency meeting to pass the emergency legislation, and appropriate the permanent improvement funds for 2024.

Public Works Committee:

The Public Works & Service Committee met on August 20, 2024, at 6:30 PM.

In attendance were the Committee Chairperson Bob Van Stone, Committee Members Randy York and Rob Bartlett, Village Engineer Chris Ertel, Fiscal Officer Kelly Rankin, Julie Lockhart, Brad Lockhart, and Bill DeCamp.

The first agenda item was consideration of the repaving bids for Patriots Lane. Mr. Ertel reviewed his memorandum summarizing the bids. The 3 bids ranged from $118,259 to $185,609.80. Two of the 3 were less than the Engineer's estimate of $150,000. Mr. Ertel recommended that the Village award the project to the low-cost bidder J.K. Meurer Corp for $118,259. Mr. Ertel reported that J.K. Meurer has performed well on several projects over the past 10 years. The committee unanimously agreed that Village should accept the bid from J.K Meurer pending council approval of the required supplementary appropriation. The committee also recommends that both pieces of legislation be passed on an emergency basis to accelerate the start of this project.

The second agenda item was the LED street light replacement program. It was reported that the Service Department would prefer to have an electrical contractor install the lights due to safety and training concerns. This cost is included in the installation costs reported below. Mr. Van Stone summarized the differences between LED bulbs from Stresscrete (Option 1) and bulbs from multiple sources (Option 2). Installation of the Stresscrete lamp would cost $770 per streetlight and it would take over 20 years of lower electric costs to recover the investment which would probably exceed the life of the bulb. When the Stresscrete bulbs needs to be replaced, it would cost $770 and need an electrical contractor. The Option 2 bulbs can be installed for $375 per streetlight and take 9.8 years of lower electric costs to recover the investment which is probably less than the life of the bulb. When the Option 2 bulb needs to be replaced, the Service Department can perform the work because it is a screw-in bulb. Mr. Van Stone said he had been to the Old Village Square with multiple people and none of them could see a significant difference in the appearance of the light. Mr. Bartlett reported a similar observation.

There was a wide-ranging discussion between the committee members and the residents attending the meeting. Mrs. Lockhart, who had performed fact-finding on the Stresscrete bulb, said that there was a substantial difference in the color and appearance of the 2 bulbs and she strongly favors the Stresscrete bulbs. This was followed by discussing the features and quality of the bulbs. Mr. DeCamp reported that the LED lights in the Option 2 bulb were mounted on baffles so the light could be directed away from shining in windows much like the capabilities of the Stresscrete lamp. Mr. Lockhart wondered if the cost differential between the bulbs was related to the quality of the lamps. Mr. DeCamp said the Stresscrete bulbs were of good quality and that Stresscrete was known throughout the industry as being a high-priced supplier. Mr. DeCamp also questioned if the village wanted to be solely dependent on a single source for the Stresscrete proprietary product.

The committee recognizes the efforts of the Centennial Historic Streetlight Committee members Julie Lockhart, Bill DeCamp, and Greg Long. This committee organized and executed an "adopt a streetlight" campaign which netted $14,000 in incremental funding for the Village and managed the initial painting of the streetlights. This committee also determined the projected annual savings to the Village with the conversion from mercury vapor lights to LED and investigated a variety of LED and globe solutions. The committee arranged for a number of LED options to be installed around the Old Town Square and organized a meeting with the Architectural Review Board and received a certificate of appropriateness for two of the LED options.

Thank you to Julie Lockhart, Bill DeCamp, and Greg Long for your efforts and dedication to this project. The Village would not be in the position to improve the aesthetics and efficiency of our streetlights without your efforts.

Mr. Bartlett stated that the investment recovery periods led him to favor the Option 2 bulb. Mrs. Lockhart wondered if a community fund-raising campaign could be mounted to raise the more than $40,000 for the cost differential to install the Stresscrete bulb for the 103 streetlights in the Village.

Mr. York moved that the Village install the Option 2 lamps throughout the Village except for the lamp post in front of the Lockhart residence and that the streetlights in the Historic District be replaced first.

If Council accepts the report, Mr. Van Stone will contact Mr. DeCamp to get a formal bid. Based on the initial estimates and the $17K funding available in 2024, approximately 45 streetlights could be converted to LED bulbs in 2024. The 58 remaining streetlights will be converted in 2025 and 2026 based on funding in the Capital Improvement Plan. The out-year funding may be supplemented with grants from Duke Energy. The meeting was adjourned at 7:27 PM.

Mrs. Brownknight moved, seconded by Mr. Ayer, to accept the report as written. On roll call; six ayes, no nays.

Miscellaneous:

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

The clock by the National Exemplar has been repaired and reinstalled. It looks really good!

The pool is closing for the season on Labor Day, September 2, 2024.

Ordinances:

"To Supplement Ordinance No. O-9-24 Annual Appropriation Ordinance; and To Declare Emergency" had a first reading. Mr. Ayer moved, seconded by Mr. Van Stone to suspend the rules to allow for the second and third reading. On roll call; six ayes, no nays. The Ordinance had a second and third reading. Mr. Ayer moved, seconded by Mr. Van Stone to adopt the Ordinance. On roll call; six ayes, no nays. Mr. Ayer moved, seconded by Mr. Van Stone to invoke the emergency clause. On roll call; six ayes, no nays. <u>Ordinance No. O-13-24 was adopted.</u>

Resolutions:

"Resolution To Appoint Lisa Wharton as a Member of the Community Reinvestment Area to Fill the Vacancy of Charles Martinez" had a first reading.

"To Accept Bid of J.K. Meurer Corporation for the Patriot's Lane Rehabilitation project; To Authorize Contract and To Declare Emergency" had a first reading. Mr. Ayer moved, seconded by Mr. Van Stone to suspend the rules to allow for the second and third reading. On roll call; six ayes, no nays. The Resolution had a second and third reading. Mr. Van Stone moved, seconded by Mr. Ayer to adopt the Resolution. On roll call; six ayes, no nays. Mr. Ayer moved, seconded by Mr. Bartlett to invoke the emergency clause. On roll call; six ayes, no nays. <u>Resolution No. R-42-24 was adopted.</u>

"To Renew Current Contract for the Following Kinds of Insurance: Real and Personal Property, Comprehensive General Liability, Business Automobile, and Other Coverages; To Pay Premiums; and To Declare Emergency" had a first reading. Mr. Ayer moved, seconded by Mr. Bartlett to suspend the rules to allow for the second and third reading. On roll call; six ayes, no nays. The Resolution had a second and third reading. Mr. Ayer moved, seconded by Mr. Van Stone to adopt the Resolution. On roll call; six ayes, no nays. Mr. Ayer moved, seconded by Mr. Bartlett to invoke the emergency clause. On roll call; six ayes, no nays. <u>Resolution No. R-43-24 was adopted.</u>

Mayor Brown referred the matter of section 151.09, that work on trailers, into the Rules & Law committee.

The meeting was adjourned at 7:48 p.m.

William A. Brown, Mayor

Kelly I. Rankin, Fiscal Officer