

Council of the Village of Mariemont, Ohio
May 10, 2021
Agenda

1. Call to Order
2. Roll Call
3. Minutes Regular Council Meeting April 26, 2021
4. Communications: (Council has copies except those marked **. (These are in the Village Office for Perusal)

- *From Police Chief Hines: April 2021 Monthly Report
- *From Assistant Fire Chief Feichtner: April 2021 Monthly Report
- *From Superintendent Scherpenberg: April 2021 Monthly Report
- *From Tax Administrator Darrah: April 2021 Monthly Report
- *From Assistant Fiscal Officer Wendler: April 2021 Monthly Report
- * From Council Member Stelzer: Email Dated May 7, 2021 re: Additional Items to be Discussed – Consumption of Alcohol at Certain Pool Events, Age Requirement/Policy for Pool, ODNR Nature Works Grant Program
- *From Council Member Stelzer: Murray Path Landscaping Plan (*Will Require Council Vote on Landscaping Plan and Purchase of Boulders*)

5. **Permission to Address Council (If addressing Council with prepared notes/speech please leave a copy with Mrs. Van Pelt for accurate minutes)**

6. Motion to Pay the Bills:

****Committee agenda items to be discussed at this meeting are in bold and italics below****

Rules and Law:

- ~~Ⓜ~~ Installation of Solar Panels (3-26-18) ****Target Date 3-19-20**** (Tabled 2-24-20) (Un-tabled 4-12-21)
- ~~Ⓜ~~ Review Signage Legislation (Per Building Department) (1-11-21)
- ~~Ⓜ~~ Port-o-Let Placement Process and Guidelines (2-8-21)
- ~~Ⓜ~~ Assist Update to Employee Policy Handbook (4-12-21)
- ~~Ⓜ~~ Fences Related to Corner Properties (3-22-21)
- ~~Ⓜ~~ Chain Link Fence (3-22-21) (*Tabled 4-26-21*)

Health and Recreation:

- ~~Ⓜ~~ Walking Path Whiskey Creek (3-25-19) ****Target Date May 31, 2020****
- ~~Ⓜ~~ Dale Park Hillside Conservation (3-25-19) ****Target Date October 31, 2020**
- ~~Ⓜ~~ Review Process for Naming and Use of Village Properties (12-16-19)
- ~~Ⓜ~~ Creation of Waldorf Neighborhood Advisory Group (10-12-20)
- ~~Ⓜ~~ Future Study Bell Tower Restrooms (3-8-21)

- # Age Requirement/Policy for Pool (3-8-21)(4-12-21)
- # Consumption of Alcohol at Certain Pool Events for 2021 (4-12-21)
- # ODNR Nature Works Grant Program Application Due June 1, 2021 (4-12-21)
- # Review Process Being Followed for Formal Acceptance of Contracts and Issuance of Purchase Orders for Projects Already Approved by Council (4-12-21)

Finance:

- # Explore Financial Incentives for Local Businesses (12-21-20)
- # Organizational Structure of the Village and Assessing need for Village Administrator (1-11-21)(2-8-21)(4-26-21)
- # Building Department Zoning Officer (4-12-21)
- # Flat Credit Card Fee (Mayor's Court) (4-26-21)

Safety:

- # Establish Process of Traffic Speed Concerns: Settle Road, Petoskey Avenue, Miami Road Hill and South Miami Road (7-13-20)
- # Crosswalk Lighting (12-21-20)
- # Speed Table Miami Road Hill (4-12-21)

Planning and Zoning & Economic Development

- # Building Tear Down Aesthetics (9-10-18) ****Target Date 11-2020****
- # Work with MPF Task Force To Take Proactive Steps To Preserve Village Architectural Heritage (4-18-19) (1-27-20) ****Target Date 1-2021****
- # Business Economic Development in the Village (4-13-20) (Moved from Committee of the Whole 5-13-19) ****Ongoing****
- # Creation of CRA Council (2-25-19) ****Target Date 11-2020**** Transferred From Public Works (6-22-20)

Public Works and Service:

- # Governmental Aggregation (5-28-19) (*Tabled 10-12-20*)
- # Murray Avenue Repairs (Partner with Columbia Township) (June 10, 2019) ****Target Date Spring 2020****
- # Painting of Lamp Posts Plan (4-26-21)

Committee of the Whole:

- # Municipal Building Renovations/Additions For Police/Fire/Administration/Building Departments (9-10-18) ****Target Date June 2021****

7. Miscellaneous:

- # Village Offices will be Closed in Observation of Memorial Day Monday May 31, 2021
- # 4th of July Fireworks will be Held On Sunday July 4, 2021 at Dusk
- # Village Offices will be Closed in Observation of Independence Day, Monday July 5, 2021
- # Update on Right-of-Way Fee

8. Resolutions:

- # “Authorizing Purchase of Mayor’s Court Software from the Baldwin Group, Inc (BGI) (Third Reading)
- # “To Authorize the Recodification of the Mariemont Code of Ordinances” (Third Reading)
- # “Fixing A Time For Public Hearing On The 2022 Budget” (Second Reading)
- # “Authorizing Subscription to Lexipol Software to Assist Police and Fire Departments” (Second Reading)
- # To Accept Bid of Supreme Scapes for Mulching Required Areas of the Village” (Second Reading)
- # “Resolution Appointing Members to the Tree Advisory Board” (Second Reading)
- # “To Amend R-12-21 Resolution Declaring the Necessity of Levying a Tax in Excess of the 10 Mill Limitation for Permanent Improvements and Requesting the County Auditor to Certify Matters in Connection Therewith; and To Declare Emergency” ***(Requires Three Readings – Hamilton County Requires Amended Resolution to include 2018 adopted language)***
- # “To Enter Into Contract with XPEX for the Purpose of Enforcing the Building Codes Applicable to the Village and To Issue Related Permits; And to Declare Emergency” ***(Requires Three Readings)***

9. Ordinances:

- # “An Ordinance Amending Ordinance No. O-32-98 Establishing a Restricted Computer Fund, Herein Called “Mayor’s Court Computer Fund” (Third Reading)
- # “Creating the Position of Zoning Officer for the Village of Mariemont, Establishing Compensation Therefor, and Declaring an Emergency” ***(Requires Three Readings)***

**Village of Mariemont
Regular Council Meeting
April 26, 2021**

Mayor Brown called the meeting to order at 6:32 p.m. Present was Mr. Bartlett. Virtually present due to the COVID-19 pandemic were Mrs. Graves, Dr. Lewis, Mrs. Rankin, Ms. Palazzolo, Mr. Stelzer, Fiscal Officer Borgerding, Building Department Assistant Aileen Beatty, Solicitor McTigue and Superintendent Scherpenberg.

Mr. Brian Lamar, Columbia Township Trustee and Melissa Taylor, Columbia Township Administrator addressed Council regarding the old Murray fire station renovation. Mr. Lamar thanked the Village for the partnership on the Murray Path project. They want to be transparent about this latest project and look forward to feed-back from the Village of Mariemont.

Ms. Taylor said the Fire House is 70+ years old iconic building in a desirable location within the Plainville Business District facing the Village of Mariemont. The Township has been working on this for the past year looking at what the market says, what the community has to say and what the Township can afford to do to the building. From market research they have learned that there is a huge demand for low/no cost space for community groups to gather at a trendy location with good amenities. To date they have secured \$500,000 for funds towards the Fire House redevelopment. The building is approximately 10,000 square feet with two levels. The plan is to have two phases. Phase one is to convert the upper level into a co-sharing office space with the Township moving the Administration Office to this location. Phase two will convert the garage into the event venue for group gatherings with full amenities. Columbia Township will move their Town Hall to this location to hold all their public meetings. She encouraged Mariemont officials and residents to join them Friday April 30 at 12:00 'for a bring your own brown bag' lunch zoom event to share ideas.

Mrs. Graves asked if the project would include repairing the drainage issues along Murray Avenue. Ms. Taylor said they are planning to do an interim resurfacing project. The full redevelopment of Murray Avenue requires the participation of Mariemont, MSD and Hamilton County. The interim resurface will be from Plainville to Berwick. Part of the Fire House proposal includes permanent outdoor public space. It will include street painting, street scaping and stripe it for a bike lane. They are talking with two property owners about selling or leasing property for additional parking.

Mr. Bartlett moved, seconded by Mrs. Rankin to accept the minutes as written for the Council meeting April 12, 2021. On roll call; six ayes, no nays.

Communications:

*From Assistant Fiscal Officer Wendler: March 2021 Fiscal Officer's Report. Fiscal Officer Borgerding said the total expenses for the Village for March 2021 were \$448k and the expenses for March 2020 were only \$408k for an increase of \$40k or 9.8%. The general fund was up \$44k due to the following: Payout to the retiring Police Clerk for severance of \$8k and payout to the Assistant Fire Chief for buyback/unused vacation of \$14k. Maintenance payroll increased \$3k. 'Other' expense increased in Police Department of \$7k, 'Other' expense increased in fire dept of 4k, and 'Other' expense increased at the pool of \$4k. The Street Fund was down from \$23k to 8K. In 2020 we paid Kleingers Group for Petoskey Avenue \$18.5k and in 2021 we paid Choice One \$5.2k for the Murray bike path. 2020 also included 2 payments to Duke for streetlights of \$2.4k each but only one payment in 2021. We did not have a Coronavirus relief fund set up yet in 2020. In 2021 we paid \$19k to replace a Stryker cardiac monitor. For the Perm Improvement Fund, for both years we made a \$51k payment for the ambulance lease. In 2020 we paid \$34k to Ford Development for 2019 street repairs and in 2021 we paid \$10k for the tennis bathrooms and \$12k to convert a police vehicle to a fire vehicle. All other funds were fairly consistent from 2020 to 2021 with only minor changes.~

*From Administration Office: 2021 Trash Sticker Buy Back Form and Instructions. Mayor Brown said the office will be handling the buy-back program. It will be posted on the website and forms will be available in the lobby of the Municipal Building. Refunds \$20.00 and less will be cash reimbursements and requests over \$20.00 will be made in check form.

Permission To Address Council:

Mr. Matt Ayer, 3908 Pocahontas Avenue, was granted permission to address Council. He said thank you to all of Council, our Mayor and Village staff for their ongoing work in plotting a course for the future of our emergency services. He understands that Council is considering hiring Kramer & Associates to perform an independent, third party review of our emergency services and to make recommendations. He supports this initiative for the following reasons:

- The focus should be first on delivering premium quality fire and EMS services to our residents, businesses and institutions. Costs are certainly a factor, but secondary (unless we truly need to compromise service for financial reasons, which he does not believe is the case);
- An independent analysis is helpful – based on experience with dozens of municipalities – we will get new ideas, a fresh perspective
- From reading three Kramer reports for other communities, he sees:

- A report does not say 'do this' or 'do that'... it provides the pros and cons of various feasible options
- The consultant works closely with our Village's staff as one of the primary sources of information ... reports appear to be collaborative, as they should be
- Value is recognized in locally operated services and explained in the report. In our case, we have a long history and tradition of a Mariemont Fire Department.
- New ideas and emerging trends are presented
- The report can be shared openly with the community
 - Value in transparency and education
- He would also like to encourage Council to allow Kramer to consider a set of feasible options that emerge from their analysis... not direct them to a specific target or set of options... let the experts in the field give us the logical alternatives based on best practices and experience.

Motion To Pay Bills:

Mrs. Rankin moved, seconded by Mr. Bartlett to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. On roll call; six ayes, no nays.

Committee Reports:

The Rules and Law Committee met on April 14, 2021 to update a prior decision made in the Committee regarding a strategy to mitigate the problem of chain link fences in the Village that are in poor condition. The prior strategy had not been implemented back in 2017. The Committee reviewed the prior decision, which was to designate chain link fences as a "public nuisance" and require them to be mitigated. The Building Department would have discretion over the policy for mitigation. After reviewing the existing code, the Committee voted unanimously to define chain link fences as a "public nuisance" and require them to be abated. The Building Department will lead and supervise this process as stated in the Code of Ordinances. Dr. Lewis asked for the report to be amended to reflect that she was not at the meeting and did not vote. Mr. Bartlett moved, seconded by Dr. Lewis to amend the report to list who were present at the meeting: Mayor Brown, Maggie Palazzolo, and Mr. Bartlett. On roll call; six ayes, no nays.

Ms. Palazzolo gave background on the chain link fences. There was a prior ruling and other case law to justify that other communities have designated chain link fences as a public nuisance. It can require someone to abate the public nuisance meaning take it down. The code already states that chain link fences cannot be put up.

Dr. Lewis asked if it applies to residential areas. Ms. Palazzolo said it was discussed in the meeting if a person, business or the Village has a compelling reason for a chain link fence they can apply for a variance through the Building Department. Ms. Beatty said that would be a function of the Zoning Officer.

Mr. Stelzer asked when does the Village define that the fence has crossed the line to become a public nuisance. Ms. Palazzolo said there are no rules at this time – it would be up to the Building Department to determine. Mr. Stelzer asked to table the matter until he sees the standards to make sure they are reasonable. Ms. Beatty can prepare the standards. Ms. Palazzolo moved, seconded by Mr. Stelzer to table the matter. On roll call; six ayes, no nays.

On April 16th and April 22nd, the Health and Recreation Committee met to discuss the landscape recommendation for the Pool and a donated playset. Meeting attendees at one or both meetings included: Council Members Stelzer, Graves & Lewis & Mayor Brown; Maintenance Department Supervisor John Scherpenberg; Pool Manager Jordan Schad; Pool Commission Members Lorne Hlad, Terry Donovan, Mandy Rohal. The Committee decided to recommend to the entire Council that the Pool cannot accept the donation of a residential playset since it would not meet guidelines established for play equipment in public parks. The Committee decided to recommend to the entire Council that distressed and dangerous surrounding the Pool property be removed at a cost not to exceed \$10,000. The Committee decided to recommend to the entire Council that certain areas in the front of the Pool House and interior Pool grounds be landscaped at a cost not to exceed \$10,000. Attached are several documents with additional information regarding the above recommendations. Mrs. Rankin moved, seconded by Mr. Bartlett to amend the report to add the word "trees" after distressed and dangerous. On roll call; six ayes, no nays. Mr. Bartlett moved, seconded by Mrs. Graves to accept the amended report. On roll call; six ayes, no nays.

Mr. Stelzer reviewed the Pool Projects Summary and the current estimated costs as compared to 2021 budget. The estimated cost of plants to be purchased total \$5,032 not including the cost of delivery which should only be around \$300. This project involves a complete replacement of the landscaping at the Pool which has not occurred in many years.

He summarized the project sent by Pool Board Member, Terry Donovan, that has received support from the Pool Commission and importantly Karen Berkich given her Garden Club experience. The plan was developed for free (as a community service effort) by Bryan Miller who is the horticulturalist for Hyde Park Country Club. Bryan developed a similar plan for Hyde Park's new pool area. Pat O'Brien (Head Grounds Superintendent for Hyde Park Golf Club and Village resident) has volunteered to order the new plant material from Natorp's and will do his very best to secure "wholesale pricing" based on his professional relationship with Natorp's. If we are able

to secure the wholesale pricing the interior plant material (including delivery) should be in the \$2,500 to \$3,000 range. In any scenario we should be able to execute the interior plan for less than \$5,000. With Village approval Pat will order the new plant material and present us with an invoice so the Village can approve and pay Natorp's. Pat O'Brien also volunteered to lead a team of volunteers to plant the new plant material per the design. He will lead a crew of Village volunteers to complete the planting over 1–2-day period. To prepare for the planting we ask that John Scherpenberg and his team remove all the existing plant material in the bed between the upper and lower pools.

Discussion ensued regarding if a Resolution was needed. Solicitor McTigue said if it was budgeted a Resolution is not necessary. Mr. Bartlett asked for clarification because the Finance Committee has been told to do it differently with Permanent Improvement spending. Funds were budgeted for specific Police and Fire purchases, but a Resolution was prepared. Solicitor McTigue said transparency is key on many expenditures and Mr. Bartlett is right that he has prepared Resolutions in the past for Permanent Improvement expenditures especially if they are for competitive bidding. Mr. Bartlett said when Police and Fire use the State program that gives the best competitive bid eliminating the need for competitive bidding. He does not believe a Resolution would need to be done. Solicitor McTigue agreed. Mr. Bartlett wanted to make sure he understood the process and we were consistent going forward.

Mrs. Rankin moved, seconded by Mr. Bartlett to accept the recommendation of the Finance Committee which met on Friday, April 16, 2021 at 2:00 pm via videoconference to discuss if Mariemont should hire a Village Administrator. Present at the meeting were Finance Committee members Rob Bartlett, Kelly Rankin and Joe Stelzer, and Mayor Bill Brown. The Finance Committee has previously shared with Council a list of activities that are not getting done today that we believe could be done if Mariemont hired a Village Administrator (see attached). When looking at other similar sized communities, the following all have a Village Administrator: Fairfax, Terrace Park, Amberley Village, Glendale, Wyoming, Columbia Township, Silverton, Deer Park, Evendale. The Finance Committee has created a list of responsibilities for the Village Administrator role, which is attached to this document. The responsibilities are in priority order. The dotted line in the responsibilities provides a demarcation between those responsibilities which are high priority, and those which can be filled later. While hiring a Village Administrator would mean incremental costs, in talking to a variety of communities, the Village Administrator role can pay for itself via a combination of improving operating efficiencies, obtaining external funding for projects, and improving economic development, which in turn increases the tax base. The final pay for the role will be determined by the skill level and the experience of the person we hire, but it is reasonable to assume the salary will likely be around \$100,000/year. The Village Administrator role already exists in Mariemont's code book, so no legislation is required to create this role. The role is appointed by the Mayor with the approval of Council. If council accepts this recommendation, the next step will be to start the search process.

Mrs. Rankin said she has had questions regarding that this position will pay for itself. Mr. Bartlett said he shared previously the amounts of grants that the Administrator for Fairfax had secured (4.75 million dollars). Ms. Taylor for Columbia Township has gotten 1 million in grants in the last year. Mr. Stelzer said going after grants requires identifying projects. It is a process that needs someone to coordinate from day one. The Village has a problem with project management. This position could be the liaison for all the resident volunteer commissions. He believes the Village will be able to pay for the position easily including the oversight of economic development.

Mayor Brown said he is interested in this position wearing a dual hat and being more of a person who will work with the financial aspects of the Village beyond what the Fiscal Officer does by reporting trends and analysis to Council. He is not sure that the Village is large enough to have a full-time Administrator and posed the question of a part-time role. In no way are his remarks reflective of Mr. Borgerding and the work he does for the Village. In no way is he suggesting this person would replace him.

Mr. Bartlett said he has templates of similar job postings from the Center for Local Government. It is possible that former Columbia Township Administrator, Mike Lemon, could assist with the job search along with himself and Mayor Brown. Newtown tried a part-time Administrator for two years and it did not work well for them. There is a report from 1976 made to the Mayor and Council from the Village residents recommending the need to look for a Village Administrator. The MPF Vision 2021 recommended a Village Administrator. Dr. Lewis said that is no longer the position of MPF.

Dr. Lewis said she asked for the list of grants secured by Fairfax and she never received it. Mr. Bartlett said Mayor Brown indicated that he would send it. He is happy to send if needed. Dr. Lewis said she is concerned about a \$100,000 commitment that will pay for itself without numbers and a timeline of when that will be, it is putting the cart before the horse. Especially, with the financial concerns voiced at the March meeting. We have a progression of cutting services (Building Department, elimination of back of house trash pick-up, discussion of Fire Department shared services) and she would like to see it approached on a more wholistic level. She suggested a resident committee or consultant that could provide a comprehensive overview of the Village.

It was discussed that at this point the report is simply to start the search not specifically that the Village is hiring an Administrator. If the right candidate cannot be found, then there is not a good reason to do it. Dr. Lewis asked if Mayor Brown and Mrs. Rankin felt they had enough time to look at other options. Mayor Brown said they had a lengthy discussion with Ken Geis who outline plans that would be years in the making. They have not made contact with the person who does grant work for Amberley Village. On roll call; five ayes, one nay (Dr. Lewis dissenting).

Mr. Rankin moved, seconded by Mr. Bartlett to accept the recommendation of the Finance Committee which met on Friday, April 16, 2021 at 2:00 pm via videoconference to discuss the health care plan for full time Mariemont employees. Present at the meeting were Finance Committee members Rob Bartlett, Kelly Rankin and Joe Stelzer, and Mayor Bill Brown. Mariemont currently participates in the Center for Local Government Benefits Plan. This is a consortium of municipalities that pools their money to self-fund health care and dental care insurance. Horan administers the plan and provides us with data on what other communities are offering their employees. Attached is a spreadsheet that includes Mariemont's current plan and the plans of some of the communities that we benchmark with on salaries. In comparing the percent of the health care premium that Mariemont's employees are being asked to contribute relative to the benchmark communities, most are in line. The Committee discussed that the 10% contribution rate for the Platinum A plan was a little on the low end. However, last year was the first year that we asked employees to start to pay a percent of the premium, so the committee recommends leaving the employee percent of the health care premium unchanged for this year. It was also noted that making three different options available for employees to choose from has worked well, as each of the three plans have been chosen by at least two employees. As such, the Committee is recommending no changes be made to the plan offerings. After reviewing the most recent benchmarking data, the Finance Committee is recommending no changes to the Village health care plan this year. The Center for Local Government will be meeting later this month to determine how much the premiums will be increasing effective August 2021. Once we have that data, we will share that with Council and the Fiscal Officer for budget planning purposes. On roll call; six ayes, no nays.

Mrs. Rankin moved, seconded by Mr. Bartlett to accept the recommendation of the Finance Committee which met on Friday, April 16, 2021 at 2:00 pm via video to discuss a potential new organization structure for the Building Department. Present at the meeting were Finance Committee members Rob Bartlett, Kelly Rankin and Joe Stelzer, and Mayor Bill Brown. The Finance Committee has already presented to Council a recommendation to eliminate the salaried Building Administrator role and move to an hourly paid Zoning Officer role, similar to Terrace Park and Fairfax. Attached is a list of the responsibilities of the Zoning Officer. The Finance Committee is recommending that we pay the Zoning Officer \$20/hour, consistent with Fairfax (the Terrace Park Zoning Officer is a resident who is doing it for free). The role would be appointed by the Mayor with the approval of Council. To be clear, the responsibilities of the Zoning Officer could continue to evolve. With the help of Aileen Beatty, who has laid out the responsibilities of the Zoning Officer, we have identified that there is a fair amount of work that is more clerical in nature that could be done by someone who would not need to be paid \$20/hour. However, with Don Keyes' retirement and the start-up of XPEX for all of the technical aspects, we need to get the Zoning Officer role up and running. The Finance Committee will address these additional opportunities later this year. The Finance Committee would also like to make one addition to the responsibilities of XPEX. We believe XPEX should also do all inspections of rental units, as recommended previously by Ms. Beatty. In terms of who would pay for this inspection, if it is part of a rental unit turning over, then the landlord would pay. If it is requested by a renter, and the unit is found to not be in compliance, then the landlord would pay. And if the inspection is requested by the renter and the unit is found to be in compliance, then the renter would pay the fee. If Council agrees to this recommendation, rental inspection will be added to the list of XPEX responsibilities and Village Solicitor will draw up the necessary legislation to create a Zoning Officer.

Dr. Lewis questioned the hours the Zoning Officer would be working. An email from Mr. Bartlett said 40-50 hours. Mr. Bartlett stated there have not been any specific hours set. The email indicated that there was \$40,000 in the budget which would cover up to 40 hours per week. We are hopeful the work can be done for less. Mayor Brown said they are still in the process of defining the role and as that becomes clear we will have a better grasp on how many hours it will be. Dr. Lewis said it is important to provide continuity to the residents. On roll call; six ayes, no nays.

Mrs. Rankin moved, seconded by Mr. Bartlett to accept the recommendation of the Finance Committee which met on Friday, April 16, 2021 at 2:00 pm via video to discuss a request by Chief Hines to make the School Resource Officer a full-time employee role. Present at the meeting were Finance Committee members Rob Bartlett, Kelly Rankin and Joe Stelzer, Mayor Bill Brown, and Police Chief Rick Hines. Chief Hines shared with the Committee that the School Resource Officer (S.R.O.) role is currently considered a part-time role, and as such, cannot participate in the Village's health care plan. S.R.O. Romano has received an offer to work elsewhere that would allow him to participate in their health care plan. However, he would prefer to continue to stay in his current role as S.R.O. if it were possible for him to have access to the Village's health care plan. S.R.O. Romano has even volunteered to reduce his hourly pay by \$4.00/hour in order to offset some of the cost of him joining our health care plan. Chief Hines also reached out to Lance Hollander from the Mariemont School District, because the Mariemont School District currently covers 80% of the cost of the S.R.O. Mr. Hollander said they would very much like to keep S.R.O. Romano as well, to the point they would be willing to pay \$8,000/year more to help cover the health care costs. The added benefit of keeping S.R.O. Romano is he also fills in on our police department during the summer when many of our officers take vacations. Paying S.R.O. Romano's lower rate versus having to pay one of current officers' overtime to fill in for vacations saves the Village money as well. Assuming that S.R.O. Romano chose our Gold A plan (which is the middle of the three plans), and after taking into account the reduction in pay of \$4.00/hour and the additional \$8,000 payment by the Mariemont School District, the net cost increase for the Village is roughly \$2,000/year, so the cost sharing between the Village and the School District is 20%/80%, consistent with the overall agreement. The Finance Committee recommends that Council approve making the School Resource Officer role a full-time role versus a part-time role, which requires a change in the Village salary ordinance. Furthermore, because S.R.O. Romano currently has an offer to work elsewhere, the Committee is recommending this change be made on an emergency basis so we can keep S.R.O. Romano in our organization. On roll call; six ayes, no nays.

Miscellaneous:

Murray Avenue groundbreaking will be April 30, 2021 at 4:00 including festivities and refreshments.

Village Offices will be closed in Observation of Memorial Day Monday May 31, 2021.

Mayor Brown said the painting of 20-23 lamp posts is almost complete and they look good. The cost to do the square was \$13,800. Mr. Bartlett said it was not built into any budget and stressed that we need to have a consistent process. Superintendent Scherpenberg said it was approved in 2019 with former Mayor Policastro. After further discussion, Mayor Brown referred the matter to the Public Works and Service Committee.

Council discussed naming resident Stan Bahler, Lynn Tummler and Bill Herkamp to the Audit Committee. Mayor Brown said he will reach out to see if they are interested in serving. We would need a Resolution to name the individual members.

Council discussed the two proposals for the consulting work regarding the Fire Department: Kramer is based in Blue Ash and the proposal was \$7,400. McGrath is based in Illinois and the proposal was \$18,250. The consultants would give their independent opinion, review the proposal by Chief Timmers and Assistant Fire Chief Feichtner and advise if the Village chooses to do nothing. Mr. Bartlett moved, seconded by Mrs. Rankin to hire Kramer due to the working knowledge of the area and the cost. On roll call; five ayes, one nay (Dr. Lewis dissented saying she agrees with doing the study but believes it should be on a wider scope, not just limited to the Fire Department).

Mayor Brown said he strongly feels a resident committee should be formed to help in assessing any fire department opportunities. It was discussed that the scope of work needs to be defined and what role the committee will perform analyzing the proposals. They would be a stakeholder group that Kramer would meet with. Mr. Bartlett said he would take a first cut at preparing the charter and asked Council to email any thoughts to him. It was agreed to discuss further at the next Council meeting and limit the size of the Committee to five members.

Resolutions:

“Resolution Declaring the Necessity of Levying a Tax in Excess of the 10 Mill Limitation for Permanent Improvements and Requesting the County Auditor to Certify Matters in Connection Therewith” had a third reading. Mrs. Rankin moved, seconded by Mr. Bartlett to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-12-21 was adopted.

“Authorizing Purchase of Mayor’s Court Software from the Baldwin Group, Inc. (BGI)” had a second reading.

“To Authorize the Recodification of the Mariemont Code of Ordinances” had a second reading.

“Fixing a Time for Public Hearing on the 2022 Budget” had a first reading.

“Authorizing Subscription to Lexipol Software to Assist Police and Fire Departments” had a first reading.

“To Accept Bid of Supreme Scapes for Mulching Required Ares of the Village” had a first reading.

“Resolution Appointing Members to the Tree Advisory Board” had a first reading. Ms. Palazzolo said Kristen Van Scott needs to be changed to Kristen Van Scoy.

Ordinances:

“An Ordinance Amending Ordinance No. O-32-98 Establishing a Restricted Computer Fund, Herein Called Mayor’s Court Computer Fund” had a second reading.

“To Amend Ordinance O-17-21 of the Mariemont Code of Ordinances to Increase Payment for Employees; and To Declare Emergency” had a first reading. Mrs. Rankin moved, seconded by Dr. Lewis to suspend the rules to allow for the second and third readings. The Ordinance had a second and third reading. Mr. Rankin moved, seconded by Mr. Bartlett to adopt the Ordinance. On roll call; six ayes, no nays. Mrs. Rankin moved, seconded by Mr. Bartlett to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-21-21 was adopted.

Mayor Brown referred to the Finance Committee a flat fee credit card charge with the new Mayor’s Court software.

Mayor Brown reminded Council that the next Council meeting will be live in the Council Chambers. Social distancing and mask requirements will be in place.

The meeting adjourned at 8:40 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer

MARIEMONT POLICE DEPARTMENT

2021 MONTHLY REPORT

April



Submitted by: *Chief Richard D. Hines*

**Marionmont Police Department
April, 2021**

	Reported			Closed			Arrests		
	April	2021	2020	April	2021	2020	April	2021	2020
Homicide	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Felonious Assault	0	0	0	0	0	0	0	0	0
Burglary	0	1	1	0	0	0	0	0	0
Theft	5	15	5	3	10	3	0	1	0
Auto Theft	0	2	0	0	0	0	0	0	0
Other Assaults	0	1	0	0	1	0	0	1	0
Arson	0	0	0	0	0	0	0	0	0
Forgery	0	0	0	0	0	0	0	0	0
Bad Checks	0	0	1	0	0	1	0	0	0
Receive Stolen Property	0	0	0	0	0	0	0	0	0
Criminal Damaging	1	1	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
Drug Abuse	10	30	13	10	30	13	10	30	13
Domestic Violence	0	0	1	0	0	1	0	0	1
Liquor Laws	0	4	1	0	4	1	0	4	1
Disorderly Conduct	0	0	0	0	0	0	0	0	0
Telephone Harassment	0	0	0	0	0	0	0	0	0
Runaways	0	0	1	0	0	1	0	0	1
All Other Offenses	3	16	7	3	16	7	3	11	7
Mayor's Court Warrants									
Arrests for Others							20	81	118
Totals	19	70	30	16	61	27	40	155	162
% Change		133%			126%			-4%	

Closure Rate

87%

90%

Mariemont Police Department

April, 2021

Drug Violation(s)			
3-Apr	MW26 was arrested for possession of drugs - Charged to Mayor's Court	Madisonville Rd.	18-21-021
3-Apr	MW26 was arrested for possession of a crack pipe - Charged to Mayor's Court	Madisonville Rd.	18-21-022
9-Apr	MB23 was arrested for possession of multiple bags of marijuana - Transported to the justice center	Miami Rd.	18-21-023
9-Apr	MB23 was arrested for possession of drug paraphernalia - Transported to the justice center	Miami Rd.	18-21-024
17-Apr	MU22 was arrested for possession of drugs - Charged to Mayor's Court	Wooster Pike	18-21-025
17-Apr	MU22 was arrested for possession of drug paraphernalia - Charged to Mayor's Court	Wooster Pike	18-21-026
24-Apr	MB22 was arrested for possession of drugs - Charged to Mayor's Court	Wooster Pike	18-21-027
25-Apr	MB18 was arrested for possession of drugs - Cited to Mayor's Court	Wooster Pike	18-21-028
26-Apr	MB33 was arrested for possession of drugs - Cited to Mayor's Court	Wooster Pike	18-21-029
29-Apr	FW37 was arrested for possession of drugs - Charged to Mayor's Court	Wooster Pike	18-21-030
Theft Violation(s)			
3-Apr	Person(s) unknown used the victims identity to file a unemployment claim - Case closed	Homewood Rd.	06-21-011
19-Apr	Person(s) unknown used the victims identity to open a checking account - Case closed	Flintpoint Way	06-21-012
20-Apr	Person(s) unknown used the victims identity to file a unemployment claim - Case closed	Miami Bluff Dr.	06-21-013
24-Apr	Person(s) unknown stole a purse and credit cards from an locked vehicle (busted window) - Investigation	Wooster Pike	06-21-014
29-Apr	Two unknown MB suspects entered the M.E.S. and stole a backpack - Case under investigation	Wooster Pike	06-21-015
Operating a Vehicle Impaired			
4-Apr	FW24 was arrested for O.V.I. - Test result: .017 BAC - Charged to Mayor's Court	Wooster Pike	21-21-002
Criminal Trespass			
29-Apr	Two unknown MB suspects entered the M.E.S. and stole a backpack - Case under investigation	Wooster Pike	14-21-001

**Mariemont Police Department
April, 2021**

Value of Property Stolen & Recovered

Stolen	Recovered		Recovered for Other Agencies	
	April	2021	April	2021
Robbery	\$0	\$0	\$0	\$0
Burglary	\$0	\$0	\$0	\$0
Theft	\$2,320	\$6,837	\$200	\$200
Auto Theft	\$0	\$0	\$0	\$0
Totals	\$2,320	\$6,837	\$200	\$200

Persons Arrested and Charged:

FW24	O.V.I.	Persons Arrested for Other Agencies: 7
FW37	O.V.I.	Mayor's Court Warrants Served: 20
MW26	Drug Possession	
MW26	Drug Paraphernalia	
MB23	Drug Possession	
MB23	Drug Paraphernalia	
MW26	Drug Paraphernalia	
MH22	Drug Paraphernalia	
MH22	Drug Possession	
MB18	Drug Possession	
MB33	Drug Possession	
FW37	Drug Possession	
MB23	Obstruct Off. Business	

**Mariemont Police Department
April, 2021**

Traffic Enforcement	April	2021	2020	% Change
Total Citations	91	319	341	-6%
Driving Under the Influence	2	3	1	200%
Speeding	16	68	30	127%
Assured Clear Distance	3	7	3	133%
Reasonable Control	0	1	1	0%
Reckless	0	0	0	#DIV/0!
Right of Way	0	4	5	-20%
Red Light	5	22	39	-44%
Stop Sign	11	49	53	-8%
Passing	0	0	0	#DIV/0!
Turning	0	3	2	50%
Lane Usage	1	7	1	600%
Backing	0	0	0	#DIV/0!
Unsafe Vehicle	0	0	0	#DIV/0!
Other Hazardous Violations	2	3	2	50%
Truck Violations (Road Use & Weight)	0	0	0	#DIV/0!
Parking	9	12	13	-8%
No Drivers License	14	40	49	-18%
Driving Under Suspension	19	62	42	48%
License Plates	7	25	95	-74%
Equipment	2	13	4	225%
Other Non-Hazardous Violations	0	0	1	-100%

Courtesy Citations	52	226	229	-1%
--------------------	----	-----	-----	-----

Average MPH Over Limit for Speeding Cite	14.31	14.25	16.54	-14%
Average No. Days License Plate Expired	344.00	302.25	172.56	75%

**Marionmont Police Department
April, 2021**

Citations by Street:	April	2021	2020	% Change
Wooster Pike	50	157	209	-25%
Madisonville Road	14	45	52	-13%
Miami Road	6	43	12	258%
Plainville Road	5	21	23	-9%
Private Property	0	0	0	#DIV/0!
All Other Streets	16	53	45	18%
Totals	91	319	341	-6%

Accidents By Street:	April	2021	2020	% Change
Wooster Pike	5	14	4	250%
Madisonville Road	1	3	2	50%
Miami Road	0	0	2	-100%
Plainville Road	0	2	1	100%
Private Property	0	0	1	-100%
All Other Streets	0	0	3	-100%
Totals	6	19	13	46%

**Marionmont Police Department
April, 2021**

Traffic Accident Summary:		April	2021	2020	% Change
Total Traffic Accidents		6	19	13	46%
Cleared by Arrest		6	12	9	33%
Cleared - No Arrest		0	5	3	67%
Fatal Accidents		0	0	0	#DIV/0!
Injury Accidents		0	3	1	200%
Persons Injured		0	3	2	50%
Pedestrian Accidents		0	0	1	-100%
Accidents Involving Bicycles		0	0	0	#DIV/0!
Weather Related Accidents		0	2	0	#DIV/0!
Citations Issued		6	13	11	18%
Hit Skip Accidents		0	0	1	-100%
Hit Skip Accidents - Cleared		0	0	1	-100%

**Mariemont Police Department
April, 2021**

Miscellaneous Activity:	April	2021	2020	% Change
Alarms Drops	10	31	31	0%
Vacation Houses Checked	33	212	72	194%
Suspicious Persons Checked	13	56	60	-7%
Open Business Walk-Thrus	257	1,114	335	233%
Other Security Checks	3,335	14,551	13,918	5%
Places Found Open (PFO)	3	18	30	-40%
Motorists Assisted	5	35	35	0%
Prowler Calls	0	0	0	#DIV/0!
Domestic Calls (except Domestic Violence)	5	11	20	-45%
Animal Complaints	7	23	21	10%
Animal Owners Warned	0	0	1	-100%
Animal Owners Cited	0	0	0	#DIV/0!
Juvenile Complaints	4	10	12	-17%
Juveniles Arrested	0	4	1	300%
Traffic Complaints	14	32	22	45%
Traffic Details	28	83	18	361%
Fire Department Assists	22	76	98	-22%
Maintenance Department Assists	3	12	3	300%
Tax Summons Served	0	0	0	#DIV/0!
Other Police Departments Assisted	33	157	200	-22%
Contacts for Trash	2	2	2	0%
Contacts for Weeds, Grass, Etc.	0	5	5	0%
Contacts for Signs, Snow, Etc.	8	42	3	1300%
Miscellaneous Services Rendered	511	2,356	3,743	-37%
Total Service Demands	1,511	8,287	10,480	-21%
Final Trash Fee Notices Served	0	0	0	#DIV/0!



Mariemont Fire Department

6907 Wooster Pike
Cincinnati, Ohio 45227

PHONE: 513-271-4089 / FAX: 513-271-1655
www.mariemont.org

Monthly Report April 2021

Fire Dispatches-	11	Total Fire Dispatch April 2020	13
EMS Dispatches-	33	Total EMS Dispatch April 2020	17
Total Fire Reports-	44		
		Total Fire Dispatch YTD 2021	53
EMS Transports-	23	Total Fire Dispatch YTD 2020	51
Canceled-	3		
Patient Refusals-	7	Total EMS Dispatch YTD 2021	111
DOA -	0	Total EMS Dispatch YTD 2020	106
M/A = Mutual Aid		Total M/A Given YTD 2021	42
M/A Received	5	Total M/A Given YTD 2020	39
M/A Given	9		
		Total M/A Received YTD 2021	8
		Total M/A Received YTD 2020	15

Monthly Highlights

- The Village received an additional \$6,754.20 on top of the \$20,262.62 we received in June of 2020 for the Ohio Department of Public Safety Grant for COVID.
- The Department has placed the Old Police Cruiser in service as it First Responder Vehicle. This process saved the village an estimated \$50,000 by not having to purchase a new vehicle and equipment.
- Dan Copeland has been selected as the Assistant Fire Chief for the Department. Dan has been with the Village for 9 years and has been a part time Lieutenant for 5 of those. Dan will be replacing Tim Feichtner when he retires after 22 years of service with the Village on May 15, 2021.
- The Department taught 10 CPR Classes in the Month of April.
- The Department will begin lifting restrictions for visitors slowly and becoming more involved in the community again as guidelines are changed by the Governor.

Submitted By: Acting Assistant Chief Timothy J. Feichtner

**SERVICE DEPARTMENT
MONTHLY REPORT
APRIL
2021**

BRUSH ROUTE.....

Dump Brush either Hafner or S-80

6 Loads of chipped brush
\$ 0 Charge this month
Saving of \$ 150.00
400 savings year to date.

Other Dumping's

6 Load of brush \$150.00
3 Loads of debris Cost \$ 93.20
\$ 82 Total savings

Street Sweeping/ debris

loads cost \$ 120.00

TOTAL COST SAVINGS YTD

\$ 332.00

Christmas tree round up

447 YDT

PARK WORK INCLUDES THE FOLLOWING:

Clean up of CG&E Median
The Point
Dale Park & Cemetery
Jordan Memorial
Tot Lot
Midden Island

Denny Place Island
Albert Place
Sheldon Close
Beech Grove
Bell Tower
Livingood

Settle Island
Trolley Park
Concourse
S-80
Lower Meadow

CONTRACTOR'S WORK

MECHANICAL WORK :

Chain saws Mowers
Kubota ,

General check each morning on all trucks

STREET SWEEPING FOR APRIL

Plainville, Pleasant St., Mariemont Ave., Wooster Pike, N. Miami, Madisonville

TOTAL HOURS: 6 YEAR TO DATE: 6

Tree Work in House:

Dead Wood		Total cost for tree co.	\$ 1080
Total Removed	2	Total in house cost	\$
Total Hours		Total savings	\$
		Savings YDT	\$

**Total Trees planted 2021
1 for Arbor Day**

**SAFTEY TRAINING CLASS:
Storm Water**

OVERTIME HOURS	TOTAL HOURS	HOURS COST PAID	COMP TIME
Scherpenberg	19.50	\$	\$ 768.50
Schmid	.1	\$ 45.00	\$.
James		\$	\$
Evanchyk		\$	\$
Swader		\$	\$
TOTAL HRS	20.50		\$ 768.50
TOTAL HRS. PAID	1	\$ 45.00	
Meetings			
Completion of work			

SICK TIME FOR APRIL :.....TOTAL HOURS

Scherpenberg	0
Schmid	0
James75
Evanchyk.....	0
Swader.....	0


SICK TIME YEAR TO DATE.....TOTAL HOURS

Scherpenberg	0
Schmid	80
James	98.25
Evanchyk.....	72
Swader.....	24

MISCELLANEOUS WORK INCLUDES THE FOLLOWING:

Tennis Courts put up windscreens and nets cleaned out shelter, New codes for gates
Village Parks start clean and sealing park benches
Pool removed bushes and plants from flower beds
Pool Install new screens, repair siding, paint slats in window panes.
Old Town clean and paint fountain
Pool cleaned out fall leaves from baby, lap and main
Shop Make new wooden street signs
Pool, install back flows, toilets, faucets
Murray Avenue, removed Emergency Light, and wire from old fire house to the intersection of Plainville
Village Parks started clean and edging
Tot Lot, bell Tower, Ann Buntin Becker, John Nolen and Erickson Pavilions Covid-19 spray
Murray Avenue, CG&E Strip remove Fat Alberts and flower beds for construction company
Murray Avenue, set up for ground breaking on multi path
Patriot Lane set up for Arbor Day Celebration
Village clean out storm drains.
Village clean up limbs from storms.
Village Pothole repair
Miami Hill cleaned out 5 drains.
Boathouse reset timer.
Village clean up brush from volunteers.
Village started making and replacing broken wooden street signs.
Village marked utilities for OUPS tickets.
Pick up dead animals off roadway.
Village streetlight repair
Wooster Pike clean up island tips.
Village East Corp mowed and trim high grasses.
Village cleaned up trash and debris left by volunteers.
Boathouse clean up area and gutter/drains
Village picked up bags/debris, limbs from volunteers.
Village, continue to clean 446 storm sewers/catch basins.
Village, installed wooden street signs and post.
Fridays, Mt. Vernon, cleaned out head wall.
Monday and Friday's empty trash/recycling cans
Clarence Erickson shelter clean up.
John Nolen Pavilion clean out inside debris.

Respectfully,


John Scherpenberg
Superintendent

Budget 2021

ACCOUNT NUMBER		Budget	Est	Total YDT
101-302-52201	Travel/transport	1,000	250	140
101-302-52301	Lawn service	45,000	47858	11,847
101-302-52302	Cont Equipment	0		
101-302-52309	Other cont Serv	20,000	48,500	7,866
101-302-52401	Office equip	1,000	250	189
101-302-52402	Gas & oil	1,100	9500	3,537
101-302-52403	Repair/main equip	18,000	18,000	163
101-302-52405	Insurance	0		
101-302-52409	Other misc spend	75,000	64,525	18,978
101-302-52420	land/ beaut	57,000	57,000	2,160
	Murray Ave	\$75,000	75,000	
	TOTAL	293,100	320,883	44880

NO CONTROL

101-302-52111	Salaries	297,000	302472	98,790
101-302-52121	PERS	43,000	43000	13,446
101-302-52123	Health care	100,000	100,000	43,278
101-302-52129	other benefits	6,000	6000	471
	Total	446,000	451,472	155,985

Council Estimated Budget \$739,100

Estimated Budget \$772,355

Salaries (Overtime may change figures + or -)

403-703-52409 **Capital Imp** \$15,000 Sewer, 15,000 tree planting
\$5000 sidewalk/curbs

Recreation TENNIS ***

101-301- 52409 **15000**
101-301-52309 **Ewers 7500**

101-302-52309	Minute Men	13,000	13,000
101-302-52309	Whitacker	6,800	19,800
101-302-52309	Snow and Ice	6,600	26,400
101-302-52309	Swisher	4,800	31,200
101-302-52309	Rumpke	4,800	36,000
101-302-52409	Grass Cor /Sprinklers	2,500	38,500

MARIEMONT TAX DEPARTMENT
MONTHLY REPORT
APRIL 2021

The attached Deposit Journal Report shows collections in tax totaled \$290,163.06 for April. This figure is \$71,508.47 more than collected in 2020 and **\$277,655.95** less than collected in 2019.

Additional reports show receipt comparison for 2020/2021 and the collections breakdown per account type/tax year for April 2021.

Respectfully submitted,

DeAnna Darrah
Tax Administrator

Closed Batch Number(s) EREF210302, EREF210304, EREF210315, EREF210321, EPAY210330, 7885, 7886, EPAY210401, EPAY210402, 7887, 7888, 7889, EPAY210407, EPAY210408, 7890, 7891, EPAY210410, EREF210410, EPAY210411, EREF210411, 7892, 7893, 7894, EPAY210413, EPAY210414, 7895, EPAY210415.

Transaction	Count	Charge Amt	Credit Amt	Count	Charge Amt	Credit Amt	Count	Charge Amt	Credit Amt	Count	Charge Amt	Credit Amt	Count	Charge Amt	Credit Amt
AMENDED ESTIMATE	1	\$500.00	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00	1	\$500.00	\$0.00			
AMENDED FINAL	5	\$4,090.34	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00	5	\$4,090.34	\$0.00			
BALANCE DUE	65	\$0.00	\$12,302.01	8	\$0.00	\$587.30	0	\$0.00	\$0.00	73	\$0.00	\$12,889.31			
BATCH NOTE	18	\$0.00	\$0.00	1	\$0.00	\$0.00	6	\$0.00	\$0.00	25	\$0.00	\$0.00			
CHARGE-OFF LATE FILE	3	\$-117.84	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00	3	\$-117.84	\$0.00			
CHARGE-OFF	1	\$-74.55	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00	1	\$-74.55	\$0.00			
CHARGE-OFF FINAL RET	95	\$11,438.37	\$0.00	9	\$-46.89	\$0.00	0	\$0.00	\$0.00	104	\$11,391.48	\$0.00			
DECLARATION OF	114	\$144,069.16	\$46,030.33	10	\$15,925.89	\$6,321.39	0	\$0.00	\$0.00	124	\$159,995.05	\$52,351.72			
EXTENSION	10	\$0.00	\$16,167.00	29	\$0.00	\$4,602.00	0	\$0.00	\$0.00	39	\$0.00	\$20,769.00			
FINAL RETURN	313	\$170,456.96	\$41,146.49	74	\$26,124.66	\$11,539.27	0	\$0.00	\$0.00	387	\$196,581.62	\$52,685.76			
INTEREST	0	\$0.00	\$0.00	1	\$0.00	\$-0.09	0	\$0.00	\$0.00	1	\$0.00	\$-0.09			
OVERPAY FORWARD	100	\$0.00	\$0.00	22	\$0.00	\$0.00	0	\$0.00	\$0.00	122	\$0.00	\$0.00			
OVERPAY REFUND	10	\$0.00	\$-1,284.25	2	\$0.00	\$-217.00	0	\$0.00	\$0.00	12	\$0.00	\$-1,501.25			
LATE FILE PENALTY	1	\$100.00	\$100.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00	1	\$100.00	\$100.00			
UNDERPAID ESTIMATE	5	\$33.08	\$33.08	0	\$0.00	\$0.00	0	\$0.00	\$0.00	5	\$33.08	\$33.08			
QUARTERLY PAYMENT	45	\$0.00	\$20,272.96	8	\$0.00	\$11,003.00	0	\$0.00	\$0.00	53	\$0.00	\$31,275.96			
WITHHOLDING	0	\$0.00	\$0.00	0	\$0.00	\$0.00	267	\$120,058.32	\$120,058.32	267	\$120,058.32	\$120,058.32			
Total:	786	\$330,495.52	\$134,767.62	164	\$42,003.66	\$33,835.87	273	\$120,058.32	\$120,058.32	1223	\$492,557.50	\$288,661.81			
** Total:	786	\$330,495.52	\$134,767.62	164	\$42,003.66	\$33,835.87	273	\$120,058.32	\$120,058.32	1223	\$492,557.50	\$288,661.81			
<u>Deposit Total</u>		<u>\$290,163.06</u>	<u>\$33.00</u>		<u>\$275,423.18</u>	<u>\$5,154.55</u>		<u>\$0.00</u>	<u>\$-1,501.25</u>		<u>\$9,552.33</u>	<u>\$0.00</u>			

*** End Of Report ***

Selected date 4/30/2021

<u>Deposit Date</u>	<u>Individual Deposits</u>	<u>Net-Profit Deposits</u>	<u>Total 1 & 2 Refunds/Adj</u>	<u>Total 1 & 2 Deposits</u>	<u>Withholding Refunds/Adj</u>	<u>Withholding Deposits</u>	<u>Total All Refunds/Adj</u>	<u>Total All Deposit</u>	<u>Percent Change</u>
1/2021	\$72,739.78	\$2,058.00	\$0.00	\$74,797.78	\$0.00	\$178,321.18	\$0.00	\$253,118.96	13
1/2020	\$75,356.94	\$12,450.40	\$0.00	\$87,807.34	\$0.00	\$135,491.32	\$0.00	\$223,298.66	
2/2021	\$10,593.95	\$8,349.16	\$-704.25	\$18,943.11	\$704.25	\$105,230.61	\$0.00	\$124,173.72	4
2/2020	\$15,903.20	\$4,370.00	\$-916.03	\$20,273.20	\$-1,490.00	\$99,594.76	\$-2,406.03	\$119,867.96	
3/2021	\$45,876.72	\$10,919.62	\$-2,510.00	\$56,796.34	\$0.00	\$100,816.32	\$-2,510.00	\$157,612.66	8
3/2020	\$32,028.94	\$10,280.06	\$-2,970.40	\$42,309.00	\$0.00	\$103,213.34	\$-2,970.40	\$145,522.34	
4/2021	\$136,051.87	\$34,052.87	\$-1,501.25	\$170,104.74	\$0.00	\$120,058.32	\$-1,501.25	\$290,163.06	33
4/2020	\$88,418.44	\$23,220.15	\$-21,421.15	\$111,638.59	\$0.00	\$107,016.00	\$-21,421.15	\$218,654.59	
**2021	\$265,262.32	\$55,379.65	\$-4,715.50	\$320,641.97	\$704.25	\$504,426.43	\$-4,011.25	\$825,068.40	17
**2020	\$211,707.52	\$50,320.61	\$-25,307.58	\$262,028.13	\$-1,490.00	\$445,315.42	\$-26,797.58	\$707,343.55	

*** End Of Report ***

Selected date 4/30/2021

Acct Type	Tax Year	Tax Total	Penalty 1 Total	Penalty 2 Total	Penalty 3 Total	Interest Total	Court Total	Deposit Total	Refund Total
INDIVIDUAL	2021	\$91,462.91	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$91,462.91	\$0.00
INDIVIDUAL	2020	\$169,517.30	\$0.00	\$0.00	\$33.08	\$0.00	\$0.00	\$169,550.38	\$-1,284.25
INDIVIDUAL	2019	\$3,189.54	\$450.00	\$4.50	\$0.00	\$1.39	\$0.00	\$3,645.43	\$0.00
INDIVIDUAL	2018	\$45.90	\$357.70	\$0.00	\$0.00	\$0.00	\$0.00	\$403.60	\$0.00
INDIVIDUAL	2013	\$200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$200.00	\$0.00
* TOTAL		\$264,415.65	\$807.70	\$4.50	\$33.08	\$1.39	\$0.00	\$265,262.32	\$-1,284.25
NET-PROFIT	2021	\$22,903.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$22,903.39	\$0.00
NET-PROFIT	2020	\$32,457.09	\$0.00	\$0.00	\$0.00	\$3.90	\$0.00	\$32,460.99	\$-229.00
NET-PROFIT	2019	\$171.07	\$0.00	\$0.00	\$0.00	\$-0.09	\$-155.71	\$15.27	\$-219.00
NET-PROFIT	2017	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$-2,279.00
* TOTAL		\$55,531.55	\$0.00	\$0.00	\$0.00	\$3.81	\$-155.71	\$55,379.65	\$-2,727.00
WITHHOLDING	2021	\$322,221.77	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$322,221.77	\$0.00
WITHHOLDING	2020	\$182,173.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$182,173.39	\$0.00
WITHHOLDING	2019	\$31.27	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$31.27	\$0.00
* TOTAL		\$504,426.43	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$504,426.43	\$0.00
ALL	2021	\$436,588.07	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$436,588.07	\$0.00
ALL	2020	\$384,147.78	\$0.00	\$0.00	\$33.08	\$3.90	\$0.00	\$384,184.76	\$-1,513.25
ALL	2019	\$3,391.88	\$450.00	\$4.50	\$0.00	\$1.30	\$-155.71	\$3,691.97	\$-219.00
ALL	2018	\$45.90	\$357.70	\$0.00	\$0.00	\$0.00	\$0.00	\$403.60	\$0.00
ALL	2017	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$-2,279.00
ALL	2013	\$200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$200.00	\$0.00
* TOTAL		\$824,373.63	\$807.70	\$4.50	\$33.08	\$5.20	\$-155.71	\$825,068.40	\$-4,011.25

*** End Of Report ***

**VILLAGE OF MARIEMONT
FISCAL OFFICER'S REPORT
April 30, 2021**

<u>FUND</u>	<u>BAL. 1-1-21</u>	<u>MO. RECEIPTS</u>	<u>YTD RECEIPTS</u>	<u>MO. DISBMNT</u>	<u>YTD DISBMNT</u>	<u>END. BAL.</u>
General - 101	1,250,705	725,506	1,365,728	290,010	1,166,252	1,450,181
Street Improv. - 201	138,411	15,445	62,411	2,469	31,009	169,813
State Highway - 202	18,001	973	4,178	322	3,598	18,581
Drug Rel. Pol. Fines - 208	1,487	111	2,386	0	0	3,873
Alc. Educ. & Enf. - 213	30,667	0	3,182	0	500	33,349
Court Computer - 214	42	856	2,826	876	5,174	(2,306)
MariElders - 280	0	33,621	33,621	368	368	33,253
Paramedic 295	19,688	121,682	133,043	48,934	194,007	(41,276)
Coronavirus Relief - 305	57,988	0	68,681	0	67,524	59,145
Federal Grants - 310	0	0	0	0	0	0
Perm. Improv. - 403	372,584	211,501	211,501	19,978	261,955	322,130
Health Insur. - 707	10,206	1,767	6,767	110	256	16,717
Building Fee - 708	(554)	0	0	0	0	(554)
Bloch Trust - 714	0	0	0	0	0	0
Ann Buntin Becker Park- 715	3,452	0	0	0	0	3,452
Street Restor. - 804	0	0	0	0	0	0
Total All Funds	1,902,677	1,111,463	1,894,323	363,068	1,730,643	2,066,358

INVESTMENTS					BANK RECONCILIATION	
<u>FUNDS</u>	<u>INSTITUTION</u>	<u>DETAILS</u>	<u>AMOUNT</u>			
101.201,295,	PNC Capital Markets		1,009,683		Bank Balance	110,000
					Petty Cash funds(3)	225
					Money Market Sweep Acct	965,290
					◆ Deposits in Transit ◆	
					Paypal Retained Balance	120
					Plus: Investments PNC **	1,009,683
					Paypal fees pending:	(309)
					Less: Checks Outstanding	(18,650)
					TREASURY BALANCE	2,066,358
<u>INSTITUTION</u>	<u>DETAILS</u>	<u>TOTAL AMOUNT</u>	<u>YEARLY DUE</u>	<u>Maturity</u>		
PNC BOND	Bldg Addition	\$345,786	\$100,888	2024		
OPWC	CT07U Paving	\$39,512	\$1,976	2037		
OPWC	CT11V Paving	\$44,422	\$2,221	2039		
AMBULANCE		\$154,235	\$51,412	2024		

Joanee Van Pelt

From: Joe Stelzer <joestelzercouncil@gmail.com>
Sent: Friday, May 07, 2021 11:10 AM
To: Joanee Van Pelt; Allison Uhrig
Cc: Bill Brown
Subject: Additional Items To be Discussed at Monday's Council Meeting

The following three items will be discussed at Monday's Council Meeting:

- Consumption of Alcohol At Certain Pool Events
- Age Requirement/Policy for Pool
- ODNR Nature Works Grant Program

I will prepare summary information for each item to be discussed and share it with Council members over the weekend.

Joe

Murray Path Landscaping Plan

A comprehensive landscaping plan for Murray Path was created by Mariemont resident and Landscape Architect, Martin Koepke. In addition, residents Matt Ayer and Lisa Wharton worked closely with Martin on the development of the Plan. An early conceptual Plan, which was like the Final Conceptual Plan, was presented during a public meeting in February 2020 for review and discussion.

The Final Conceptual Plan has been available for the last five weeks on the Murray Path website. <http://www.murraypath.org/Information/> The Plan was also available for viewing at the Mariemont Administration Building and The Madison Place (coffee shop). A flyer (which is attached) was distributed throughout Mariemont informing residents about the existence of the Plan and requesting that comments be submitted by May 3rd.

The Plan was also presented to Columbia Township officials who then shared it with the residents of Madison Place.

Several comment letters were received and are attached. As a result of the comments received from several residents, one of the recommended plants (an ornamental grass native to Japan) was changed to a native grass that should do equally well.

As a final note, please keep in mind that the Landscape Plan provides a base, or foundation for a low-maintenance, civic planting, considering the specifics of our very restrictive site. As with any public space, the longer-term vision for Murray Path should continue to reflect the desires of our community. For example, in addition to suggestions to add additional native species, it has also been suggested to add pollinator gardens with guidance from the Xerces Society. These are good ideas. As with any of our public spaces, we should encourage an individual or organization to present a design, along with plans for funding and long-range maintenance to our village officials for consideration for future additions to the base plan. In the case of Murray Path, it would be best to allow the base plan to get well established before considering possible additional plantings.

Several items need to be decided at Monday's Council Meeting:

- 1) Approval of the Conceptual Landscaping Plan.
- 2) Determination of the process needed for approval of landscaping material purchases and/or installation costs for the Murray Path.
- 3) Specific approval of the purchase of landscaping boulders (Invoice attached)



LANDSCAPING THE PATH

It's an exciting time on a long-awaited project! Construction work is commencing on the Murray Multi-Purpose Path. Following path construction, the next phase will add plant and hardscape features to enhance the path's function and appearance. This important phase has been made possible by donations from more than 200 individuals and organizations. Since the removal of the trolley line tracks in 1942, this section of our village has served primarily as a distribution and transmission line corridor for local utilities. Supported by an Ohio Department of Natural Resources grant and a generous contribution from Columbia Township, the Village of Mariemont is adding a 10-foot wide path from Settle to Plainville to restore this ribbon of land to an extension of a regional transportation network. Murray Path will connect to the popular multi-purpose path in Fairfax. A new segment of Wasson Way will connect to the Fairfax path, head through Ault Park, extending to Hyde Park, Xavier, U.C., and other points westward.

In the recently completed engineering phase, it was determined that existing angled parking in the corridor will be converted to groups of spaces parallel to the roadway to accommodate the path. The engineers also addressed significant surface drainage issues. To meet the Village's design preferences, the path was configured with a slightly meandering alignment.

Village resident Martin Koepke is serving as the project Landscape Architect for the Mariemont project and has developed a Landscape Concept Plan. He has been working on this plan for the past few years, with input from village officials and community stakeholders. The overall objective remains unchanged – to convert the corridor into a greener, inviting asset that provides greater community connectivity and promotes healthy, active, lifestyle choices.

Although enhancements are limited by the width of the corridor and by restrictions under or near power lines, Mr. Koepke has configured an allée of multi-stem trees to soften the impact of the utilities and provide seasonal interest. Supplemental shrubs and plant beds are associated with signage, parking, and intersections. Plant species were carefully selected for proven hardiness, salt resistance, minimal maintenance, and to provide intermittent light shade. Adding aesthetic value to a space currently void of focal interest is intended to enrich the path experience for the user, passerby, and adjacent residents of Columbia Township and Mariemont. Less formal than benches and more suited to this space, the plan includes a carefully selected set of boulders installed at seating height and placed in a manner to enhance separation from the roadway, with a variety of shapes and colors to add visual interest in their natural beauty.

THE LANDSCAPE PLAN IS AVAILABLE FOR REVIEW!

Check out: <http://www.murraypath.org/Information/> or in hard copy at the Mariemont Municipal Building lobby. Residents are encouraged to submit comments and suggestions to murraypath@gmail.com by May 3rd, 2021. In May, a final landscaping plan will be recommended to Mariemont Village Council for approval. With all the work slated for completion by Fall 2021, at this time next year we should see the Murray Path bursting forth with Spring blooms. Follow the project and related content at [Facebook.com/murraypath/](https://www.facebook.com/murraypath/).

Cincinnati Bell Webmail

jstelzer@fuse.net

Murray Path - Response to Your Comments

From : Martin Koepke <mck@martinkoepke.com> Thu, May 06, 2021 01:30 PM
Subject : Murray Path - Response to Your Comments
To : Barbara Whittaker <barbarabarewhittaker@me.com>
Cc : Joe Stelzer <jstelzer@fuse.net>, Mattew Ayer <matt@ayerquality.com>, Lisa Wharton <lisa@wharton-law.com>

Dear Barb,

Joe passed along your email comments dated 4/23/2021 for me to address. My response is as follows.

Thank you for taking the time to provide comments and suggestions on the Landscape Plan.

As Landscape Architect on this project, I have purposely selected tough, aggressive plants that will withstand multiple weather conditions imposed by southwestern Ohio, the abuse of plowing, mowing, and generally harsh full sun, and clay soils surrounded by pavement. This site is not a natural environment. It is a narrow strip of land (varying between 30' to 35' wide) supporting a path, electric transmission, and distribution utilities, parking, and planting. The 10' path leaves an average of 10'+/- on either side of the path for planting. Adding parking spaces and power poles to the environment reduces the space for planting considerably.

I appreciate the comment that, in general, trees look more "natural" when arranged in more random clumps. However, the impositions on this space suggest a linear solution, a tree-lined path; not enough room to do purposeful looking natural groupings. Trees can only be planted on the south side of the path per the utility's specifications, and on the south side of the path must be managed in height. Staggering plants in a narrow space can look like someone did not know how to plant a consistent row of trees. Changing to other species (with the same height restriction) might look a bit contrived and will require large unplanted space between each shift in variety for the less than natural narrow groupings to make sense. Tall shrubs are being avoided to keep visibility high and minimize hiding spaces, as a safety matter. Although monocultures can be a concern, three blocks of one species in a neighborhood of many blocks do not make this a widespread monocultural problem. For example, Milwaukee planting all their residential streets with American Elm was a problem, we have learned not to do that. Cultivars and improved varieties of proven, tough plants have been selected to give this planting the best chance for success.

Autumn Brilliance Serviceberry is a fine plant that has performed well in the Cincinnati

area. It has three seasons of interest and is widely recognized by growers and planters as a proven winner in the landscape. In the multi-stem form, this tree lends itself to long-term management adjacent to the path, with minor, as-needed occasional, simple pruning. As planned, the berries will not interfere with users enjoying the seat platforms. Moreover, the berries from this tree are not particularly messy, are edible, no problems are expected.

Butterfly Bush does reseed, but so do many plants. It is not generally considered invasive in this region. It has value as a pollinator and insect attractor. Its tall semi-transparent branching provides interest in height without providing a hiding spot.

Some Miscanthus Sinensis varieties can and do reseed, many of the cultivars do not and are sterile. Morning Light and Silver Arrow Maiden Grass are sterile options, as are many of the variegated varieties of Miscanthus. The general suggestion to consider native varieties are appreciated, and I will update the plan to replace the miscanthus with Cloud Nine Switchgrass.

Blackeyed Susan was chosen because it will almost take care of itself by reseeding every year.

Blue Dune Lyme Grass will spread by rhizome but does not pose a threat to this area as invasive (in our case, bounded by pavement). By contrast, coastal dunes have a problem with this plant.

Thanks again for your comments,

Martin

Martin Koepke Design
landscape architecture, planning, design
3804 Settle Road
Cincinnati, OH 45227

513-561-7379 wk/hm
513-236-4047 mb
mck@martinkoepke.com

From: Barbara Whittaker <barbarabarewhittaker@me.com>
Sent: Friday, April 23, 2021 12:17 PM
To: joestelzercouncil@gmail.com; murraypath@gmail.com; Marcy Lewis; Avia Graves
Subject: Response from Dr. Kimmerer

Having attended presentations where Dr. Kimmerer invited questions, I wrote to him asking about the likelihood of survival of the cultivar of serviceberry specified in the landscape plan for the Murray path. His response was much more than I anticipated and I am forwarding that to you in its entirety. (Please note that while serviceberry is part of his recommendations, it is the native species, not a cultivar.)

It is as follows:

I appreciate your inquiry. Your consultant is a landscape architect, and they are professionally inclined toward uniformity. However, as we discussed in our workshop, planting 44 genetically identical individuals is very risky. You would be better off planting a mix of species, and using seedlings instead of cultivars, which are genetically identical clones. Especially in a time of climate change, betting on a single repeated individual is very risky. Given that this is a trail/path, I would think you would want a more natural look. You can obtain a more natural look by mixing species and avoiding cultivars. This will be more interesting for people using the path.

Planting on 30 foot centers is rather strange. As we discussed, trees and shrubs are much healthier when mixed and growing in groups and clusters.

If this were my project, I would choose seedlings, not cultivars, of a mix of small trees and shrubs. When you look for plants, you want to deal with nurseries that sell trees and shrubs that they grew from seeds.

There are plenty of small trees and shrubs that will work well under power lines. I don't know who owns the power lines, but utilities often provide lists of suitable plants and will sometimes provide financial assistance for purchasing and planting trees and shrubs.

Here are some suggestions:

Serviceberry - There are three species that could be useful. Two are small trees: *Amelanchier laevis* and *Amelanchier arborea*; One is a multi-stemmed tall shrub, *Amelanchier canadensis*. All are attractive to birds.

Redbud, *Cercis canadensis*

American hornbeam, *Carpinus caroliniana*

Eastern hophornbeam, *Ostrya Virginian*

Dogwoods - There are several native species of shrubby dogwoods, that are excellent for wildlife. Avoid flowering dogwood, as it does not last long in open, sunny landscapes. Shrubby dogwoods can be massed, and planted under trees.

Hawthorns, *Crataegus* spp. There are about 20 species of hawthorns native to our region. However, many nurseries carry non-native hawthorns, so you will want to check. These are important wildlife trees.

Sweet crabapple, *Malus coronaria*, and abundant Ohio native. Excellent for wildlife. There are other native species, such as prairie crab, *Malus ioensis*.

Bottlebrush buckeye, *Aesculus parviflora*. Although native south of Ohio, it grows very well here. It is a beautiful plant that provides good cover for birds.

Smooth, Staghorn, and Winged sumac, *Rhus* spp. These are gorgeous native shrubs that provide clustered masses, providing food and cover for birds.

American smoketree, *Cotinus obovatus*. Although native south of Ohio, it grows very well in our region. In fact, the largest known smoketree grows here in Lexington. Even though it is the largest, is less than 25 feet tall.

Witchhazel, *Hamamelis virginiana*. A beautiful winter-flowering small tree.

Deciduous hollies, *Ilex decidua* and *Ilex verticillata*, both small trees or large shrubs, good for wildlife

Viburnums, *Viburnum* spp. There are about 8 species of shrubby viburnums native to Ohio.

This is just a partial list of suggestions. What ever you decide, I hope you can avoid a boring uniform row of a single clone. Walking paths should be places where natural vegetation is allowed to flourish.

Best regards,
Tom

Tom Kimmerer, PhD
www.kimmerer.com
tom@kimmerer.com

jstelzer@fuse.net

From: Barbara Whittaker <barbarabarewhittaker@me.com>
Sent: Friday, April 23, 2021 11:41 AM
To: murraypath@gmail.com; joestelzercouncil@gmail.com; Marcy Lewis; aviagraves@gmail.com
Subject: Landscaping plan

Thank you for the opportunity to provide feedback on the proposed landscape plan for the new Murray Path. My immediate reaction to the plan is to try to increase the survival of the trees and various plantings, therefore increasing the use and enjoyment of the trail. The addition of invasive plants to the community is highly undesirable, and in my opinion as a resident who has been trying to eradicate them, their use should be prohibited.

I also contacted a professor at UK, Dr Tom Kimmerer, and will forward his reply in a separate email. My concerns are as follows:

44 - Amelanchier x graniflora 'Autumn Brilliance' (serviceberry)

<https://extension.umn.edu/trees-and-shrubs/serviceberry>

<https://www.arborday.org/trees/treeguide/treedetail.cfm?itemID=919>

This is a lovely, airy tree which prefers a loam soil, in the slightly acidic range, will tolerate higher pH, but poorly drained soils are to be avoided. I was given to understand that drainage along the length of the trail varies greatly and planting 44 of the same exact cultivar over the span may be courting failure.

The overall survival of street trees 8-10 years after planting is 57%.

<https://core.ac.uk/download/pdf/76379544.pdf>

Amelanchier blooms for a short time in March-April, sets fruit which usually matures in June, and is highly sought by birds (and some humans). The fruit which falls and the bird droppings will likely be found undesirable over the seating and parking areas. These trees could be grouped away from such parts of the trail. Fall color is usually nice, but brief.

There are a number of other multi stemmed, at-maturity size trees which could be incorporated to insure variety and success, while providing longer seasonal interest, such as redbud & witch hazel.

Redbud (*cercis canadensis*) which blooms later in the spring, does equally well in acidic or basic soils, comes in a variety of bloom & leaf colors, and provides a more dense shade than amelanchier. It is generally viewed as a "tougher" tree. Comparing this section of Murray to that of Fairfax, the lack of shade there is striking - providing adequate shade south of the seating areas would seem to encourage people to linger, thus increasing enjoyment of the trail.

<https://www.arborday.org/trees/treeguide/TreeDetail.cfm?ItemID=912>

Witch hazel (*Hamamelis*) has colorful flowers in the winter, is virtually maintenance-free, and resistant to most pests and diseases. It performs best in full sun where the flowers glow in the backlight of low winter sun.

<https://www.gardendesign.com/plants/witch-hazel.html>

As to invasive plants:

<https://www.thespruce.com/what-are-invasive-plants-2131068>

20 - Buddleia davidii 'nanho blue' (butterfly bush) is on the watch list, or listed as invasive in multiple states. (It often takes years to successfully have a plant officially listed as invasive in a given state.) If consistently deadheaded, the setting of seeds can be decreased, but it is quite time-consuming.

<https://www.brandywine.org/conservancy/blog/invasive-species-spotlight-truth-about-butterfly-bush>

210 - Viridis leymus arenarius 'blue dune' (blue Lyme grass) is a running, aggressive plant that is recommended only for planting in containers and is classified as invasive in Wisconsin

<https://www.mortonarb.org/trees-plants/tree-plant-descriptions/blue-lyme-grass>

8 - Miscanthus sinensis 'silver arrow maiden grass' (silver arrow maiden grass) sets seed readily and is spread primarily by wind. . State and area invasive species councils list it at levels ranging from 'of concern' in Maryland, on a 'watch list' in Ohio, 'occasionally invasive' in Virginia, to 'severe threat' in Kentucky. There are native grasses that could be used instead.

<https://www.mortonarb.org/trees-plants/tree-plant-descriptions/chinese-silver-grass>

As a contrast, the seeds of 'Karl Foerster' are sterile and after nearly 40 years in American gardens has never become an invasive pest.

<https://garden.org/learn/articles/view/1673/>

These last two are not invasive, but will need care and attention to remain attractive.

320 - rudbeckia fulgida 'Goldsturm' (black eyed Susan) - does not come true from seed. Unless deadheaded, the patch of Goldsturm will revert to a wild form. Goldsturm reaches the end of its natural life span or is crowded out by the more vigorous non-hybrid seedlings.

<http://downtoearthgardenclub.org/2017/07/black-eyed-susan/>

27 - Spiraea x bumalda 'Anthony Waterer' (spirea) blooms on new wood, so cutback is necessary to insure flowers.

<https://plants.ces.ncsu.edu/plants/spiraea-x-bumalda-anthony-waterer/>

Given all that has gone into the fundraising and community effort, I would really like to see this landscape survive and thrive. Hopefully it will provide benefits to the surrounding area, while not having a negative impact, and this seems the best time to influence this outcome.

Thank you,
Barbara Whittaker

jstelzer@fuse.net

From: M P <plpsop@webtv.net>
Sent: Saturday, May 1, 2021 5:26 PM
To: murraypath@gmail.com
Subject: Murray Path Landscaping

To organizers and planners for the Murray Path landscaping project:

Your plans for landscaping the Murray Path sound exciting. We appreciate the chance to see the hard copy of the landscape plan at the Municipal Building and were wondering whether there's any possibilities of including native plants, especially plants for pollinators and Monarch butterflies, along part of the Murray Path? Monarch Watch (www.monarchwatch.org) offers easy ways of creating monarch habitats in many settings, including parks and trails; the Xerces Society (www.xerces.org) provides webinars on creating pollinator sites. Not only are native plants often low-maintenance, but they survive well without fertilizers, extensive pruning and watering and also provide habitats for many insects and butterflies. We hope you will consider possibly setting aside one small section of the path to native plants. Thank you for reading this. Your donor, Margaret Possert

Martin's Response to Margaret Possert

Dear Margaret,

Thank you for taking the time to provide comments and suggestions on the Landscape Plan.

As Landscape Architect on this project, I have purposely selected tough, aggressive plants that will withstand multiple weather conditions imposed by southwestern Ohio, the abuse of plowing, mowing, and generally harsh full sun, clay soils surrounded by pavement. This site is not a natural environment. It is a narrow strip of land (varying between 30' to 35' wide) supporting a path, electric transmission, and distribution utilities, parking, and planting. The 10' path leaves an average of 10'+/- on either side of the path for planting. Adding parking spaces and power poles to the environment reduces the space for planting considerably.

As with any public space, the longer-term vision for Murray Path should continue to reflect the desires of our community. You have suggested to add additional native species, and to consider a pollinator garden with guidance from the Xerces Society. These are good ideas. As with any of our public spaces, I would encourage an individual or organization to present their design, along with plans for funding and long-range maintenance to our village officials for consideration for future additions to the base plan. In the case of Murray Path, it would be best to allow the base plan to get well established and get a firm grip on required maintenance for the base plan (see how the site responds to new planting) before considering possible additional plantings.

Thanks again for your comments,

Martin

Martin Koepke Design

landscape architecture, planning, design

3804 Settle Road

Cincinnati, OH 45227

513-561-7379 wk/hm

513-236-4047 mb

mck@martinkoepke.com

Attn: Mayor Bill Brown
6907 Wooster Pike
Cincinnati, Oh 45227
Cell: Matt Ayer: 513-335-0059
Email: matt@ayerquality.com



4/6/2021

4229 Round Bottom Rd
Cincinnati, OH 45244
513-271-1119 office
513-271-4215 fax
www.evanslandscaping.com

Evans Landscaping Contract

- 1.) Evans will have all public underground utilities marked upon arrival. Customer is responsible for marking any other endangered underground utilities. Evans can not be held responsible for damage to any unknown, unmarked underground utilities.
- 2.) Estimate is based on NOT paying prevailing wage and providing certified payroll.
- 3.) Customer is responsible for providing landscape plan and layout for boulder installation.

Trail Boulders				
Supply (12) large boulders marked @ Evans locations. (9) boulders at Newtown store and (3) boulders at Loveland store. Move in equipment. Deliver and place (12) boulders in areas designated by customer or landscape architect. Dig boulders in so they sit level for seating. Rake any damage to soil smooth. Leave site in neat and orderly fashion.				
			Rate	Total
Large Hand Selected Granite Boulders	12	ea	\$800.00	\$9,600.00
Telescopic Forklift, Mini Excavator, Operator and Labor Placing Boulders	2	day	\$2,000.00	\$4,000.00
Sub Total				\$13,600.00
Quoted Total				\$13,600.00

Signed Contract or Purchase Order required. Balance due within 30 days of invoicing. Add 2% monthly to any overdue amounts. Tax Exemptoin Form required.

Authorized Signature James P. Buckley

Signature _____

Cincinnati Bell Webmail

jstelzer@fuse.net

FW: Trail Quote

From : Matt Ayer <matt@ayerquality.com>

Tue, Apr 06, 2021 12:09 PM

Subject : FW: Trail Quote

📎 2 attachments

To : jstelzer@fuse.net, 'Bill Brown'
<mayor@marimont.org>**Cc :** Martin Koepke <mkoepke@cinci.rr.com>, Lisa
Wharton <lisa@wharton-law.com>

Hi Joe and Bill,

Attached is the quote Martin & I worked out with Jim Bailey of Evans for the path's seat-height boulders. We have the 12 we want tagged and on hold.

Please note:

- These average around 3 tons apiece and require special equipment for installation. Evans can complete this work in two days once the path construction work is over. Voile, boulders installed.
- I've "shopped"... Ohio Valley Stone, Creech's, Bushelman Supply, Stone Center... nothing remotely compares in suitability or pricing. (The boulder cost here is about 13 cents per pound... typical is 50% to 100% higher than that, for something less suitable).
- Some cool aspects:
 - Glaciers brought these to Ohio from Canada... they're found in fields N of I-70 (hence the name "Moraine" Ohio, for example). They are not a "stock" item that come from a quarry somewhere... Evans buys them from farmers in the area.
 - Each one has at least one suitably flat side... that will be the top... at seat height...to be installed under Martin's direction.
 - Each is unique in color and shape. No sharp or jagged edges. Very attractive variety. You'll like them. 😊
 - They will be perfect for resting, tying your shoe, family pic, ... ok letting your dog pee on... and they also serve to help separate the path from the roadway, visually and functionally.
- If possible, we would like to get Evans a Village PO within the next 2 weeks... if Council could OK that... or whatever needs to be done.

Please let me know if you need any additional information to make this happen, and THANK YOU!

-Matt (and Martin and Lisa)

From: Jim Bailey <JBailey@evanslandscaping.com>**Sent:** Tuesday, April 6, 2021 11:01 AM**To:** Matt Ayer <matt@ayerquality.com>**Cc:** mck@martinkoepke.com**Subject:** Trail Quote

Matt,

Please see quote as discussed. Please reply to acknowledge receipt.

Let me know when you are ready for installation.

Thanks,

Jim Bailey



Evans Vice President
& Head of Demolition/Excavation Division
Mobile: (513) 623-1010
Office: (513) 271-1119 Ext. 120
Fax: (513) 271-4215
jbailey@evanslandscaping.com
www.evanslandscaping.com



image001.jpg
3 KB



City of Mariemont - Boulders.pdf
102 KB

VOUCHERS FOR THE REGULAR COUNCIL MEETING, MAY 10, 2021

DEPARTMENT	VENDOR	DESCRIPTION	COST
Administration	Staples	Staples	4.99
Administration	William Brown	Car Allowance for May 2021	41.66
All	intrustIT	Microsoft Office365 Monthly Charges	507.53
All	Reliance Standard	Life Insurance Monthly Premium for May 2021	46.36
All	Village Payroll Account	Soc. Sec. \$1776.25, Medi \$1296.50, Gross Payroll \$89,411.99 for Period Ending 5/1/2021	92,484.74
Fire	Ace Hardware	Misc. Parts/Supplies/Materials	45.98
Fire	All Safe Industries	Emergency Repair/Service for Gas Meter	343.00
Fire	Staples	Chair and Paper	238.47
Fire	Treasurer, State of Ohio	Annual Cooperative Purchasing Certificate Fee	100.00
Fire	Wex Bank/Fleet Services	Fuel for Village Vehicles	309.67
Legislative	Metalphoto of Cincinnati	Outstanding Citizen Plaque	225.98
Mayor's Court	Richard Gibson	Magistrate Fees for Mayor's Court (March & April 2021)	1,500.00
Mayor's Court	Staples	Printers, Ink, Laptop, and Cables for Mayor's Court	1,815.52
Mayor's Court	SWOH Assoc. of Mayor's Court Clerks	2021 Membership Dues for Mayor's Court Clerk's Office	25.00
Miscellaneous	Duke Energy	Gas & Electric Monthly Charges	4,464.49
Miscellaneous	Edward McTigue	Solicitor Services for April 2021	2,360.00
Miscellaneous	Frost Brown Todd Attorneys	Legal Fees (Zoning Code for Temporary Structures and Social Media Policy)	174.00
Miscellaneous	Greater Cincinnati Water Works	Water & Sewer Service Monthly Charges	1,077.75
Miscellaneous	MariElders	1st Half Real Estate Tax Distribution	29,807.94
Miscellaneous	PNC Bank	Credit Card Charges (Paypal, Internet Storage, K9 Supplies)	649.62
Miscellaneous	Rumpke	Portolet for Belltower	185.46
Miscellaneous	Rumpke	Trash & Recycling Service Monthly Charge	23,868.75
Miscellaneous	Trash Sticker Refunds	Refunds for Unused Trash Stickers	1,038.00
Municipal	Ace Hardware	Misc. Parts/Supplies/Materials	264.40
Municipal	Bramble Mower	Repair Parts to Municipal Building Mower	105.41
Municipal	CBTS	Phone System Maintenance Monthly Charges	80.75
Municipal	Schindler Elevator Corporation	Warranty Agreement Monthly Charges	83.51
Paramedics	American Welding & Gas	Oxygen Cylinders for EMS Units	20.00
Paramedics	Verizon	Line to Transmit Data from Squad to Hospital	18.08
Paramedics	Wex Bank/Fleet Services	Fuel for Village Vehicles	309.67
Police	Hamilton County Coroner	Lab Fees	190.00
Police	Kiesler Police Supply	Ammo	538.00
Police	OAMCCC	2021 Membership Dues for Mayor's Court Clerk's Office	62.50
Police	Staples	Printer Ink	242.95
Police	TransUnion	Data Subscription Monthly Charges	75.00
Police	Wex Bank/Fleet Services	Fuel for Village Vehicles	1,874.20
Police	Galls Uniforms	Gloves for Officer Watt	75.96
Pool	Ace Hardware	Misc. Parts/Supplies/Materials	75.40
Pool	Shamrock Enterprises	Repair Concrete, Wash/Paint Lap Pool	13,579.00
Service	Ace Hardware	Misc. Parts/Supplies/Materials	190.85
Service	Board of County Commissioners	Radio Service (5 Non-Public Safety Radios)	130.00
Service	Bramble Mower	Parts & Blade Sharpening	152.45
Service	Cincinnati Bell	Phone Service Monthly Charges	101.20
Service	Davey Tree	Removed Storm Damaged Maple on Wooster (Emergency)	1,080.00
Service	H. Hafner & Sons Landfill	Dumping Fees (Debris from Pool)	213.20
Service	Supreme Scapes	Mulch Throughout Village May 2021 (deposit)	4,750.00
Service	Wex Bank/Fleet Services	Fuel for Village Vehicles	737.21
Tax	Income Tax Refunds	Overpayment of Taxes	13,694.45
Tennis	David Russell	Tennis-Pro Service for Period Ending 5/1/2021	650.00
TOTAL			200,609.10

VILLAGE OF MARIEMONT
BIWEEKLY PAYROLL ENDING May 1, 2021

Police Department

Richard D. Hines, Regular	3901.68	Rick Hines, Vacation	433.52
Steve Watt, Overtime	120.30	Pat Harrison, Sick	1377.00
Steve Watt, Regular	3167.90	Dan Lyons, Overtime	180.45
Adam Geraci, Regular	3208.00	Nick Pittsley, Regular	3412.00
Steve Watt, Comp	40.10	Steve Watt, Longevity	225.00
Derek Bischoff, Regular	2618.00	Dan Lyons, Holiday	314.54
Derek Bischoff, Comp	462.00	Paul Rennie, Regular	3147.85
Dan Lyons, Vacation	481.20	Pat Harrison, Regular	1683.00
Paul Rennie, Comp	60.15	Paul Rennie, Overtime	240.60
Tom Ostendarp, Regular	3135.48	Tom Ostendarp, Vacation	553.32
Vikki Hill, Mayor's Court	125.00	Dan Lyons, Regular	2726.80
Matt Kurtz, Regular	2807.00	Judy Gerros, PT, Regular	540.80
Blake Wallace, PT, Regular	1254.00	Doris Hallums, PT, Regular	520.40
Vikki Hill, Regular	1762.50	Penny Anderson, PT Regular	459.00
Fred Romano SRO, Regular	2120.00	Fred Romano, Regular	233.20
Matt Kurtz, Sick	401.00	Blake Wallace, Overtime	114.00
John Zellner, PT, Regular	520.40	Department Total	42031.65

Paramedics/Fire

Jim Henderson, Supervisor Pay	542.50	Jim Henderson, Overtime	1171.80
Ethan Roell, PT, Regular	223.80	Tim Peaker, PT, Regular	897.60
Richard Cathcart, PT, Regular	1100.35	Evan Dunkelman, PT, Regular	1342.80
Robert Mercer, PT, Regular	857.90	Keary Henkener, PT, Regular	448.80
Mike Washington, Jr., PT, Regular	448.80	Joe Lowry, PT, Regular	447.60
Michael Washington, Supervisor Pay	868.00	Mike Washington, Overtime	455.70
Matt Clark, PT, Regular	885.88	Eric Freeland, PT, Regular	447.60
Tim Peaker, PT, Regular	1083.00	Rob Runella, PT, Regular	846.00
Chris Miller, PT, Regular	671.40	Rob Runella, Supervisor Pay	324.00
Josh Watren, Supervisor Pay	520.80	Dan Copeland, Supervisor Pay	1757.70
Brian Gross, PT, Regular	223.80	Hunter Morgan, PT, Regular	878.90
Derek Hunt, PT, Regular	448.80	Bryan Schmidlapp, PT, Regular	447.60
Joey Homan, PT, Regular	864.00	Ethan Roell, PT, Regular	432.00
Chris Ramsey, Supervisor Pay	817.20	Chris Ramsey, Overtime	612.90
Craig Coburn PT, Regular	224.40	Assistant Chief Feichtner, Regular	3499.61
Rick Hines, Regular	461.60	Ray Scott, PT, Regular	895.20
Mark Hardin, PT, Regular	895.20	Nick Guilkey, Supervisor Pay	1041.60
David Huckleby, PT, Regular	687.69	Curtis Ryan, PT, Regular	176.52
Brandon Manor, Supervisor Pay	520.80	Joey Homan, PT, Regular	864.00
Jeremy Burns, PT, Regular	1007.10	Chris Miller, PT, Regular	468.00
Jason Williams, PT, Regular	411.40	Jason Williams, Supervisor Pay	477.40
Ryan Brown, PT, Regular	662.08	Department Total	28648.83

Maintenance Department

John M. Scherpenberg, Regular	3186.50	Kevin Schmid, Comp	45.00
Jeremy Swadder, Regular	1920.00	Kevin Schmid, Vacation	1200.00
Ben James, Regular	2253.91	Ben James, Sick	21.33
Kevin Schmid, Regular	1200.00	Mike Evanchyk, Regular	1920.00
		Department Total	11746.74

Administrative

Joanee B. Van Pelt, Regular	2665.91	Joanee Van Pelt, Personal	36.03
Joanee Van Pelt, Council	125.00	Allison Uhrig, Regular	1509.45
Allison Uhrig, Personal	155.39	Department Total	4491.77

Tax Department

DeAnna Darrah, Regular	2493.00	Department Total	2493.00
------------------------	---------	-------------------------	----------------

GRAND TOTAL **89411.99**

VILLAGE OF MARIEMONT

RESOLUTION NO. R-____-21

AUTHORIZING PURCHASE OF MAYOR'S COURT SOFTWARE FROM THE BALDWIN
GROUP, INC. (BGI)

WHEREAS, the Village of Mariemont has the need to update Mayor's Court software as the current software is being phased out by the developer; and

WHEREAS, this situation was only discovered with the turnover in the Clerk of Court's role, so this software upgrade was not included in the Village's budget. It was therefore determined that said amount should initially be charged to the police budget; and

WHEREAS, the Finance Committee recommends purchasing upgraded software from The Baldwin Group, Inc. ("BGI") for the cost of Fifteen Thousand Eighty-two and no/100 Dollars (\$15,082.00) which amount includes full licensing costs, as well as support and maintenance for the remainder of 2021 and all of 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MARIEMONT,
HAMILTON COUNTY, OHIO, TWO THIRDS OF THE MEMBERS ELECTED THERETO CONCURRING:

SECTION I. That the Village shall purchase from BGI upgraded software for the amount of Fifteen Thousand Eighty-two and no/100 Dollars (\$15,082.00) and initially charge said amount to the police budget.

SECTION II. That the Mayor and Clerk are hereby authorized to enter into a contract for the purchase of the upgraded software as set forth in Section I and Section II of this Ordinance. That the contract price of Fifteen Thousand Eighty-two and no/100 Dollars (\$15,082.00) shall be paid to BGI as described in Section I of this Ordinance and the same shall be charged to account No. 101.101.52409 and then 214.101.52409, respectively.

SECTION III. That this Ordinance shall go into effect at the earliest date allowed by law.

Passed: May 10, 2021

William A. Brown Mayor

ATTEST:

Anthony Borgerding, Fiscal Officer

I, Anthony Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Resolution was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 11th day of May 2021.

Anthony Borgerding, Fiscal Officer

VILLAGE OF MARIEMONT

RESOLUTION NO. R-____-21

TO AUTHORIZE THE RECODIFICATION OF THE MARIEMONT CODE OF ORDINANCES

WHEREAS, the Rules and Law Committee met to discuss the necessity of recodifying the Mariemont Code of Ordinances; and

WHEREAS, the Committee has determined that it is necessary that the Village's Code of Ordinances be recodified. That said cost for the recodification is to include an online version of the Code as is currently in place at a total cost not to exceed Eleven Thousand and no/100 Dollars (\$11,000.00) plus shipping; and

WHEREAS, in the opinion of Council of the Village of Mariemont, said recommendations should be accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MARIEMONT, HAMILTON COUNTY, OHIO, TWO THIRDS OF THE MEMBERS ELECTED THERETO CONCURRING:

SECTION I. That the Village of Mariemont Code of Ordinances shall be recodified.

SECTION II. That the cost for said recodification including an online version as is currently in place shall not exceed the amount of Eleven Thousand and no/100 Dollars (\$11,000.00), plus shipping.

SECTION III. That the Clerk be and is hereby authorized to charge the costs for said recodification of the Mariemont Code of Ordinances to Account No. 101.702.52409.

SECTION V. That this Resolution shall go into effect at the earliest date allowed by law.

Passed: May 10, 2021

William A. Brown, Mayor

ATTEST:

Anthony J. Borgerding, Fiscal Officer

I, Anthony J. Borgerding, Fiscal Officer of Council of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 11th day of May 2021.

Anthony J. Borgerding, Fiscal Officer

VILLAGE OF MARIEMONT

RESOLUTION NO. R- -21

FIXING A TIME FOR PUBLIC HEARING ON THE 2022 BUDGET

BE IT RESOLVED, by the Council of the Village of Mariemont, State of Ohio:

SECTION I. That the budget for the year 2022 prepared by the Council in accordance with law, be open to public inspection by having at least two copies thereof on file in the office of the Village of Mariemont and that a Public Hearing on the Budget will be held on Monday July 26, 2021 at 5:30 p.m. in the Council Chambers.

Further, that no less than ten days notice by publication in a newspaper of general circulation in the Village of Mariemont be given of said hearing by the Fiscal Officer.

Passed May 24, 2021

William A. Brown, Mayor

ATTEST:

Anthony J. Borgerding, Fiscal Officer

I, Anthony J. Borgerding, Fiscal Office of the Village of Mariemont, Ohio do hereby certify that there is not newspaper in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: at the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building, Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 25th day of May 2021.

Anthony J. Borgerding, Fiscal Officer

VILLAGE OF MARIEMONT

RESOLUTION NO. R-____-21

AUTHORIZING SUBSCRIPTION TO LEXIPOL SOFTWARE
TO ASSIST POLICE AND FIRE DEPARTMENTS

WHEREAS, the Finance Committee has determined that it would be in the best interest of the Village of Mariemont to contract for a subscription with Lexipol which is a software to assist fire and police departments in complying with current laws, regulations, and public safety practices and documents the training of personnel on approved policies and procedures; and

WHEREAS, as the Village of Mariemont is a member of the Ohio Plan which provides liability insurance for the Village, the Village can obtain said subscription for a ten percent (10%) discount and at a fifteen percent (15%) discount for the initial implementation costs; and

WHEREAS, the Ohio Plan is also providing a fifty percent (50%) reimbursement for the subscription costs of the first year; a thirty percent (30%) reimbursement the second year; and a twenty percent (20%) reimbursement for the third year; and

WHEREAS, the Finance Committee recommends subscribing to Lexipol software at the cost of Six Thousand Three Hundred Forty-five and 90/100 Dollars (\$6,345.90) annually, and paying a one-time implementation cost of Eleven Thousand Nine Hundred Thirty-nine and 10/100 Dollars (\$11,939.10) for the total amount of Eighteen Thousand Two Hundred Eighty-five and no/100 Dollars (\$18,285.00).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MARIEMONT, HAMILTON COUNTY, OHIO, TWO THIRDS OF THE MEMBERS ELECTED THERETO CONCURRING:

SECTION I. That the Village shall subscribe to Lexipol for an annual fee of Six Thousand Three Hundred Forty-five and 90/100 Dollars (\$6,345.90) and for the one-time implementation fee of Eleven Thousand Nine Hundred Thirty-nine and 10/100 Dollars (\$11,939.10) and to pay for said subscription from the Traffic Enforcement Fund.

SECTION II. That the Mayor and Clerk are hereby authorized to enter into a contract for the subscription to Lexipol as set forth in Section I of this Ordinance. That the total initial contract price of Eighteen Thousand Two Hundred Eighty-five and no/100 Dollars (\$18,285.00) and each annual renewal fee of Six Thousand Three Hundred Forty-five and 90/100 Dollars (\$6,345.90) shall be paid to Lexipol as described in Section I of this Ordinance and the same shall be charged to account No. 213.101.52409.

SECTION IV. That this Ordinance shall go into effect at the earliest date allowed by law.

Passed May 24, 2021

William A. Brown Mayor

ATTEST:

Anthony J. Borgerding, Fiscal Officer

I, Anthony J. Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Resolution was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 25th day of May 2021.

Anthony J. Borgerding, Fiscal Officer

VILLAGE OF MARIEMONT, OHIO
RESOLUTION NO. R-___-21

TO ACCEPT BID OF SUPREME SCAPES FOR
MULCHING REQUIRED AREAS OF THE VILLAGE

WHEREAS, the Public Works and Service Committee for the Village of Mariemont has determined that it would be more cost effective for the Village to outsource the task of mulching the required of the Village; and

WHEREAS, the Village of Mariemont has advertised for bids for said mulching work to be performed; and

WHEREAS, Supreme Scapes has submitted a bid for the work and was determined to be the lowest and best bid.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MARIEMONT, HAMILTON COUNTY, OHIO, TWO THIRDS OF THE MEMBERS ELECTED THERETO CONCURRING:

SECTION I. That the bid submitted by Supreme Scapes for mulching required areas in the Village of Mariemont for the total cost of Nine Thousand Five Hundred and no/100 Dollars (\$9,500.00), is accepted.

SECTION II. That the Mayor and Fiscal Officer are hereby authorized to enter into a written contract, being Exhibit AA@ attached hereto and incorporated herein in its entirety, with Supreme Scapes for mulching required areas in the Village for the total cost of Nine Thousand Five Hundred and no/100 Dollars (\$9,500.00).

SECTION III. That the Fiscal Officer be and is hereby authorized to pay Supreme Scapes the amount of Nine Thousand Five Hundred and no/100 Dollars (\$9,500.00) from the Permanent Improvement Fund and to charge the same to Account No. 403.703.52409

SECTION IV. That this Resolution shall go into effect at the earliest date allowed by law.

Passed: May 24, 2021

William A. Brown, Mayor

ATTEST:

Antony J. Borgerding, Fiscal Officer

I, Antony J. Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 25th day of May 2021.

Antony J. Borgerding, Fiscal Officer

Supreme Scapes LLC

3807 Round Bottom Road
Cincinnati, OH 45244
513.245.8737
www.supremescapes.com



RECIPIENT:

Village Of Mariemont
6907 Wooster Pike
Cincinnati, Ohio 45227

Quote #1290	
Sent on	02/24/2021
Total	\$10,241.00

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT COST	TOTAL
Mulch (Triple Shredded)	Deliver and install 70 cubic yards of natural dyed, triple shredded mulch as directed by the village of Mariemont staff ***if additional mulch is required to complete the project it will be charged at a rate of \$135/yard delivered and installed*** Date TBD	1	\$9,500.00	\$9,500.00

A deposit of \$5,120.50 will be required to begin.

This quote is valid for the next 30 days, after which values may be subject to change.

Subtotal	\$9,500.00
OH-Hamilton-31000 (7.8%)	\$741.00
Total	\$10,241.00

VILLAGE OF MARIEMONT

RESOLUTION NO. R-____-21

RESOLUTION APPOINTING MEMBERS TO THE TREE ADVISORY BOARD

WHEREAS, Council for the Village of Mariemont has recently established a new ordinance Section 37.06 of the Mariemont Code of Ordinances to establish a Tree Advisory Board; and

WHEREAS, Council desires to appoint certain individuals to serve on that Board for the terms listed opposite their respective names; and

WHEREAS, at the outset there shall be five voting members of said Board, with several non-voting members that may be hereafter appointed by the Tree Advisory Board with the consent of Village Council, and

WHEREAS, Council desires to appoint the individuals as recommended by the Health and Recreation Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MARIEMONT, HAMILTON COUNTY, OHIO, TWO THIRDS OF THE MEMBERS ELECTED THERETO CONCURRING:

SECTION I. That the Voting Members shall be:

VOTING MEMBER:	TERM:
Barbara Whitaker - Chair	Beginning: 1-1-2021 Ending: 12-31-2022
Kristin Van Scoy - Vice Chair	Beginning: 1-1-2021 Ending: 12-31-2022
Jason Brownnight	Beginning: 1-1-2021 Ending: 12-31-2022
Marcy Lewis	Beginning: 1-1-2021 Ending: 12-31-2021
Mary Beth York	Beginning: 1-1-2021 Ending: 12-31-2021

That the non-voting Members shall be:

NON-VOTING MEMBERS:	TERM:
John Bentley	Beginning: 1-1-2021 Ending: 12-31-2021
Margaret Jevic	Beginning: 1-1-2021 Ending: 12-31-2022
Ginger Kelly	Beginning: 1-1-2021 Ending: 12-31-2022
Martin Koepke	Beginning: 1-1-2021 Ending: 12-31-2021
Brad Lockhart	Beginning: 1-1-2021 Ending: 12-31-2022
Marianne Prue	Beginning: 1-1-2021 Ending: 12-31-2021
Cortney Scheeser	Beginning: 1-1-2021 Ending: 12-31-2021

SECTION II. The Tree Advisory Board may at any time adopt any other rules and regulations as it deems appropriate for the orderly operation of said Board.

SECTION III. This Resolution shall take effect at the earliest time allowed by law.

Passed: May 24, 2021

William A. Brown, Mayor

ATTEST:

Antony J. Borgerding, Fiscal Officer

I, Antony J. Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 25th day of May 2021.

Antony J. Borgerding, Fiscal Officer

VILLAGE OF MARIEMONT

RESOLUTION R- -21

TO AMEND R-12-21 RESOLUTION DECLARING THE NECESSITY OF LEVYING A TAX IN EXCESS OF THE 10 MILL LIMITATION FOR PERMANENT IMPROVEMENTS AND REQUESTING THE COUNTY AUDITOR TO CERTIFY MATTERS IN CONNECTION THEREWITH; AND TO DECLARE EMERGENCY

WHEREAS, the Council of the Village of Mariemont anticipates levying a tax in excess of the 10 mill limitation as described herein; and

WHEREAS, pursuant to Section 5705.03 of the Ohio Revised Code, this Council is required to certify to the County Auditor a Resolution requesting the County Auditor to certify certain matters in connection with such a tax levy; and

WHEREAS, the proposed three (3) mill levy is a "renewal" tax to be levied for five consecutive years beginning with the year 2021, tax duplicate, collectible in 2022 and thereafter for a total of five years. The levy will be submitted and taxes upon the entire territory of the Village of Mariemont, located in Hamilton County, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MARIEMONT, HAMILTON COUNTY, OHIO, TWO-THIRDS OF THE MEMBERS ELECTED THERETO CONCURRING:

SECTION 1. That pursuant to the provisions of Section 5705.19 (OO) of the Ohio Revised Code, it is necessary to renew a tax in excess of the ten mill limitation for the benefit of the Village of Mariemont for the purpose of providing funds for Permanent Improvement expenses at a rate not exceeding three mills for each one dollar of valuation, which amounts to thirty cents (\$.30) for each one hundred dollars (\$100.00) of valuation for a period of five years. Permanent Improvement purposes include the following: Street repairs, installation and repair of curbs, sidewalks and storm sewers, tree maintenance, upgrading of parks, reducing erosion, purchase of equipment and facilities for Police, Fire, Administration and Maintenance Departments.

SECTION II. Pursuant to Section 5705.03 of the Ohio Revised Code, the County Auditor is hereby requested to certify to this Council the total current tax valuation of the Village of Mariemont and the dollar amount of revenue that would be generated by the number of mills specified in Section I hereof, and the Fiscal Officer of the Village of is hereby directed to certify forthwith a copy of this Resolution to the County Auditor at the earliest possible time so that the County Auditor may certify such matters in accordance with such Section 5705.03 to be able to appropriately consider, pass, and file a Resolution of necessity for consideration at the November 2, 2021 General Election.

SECTION III. That this Resolution is hereby declared to be an emergency for the immediate preservation of the public peace, health and safety and should go into immediate effect upon passage. The reason for said emergency is to incorporate the required 2018 revised resolution code language.

Passed: May 10, 2021

William A. Brown, Mayor

ATTEST:

Anthony J. Borgerding, Fiscal Officer

I, Anthony J. Borgerding, Fiscal Officer of the Village of Mariemont, Ohio do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Resolution was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council as follows: at the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building, Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, the intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 11th day of May 2021.

Anthony J. Borgerding, Fiscal Officer

VILLAGE OF MARIEMONT, OHIO

RESOLUTION NO. R-_____-21

**TO ENTER INTO CONTRACT WITH XPEX FOR THE
PURPOSE OF ENFORCING THE BUILDING CODES
APPLICABLE TO THE VILLAGE AND TO ISSUE RELATED
PERMITS; AND TO DECLARE EMERGENCY**

WHEREAS, Don Keyes, the longstanding Building Administrator for the Village of Mariemont, retired from his position as of March 31, 2021; and

WHEREAS, the Building Administrator was responsible for enforcing both the Village of Mariemont ("Village") Zoning Code and all building codes applicable in the Village; and

WHEREAS, the Village has received a contract with XPEX for the purpose of enforcing the building codes application to the Village and issuing related permits; and

WHEREAS, the Village has created the position of Zoning Official, such that the only work to be contracted for would be for building codes and inspections; and

WHEREAS, the Village believes that XPEX will provide the best services at the most efficient costs related to the enforcement of the Village Building Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE
COUNCIL OF THE VILLAGE OF MARIEMONT,
HAMILTON COUNTY, OHIO, TWO THIRDS OF
THE MEMBERS ELECTED THERETO
CONCURRING:**

SECTION I. That the Mayor and the Fiscal Officer for the Village of Mariemont are authorized to enter into a contract with XPEX to provide for building administrator services for the Village of Mariemont. Said contract is attached hereto as Exhibit "A."

SECTION II. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety and shall go into effect immediately. The reason for the emergency is there is an immediate need to enforce the Village Zoning Code at all times.

Passed: May 10, 2021

William A. Brown, Mayor

ATTEST:

Anthony J. Borgerding, Fiscal Officer

I, Anthony J. Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 11th day of May 2021.

Anthony J. Borgerding, Fiscal Officer

AGREEMENT

Bill Brown, Mayor, on behalf of the Village of Mariemont, Ohio and XPEX, LLC, an Ohio limited liability company, enter into this Agreement as of this _____ day of _____, 20____

WHEREAS, Section 3781.10(E)(7) of the Ohio Revised Code authorizes a county, municipality, or township to contract for inspection and plan review services; and

WHEREAS, the Village of Mariemont Building Department (the "Department") has been or will be certified by the state of Ohio Board of Building Standards ("OBBS") pursuant to Sections 3781.03, 3781.10(E) and Chapter 3791 of the Ohio Revised Code; and

WHEREAS, Section 3781.10(E)(1) of the Ohio Revised Code provides for plan review and building inspection services through contractual agreements; and

WHEREAS, Section 3781.10(E)(2) of the Ohio Revised Code provides for enforcement authority and building inspection services through contractual agreements; and

WHEREAS, the Village of Mariemont and XPEX desire to enter into an Agreement for XPEX to furnish building official, plan review, and building inspection services provided for in this Agreement to promote compliance with the Ohio building codes pertinent to the Village of Mariemont;

WHEREAS, the personnel used by XPEX to perform building inspection services will be certified by the OBBS;

WHEREAS, the services to be performed by XPEX are of a technical and professional nature; and

WHEREAS, XPEX provides its services on behalf of the Village of Mariemont, the benefit of the general public to promote public safety as contemplated under the Ohio Public Duty Doctrine.

NOW, THEREFORE, the Village of Mariemont and XPEX agree as follows:

1. SCOPE OF SERVICE

Subject to terms and conditions set forth in this Agreement and the attached exhibits (such exhibits are deemed to be a part of this Agreement as fully as if set forth herein) and the Ohio Revised Code, XPEX agrees to perform Certified Building Official, plan review and inspection services on behalf of the Village of Mariemont for the good of public safety. XPEX shall:

- a. Make building inspections on behalf of Village of Mariemont with enforcement authority. Such enforcement authority conveyed to XPEX by this Agreement shall be pursuant to the authority conveyed to the Department by Ohio Revised Code Section 3781.10 (E).
- b. Fully and diligently provide building inspections on behalf of the Village of Mariemont with enforcement authority in accordance with the Ohio Building Code, or the Residential Code of Ohio as applicable. No waiver of code requirements shall be issued by XPEX.

Building, site plan and related zoning permits fees shall be reviewed and retained by the Village of Mariemont. XPEX will not issue any building permit until a zoning certification has been approved by the Village of Mariemont. Water, sewer and other fees required to be collected with a building permit shall be collected by the Village of Mariemont.

- c. Examine plans and specifications for proposed work as required by the Ohio Building Code, the Residential Code of Ohio, and all other related laws, and ordinances. Such examination and plan approval shall be as specifically provided for in the Ohio Building Code, or the Residential Code of Ohio as applicable. Any part which may be in violation will not be considered as being approved.
- d. Interface with the public concerning the permit application process, but shall perform no design services, of any nature, for the completion of inadequate applications.
- e. Issue certificates of approval when the installed work complies with applicable regulations, ordinances, and statutes.
- f. Perform the required inspections of all work, including installations of equipment. Such service shall be provided generally on a first come, first served basis, unless emergency action is required, but within normal scheduling.
- g. On request by the Mayor or his authorized delegate, make surveys of existing building installations and equipment, furnish a written report of findings, recommend corrective measures, and make itself available for consultation in writing orders to correct defects, in accordance with the terms of the Ohio Building Code, or the Residential Code of Ohio as applicable.
- h. Analyze and appraise equipment and materials of the kind not normally listed by Approved Agencies, to determine whether or not such equipment is safe and adequate for the specific use for which they are intended and shall be paid in accordance with procedures adopted by the Village of Mariemont.

- i. Provide Duke Energy or local utility with copies of the Certificates of Approval of electrical work when new services are required.
- j. XPEX shall work in concert with the Village of Mariemont and so as to affect a fully operational building department. XPEX inspection personnel will be available to the public during daily normal office hours, Monday through Friday except recognized holidays. XPEX will review permit applications, review plan submissions, perform inspections, and issue Certificates of Approval and Certificates of Occupancy in accordance with the Ohio Building Code, or the Residential Code of Ohio as applicable. All documents shall remain the property of the Village of Mariemont.

2. TERM

This Agreement shall be effective from _____, 2021 to December 31, 2022, inclusive, unless terminated or extended by written amendment signed by both parties. This Agreement shall automatically renew each year for a succeeding year. Either party may cancel this Agreement by giving one hundred and eighty (180) days prior written notice of the intent to terminate. While this Agreement is in effect and for one year after its termination the Village of Mariemont will not offer employment to, nor solicit any employment applications from employees or contracted personnel of XPEX.

3. FEE COLLECTIONS AND PAYMENT FOR SERVICES

Collection of all fees shall be the responsibility of the Village of Mariemont.

The Village of Mariemont shall pay to XPEX \$70.00 per hour for Certified Building Official, \$65.00 per hour for Certified plan review services and \$60.00 per hour for Building Inspection Services for the enforcement of its commercial & residential building codes and regulations.

Fees due XPEX shall be paid monthly on or before the 10th of each month for services performed in the prior month.

4. TERMINATION

A. For Convenience

This Agreement may be terminated by either party upon notice, in writing, delivered upon the other party, one hundred and eighty (180) days prior to the effective date of termination.

B. Mutual Termination

The parties may mutually agree, in writing signed by both parties, to terminate this Agreement at any time.

C. For Cause

In the event of a material breach of this Agreement by XPEX, the Village of Mariemont may terminate this Agreement upon sixty (60) days prior written notice to XPEX specifying the nature of the breach, provided however, that XPEX shall have an opportunity to cure such breach within sixty (60) days after receiving such notice. In the event XPEX corrects the cause giving rise to the notice within 60 (sixty) days of the notice required above, as determined sufficient by the Village of Mariemont, in its sole reasonable discretion, the cause of termination shall be deemed void and the Agreement shall continue in effect.

For purposes of this Agreement, material breach shall mean an act or omission which violates or contravenes an obligation required under this Agreement and which by itself or together with one or more other breaches, has a substantial negative effect on, or thwarts, the purpose of this Agreement. A material breach shall not include an act or omission which has a trivial or negligible effect on the quality of the service to be delivered under this Agreement, in the reasonable opinion of the non-breaching party.

The parties agree that, in the event of a dispute or alleged breach, they will work together in good faith first, to resolve the matter internally.

5. LEVEL OF SERVICE AND EMPLOYEE CERTIFICATION

The services shall be performed by XPEX's personnel, defined as principals, employees, or contract personnel, in a workmanlike, professional and conscientious manner by qualified inspectors/examiners of XPEX.

XPEX agrees and further covenants and warrants that all of the inspectors performing examination and inspection services are and shall at all times continue to be fully qualified and certified under the provisions of Ohio law, and shall hold the requisite Certificate(s) of Competency from the OBBS.

6. EMERGENCY SERVICE

XPEX shall provide 24-hour inspection service for inspections as may be required in emergency situations. The number of inspections and other XPEX personnel needed by the Village of Mariemont in emergency situations shall be agreed upon by the parties and shall be determined in relation to any emergency cooperation agreement entered into by the Village of Mariemont. XPEX further agrees that throughout the term of this Agreement it will maintain a list of personnel that may be available in the event of an emergency. Emergency situations will be invoiced at \$75.00 per hour.

XPEX agrees that upon request it will cooperate and work with the Department in the preparation of a disaster mitigation plan. XPEX further agrees that it will upon request review this plan semi-annually, in order to establish that all names and contact information are current.

7. AVAILABILITY AND RETENTION OF RECORDS

All records and documents, including applications, plan review, job progress and inspection records shall be maintained by the Department and made available to XPEX for its efficient operation. Being within the public domain public access to these documents shall be provided in accord with the policy of the Department. The Department shall retain all records and documents for ten (10) years in an acceptable form and format.

8. CONFLICT OF INTEREST

This Agreement in no way precludes, prevents, or restricts XPEX from obtaining and working under an additional contractual arrangement(s) with other parties aside from the Village of Mariemont, assuming that the contractual work in no way impedes XPEX's ability to perform the services required under this Agreement. XPEX warrants that at the time of entering into this Agreement, it has no interest in nor shall it acquire any interest, direct or indirect, in any contract which will impede its ability to perform the services under this Agreement.

XPEX further agrees to comply with all state ethics rules, regulations and laws. By signing this contract XPEX certifies to be in compliance with these provisions.

9. ASSIGNMENT

The parties expressly agree that this Agreement shall not be assigned by XPEX without the prior written approval of the Village of Mariemont, such approval shall not be unreasonably withheld. XPEX may use its personnel for any of the services agreed to in this Agreement without the express written consent of the Village of Mariemont. All XPEX certified contract personnel are subject to the same terms, conditions, and covenants contained within this Agreement. XPEX must notify the Village of Mariemont within three (3) business days when XPEX knows or should have known that the XPEX certified contract personnel is out of compliance or unable to meet contract or licensing requirements. Should this occur, XPEX will immediately implement a process whereby the XPEX certified contract personnel is immediately brought into compliance or the XPEX certified contract personnel contract with XPEX is terminated. XPEX is responsible for making direct payment to all XPEX certified contract personnel for any and all services provided by such contractors.

10. ADJUDICATION/ENFORCEMENT

XPEX shall promptly cooperate with the Village of Mariemont in the need for adjudication/enforcement in cases that are not resolved. Actions, legal actions or otherwise shall be taken by the Department. Such actions, legal actions or otherwise may be initiated by XPEX on behalf of the Department based on the applicable provisions of the Ohio Building Code, or the Residential Code of Ohio as applicable.

At the request of the Village of Mariemont, XPEX shall make itself reasonably available for pre-trial conferences, and shall testify in any judicial proceeding or interpretation of disputes arising from the performance of the services hereinabove described at the rate of Seventy-Five Dollars (\$75.00) per hour per person.

11. COMPLAINTS

XPEX agrees that it will provide prompt and courteous service to the public. All complaints regarding XPEX's operations, service, or personnel, received by the Village of Mariemont, shall be passed to XPEX for prompt, complete and appropriate resolution with the complainant, in keeping the law, and to the best possible satisfaction of the complainant. Results of such activities shall be reported back to the Village of Mariemont. In addition, all complaints regarding XPEX's operations, service or personnel received by XPEX, shall be promptly reported to the Village of Mariemont in writing.

XPEX agrees to promptly notify the Village of Mariemont in writing of any threatened or pending claims or lawsuits arising from or incident to any service performed by XPEX to Village of Mariemont or the public under this Agreement. In addition, upon request of the Village of Mariemont, XPEX agrees that it will promptly furnish copies of all documents related to such threatened/pending claims and lawsuits.

12. REPORTS

Upon the request of the Village of Mariemont, XPEX agrees to submit a monthly report of the prior month's activities to the Village of Mariemont. The monthly report will provide detailed activities in such form and substance as reasonably required by the Village of Mariemont. Such report shall be provided by the 10th day of the following month. In addition, XPEX agrees to supply the Village of Mariemont with any information that is reasonably requested by the Village of Mariemont in writing.

13. INSURANCE, INDEMNIFICATION AND HOLD HARMLESS

XPEX agrees to procure and maintain for the duration of this Agreement the following insurance: insurance against claims for injuries to persons or damages to property which may arise from or in connection with XPEX's products or services as described in this Agreement (commercial general liability) in the amount of \$2,000,000 and errors and omissions coverage with limits of not less than \$1,000,000. XPEX shall maintain Workers' Compensation insurance as required by and at the statutory limits required by the Ohio Revised Code. Maintenance of the proper insurance coverages for the duration of this Agreement is a material element of the contract. Material changes in the required coverage or cancellation of the coverage shall constitute a material breach of the Agreement.

14. GOVERNING LAW

This Agreement and any modifications, amendments, or alterations, shall be governed, construed, and enforced under the laws of Ohio.

15. INTEGRATION AND MODIFICATION

This instrument embodies the entire Agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein and in the attachments. This Agreement shall supersede all previous communications, representations or contracts, either written or oral, between the parties to this Agreement. Also, this Agreement shall not be modified in any manner except by an instrument, in writing, executed by the parties to this Agreement.

16. SEVERABILITY

If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent be held invalid or unenforceable, the remainder of this Agreement or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

17. SURVIVAL OF TERMS

In addition to provisions that expressly provide for survival following expiration or termination of this Agreement, those provisions which by their very nature are incapable of being performed or enforced prior to the expiration or termination of

this Agreement or which suggest at least partial performance or enforcement following such expiration or termination, shall survive any such expiration of termination of this Agreement.

18. DISPUTES

XPEX agrees that any dispute regarding administrative issues outside of the scope of the Ohio Building Code or the Residential Code of Ohio, as applicable, is to be submitted to and decided by the Department. The parties agree that disputes of a technical nature shall follow the normal adjudication and appeals process as per the applicable provisions of Ohio Building Code, or the Residential Code of Ohio.

19. NOTICES

Any information or notice required to be given in writing under this Agreement shall be effective upon receipt at the address of the addressee. For purposes of notice, the addresses of the parties shall be as follows:

To Village of Mariemont:

Village of Mariemont
6907 Wooster Pike
Mariemont, Ohio 45227
Attn: Bill Brown, Mayor

To XPEX:

XPEX, LLC
250 W. Court Street, Suite 125W
Cincinnati, OH 45202
Attn: Gerald Stoker, President & CEO

IN WITNESS WHEREOF, Village of Mariemont and XPEX by Gerald Stoker, its President, have hereunto subscribed their names on this _____ day of _____, 2021.

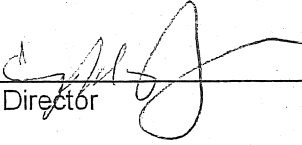
Village of Mariemont:

XPEX:

By: William A. Brown
Bill Brown, Mayor

By: Gerald Stoker
Gerald Stoker, President

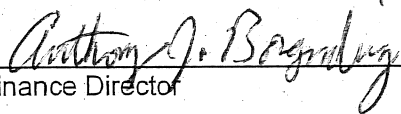
APPROVED AS TO FORM:



Law Director

CERTIFICATION OF FINANCE DIRECTOR

As Finance Director of the Village of Mariemont, Ohio, I certify that the money required to meet the obligations of the City under the preceding agreement have been lawfully appropriated by Mariemont for those purposes and is in the treasury of the Village, free from any previous encumbrances. This certificate is given in compliance with Sections 5705.41 and 5705.44 of the Ohio Revised Code.



Finance Director

May 4, 2021
Date

VILLAGE OF MARIEMONT, OHIO
ORDINANCE NO. 0-____-21

AN ORDINANCE AMENDING ORDINANCE NO. 0-32-98 ESTABLISHING A RESTRICTED COMPUTER FUND, HEREIN CALLED "MAYOR'S COURT COMPUTER FUND"

WHEREAS, Section 1901.261 of the Ohio Revised Code allows the establishment of a special fund to pay for computerization of the office of the Clerk of Courts; and

WHEREAS, the auditor of the State of Ohio, by bulletin 97-019 has published an opinion allowing for the implementation of a Mayor's Court Computerization Fund similar to the fund set forth in Ohio Revised Code Section 1901.261; and

WHEREAS, Council believes it is appropriate to increase the amount for Mayor's Court costs that should be transferred and deposited into the Mayor's Court Computer Fund.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MARIEMONT, STATE OF OHIO, TWO THIRDS OF THE MEMBERS DULY ELECTED THERETO CONCURRING:

SECTION I. That Ordinance No. 0-32-98 set forth the following:

That a fund is hereby created, herein called the "Mayor's Court Computer Fund," and requiring, as provided by Ohio Revised Code Section 5705.12, that \$3.00 of every Mayor's Court case be assessed said fee and that said fee be transferred and deposited into the Mayor's Court Computer Fund, and that said fund expenditures be restricted solely for the operational and maintenance expenses related to the Mayor's Court Computer System, which shall include, but will not be limited to, the following: computer space; computer electrical, computer air conditioning; computer furniture; computer hardware; computer software; subscriptions to computer services; staff expenses related to operating the computer system, including fringe benefits; computer supplies, for example, computer paper, diskettes, etc.; training sessions, maintenance of equipment as well as computer needs studies and any other expenditure which may be appropriate for computerization purposes.

That Ordinance No. 0-32-98 is hereby amended to read as follows:

SECTION II. That a fund is hereby created, herein called the "Mayor's Court Computer Fund," and requiring, as provided by Ohio Revised Code Section 5705.12, that \$13.00 of every Mayor's Court case be assessed said fee and that said fee be transferred and deposited into the Mayor's Court Computer Fund, and that said fund expenditures be restricted solely for the operational and maintenance expenses related to the Mayor's Court Computer System, which shall include, but will not be limited to, the following: computer space; computer electrical, computer air conditioning; computer furniture; computer hardware; computer software; subscriptions to

computer services; staff expenses related to operating the computer system, including fringe benefits; computer supplies, for example, computer paper, diskettes, etc.; training sessions, maintenance of equipment as well as computer needs studies and any other expenditure which may be appropriate for computerization purposes.

SECTION III. That this Ordinance shall take effect at the earliest date allowed by law.

Passed: May 10, 2021

William A. Brown, Mayor

ATTEST:

Anthony J. Borgerding, Fiscal Officer

I, Anthony J. Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 11th day of May 2021.

Anthony J. Borgerding, Fiscal Officer

VILLAGE OF MARIEMONT
ORDINANCE NO. O-___-21

CREATING THE POSITION OF ZONING OFFICIAL FOR THE
VILLAGE OF MARIEMONT, ESTABLISHING COMPENSATION THEREFOR,
AND DECLARING AN EMERGENCY

WHEREAS, Don Keyes, the longstanding Building Administrator for the Village of Mariemont ("Village"), retired from his position as of March 31, 2021; and

WHEREAS, the Building Administrator was responsible for enforcing both the Village of Mariemont ("Village") Zoning Code and all building codes applicable in the Village; and

WHEREAS, the Village is contracting with XPEX for the purpose of enforcing the building codes applicable to the Village and issuing related permits; and

WHEREAS, XPEX will not be providing services related to the enforcement of the Village Zoning Code; and

WHEREAS, in lieu of appointing a new Building Administrator, the Village deems it best to create the position of Zoning Official for the purpose of enforcing the Village Zoning Code;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MARIEMONT, STATE OF OHIO, TWO THIRDS OF THE MEMBERS DULY ELECTED THERETO CONCURRING:

SECTION I: The position of Zoning Official is hereby created. The Zoning Official shall be a contractor to the Village and shall work on an as-needed basis as requested by the Mayor, Village Administrator, or their designee, or as required by law.

SECTION II: The Zoning Official is hereby designated as the official responsible for carrying out duties, powers, and responsibilities designated to the Building Commissioner in the Mariemont Code Book, as well as such other matters necessary to enforce the Zoning Code.

SECTION III: The Mayor shall appoint the Zoning Official with the consent of Council. The Zoning Official may be removed by Council. To fill a vacancy in the position, including as to the appointment of the initial Zoning Official, the Mayor may appoint an interim Zoning Official, subject to confirmation of Council, until such time as a permanent Zoning Official can be appointed.

SECTION IV: Compensation for the Zoning Official shall be at the rate of twenty dollars (\$20) per hour, payable bi-weekly. Any changes to this pay will require the approval of Council.

SECTION V: This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall be effective immediately. The reason for said declaration of emergency is the immediate need to enforce the Village Zoning Code at all times.

Passed: May 10, 2021

William A. Brown, Mayor

ATTEST:

Anthony J. Borgerding, Fiscal Officer

I, Anthony J. Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 11th day of May 2021.

Anthony J. Borgerding, Fiscal Officer