

**Village of Mariemont
Council Meeting
April 10, 2023**

Mayor Bill Brown called the meeting to order at 6:31 p.m. with the Pledge of Allegiance. Present were Mr. Bartlett, Mrs. Brownknight, Ms. Geldbaugh, Dr. Lewis, Mrs. Rankin, and Mr. York.

Mrs. Rankin motioned, seconded by Mr. Bartlett, to accept the Council Meeting minutes for March 27, 2023. Mr. Bartlett asked for clarification that a comment under Communications, "Council gives Mayor Brown the discretion to delete projects off the list to adjust accordingly to the allocated budget approved for this project" refers only to the project referenced at the Municipal Building regarding the new entry door and windows. On roll call; six ayes, no nays.

Permission to Address Council:

A large group gathered in the gallery to comment on the Mariemont Connector Shared-Use Path Feasibility Study by Kleingers. Therefore, Mayor Brown rearranged the agenda, giving anyone who wanted to speak an opportunity to address Council before Council begins their discussion of the merits of the report and what options will be voted on.

Madeleine Ludlow, 6901 Murray Avenue, was granted permission to address Council. She is on the Homeowners Association Board of the Livingood condos. The condos would be directly impacted by the path as there is an easement on their property on the Murray Ave side. Their two primary concerns are privacy and parking along Murray. The proposed route, alternative 7a, is a good compromise as it is as close to Murray as possible which would preserve parallel parking along Murray. The Board appreciates that thought is being given to modifying the six-way intersection at Murray and Madisonville.

Suzanne Bischoff, 4004 Lytle Woods Place, was granted permission to address Council. The safety of the Miami and Plainville crossings has not been sufficiently addressed. There is a second route, the Thorndike option, that would cross Miller Rogers Lane and there is less traffic, less blacktop, and less congestion.

Ron Ross, 6619 Elm, was granted permission to address Council. He read a statement by Lisa Wharton at 3867 Homewood Road. She lives at the corner of Murray and Homewood, immediately across the street from the path. She noted that the path is used far more by dog-walkers, children on bikes with their parents, roller skates, strollers, scooters, walkers, school track training, than the few classic cyclists. She is amazed by the neighborliness of the path users. She bought a pooper-scooper but has only had to use it once. The path has been nothing but a blessing and an enrichment to life in Mariemont.

Rick Greiwe, of Greiwe Development, was granted permission to address Council. He read a statement submitted by Don Mills of Terrace Park and then read his own statement. Mr. Mills outlined the history of the path along Little Miami from 1979 to today, noting when the trail was extended. The initial concern in Terrace Park had been that crime would escalate. The Terrace Park police chief said there had been no crime associated with the trail for the last 17 years. They feared home values would decrease but they have greatly appreciated since 2006, according to local realtors, and in fact seek out the homes based on access to the trail. Mr. Greiwe continued with his own statements, stating that he and his partners have invested over \$100,000,000 in Mariemont. He believes the path will be a great amenity to the Village as it will add to the quality of life and increase property values. As a member of the CROWN Board, he pointed out that Mariemont residents will be able to walk or ride their bikes downtown and to Xavier, only having to cross streets twice at two safe locations. They strongly support route alternative 7a and strongly recommend 7b.

Heather Salomonis, 6909 Murray, was granted permission to address Council. The path would go right through her front yard which she is not crazy about. The path is about 20 feet from the road, and she is concerned about safety as she must cross the path in her driveway. She wondered if any consideration had been given to widening the road and making it a one-way and sharing the road. She is supportive of the path but would like to see it not go through her property.

David Janson, 6901 Murray, was granted permission to address Council. He is generally in favor of the path but would like to see safety and privacy addressed.

Brad Bowers, project manager for Tri-State Trails, was granted permission to address Council. Tri-State Trails is a non-profit organization, working to connect and expand active transportation networks in Greater Cincinnati. They have been involved in the CROWN project. They felt the report was comprehensive and looked at a lot of different options, had a lot of public input, and provided sound guidance to the Village. Multi-use trails are beneficial to the community in multiple ways. Great Parks is leading the effort to connect the Columbia Connector to the Mariemont Public Library. This is a great opportunity to safely connect the trail through the Village of Mariemont. Tri-State Trails agrees with the recommendation in the report. A safe experience for pedestrians and cyclists that is separated from cars should be prioritized for safety reasons.

Bob Van Stone, 4050 Lytle Woods, was granted permission to address Council. He reviewed the report as an engineer and found numerous shortfalls including not defining safety, lacking in quantitative evaluation of the economic impact, insisting that a 6-12 foot wide two lane separated path was necessary based on funding opportunities, and including an incomplete discussion of the

street closings. He disagreed, based on the feedback at the second public meeting, that there was minimal resistance to the path. He opposes the path but if a path is created, he favors the more picturesque Village Center route. He does not think the path will be used enough year-round to justify a million-dollar infrastructure project. Rather, he was surprised that the report did not evaluate an enhanced sidewalk or pedestrian path through the Village.

Rob Mathews, 308 Center Street, was granted permission to address Council. He thanked Council for the many hours they have already put into this project. He asked Council to consider that Mary Emery dreamt of a community where renters and homeowners could enjoy a healthy life with outdoor recreation and amenities. This path is an opportunity to bring Emery's vision to life. He thinks we have a lot of data to move forward and should proceed with the northern corridor.

Mike Lemon, 3958 Miami, was granted permission to address Council. He has been a resident of Mariemont for over 40 years and has served the Village and surrounding areas. He knows a lot about the bike path, has been a supporter of it, and has helped process it over the last 25 years. He does have some safety concerns. It is important that the residents understand the impact that the path will have on their daily lives in terms of where they park, are they going to have space, and what kind of traffic patterns are going to be created around their homes. Has a traffic study been conducted? Has a parking study been done so that residents in that area will know the impact of people coming in from outside the Village and parking here to use the path? He hopes that the Village will undertake further studies before voting to approve this.

Susan Fraley, 3816 Indianview, was granted permission to address Council. She wanted to echo support for the path, in particular in using the green space at the top of Rembold to create a safe path for walkers and cyclists.

Andrew Cheap, 6820 Hammerstone Way, was granted permission to address Council. He wanted to voice his and his family's strong support for the Mariemont Connector. He urged Council to strongly consider Kleinger's recommendation of the northern utility corridor route. He felt the report thoroughly addressed concerns about safety and property values.

David Maxwell, 28 Spring Hill Drive was granted permission to address Council. He read a statement for David Middleton of 24 Spring Hill Drive. He is thrilled to see continuance of the multi-use path to the intersection of Pocahontas and Miami Road as a preference as it shows the most acceptable way with all parties' input when compared to others mentioned in the Kleinger Report. He asked that Council approve the Village appropriation request to fund this portion as he believes the infrastructure investment will pay many dividends to Mariemont, including another opportunity to bring in visitors.

Judd Eberhart, 3962 Miami, was granted permission to address Council. He is overwhelmingly in support of the bike path. His main concern is safety on the hill, coming down Miami. Large trucks travel at a high speed down the hill. Additionally, he wants to be sure that Council has fully taken the economic impact into consideration of going through the utility corridor versus coming through the city center. If the goal is to bring people into Mariemont but also create an economic benefit, it would make more sense to push bikers into the city center. Taking it through the utility corridor would create other issues by having bikers get off the path and cut through neighborhoods to get to businesses.

Ben Helmes, of Great Parks – Hamilton County, was granted permission to address Council. He is a Landscape Architect with Great Parks. Building trails of all kinds is consistently a top priority for investments that they hear from county residents. Great Parks has partnered with ODOT, Columbia Township, and Mariemont to finish the Columbia Connector, which will complete that trail segment from the Little Miami Scenic Trail to the eastern edge of Mariemont in about three years from now. They advocate any efforts to make these types of trail connections and thank Council for their support to continue planning to build out our regional trail network.

Brian Lamar, 6929 Roe Street, was granted permission to address Council. He is Vice-President of Trustees for Columbia Township. He is familiar with the Murray Path project and the Columbia Township residents love it. They donated \$75,000 toward funding of the path. This path will benefit our shared community. They have the same traffic concerns about Murray, Plainville, and Miami. This is a vital connection between CROWN, Wasson Way, and eventually the Little Miami Scenic Trail. This trail has been ranked as one of the top five urban trails in America. We are better when we work together, and he is excited to help out as we go forward.

Betty Clingerman, 3914 Petoskey, was granted permission to address Council. Initially she was a sceptic but since the Murray Path has opened, she has completely changed her mind. She is very supportive of the project. She really does not care which path is chosen but if they go with the option on Hiawatha, it is a very narrow street and there are already more cars than parking spaces. She is concerned about losing what limited street parking there is in that area if outside visitors come in and park to use the path.

Stu Shelley, 3716 Center Street, was granted permission to address Council. The path has been a huge benefit for Terrace Park and all those businesses. He runs along the current Murray Path multiple times a week. It is a joy to see the path being used by so many people. He urges the Council to continue with the path.

Alan Block, 6973 Murray, was granted permission to address Council. He is overall in favor of the bike path, but he doesn't want it to cross his front yard or driveway. He has a shared driveway and parking is already limited on the street. Had he known that

this project was in the works he would not have bought his home. Safety is a major issue with the increased traffic from Madisonville. He worries that a lawsuit from an accident would be detrimental to the Village's budget.

Kerry Devery, 6600 Buckingham Place, was granted permission to address Council. As a Madisonville resident he would love to see this kind of report in his own community. This path would have a huge impact on how he travels through the Village. He prefers to travel by bike if he can. He liked the recommendation by Kleingers to simplify the Plainville intersection.

Jeff Molski, 4004 Miami, was granted permission to address Council. He is in favor of the trail. It is a great asset for the community. The northern route is the most preferred route, mostly for safety. Sharing the road with vehicles is not safe. Speed is a problem on Miami and we need to slow them down to cross Miami safely.

Jim Gray, 3802 Beech Street, was granted permission to address Council. He walks daily on the bike trail in Terrace Park. He worries about inexperienced cyclists so close to Wooster Pike. He likes the utility connector for keeping people as far from traffic as possible. He thinks the path will increase property values.

Kathy Cunningham, of Pleasant Ridge, was granted permission to address Council. She is on the Board of Queen City Bike and is in favor of the trail. A multi-use path is actually an old thing, not a new idea, and provides freedom for its users. The path could connect people to important city resources, employment opportunities, shopping and retail.

Marcia Duval, 3844 Indianview, was granted permission to address Council. She is not opposed to a bike path, but she is opposed to not slowing down this process. We need to make sure we are doing this safely, especially with kids going across two dangerous intersections. The safety issue needs to be further explored. She likes some of the other route options beyond the northern route, such as the Thorndike option because it keeps people away from traffic and would save the greenbelts.

Eric Wellinghoff, 6990 Murray, was granted permission to address Council. The path will be right in front of his house. He has three young children and is concerned about safety. He cited an instance in another state where a six-year-old child was killed by a car due to a bike path. Miami is the biggest problem, and the safety needs to be addressed before we go forward. He is in favor of the path, but it must be done with approved and not just proposed safety measures. He is concerned that it is driven by private interests from people living outside of the Mariemont. He requested that the vote on the path on the northern route be tabled until the three committees dealing with safety can come together. He recommended we approve the path, contingent on a safety study for Miami and Plainville.

Anthony Isaacs was granted permission to address Council. He lives outside of Mariemont but next to Wasson Way. In his experience living next to a trail, he has noticed numerous social benefits such as families spending time together on the trail, shopping locally, and students taking the path to school. Parking has not been an issue on his street.

Carrie Gray, 3955 Miami, was granted permission to address Council. She is not opposed to a bike path but urges everyone to think about the safety issues. Miami is a busy street with a lot of speeding by cars, trucks, and cyclists. She sees emergency vehicles going to Mercy St. Theresa almost daily and was told we can't have speed bumps because of the emergency vehicle traffic. She requested that the vote be tabled until after a traffic study and safety study could be done and a good solution was proposed for the intersection on Miami.

Adam Fischer, 3816 Pocahontas, was granted permission to address Council. He is concerned about safety. He sees the kids walking to the high school in the street. He is in favor of anything that would make that safer and is in favor of the path.

Amy Kraynick, 4012 Rowan Hill, was granted permission to address Council. She is in favor of the bike trail but does have concerns about safety issues with the location. She likes proposal 7b to help divert the cut-through traffic. The neighbors who will be impacted should have a say.

Ed Eismann, 3966 Miami, was granted permission to address Council. He lives at the intersection where Rembold crosses Miami Road. He said most cars don't stop or even slow down when there are people standing at the crosswalk sign. His worry is that a child won't wait for traffic to stop.

Matt Ayer, 3908 Pocahontas, was granted permission to address Council. We have learned from the study that people in Mariemont want to see a bike path. They want to connect Murray Path to the Columbia Connector. It is an enormous benefit to Mariemont to connect to the Little Miami Scenic Trail. The study is a feasibility study for two main things: do we want a path and what is the general route it should go? He addressed Mike Lemon's question, yes, there has been a traffic study though not a complete traffic study. There is a project to redo that intersection, but it takes funding. There are various ways to safely cross Miami, including squeezing traffic down and reducing the speed. Nothing is more important than safety. We need to accept a general plan to have a path and the traffic and safety studies will be done as we receive grants. This is a feasibility study with concept drawings, not a design. He urged Council to accept the general premise that we want to build a path and we want to proceed with additional planning and funding for it.

Mayor Brown called for a five-minute recess from 7:50-7:55 p.m.

Mayor Brown noted that the issue of safety was the number one concern that came up in the comments from the gallery. Other items that were mentioned multiple times were the importance of studies and if we are choosing the proper route. Mr. Bartlett thinks this is an opportunity to address the valid safety concerns that were brought up this evening, such as crossing Miami Rd and high school kids walking in the street over by the school. Mrs. Rankin said it is important to understand that this is a feasibility study, and the Village will be delving into both the safety and traffic issues. Safety will be further studied. Mayor Brown noted it is important to make the distinction between if we are here tonight to say that we agree that we are doing the pathway and if we are then do we select one of the recommended routes in the study.

Mrs. Brownknight expressed frustration at the dangers in crossing Miami Rd. She is excited about the path being a tool that would create deadlines and identify funding sources to ensure finding solutions to the safety issues. She also sees the path as a tool to expand our tax base and encourage economic development. Mr. York said the study established that the vast majority of residents want the multi-use path to come through Mariemont and that the northern route is the most optimal for the Village. This is our chance to really tackle the safety concerns around Miami as we have the resources so let's start there and work out. We have the grant from Clean Ohio for \$229,743 and a private individual who is funding the other 25% or \$70,000. The letter from Clean Ohio was received by Chris Ertel on 2/24/2023. Like with Murray Path, we will not be using Village funds.

Ms. Geldbaugh works for US Bank in appraisal reviews. She does not agree that the path will increase property values, especially if the path will be going through residential properties. She thinks that would deter buyers. Since the path would not be going through the business district if the northern route is used, she does not think businesses would benefit. Ms. Geldbaugh agrees with Mr. Lemon about the concern for parking and that a parking study needs to be done. Part of the scope of the project was to come up with the safest route through Mariemont and the study suggests both Miami and Plainville. She spoke with Chief Hines and the spot with the most speeding tickets is Miami, while the worst intersection is Plainville. She is concerned that a young child be injured at the Plainville intersection. Her opinion is that there is not overwhelming support for the bike path. She suggested having the additional studies done before they choose a route.

Dr. Lewis does hear support for the path in some form but does not hear a consensus about the route, particularly with the homeowners along the proposed route and with those concerned with safety on Miami. She felt there was some confusion from the report in that sometimes they refer to the northern utility route as the "northern route" and sometimes they refer to it as the "utility route." For purposes of clarification the route that Kleingers is recommending is "the utility route." Discussion ensued among the Council members as they reviewed the various figures in the study. Ms. Geldbaugh remarked that there were multiple conversations happening and a lot of questions remained. She does not think the Village is ready to move forward with the path. Mrs. Rankin felt the discussion was more about clarifying points made in the study. Mr. Bartlett agreed with Mrs. Brownknight that the path project could be a catalyst to address the safety issues around Miami and the Plainville intersection. Mr. Bartlett moved, seconded by Mrs. Rankin, to vote to continue with a connector path. On roll call; 5 ayes, 1 nay (Ms. Geldbaugh). Mr. York moved, seconded by Mrs. Rankin, to go forward with the northern utility route. On roll call; 4 ayes, 2 nays (Ms. Geldbaugh and Dr. Lewis). Dr. Lewis thought other routes in the study might be worth exploring before making a decision on a specific route.

Mayor Brown thanked the visitors in the gallery for their time, patience, and their participation. He reiterated that the decisions made this evening do not mean that a bike path will be built. It just means that we are desirous to have a bike path and the preferred route is the northern utility route. There will be ample opportunity for public input and participation in the next steps.

Communications:

From Police Chief Hines: March 2023 Monthly Report.

From Service Superintendent Scherpenberg: March 2023 Monthly Report. Ms. Geldbaugh noted that the Service Department has done an excellent job on the improvements in the square. The fountain will be turned on before the Centennial.

From Tax Administrator Barlow: March 2023 Monthly Report.

From Building Official Holloway: March 2023 Monthly Report. Mayor Brown commended Rod Holloway for the job he has done as Building Official.

From Fiscal Officer Ford: Email dated April 7, 2023, RE: Council Authorizing the Fiscal Officer to Reallocate Funds for Future Capital Projects. Mr. York moved, seconded by Mrs. Rankin, to rescind the allowance in the permanent improvement fund for the parks utility vehicle and the additional amount appropriated for drainage on the tennis court as neither expense is now needed. Council authorizes the Fiscal Officer to reallocate as needed for future capital projects when the expense request is approved by Council. On roll call; 6 ayes, no nays. Mr. Bartlett asked about coverage for costs at the tennis courts. Mr. Barlow clarified that the Village will not be going forward with the drainage project at the tennis courts, but they will be taking down a portion of fencing and securing the gates.

Motion to Pay the Bills:

Mrs. Rankin moved, seconded by Mr. Bartlett to pay the bills as submitted. On roll call: six ayes, no nays.

Committee Reports:

The Health and Recreation Committee met on Wednesday April 5th in the council chambers. Present at the meeting were Health and Recreation Committee members Randy York, Susan Brownknight, Leah Geldbaugh. Also in attendance were council member Dr. Marcy Lewis, Mayor Bill Brown, Village Engineer Chris Ertel, Administrator Chuck Barlow, and Fiscal Office Rich Ford. The meeting commenced at 6:20pm. The purpose of the committee meeting was to review the bid for the rehabilitation of Dogwood Park that was received on 3/16/2023 from The Kleingers Group. This bid is part of the Centennial capital campaign. The details of the bid proposal are as follows:

PROFESSIONAL SERVICES SCHEDULE OF FEES

Survey \$9,200.00
Landscape Architecture \$70,500.00
Civil Engineering \$35,400.00
Public Input \$4,200.00
Architecture (if authorized) \$4,000.00
Geotechnical borings (2 borings) (if authorized) \$8,000.00
Total Basic Services Fee \$131,300.00

OTHER PROFESSIONAL SERVICES SCHEDULE OF FEES

Electrical Engineering Consultant (if authorized) \$5,000.00
Concept Planning for Boathouse Access (if authorized) \$7,850.00

The committee recommended adding the Mariemont Preschool Parents Group, Mariemont Recreation Association, Mariemont Garden Club, Mariemont Park Board, MariElders, and the Mariemont Preservation Foundation as Village organizations who would be involved design review meetings. The committee also reviewed accounting processes for Centennial Funding with fiscal officer Ford. A Capital Project Fund will be created, a certificate will be obtained from the County Budget Commission in the amount of \$206,149 and a document is needed that details proof that funds have been committed to these projects. The committee agreed that this can be accomplished before a third reading of the necessary legislation to approve the bid. The committee reviewed the proposal and recommends that the Village move forward with accepting this bid. On roll call vote Ms. Brownknight, Ms. Geldbaugh, and Mr. York voted in favor of this recommendation. The committee further recommends that the solicitor prepare the necessary legislation.

Mrs. Rankin moved, seconded by Mr. Bartlett, to accept the report as written. On roll call; 6 ayes, no nays.

Miscellaneous:

- Village Centennial Rededication Ceremony of the Groundbreaking will be held April 23, 2023, at 2:00 p.m. on the front lawn of the Historic Ferris House, 3915 Plainville Road
- Arbor Day will be held Friday April 28, 2023, at 1:30 p.m. at the Intersection of Wooster Pike and Oak Street
- Village Offices will be closed in Observance of Memorial Day Monday May 29, 2023
- Village Fireworks will be held Monday July 3, 2023, beginning at dusk
- Village Offices will be closed in Observance of Independence Day Tuesday July 4, 2023
- Tennis check for \$25,200 from the school district was received

Resolutions:

“To Appoint Kelly Rankin as a Member of the South 80 Trails, Gardens and Park Advisory Board for the Calendar Year of 2023” *Tabled 3-27-23 after first reading*

“To Appoint Mike Kintner as a Member of the South 80 Trails, Gardens and Park Advisory Board for the Calendar Year of 2023” *Tabled 3-27-23 after first reading*

“To Set Forth Building Permit Fee Schedule to be Utilized by the Village of Mariemont Building Department” had a second reading.

“Resolution Creating a New Capital Project Fund for Dogwood Park” had a second reading.

“Resolution Declaring the Necessity of Levying a Tax in Excess of the 10 Mill Limitation for Current Expenses and Requesting the County Auditor to Certify Matters in Connection Therewith” had a first reading.

“Resolution Declaring the Necessity of Levying a Tax in Excess of the 10 Mill Limitation for Recreational Purposes of the MariElders, Inc. and Requesting the County Auditor to Certify Matters in Connection Therewith” had a first reading.

“To Accept Bid of the Kleingers Group for the Rehabilitation of Dogwood Park” had a first reading.

“To Appoint Brad Lockhart as a Member of the Parks Advisory Board for Calendar Year 2023” had a first reading.

Ordinances:

“An Ordinance Authorizing Application and Contracting with the Ohio Public Works Commission, The Southwest Ohio Regional Transit Authority and Nature Works” had a second reading.

“To Amend Chapter 150.16 Building Permit Schedule of Fees” had a second reading.

“To Amend Ordinance O-6-23 of the Mariemont Code of Ordinances to Increase Payment for Employees; and To Declare Emergency” had a first reading. Mrs. Rankin 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. Mrs. Rankin moved, seconded by Mr. Bartlett, to adopt the Ordinance. On roll call; six ayes, no nays. Mrs. Rankin moved, seconded by Mr. York, to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-8-23 was adopted.

“To Update Village of Mariemont Code §154 and To Declare an Emergency” had a first reading. Mrs. Rankin 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. Mrs. Rankin moved, seconded by Mr. York, to adopt the Ordinance. On roll call; six ayes, no nays. Mrs. Rankin moved, seconded by Mr. York, to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-9-23 was adopted.

The meeting adjourned at 8:42 p.m.

William A. Brown, Mayor

Richard D. Ford, Fiscal Officer