

**Village of Mariemont
Council Meeting
November 25, 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. Ayer moved, seconded by Mr. Bartlett, to approve the minutes as written for the Council Meeting October 28, 2024. On roll call; five ayes, no nays. (Mr. York abstained due to his absence)

Communications:

*From Service Superintendent James: Spending Request: Temporary personnel for leaf pick-up for December (not to exceed \$10,000).

*From Superintendent James: Spending Request: Installation of 49 Trees (not to exceed \$7,350.00).

*From Superintendent James: Spending Request: Purchase 49 Trees (not to exceed \$11,740.00).

Mayor Brown said we have not yet hired temporary help this leaf season, but the department is falling behind.

Mr. Ayer asked if there were multiple tree purchase bids obtained – he is happy to approve the request pending confirmation that the Village received the best bid. Steve Pipkin from the Mariemont Tree Board organized putting the bid together. It was thought that there were multiple bids, but only one vendor could supply all of the trees. On roll call; four ayes, two nays (Mr. Ayer and Mrs. Brownknight dissented). Mayor Brown said he will confirm with the Superintendent James regarding the bids. Mrs. Brownknight said bids should be attached as protocol.

*From Police Chief Hines: October 2024 Monthly Report. Chief Hines said car thefts are on the increase in Hamilton County. The department has a good recovery rate. It was stressed that residents do not leave the keys in the unlocked vehicles.

Permission to Address Council:

Mr. Biff Black, 1 Spring Knoll Drive, was granted permission to address Council. He is the President of Mariemont Preservation Foundation (MPF) and is speaking as a representative of MPF. At the October 2024 meeting of the MPF Board a motion was passed stating its opposition to the use of concrete on the walking trails of Dogwood Park. However, when it looked like the Health and Recreation Committee might discuss the possible use of a different material on the trails at its meeting on November 4th, they decided to wait until details were announced at the meeting before addressing Council. Now that the possibility of using a crushed stone aggregate instead of concrete on the walking trails has been discussed by the Health and Recreation Committee, the MPF Board passed the following motion at its Board Meeting on November 21, 2024 - “The Mariemont Preservation Foundation supports the use of the aggregate material that was proposed at the meeting of the Council’s Health and Recreation Committee meeting on November 4, 2024. We also support the idea of that same aggregate material for the proposed concrete sidewalk on the west side of Pleasant Street, if it is possible to do so”. We believe the use of this aggregate material instead of concrete for these surfaces is consistent with Mary Emery’s vision and John Nolen’s plan for the 100 acres of parks that were set aside for the health and enjoyment of Mariemont’s residents.

Mr. Tom Eckhart, 6831 Mt. Vernon was granted permission to address Council. He spoke in support of the rehabilitation plans for Dogwood Park. He thanked the Health and Recreation Committee for working towards some type of agreement throughout the Village. He is excited about the improvements, walking trail, addition of sidewalks, expanded parking and additional trees.

Mr. Greg Wells, 3700 Pleasant Street, was granted permission to address Council. He asked what will be the oversight should this project go forward with regards to aggregate and the baseball fields – will the matter come back to Council? He believes the residents of Pleasant Street need to be engaged. He distributed a picture of a park on Newtown Road which is not historical looking. Mayor Brown said once the final decision is made on the plans that Kleinger's has prepared we will be building to plan. There are no plans for 10' fencing except for the backstops and the chain link fencing will be gone. Mr. Ayer said he would send the plans to Mr. Wells.

Ms. Dina Wilder, 6716 Hammerstone Way, was granted permission to address Council. She asked if the plan is to do aggregate instead of concrete in Dogwood Park. Mr. York said the Health and Recreation Committee is proposing aggregate material from the Bell Tower around the back to the parking lot. The sidewalk will remain concrete. She believes that aggregate will be better as it is a natural material and would flex more than concrete which could raise concerns with trees. She is not thrilled about the path. The park in Madeira looks wonderful, but it is not in the middle of a residential neighborhood. There are a lot of stakeholders and it will be changed for everybody. If she knew this was the way the project was going, she would not have donated.

Ms. Lila Wells, 3700 Pleasant Street, was granted permission to address Council. The Advisory Council on Historic Preservation (ACHP), a federal agency, states that by law she has a voice when a project involving federal funding may affect properties on the National Register of Historic Places. Section 106 is the tool to be used. It states in "The Citizens Guide to Section 106" that Mariemont was to report any opposition to the Dogwood Park Project and if the project could adversely affect the historic character of the park. However, the Section 106 completed in November 2023 does not report either. In fact, it reports "no" to the question of whether the undertaking may alter any of the characteristics of the historic property that would diminish the integrity of the property's design, setting, materials, feeling or association. Consideration is given to all qualifying characteristics of a historic property including those identified in the original evaluation of the property's eligibility for the National Register". She has previously reported the NHL nomination form for Mariemont commends the Village for keeping Dogwood Park a heavily wooded landscape, largely untouched since Mary Emery acquired the land and that Dogwood Park is the most significant natural and wild area in Mariemont as John Nolen, original designer, stated to preserve the good natural features of the park. It is curious to her as to why the opposition and backlash to this project was not mentioned just a few weeks after the public meetings in the fall 2023. I recall the request to provide a revised public survey that included the choice to oppose the project was made too. Instead, the biased survey was shut down altogether. Also, she would like to know why the answer "no" was submitted. If the public's opinion had been voiced at that time, the ACHP may have decided to intervene and help mediate a resolution. The Section 106 was submitted with disregard if the unfavorable public opinion and grants were sought after a fully vetted plan. Her hope in bringing this information to light now is that Council will consider the sidewalk installation. She is not a fan of the idea of a larger parking lot either and think there are less aggressive alternatives to be considered. She is not alone in this opposition, as I have collected 150 signatures of actual residents who agree with her. These were easily collected in a few afternoons. She is confident she could collect more if time allowed. It is her obligation to these residents and her own conscience that she makes every effort to protect our park's historic integrity from being chipped away one concrete bag at a time. The very thing that makes the Village of Mariemont unique is being jeopardized. Once it is done – it is done! Ms. Wells questioned if it was a conflict of interest that the one filling out the form is also the company supplying the design.

Mayor Brown said he believes the Section 106 was done by our Village Engineer in conjunction with Kleinger's Group. He will check with Engineer Ertel to see if he has additional information that may be helpful in answering questions. Mr. Bartlett noted that 16 organizations voiced support of the design, including MPF.

He found the Health and Recreation Committee meeting demonstrated how the plans have changed based on the input provided from residents.

Mr. Jeff Harmon, 3739 Indianview, was granted permission to address Council. He reiterated his support of the plan for Dogwood Park. His voice is one of many. This is a democratic process and all views need to be respected. No one can channel what someone envisioned Mariemont to be 100 years ago. He appreciates all the difficult work that has been done to make necessary compromises.

Mr. Matt Painter, 6739 Wooster Pike, was granted permission to address Council. He said a big part of the renovation to Dogwood Park is to make it ADA compliant. It is not easy or safe for those with disabilities to walk through the grass. If the Village does not do it now while grants are available, it will have to be done out of the General Fund. It would only take a small group of people to say they cannot get to the baseball field to watch their child/grandchild play a game.

Mr. Ayer said he was comfortable with the Section 106 being checked “No” for various reasons including: additional trees are being adding and removing invasive species, none of John Nolen’s vision of topography etc. is being changed and the plan will emphasize the Carillion. In 1920 the average life expectancy was 54; today it is 79. Obesity was rare and there was no Americans with Disabilities Act. There was a planned fieldhouse which never got built, the lagoon is gone and a golf course was never built. This has been a project with community involvement. Engineer Ertel has reached out to see if we could the same aggregate for the sidewalk on Pleasant Street but has not yet heard back.

Motion to Pay the Bills:

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

Committee Reports:

The Public Works & Service Committee met on November 19, 2024, at 5:30 PM. In attendance were the Committee Chairperson Bob Van Stone, Committee Members Randy York and Rob Bartlett, Mayor Bill Brown and Fiscal Officer Kelly Rankin. Also attending were approximately 8 village residents many members of the Tree Advisory Board.

The sole agenda item was consideration of the 2025 funding for the Tree Advisory Board’s Master Plan. The 4 items of the plan are:

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| 1. Planting 70 new trees | \$38,500 |
| 2. District-wide crowning | \$28,000 |
| 3. Safety/Storm Pruning | \$17,000 |
| 4. Tree removals (~35 trees) | \$33,648 |

The 2024 budget for the Service Department for the safety/ storm pruning and tree removals exceeds the 2025 master plan request. The 2024 budget for new trees was \$14,400. Based on the current understanding of the 2025 general fund and concerns about future unfunded mandates, Mr. Barlett and Mrs. Rankin recommended that the number of new trees be reduced to 50 new trees at an expenditure of \$27,500. This will require an increase of \$13,100 in the 2025 budget. It was noted that the trees will not be planted until the fall of 2025 so there will be an opportunity to increase this funding during 2025 if the funds are available. Also, Mrs. Rankin recommended keeping the tree purchases in the General Fund. Mr. Bartlett moved that the Public Works Committee recommends that the funding for the Service Department should be increased by \$41,100 in the 2025 General Fund budget. This would cover \$28,000 for the crowning and \$13,100 for the purchase and planting of

new trees. The motion was seconded by Mr. York. The motion passed unanimously 3-0. The meeting was adjourned at 5:43 PM.

There is pending legislation in the State to increase the employer portion of the Ohio Police and Fire Pension to 24%. Before the Village commits to additional funding, it was determined it be best to wait to see what happens because it is an unfunded mandate. It is estimated to cost \$100,000. The crowning and trimming will be budgeted to be done the early part of next year. Mr. Ayer moved, seconded by Mr. Bartlett to accept the recommendations of the Public Works Committee. On roll call; six ayes, no nays.

The Health and Recreation Committee met on Monday November 4th in council chambers. Present at the meeting were Health and Recreation Committee members Randy York (Chair), Susan Brownknight (Vice-Chair), and Matthew Ayer (Member). Also in attendance were Mayor Bill Brown, Village Engineer Chris Ertel, Village Building and Zoning Officer Rod Holloway, council members Dr. Marcy Lewis and Bob Van Stone, and approximately forty residents. The meeting commenced at 5:35pm.

The purpose of the committee meeting was to review:

1. Livingood Park Hedge Replacement
2. Park Bench Program
4. Dogwood Park Renovation Plan

Committee Chair Randy York reviewed a suggestion from Steve Pipkin, Mariemont Park Board, that the hedge flanking the monument at Livingood Park be dramatically trimmed this fall rather than replaced. The expectation is that the hedge will fill in and provide an appropriate hedge for the monument. The committee agreed with this recommendation and will work with the Park Board and the maintenance department to trim the hedge this fall/winter. The committee reviewed the recently developed Park Bench Program. The committee put together a systematic approach for the evaluation, maintenance, and implementation of a Park Bench program throughout the Village. The committee will further refine this program and present to Village council at a later date. The committee reviewed the evolution of the plans for Dogwood Park. Attached are the documents that were displayed on the large screen. The slides detail the evolution of the Dogwood Park plan from the early concepts in the Summer of 2023 through the spring of 2024 up to a current engineering plan that has been developed in response to resident concerns for the natural aesthetics of the park. There was considerable input and discussion from a number of residents concerning the evolving plans including the design steps implemented to mitigate potential damage to trees, the makeup and integrity of a proposed aggregate walkway for portions of the loop trail, the concrete sidewalk proposed parallel to Pleasant Street, and the size and footprint of the expanded parking lot. Matt Ayer moved to convert the loop trail to a 5' aggregate path from the Bell Tower around the back of the large baseball field and back to the parking lot, round off the sidewalk at the southeast corner of the small soccer field and the north east corner of the large soccer field for increased clearance from the playing field, have Village engineer Chris Ertel review the design of the parking lot in order to potentially reduce the footprint of the parking lot if possible while maintaining the drop off area, handicapped parking spot, and a separate entrance and exit, Village Engineer Ertel will also review the safety aspect of the loop trail's proximity to drop off in the terrain. The motion was seconded by Susan Brownknight and on roll call the motion passed unanimously. Pending the satisfactory review and updates by Engineer Ertel, the committee recommends that the bid package be updated and published. The meeting was adjourned at 7:00 pm.

Mayor Brown said after talking with Engineer Ertel, there is a proposal to shrink the footprint of the back parking lot. It would result in a reduction of parking spaces from 18 to 9.

There was talk of putting it out to bid and changing the sidewalk to aggregate through a change order request. We need to be under contract by December 31, 2024, with work to commence in February 2025. There was discussion of separating the sidewalk from the rest of the bid, but it raises the possibility of not getting the

best bid on the project. Mr. Van Stone said he would like to hear more public input prior to the December 16th Council meeting on the parking lot. Mr. York stated that Council unanimously voted in July 2024 to accept the plan for Dogwood Park and to go out to bid. This report is a result of input from the residents. Mr. Ayer moved, seconded by Mr. Bartlett to accept the recommendation of the Health and Recreation Committee. On roll call; four ayes, two nays (Dr. Lewis and Mr. Van Stone dissenting).

Mr. Ayer moved, seconded by Mr. Bartlett to amend the report to include a request bid for aggregate option on the Pleasant Street sidewalk on the condition that SORTA will fund it. On roll call; six ayes, no nays. Mr. Bartlett moved, seconded by Mr. Ayer to accept the amended report. On roll call; six ayes, no nays. The plans will be made available on the Village website.

Dr. Lewis said when it comes to our parks, Council needs to have a transparent and rigorous process going forward.

Miscellaneous:

Mayor Brown said there was a request from Mrs. Bartlett regarding the consulting fee for the pickle ball court. Mr. York said he is holding a Health and Recreation Committee meeting December 6th to discuss. The Mariemont Racquet Club is going to hold a private fundraiser so the consultant can bring information to the Committee meeting. There is only \$2200 budget and the cost for the consultant is \$3500. Council approved the request with a show of hands.

Mayor Brown said there has been discussion regarding the method of tracking inventory at the pool snack shack. He does not believe it is necessary to refer this matter to the Finance Committee due to significant discussions regarding options by Fiscal Officer Rankin and Administrative Assistant Uhrig. Alicia Stock of the Mariemont Pool Board has been made aware.

Mayor Brown referred to the Finance Committee the building/zoning fees for residents.

Dr. Lewis said she will be having an Economic Development meeting to discuss the report from Envision. The invoice will be sent in order to pay in fiscal year 2024.

- Leaf Season will run through the end of 2024. As a reminder, please do NOT rake leaves into the street and do not put pumpkins in the stack of leaves. The temporary help should begin the week after Thanksgiving.
- Village Offices will be closed Thursday and Friday November 28th and 29th, 2024 in Observation of Thanksgiving.
- Luminaria will be Saturday December 7th from 5:30 p.m. to 8:00 with Santa, carriage rides and cookies. Luminaria kits will be available for sale at the Scout Christmas Tree stand.
- December Council Meeting will be held Monday December 16, 2024, beginning immediately after the end of the Capital Improvement Meeting which starts at 5:30 p.m. Monday December 16, 2024.
- Village Offices will be closed Wednesday and Thursday December 25th and 26th in Observation of Christmas.
- Village Offices will be closed Wednesday January 1, 2025, in Observation of New Year's Day.

Resolutions:

"To Appoint Marsha Lindner as a Non-Voting Member of the Tree Advisory Board for the Calendar Year 2025" had a third reading. Mr. Van Stone moved, seconded by Mr. Bartlett to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-75-24 was adopted.

“To Appoint Kim Beach as a Member of the Mariemont Racquet Club Board for the Calendar Year 2025” had a third reading. Mr. Bartlett moved, seconded by Mrs. Brownknight to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-76-24 was adopted.

“To Accept Bid of Rumpke of Ohio, Inc. for Collection and Disposal of Solid Waste, Yard Waste and Recyclables; To Authorize Contract and Pay for Services” had a second reading.

“A Resolution Authorizing the Village to Apply for a 2024 Saving America’s Treasures Federal Grant for the Family Statuary Project; and To Declare Emergency” was removed from the agenda.

“To Update Rates with XPEX for the Purpose of Enforcing the Building Codes Applicable to the Village of Mariemont” had a first reading.

Ordinances:

“To Amend Sections 151.005, 151.025, 151.060 and 151.085 Relating to Accessory Buildings” had a first reading.

“To Supplement Ordinance No. O-16-24 Annual Appropriation Ordinance; and To Declare Emergency” had a first reading. Mr. Van Stone moved, seconded by Mr. Bartlett to suspend the rules to allow for the second and third readings. On roll call; six ayes, no nays. The Ordinance had a second and third reading. Mr. Bartlett moved, seconded by Mr. Bartlett to adopt the Ordinance. On roll call; six ayes, no nays. Mr. York moved, seconded by Mr. Van Stone to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-18-24 was adopted.

The meeting adjourned at 8:00 p.m.

William A. Brown, Mayor

Kelly I. Rankin, Fiscal Officer