

Council of the Village of Mariemont, Ohio  
June 14, 2021  
Agenda

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Minutes Regular Council Meeting May 24, 2021
5. Communications: (Council has copies except those marked \*\*. (These are in the Village Office for Perusal)

- \*From Assistant Fire Chief Copeland: May 2021 Monthly Report
- \*From Service Superintendent Scherpenberg: May 2021 Monthly Report
- \*From Tax Administrator Darrah: May 2021 Monthly Report
- \*From Assistant Building Administrator Beatty: 2021 YTD Building Department Financial Report
- \*From Assistant Fiscal Officer Wendler: May 2021 Monthly Report
- \*Hamilton County HUD Grants Program
- \*Task Force EMS-Fire Charter
- \*From Council Member Joe Stelzer: Discussion/Vote Outsource Mariemont Pool Concession and Proposal To Repair Bell Tower Batting cage & Installation of Multi-Purpose Turf

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

7. 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) \*\*Target Date June 2021\*\****
- ☛ 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)***

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)
- # Review Process Being Followed for Formal Acceptance of Contracts and Issuance of Purchase Orders for Projects Already Approved by Council (4-12-21)
- # Outside Contractor for Swim Pool Concessions (5-24-21)

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)
- # **Hamilton County Development Block Grant Program (5-24-21)**

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\*\*

8. Miscellaneous:

- # 4<sup>th</sup> 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

9. Resolutions:

- “Renewal of 3.0 Mill Tax Levy in Excess of 10 Mill Limitation for Capital Improvements for the Tax Years of 2021, 2022, 2023, 2024 and 2025” (Second Reading)
- “To Enter into Contract with XPEX for the Purpose of Enforcing the Building Codes Applicable to the Village and To Issue Related Permits” (Third Reading)

10. Ordinances:

- “Creating the Position of Zoning Officer for the Village of Mariemont, Establishing Compensation Therefor” (Third Reading)
- “Ordinance Amending Section 151.04 of the Mariemont Code of Ordinances Regarding Fence Construction” (First Reading)

Village of Mariemont  
Regular Council Meeting  
May 24, 2021

Mayor Brown called the meeting to order at 6:32 p.m. with the Pledge of Allegiance. Present were Mr. Bartlett, Mrs. Graves, Ms. Palazzolo and Mrs. Rankin.

Mrs. Graves moved, seconded by Mr. Bartlett to excuse the absences of Dr. Lewis and Mr. Stelzer. On roll call; four ayes, no nays.

Mrs. Rankin moved, seconded by Mrs. Graves to accept the minutes as written for the Council meeting May 10, 2021. On roll call; six ayes, no nays.

**Communications:**

\*From Council Member Stelzer: Email Dated May 21, 2021 Re: Committee Assignments. Mayor Brown referred to the Finance Committee the Hamilton County Block Grant Program. Mayor Brown referred to the Health and Recreation Committee consideration outsourcing the concession stand sales to a contractor.

\*From Council Member Palazzolo: Email Dated May 10, 2021 Re: Chain Link Fence Information for Rules & Law Committee. Ms. Palazzolo said previously the Committee had recommended that chain link fences be declared a nuisance and have them removed. It is already in the code that new fences cannot be chain link. A letter will be sent to homeowners citing the new code and that the chain link fences need to be abated. The Building Department does have some discretion and an application for a variance can be applied for. Solicitor McTigue said he has drafted legislation which will have a first reading at the next Council meeting but will update his research. Ms. Palazzolo moved, seconded by Mrs. Rankin to un-table the matter. On roll call; four ayes, no nays. Mr. Bartlett moved, seconded by Mrs. Rankin to accept the previously submitted Rules & Law Report recommendation which declares chain link fences a public nuisance and to require them to be abated at the discretion of the Building Department. On roll call; four ayes, no nays.

**Permission To Address Council:**

**Motion To Pay Bills:**

Mrs. Rankin moved, seconded by Ms. Palazzolo to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. Mrs. Rankin noted that Mr. Fiedler's bill was sizable and asked for a copy to be sent to all members of Council. In the past there was a monthly report given to Council. Mayor Brown said that has been addressed and one should be forthcoming going forward. Mr. Bartlett asked if Service Superintendent was able to find the authorization to paint the poles. Ms. Palazzolo said she remembers it being approved several years ago. On roll call; four ayes, no nays.

**Committee Reports:**

Mrs. Rankin moved, seconded by Ms. Palazzolo to accept the recommendation of the Finance Committee which met on Friday, May 14, 2021 at 11:00 am to discuss a proposal from Assistant to the Building Administrator Aileen Beatty on an alternative versus using XPEX for plan reviews, building inspections and certifications. Present at the meeting were Finance Committee members Rob Bartlett, Kelly Rankin and Joe Stelzer, Mayor Bill Brown, Assistant to the Building Administrator Aileen Beatty and Council Member Marcy Lewis. First, the Committee would like to thank Ms. Beatty for taking the time to develop this alternative proposal. The Finance Committee had previously presented to Council a recommendation to hire XPEX, which Council approved. But the Committee believes it is appropriate that we take the time to review all options before making a final decision. Ms. Beatty reviewed with the Committee the document she emailed to Council on May 10 and provided some additional perspective on how she arrived at her proposal. After much discussion and information sharing, the Committee unanimously voted to recommend that we continue forward with the plan to hire XPEX. The reason for this is the committee felt that XPEX provided more depth and breadth of expertise in the construction field. Also, XPEX has internal backup capabilities which we do not have today if the people who do our plan reviews or building inspections are out for a significant period of time. Finally, in all of their interactions with XPEX, both the Mayor and Mrs. Rankin felt that XPEX was very customer service oriented and willing to make accommodations, as necessary. One additional recommendation from the Finance Committee is that the Mayor explore with Bill Fiedler, who does our building inspections today, if he would be interested in doing inspections of rental units going forward. If Mr. Fiedler is not interested, then XPEX will do the rental inspections. If Council agrees to this recommendation, the second reading of the Resolution entering into contract with XPEX will proceed. On roll call; four ayes, no nays.

Ms. Palazzolo moved, seconded by the Finance Committee met on Friday, May 14, 2021 at 11:00 am to discuss a proposal from the Mayor's Court Clerk of Court to move to a flat fee when credit cards are used for payment in Mayor's Court. Present at the meeting were Finance Committee members Rob Bartlett, Kelly Rankin and Joe Stelzer, Mayor Bill Brown, and Mayor's Court Clerk of

Court Vikki Hill. Currently, the Village charges a fee of 3.5% when credit cards are used to pay the Village. This is to offset the fee that the Village is charged by the credit card companies. With the implementation of the new Baldwin software for Mayor's Court, we have discovered that the software does not handle percent calculations very well. It is better designed to handle a flat fee. The proposal is to implement a flat \$3 fee for any payments in Mayor's Court that use a credit card. Ms. Hill stated that in April this year, a \$3 fee would have been the rough equivalent of a 3.5% charge for all credit card payments. Of note: at the start of 2022, Mayor's Court is going to implement a new online payment system. This system will have the capability to handle a fee that is a percent of the total charge, so the flat fee that is being proposed will only be in place until the new online payment system is up and running. If Council agrees to this recommendation, the Mayor's Court Clerk of Court has requested that the \$3 flat fee for all credit card charges involving the Mayor's Court be passed as an emergency measure, so it can be implemented as quickly as possible. And again, once the new online payment system is up and running, we will revert back to a fee that is a percent of the total charge. On roll call; four ayes, no nays.

#### Miscellaneous:

Village Offices will be closed in Observation of Memorial Day Monday May 31, 2021. Mayor Brown said the Village will again this year do a drive by parade. He encouraged all to help celebrate and participate.

4<sup>th</sup> of July Fireworks will be held on Sunday July 4, 2021 at Dusk. Mayor Brown said the Outstanding Citizen for 2021 will be announced prior to the start of the fireworks.

Village Office will be closed in observation of Independence Day Monday July 5, 2021

Mayor Brown said the pool will open Saturday May 29 and thanked the Pool Commission members, volunteers and Pool Manager Jordan Schad for all the work they have done to get the pool up and running this year.

Mayor Brown said the trash sticker buyback program is still underway and is running very well.

Solicitor McTigue updated Council on the Beech Street situation. He was at the trial between the landlord and tenants. This is a case that the Village does not need to be involved in at all. He believes there was a misconception early on that the Building Department had the authority to levy fines when in fact only the Mayor's Court Magistrate can levy fines.

#### Resolutions:

"Fixing a Time for Public Hearing on the 2022 Budget" had a third reading. Mrs. Rankin moved, seconded by Ms. Palazzolo to adopt the Resolution. On roll call; four ayes, no nays. Resolution No. R-16-21 was adopted.

"Authorizing Subscription to Lexipol Software to Assist Police and Fire Departments" had a third reading. Mr. Bartlett moved, seconded by Mrs. Graves to adopt the Resolution. On roll call; four ayes, no nays. Resolution No. R-17-21 was adopted.

"To Accept Bid of Supreme Scapes for Mulching Required Ares of the Village" had a third reading. Mrs. Rankin moved, seconded by Mrs. Graves to adopt the Resolution. On roll call; four ayes, no nays. Resolution No. R-18-21 was adopted.

"Resolution Appointing Members to the Tree Advisory Board" had a third reading. Ms. Palazzolo moved, seconded by Mr. Bartlett to adopt the Resolution. On roll call; four ayes, no nays. Resolution No. R-19-21 was adopted.

"Renewal of 3.0 Mill Tax Levy in Excess of 10 Mill Limitation for Capital Improvements for the Tax Years of 2021, 2022, 2023, 2024, 2025" had a first reading.

"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" had a second reading. Solicitor McTigue said if there are any changes to the XPEX contract to please let him know regarding rental inspections. It was agreed to put in the contract that XPEX would perform rental inspections on a back-up basis.

"To Temporarily Suspend the 3.5 Percent Credit Card Convenience Fee Charged in Mayor's Court and Establish a Flat Fee of \$3 for Credit Card Payments Until New Software is Up and Running; and To Declare Emergency" had a first reading. Mrs. Rankin moved, seconded by Mr. Bartlett to suspend the rules to allow for the second and third readings. On roll call; four ayes, no nays. The Resolution had a second and third reading. Mr. Bartlett moved, seconded by Mrs. Rankin to adopt the Resolution. On roll call; four ayes, no nays. Mr. Bartlett moved, seconded by Ms. Palazzolo to invoke the emergency clause. On roll call; four ayes, no nays. Resolution No. R-20-21 was adopted.

#### Ordinances:

“Creating the Position of Zoning Officer for the Village of Mariemont, Establishing Compensation Therefor, and Declaring an Emergency” had a second reading.

Mayor Brown said he has put together the members for the Audit Committee. The next step will be to formally adopt via legislation.

Ms. Palazzolo said the DORA rollout is underway. The letters have been delivered to the restaurant owners. She is hoping to contact media outlets to do a press release. The start will be Thursday May 27, 2021 and we are on our second order of cups. We welcome feedback as the program goes forward. The signs are up but not along the Murray Path due to the construction.

Ms. Palazzolo announced that she will be moving out of the Village at the end of the summer and June 14, 2021 will be her last meeting serving on Council. She distributed the outline for the process to be used in filling Council vacancies. The process includes letting the residents know the date when those with interest to serve on Council must submit their desire to the Village and when the Committee of the Whole will meet to vote to fill the unexpired term. Council will have 30 days from June 14 to fill the vacancy, if not, the vacancy will be appointed by the Mayor.

Mayor Brown asked why fill the position when there will be an election in November for that Council seat. It seems to him that it would be giving that person an advantage in running on the ballot as an incumbent. Council disagreed citing it is following the law.

Council agreed that the date for submission should be June 21, 2021. The tentative date for the Committee of the Whole is July 8, 2021 but it will be determined after checking the availability of Dr. Lewis and Mr. Stelzer. Notice will be placed on the website, emails will be sent to those who have signed up for news, alerts and meeting information and reaching out to Mariemont Preservation Foundation, Mariemont Pre-School Parents Group and the Chamber of Commerce.

The meeting adjourned at 7:30 p.m.

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William A. Brown, Mayor

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Anthony J. Borgerding, Fiscal Officer



**Mariemont Fire Department**

6907 Wooster Pike  
Cincinnati, Ohio 45227

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

**Monthly Report May 2021**

Fire Dispatches-	22	Total Fire Dispatch May 2020	15
EMS Dispatches-	46	Total EMS Dispatch May 2020	17
Total Fire Reports-	68		
		Total Fire Dispatch YTD 2021	75
EMS Transports-	38	Total Fire Dispatch YTD 2020	66
Canceled-	2		
Patient Refusals-	6	Total EMS Dispatch YTD 2021	157
DOA -	0	Total EMS Dispatch YTD 2020	135
M/A = Mutual Aid		Total M/A Given YTD 2021	52
M/A Received	8	Total M/A Given YTD 2020	44
M/A Given	11		
		Total M/A Received YTD 2021	16
		Total M/A Received YTD 2020	22

**Monthly Highlights**

- Yearly inspections of Village businesses are ongoing.
- The Department has done 164 hours of Training this month.
- Memorial Day Parade and PR done with PD and FD.
- The Department will begin lifting restrictions for visitors slowly and becoming more involved in the community again as guidelines are changed by the Governor.

**SERVICE DEPARTMENT  
MONTHLY REPORT  
MAY  
2021**



**BRUSH ROUTE.....**

Dump Brush either Hafner or S-80

4 Loads of chipped brush  
\$ 0 Charge this month  
Saving of \$ 100.00  
500 savings year to date.

**Other Dumping's**

3 Load of brush \$75.00  
Loads of debris Cost \$  
**\$ 157 Total savings**

**Street Sweeping/ debris**

**loads cost \$ 00**

**TOTAL COST SAVINGS YTD**

**\$ 497.00**

**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

**CONTRCTOR'S WORK**

**Davey Tree Service**

**MECHANICAL WORK :**

Chain saws      Mowers  
Kubota , Arm Lift

General check each morning on all trucks

**STREET SWEEPING FOR MAY**

N/A

**TOTAL HOURS: 6    YEAR TO DATE: 6**

**Tree Work in House:**

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

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

**SAFTEY TRAINING CLASS:**

OVERTIME HOURS	TOTAL HOURS	HOURS COST PAID	COMP TIME
Scherpenberg	13.00	\$	\$ 517.81
Schmid	1	\$ 45.00	\$.
James		\$	\$
Evanchyk		\$	\$
Swader	.5	\$ 18.00	\$
<b>TOTAL HRS</b>	<b>14.50</b>		<b>\$ 517.81</b>
<b>TOTAL HRS. PAID</b>	<b>1.5</b>	<b>\$ 63.00</b>	
<b>Meetings</b>			
<b>Completion of work</b>			

**SICK TIME FOR MAY :.....TOTAL HOURS**

Scherpenberg .....	0
Schmid .....	0
James .....	0
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:

Village Parks continued to clean and sealing park benches  
Pool Install new screens, repair siding, paint slats in window planter boxes.  
Shop Make new wooden street signs  
Pool, start opening processes.  
Pool, Check Lap pool for leaks  
Village Parks started clean and edging  
Tot Lot, bell Tower, Ann Buntin Becker, John Nolen and Erickson Pavilions Covid-19 spray  
Police Department move prisoner chair and electric lines in Patrolmen's office.  
Pool backflow testing  
Pool, paint inside of door to snack shack and re-screened  
Madisonville @ Plainville removed bollards.  
Pool, removed bleachers for new fence installation.  
Pool, painted parking stalls.  
Columbia Township assisted in repair to flag pole.  
3810 S. Miami painted no parking area near handicap ramp.  
Murray Ave removed no parking sign and space.  
Old Town Center sealed bowl for leaks before installing fountain  
South 80 haul debris from gardeners  
South Miami picked up dead opossum. Babies are alive took to Second Chance  
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

MARIEMONT TAX DEPARTMENT  
MONTHLY REPORT  
MAY 2021

The attached Deposit Journal Report shows collections in tax totaled \$401,259.61 for May. This figure is \$261,516.81 more than collected in 2020 and \$273,498.01 more than collected in 2019.

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

Respectfully submitted,

DeAnna Darrah  
Tax Administrator

Closed Batch Number(s) EREF210423, EPAY210430, EPAY210502, 7903, 7904, EPAY210503, EREF210504, EPAY210504, 7905, 7906, 7907, EPAY210506, EPAY210508, EREF210508, EPAY210509, 7908, EPAY210510, EPAY210511, EREF210511, 7909, 7910, EPAY210512, EREF210512, EPAY210513, EPAY210514, 7911,  
 |---| I n d i v i d u a l ---| |---| N e t P r o f i t ---| |---| W i t h h o l d i n g ---| |-----| P o t a l |-----|

Transaction	Count	Charge Amt	Credit Amt	Count	Charge Amt	Credit Amt	Count	Charge Amt	Credit Amt	Count	Charge Amt	Credit Amt
AMENDED ESTIMATE	2	\$1,753.49	\$292.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00	2	\$1,753.49	\$292.00
AMENDED FINAL	5	\$1,609.41	\$249.85	1	\$739.00	\$0.00	0	\$0.00	\$0.00	6	\$2,348.41	\$249.85
BALANCE DUE	134	\$0.00	\$29,113.88	9	\$0.00	\$1,246.94	0	\$0.00	\$0.00	143	\$0.00	\$30,360.82
BATCH NOTE	23	\$0.00	\$0.00	2	\$0.00	\$0.00	5	\$0.00	\$0.00	30	\$0.00	\$0.00
CHARGE-OFF LATE FILE	2	\$-50.00	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00	2	\$-50.00	\$0.00
COURT COST	0	\$0.00	\$0.00	1	\$0.00	\$118.80	0	\$0.00	\$0.00	1	\$0.00	\$118.80
CHARGE-OFF FINAL RET	87	\$-6,513.04	\$0.00	4	\$-18.60	\$0.00	0	\$0.00	\$0.00	91	\$-6,531.64	\$0.00
DECLARATION OF	231	\$275,669.03	\$67,532.15	16	\$23,728.86	\$4,808.36	0	\$0.00	\$0.00	247	\$299,397.89	\$72,340.51
EXTENSION	54	\$0.00	\$55,723.00	5	\$0.00	\$2,000.00	0	\$0.00	\$0.00	59	\$0.00	\$57,723.00
FINAL RETURN	493	\$335,243.30	\$71,971.18	56	\$29,584.23	\$9,633.83	0	\$0.00	\$0.00	549	\$364,827.53	\$81,605.01
INTEREST	1	\$29.99	\$29.99	0	\$0.00	\$0.00	0	\$0.00	\$0.00	1	\$29.99	\$29.99
OVERPAY FORWARD	130	\$0.00	\$0.00	22	\$0.00	\$0.00	0	\$0.00	\$0.00	152	\$0.00	\$0.00
OVERPAY REFUND	23	\$0.00	\$-8,074.45	1	\$0.00	\$-5,620.00	0	\$0.00	\$0.00	24	\$0.00	\$-13,694.45
LATE FILE PENALTY	2	\$225.00	\$225.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00	2	\$225.00	\$225.00
LATE PAY PENALTY	1	\$26.40	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00	1	\$26.40	\$0.00
QUARTERLY PAYMENT	85	\$0.00	\$22,399.00	7	\$0.00	\$3,825.00	0	\$0.00	\$0.00	92	\$0.00	\$26,224.00
VOID DECLARATION OF	1	\$0.00	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00	1	\$0.00	\$0.00
WITHHOLDING	0	\$0.00	\$0.00	0	\$0.00	\$0.00	292	\$132,090.63	\$132,090.63	292	\$132,090.63	\$132,090.63
Total:	1274	\$607,993.58	\$239,461.60	124	\$54,033.49	\$16,012.93	297	\$132,090.63	\$132,090.63	1695	\$794,117.70	\$387,565.16
** Total:	1274	\$607,993.58	\$239,461.60	124	\$54,033.49	\$16,012.93	297	\$132,090.63	\$132,090.63	1695	\$794,117.70	\$387,565.16
Deposit Total		\$401,259.61	\$534.50		\$362,808.33	\$25,297.54		\$0.00			\$-13,694.45	\$12,619.24

\*\*\* End Of Report \*\*\*

Selected date 5/31/2021

Deposit Date	Individual Deposits	Net-Profit Deposits	Total 1 & 2 Refunds/Adj	Total 1 & 2 Deposits	Withholding Refunds/Adj	Withholding Deposits	Total All Refunds/Adj	Total All Deposit	Percent Change
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	
5/2021	\$247,536.05	\$21,632.93	-\$13,694.45	\$269,168.98	\$0.00	\$132,090.63	-\$13,694.45	\$401,259.61	187
5/2020	\$22,468.24	\$10,451.78	-\$11,750.85	\$32,920.02	\$0.00	\$106,822.78	-\$11,750.85	\$139,742.80	
**2021	\$512,798.37	\$77,012.58	-\$18,409.95	\$589,810.95	\$704.25	\$636,517.06	-\$17,705.70	\$1,226,328.01	45
**2020	\$234,175.76	\$60,772.39	-\$37,058.43	\$294,948.15	-\$1,490.00	\$552,138.20	-\$38,548.43	\$847,086.35	

\*\*\* End Of Report \*\*\*

Selected date 5/31/2021

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	\$184,687.74	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$184,687.74	\$0.00
INDIVIDUAL	2020	\$321,836.51	\$0.00	\$0.00	\$33.08	\$0.00	\$0.00	\$321,869.59	\$-9,358.70
INDIVIDUAL	2019	\$4,816.56	\$675.00	\$4.50	\$0.00	\$31.38	\$0.00	\$5,527.44	\$0.00
INDIVIDUAL	2018	\$105.90	\$357.70	\$0.00	\$0.00	\$0.00	\$0.00	\$463.60	\$0.00
INDIVIDUAL	2013	\$250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250.00	\$0.00
<b>* TOTAL</b>		<b>\$511,696.71</b>	<b>\$1,032.70</b>	<b>\$4.50</b>	<b>\$33.08</b>	<b>\$31.38</b>	<b>\$0.00</b>	<b>\$512,798.37</b>	<b>\$-9,358.70</b>
NET-PROFIT	2021	\$33,511.75	\$0.00	\$0.00	\$0.00	\$0.00	\$118.80	\$33,630.55	\$0.00
NET-PROFIT	2020	\$43,492.40	\$0.00	\$0.00	\$0.00	\$3.90	\$0.00	\$43,496.30	\$-5,849.00
NET-PROFIT	2019	\$41.53	\$0.00	\$0.00	\$0.00	\$-0.09	\$-155.71	\$-114.27	\$-219.00
NET-PROFIT	2017	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$-2,279.00
<b>* TOTAL</b>		<b>\$77,045.68</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$3.81</b>	<b>\$-36.91</b>	<b>\$77,012.58</b>	<b>\$-8,347.00</b>
WITHHOLDING	2021	\$454,096.24	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$454,096.24	\$0.00
WITHHOLDING	2020	\$182,305.68	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$182,305.68	\$0.00
WITHHOLDING	2019	\$115.14	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$115.14	\$0.00
<b>* TOTAL</b>		<b>\$636,517.06</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$636,517.06</b>	<b>\$0.00</b>
ALL	2021	\$672,295.73	\$0.00	\$0.00	\$0.00	\$0.00	\$118.80	\$672,414.53	\$0.00
ALL	2020	\$547,634.59	\$0.00	\$0.00	\$33.08	\$3.90	\$0.00	\$547,671.57	\$-15,207.70
ALL	2019	\$4,973.23	\$675.00	\$4.50	\$0.00	\$31.29	\$-155.71	\$5,528.31	\$-219.00
ALL	2018	\$105.90	\$357.70	\$0.00	\$0.00	\$0.00	\$0.00	\$463.60	\$0.00
ALL	2017	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$-2,279.00
ALL	2013	\$250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250.00	\$0.00
<b>* TOTAL</b>		<b>\$1,225,259.45</b>	<b>\$1,032.70</b>	<b>\$4.50</b>	<b>\$33.08</b>	<b>\$35.19</b>	<b>\$-36.91</b>	<b>\$1,226,328.01</b>	<b>\$-17,705.70</b>

\*\*\* End Of Report \*\*\*

**Building Department Financial Report  
2021 YTD: January – May**

YTD, the Building Department has **earned \$9,548**.

115 Permits (31 more than same period year ago)  
\$36,506 in permit fees (approximately \$11,000 more than year ago)  
\$26,958 in expenses

Q1-Q2*	Revenue
2020	\$25,591
2021	\$36,506
<b>Increase</b>	<b>\$10,915</b>

2021	Revenue	Expenses	Income
Q1	\$15,367	-\$20,772	-\$5,405
Q2*	\$21,138	-\$6,185	\$14,953
Total	\$36,506	-\$26,958	\$9,548

\*Q2 refers to April 1 – May 31

**Staffing Expenses:**

Don Keyes retired at the end of Q1 so expenses changed significantly in Q2\*.

In Q1, the Department lost \$5,405.

In Q2\*, the Department earned \$14,953.

However, we were not fully staffed in Q2\* so expenses are understated. Staffing fully, with reasonable compensation, would increase expenses approximately \$1,400 per month.

**Revenue Adjustments:**

While large, one-time projects occur every year, they cannot be easily forecast. Adjusting revenue by removing those fees reduces 2021 revenue by \$9,220.

**Adjusted Monthly Estimates:**

Reducing revenue and increasing expenses gives the following estimated monthly figures:

Revenue: \$6,000

Expenses: \$4,500

Income: \$1,500

2021	Revenue	Expenses	Income
Q2*	\$21,138	-\$6,185	\$14,953
Adjustments	-\$9,220	-\$2,800	-\$12,020
Total	\$11,918	-\$8,985	\$2,933
<b>Monthly Approximates</b>	\$6,000	-\$4,500	\$1,500

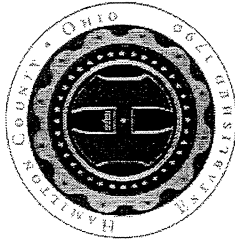
Respectfully submitted,  
*Aileen Beatty*  
Assistant Building Administrator



**VILLAGE OF MARIEMONT  
FISCAL OFFICER'S REPORT  
May 31, 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	474,335	1,840,062	294,698	1,460,950	1,629,818
Street Improv. - 201	138,411	17,028	79,438	2,469	33,478	184,372
State Highway - 202	18,001	1,155	5,333	322	3,920	19,414
Drug Rel. Pol. Fines - 208	1,487	222	2,608	0	0	4,095
Alc. Educ. & Enf. - 213	30,667	7,886	11,067	0	500	41,234
Court Computer - 214	42	585	3,411	2,864	8,038	(4,585)
MariElders - 280	0	0	33,621	33,253	33,621	0
Paramedic 295	19,688	4,849	137,892	47,198	241,204	(83,624)
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	0	211,501	73,102	335,057	249,028
Health Insur. - 707	10,206	1,867	8,634	55	311	18,529
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
<b>Total All Funds</b>	<b>1,902,677</b>	<b>507,926</b>	<b>2,402,249</b>	<b>453,960</b>	<b>2,184,604</b>	<b>2,120,324</b>

<b>INVESTMENTS</b>					<b>BANK RECONCILIATION</b>	
<u>FUNDS</u>	<u>INSTITUTION</u>	<u>DETAILS</u>	<u>AMOUNT</u>			
101.201,295,	PNC	Capital Markets	1,009,691		Bank Balance	95,834
					Petty Cash funds(3)	225
					Money Market Sweep Acct	1,071,744
					◆ Deposits in Transit ◆	2,365
					Paypal Retained Balance	120
					Plus: Investments PNC **	1,009,691
					Bounced tax check:	41
					Less: Checks Outstanding	(59,696)
					<b>TREASURY BALANCE</b>	<b>2,120,324</b>
<b>LIABILITIES</b>						
<u>INSTITUTION</u>	<u>DETAILS</u>	<u>OUTSTANDING</u>	<u>YEARLY DUE</u>	<u>Maturity</u>		
PNC BOND	Bldg Addition	\$280,000	\$100,888	2024		
OPWC	CT07U Paving	\$39,512	\$1,976	2037		
OPWC	CT11V Paving	\$44,422	\$2,221	2039		
AMBULANCE		\$154,235		2024		



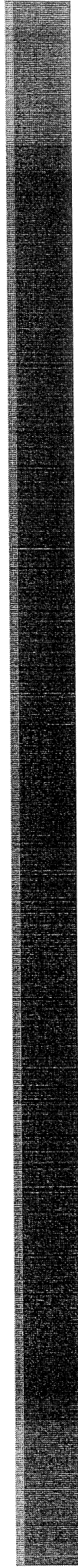
HAMILTON COUNTY  
Planning +  
Development

# Hamilton County HUD Grants Program

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Joy Pierson, Community Development Administrator

James Noyes, Planning + Development Director



# HUD Annual Grants to County

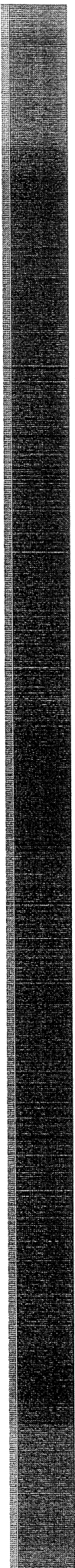
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Hamilton County receives three grants from the US Housing and Urban Development (HUD) annually:

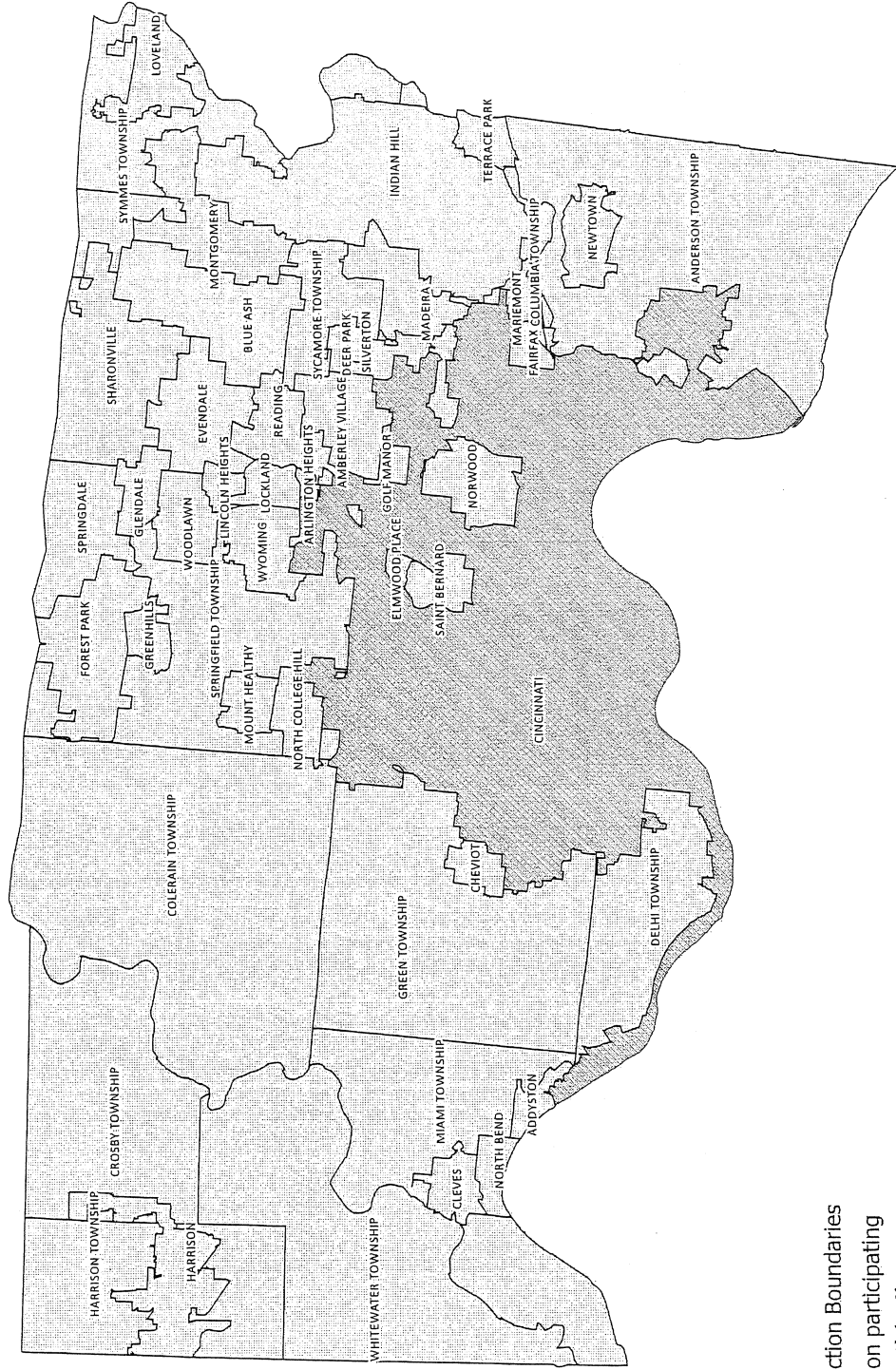
- Community Development Block Grant (CDBG)  
\$3.5 million

- HOME Investment Partnership Program (HOME)  
\$1.5 million

- Emergency Solutions Grant (ESG)  
\$300,000



# Hamilton County CDBG Participating Jurisdictions



**Jurisdiction Boundaries**

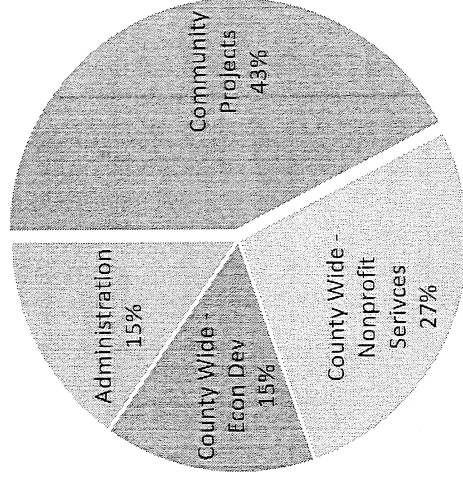
- Non participating
- Participating
- City of Cincinnati

# CDBG Budget Allocations

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Total Grant - \$3.5 million

- Community Projects - \$1.5 million
- County Wide Programs - \$1.5 million
- Planning + Administration - \$500,000



# Eligible Community Projects

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## Projects in Low to Moderate Income Areas

- Defined by Census Tract/Block Group or income surveys for smaller areas
- Examples: Street Reconstruction; Traffic Signals; Parks; Playgrounds; etc.
- NOTE: Mariemont does not have any LMI areas as defined by the Census; projects may be eligible via an income survey of a small area)

## Historic Preservation and/or Restoration

## Projects to Comply with American with Disabilities Act (ADA)

Removal of hazards – asbestos, lead based paint, etc.

Projects that benefit senior citizens

Removal of blighted or outdated buildings



# 2021 Area Median Income Limits

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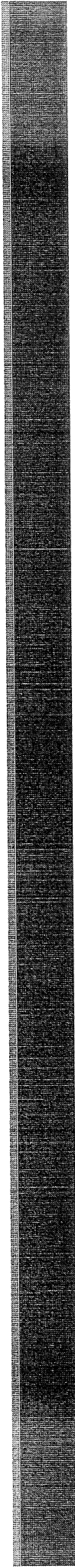
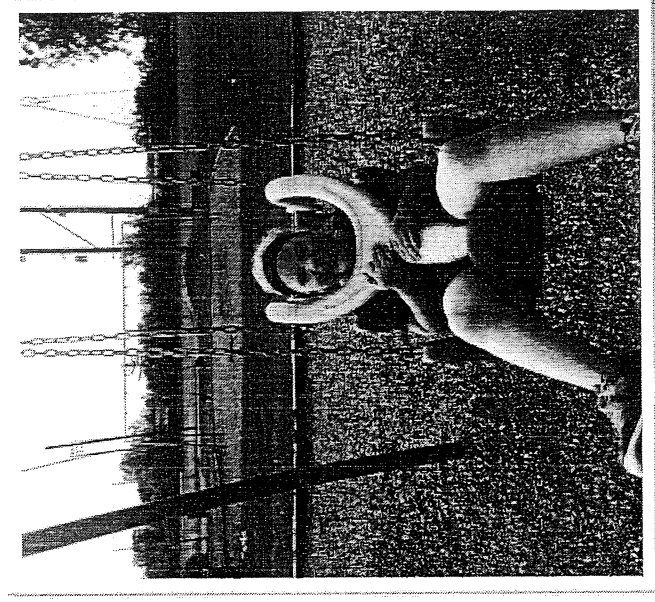
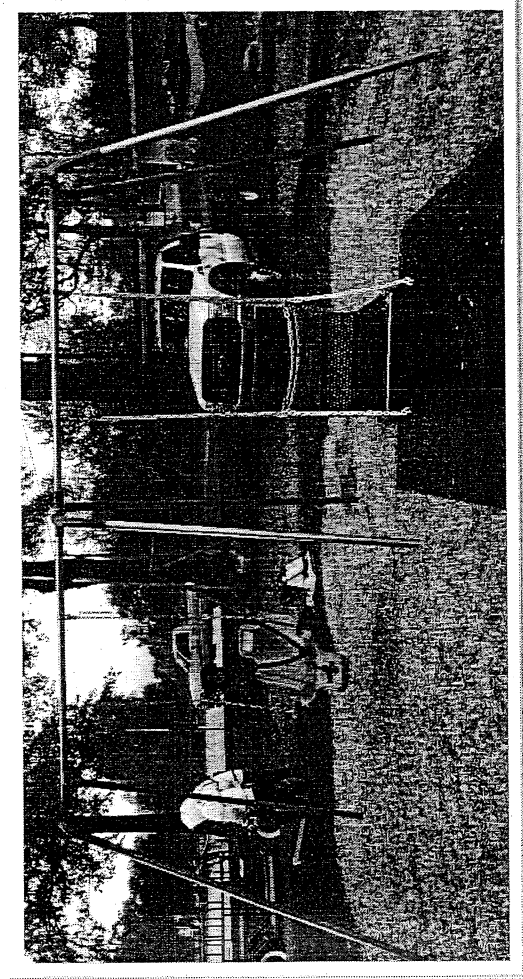
Household Size	1	2	3	4	5	6
80% of area median income	\$47,850	\$54,650	\$61,500	\$68,300	\$73,800	\$79,250



# ADA Swings Chamberlain Park & Koenig Park

\$5,000 each

- Deer Park and Reading Community Projects

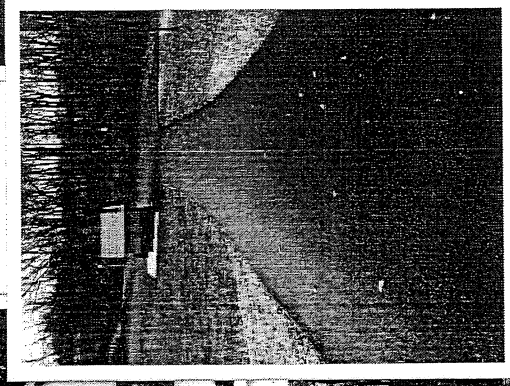




# Gower Park ADA Restroom and Path

\$107,000

Sharonville CDBG  
Community Project



# Competitive Award Programs

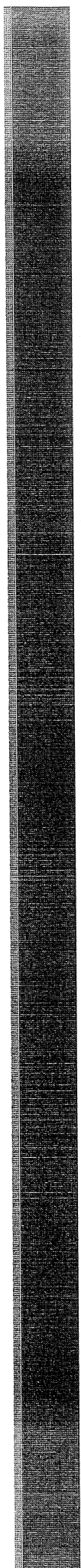
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Mini Planning Grants – April/May

Community and Economic Development Assistance Program (CEDAP) – July/August

HOME Affordable Housing Projects – October

Nonprofit County Wide Services – March/April



# Mini Planning Grants

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- \$100,000 budgeted for grants up to \$40,000
- Can be used for business district plans, bike and pedestrian trails, strategic planning, and community development needs, industrial park redevelopment plan; sewer system capital replacement plan; review of the historic business district; plans to improve one or more specific historic buildings, etc.
- Grants should help plan future CDBG projects in the community
- Priority given to jurisdictions with limited staff capacity
- Look for collaboration, leveraging other funds, and high likelihood of implementation
- All mini-grants include engagement with Village officials and other stakeholders
- Recent projects - Delhi Pike Trail, Silverton Streetscape Plan, Reading Master Plan Update
- LINK: [Mini Planning Grant - Hamilton County \(hamiltoncountyohio.gov\)](http://hamiltoncountyohio.gov)
- Past projects are on the web link above





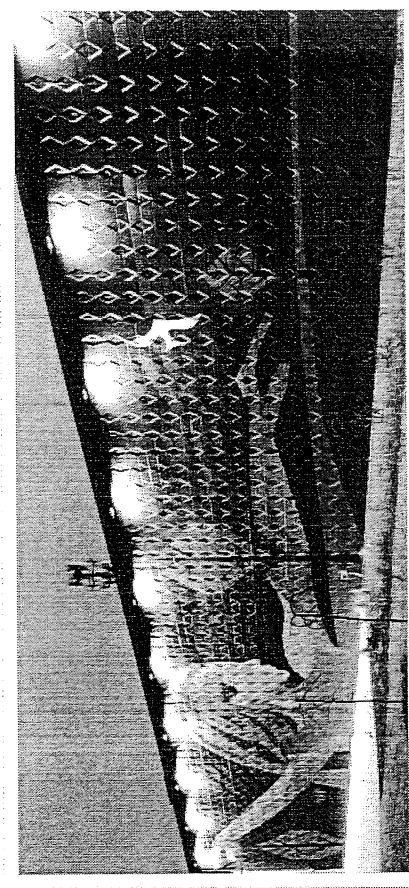
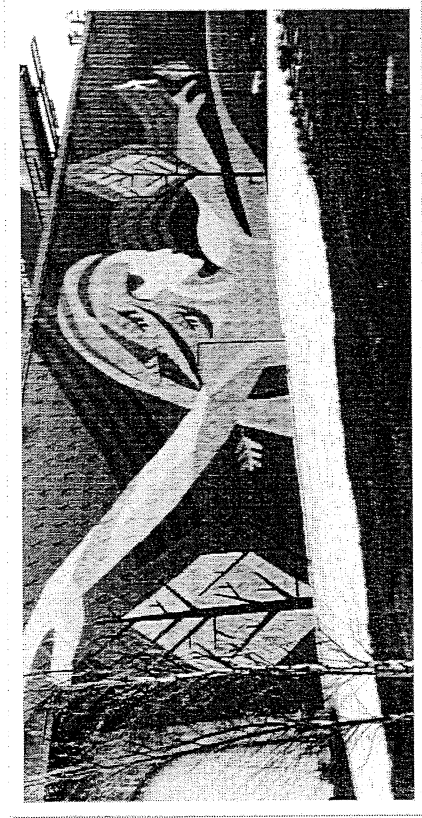
# Community and Economic Development Assistance Program (CEDAP)

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- CEDAP was created to leverage funds for large-scale strategic projects for impactful development
- Up to \$300K in grant and/or loans (terms 0% up to 5 years) awarded based on established criteria such as leverage of funds, businesses assisted, jobs retained or created, and partnerships
- Projects should revitalize community assets, spur other development, remove blighted properties, and promote economic development
- Eligible Projects include: acquisition and/or demolition of blighted or outdated buildings; removal of hazard materials such as asbestos and lead based paint for redevelopment of properties; public infrastructure improvements to attract development (sewers, traffic signals, street widening, etc.)
- Recent projects -
  - Extending and widening Riesenber Avenue in Reading
  - Demolition of 3 commercial properties in Deer Park
  - Demolition of multi-family building in North Bend
  - New pedestrian plaza and art mural in Springfield Township
- LINK: [Community and Economic Development Assistance Program RFP - Hamilton County \(hamiltoncountyohio.gov\)](http://CommunityandEconomicDevelopmentAssistanceProgramRFP-HamiltonCounty.hamiltoncountyohio.gov)



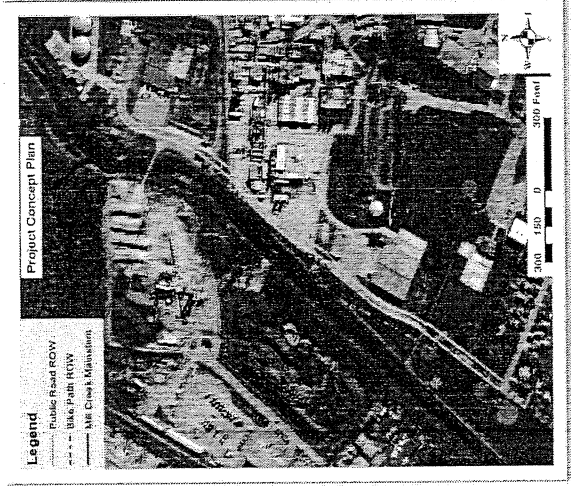
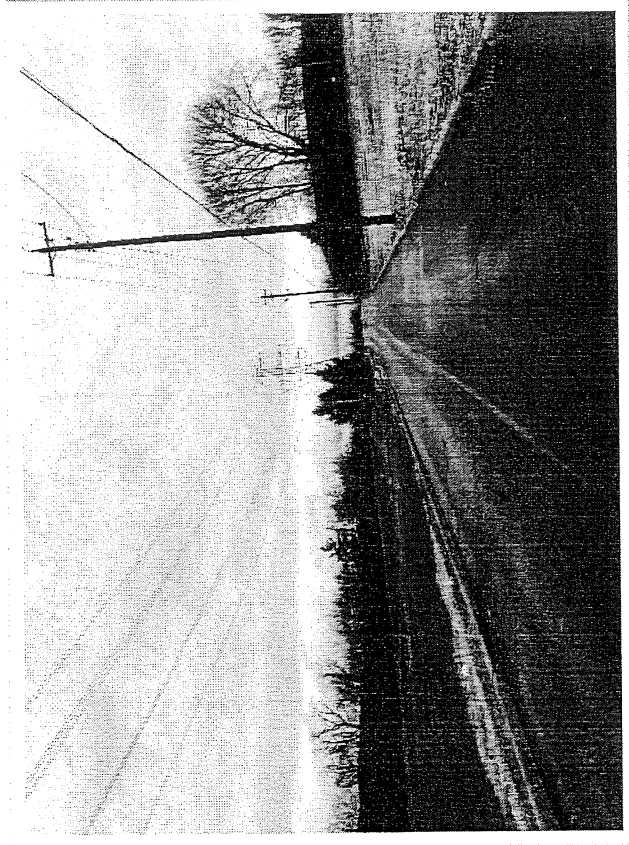
# Brentwood Bowl Mural & Pedestrian Plaza



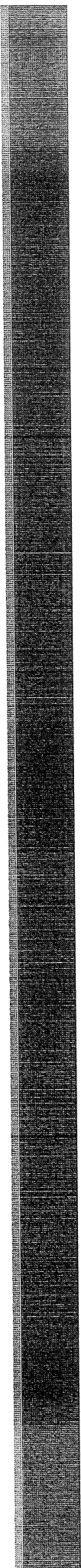
\$80,000 CEDAP Grant  
\$20,000 Township Staff Time  
\$100,000 Project



# Reading- Riesenberg Ave. Improvements



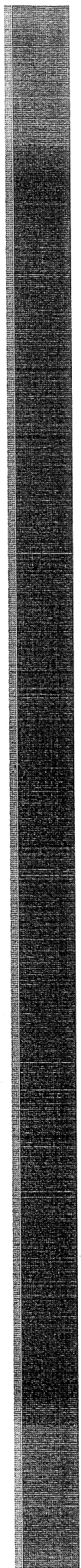
\$300,000 CEDAP  
\$580,000 MSD  
\$880,000 Project



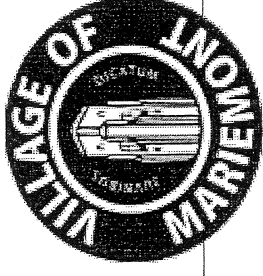
## Other Benefits of Joining Program

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- Access to technical assistance for projects including expertise in tax credit programs through the National Development Council
- Economic Development Partnerships with the Port, REDI Cincinnati, HCDC and others







## Mariemont Funding Estimates

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Joining the program by July 16, funds will be available Spring/Summer 2022

The estimated request amount for 2022/2023 is between \$26,234 and \$29,513

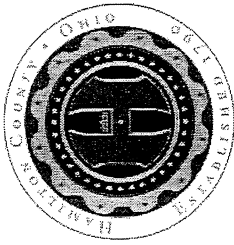
In subsequent 3-year cycles (2024-2026), the estimated request amount will be between \$39,350 and \$44,269

# Timeline

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- By July 16, pass resolution and sign cooperation agreement
- Between September and December, discuss possible projects with County
- December, post public notice or hold public hearings to discuss program and possible projects with Village
- January 2022, make request for 2022-2023 project





HAMILTON COUNTY  
Planning +  
Development

Joy Pierson  
Community Development Administrator  
[joy.pierson@hamilton-co.org](mailto:joy.pierson@hamilton-co.org)  
(513) 946-8234

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## Resident Committee to Review Fire/EMS Proposals

Purpose: the purpose of this charter is to create a committee made up of Mariemont residents who will review and provide their recommendations and suggestions on how we should proceed with our Fire/EMS Department.

Reason for creating Task Force: Mariemont is facing significant fiscal challenges. Before we ask residents to increase their taxes, we believe we should review every savings opportunity possible. One of those opportunities is to possibly work with the Little Miami Fire Department (LMFD) to develop shared services for Fire and EMS between the two organizations while still providing the same or better level of protection.

Reporting relationship to council: the members of this committee will be appointed by the Mayor and Council. They will have access to whatever resources are necessary, including a Fire/EMS consultant that Council has agreed to hire to provide his expert opinion on what opportunities might exist.

Number of members and any key skills or representation we are looking for: the committee will be made up of 5-7 residents. We will look for appropriate diversity within the committee (age, male/female, north of the Pike and south of the Pike). We will also look for people who can be objective in assessing the different options and offering a recommendation or suggestion.

Roles and responsibilities: after assessing all of the options and taking into account the Village's current fiscal challenges, the committee will provide their recommendation and suggestions on how we should proceed with our Fire/EMS Department. To be clear, the final decision rests with Council.

Any boundaries: the committee should be focused on just the Fire/EMS Department. We are not assessing any other departments at this time. If they have a recommendation that has not been suggested by anyone else, they can ask that it be assessed by the Fire/EMS consultant as well.

Expected outcome: a final written recommendation to the Mayor and Council on how the Village should proceed with its Fire/EMS Department, along with their reasoning.

Timeline: the committee would go into effect once all the members have been identified. Council will collect whatever data it can to help the committee get up to speed. We are targeting for the Fire/EMS consultant to be complete with his work by the end of July. The committee will hopefully complete their work soon after the Fire/EMS consultant completing his report. Once the committee has provided its recommendation, it will then be disbanded.

⏪ Reply all ▾ 🗑 Delete 🚫 Junk 🚫 Block ⋮

## Monday Council Agenda Items

J joestelzercouncil@gmail.com

Fri 6/11/2021 8:53 AM

To: Joanee Van Pelt

Cc: Bill Brown

👍 ⏪ ⏩ ⋮

Joanee,

Please add the following items to Monday's Council Agenda that will be discussed and possibly voted on by Council.

- Outsource Mariemont Pool Concession
- Proposal To Repair Bell Tower Batting Cage & Installation of Multi-Purpose Turf

I will send Committee Reports this weekend to all of Council after approval by Committee Members.

Thanks.

Joe Stelzer

Reply | Reply all | Forward

VOUCHERS FOR THE REGULAR COUNCIL MEETING, JUNE 14, 2021

DEPARTMENT	VENDOR	DESCRIPTION	COST
Administration	Data Design	Finance Checks	463.87
Administration	Staples	Adobe Acrobat	76.70
Administration	Verizon	Cell Phone Service Monthly Charges (Mayor)	48.55
Administration	William Brown	Car Allowance for June 2021	41.66
Administration	Woodhull	Copier Maintenance Contract	121.52
Administration	Allison Uhrig	Miscalculation OPERS Withholding Feb. 2021	85.00
All	intrustIT	Microsoft Office365 Monthly Charges	492.50
All	PERS	Village Obligation May 2021	11,626.48
All	Reliance Standard	Life Insurance Monthly Premium June 2021	51.24
All	Village Payroll	Soc Sec \$1645.97, Medi \$1412.42, Gross Payroll \$97,405.62 for Periods Ending 5/29/21 and 5/31/21	100,464.01
Building	Enterprise Technology Solutions	Annual Renewal of CAGIS Membership 2021	250.00
Building	Martin Simon	Plan Reviews for April and May 2021	430.00
Building	Staples	Adobe Acrobat and Printer Ink	152.26
Building	William Fiedler	Plan Reviews and Building Inspections May 2021	825.00
Building	Woodhull	Copier Maintenance Contract	121.52
Fire	Ace Hardware	Misc. Supplies/Parts/Materials	100.67
Fire	Enterprise Technology Solutions	Annual Renewal of CAGIS Membership 2021	250.00
Fire	Phoenix Safety Outfitters	Thermal Camera Kit, Truck Charger, and 2 LT Helmet Fronts	1,688.66
Fire	Sam's Club	Misc. Supplies/Parts/Materials	49.04
Fire	Spectrum	Cable Service Monthly Charges	24.70
Fire	Staples	Adobe Acrobat	76.70
Fire	Verizon	Router Lines for Internet & Cradlepoint Router Monthly Charges	240.70
Fire	Wex Bank	Fuel for Village Vehicles	424.86
Fire	Tire Discounters	4 Tires & Labor for Shocks/Struts FD Explorer	1,198.45
Fire	Verizon	Cell Phone Service Monthly Charges	144.51
Legislative	American Legal Publishing	Re-Codification Through 3-31-21	11,521.40
Mayor' Court	Rick Gibson	Magistrate Fees for May 2021	500.00
Mayor's Court	OAMCCC	OAMCCC Spring Conference for Vikki Hill	25.00
Miscellaneous	Capital Electric	Repairs to Traffic Signals	3,283.45
Miscellaneous	Duke Energy	Gas & Electric Monthly Charges	4,757.11
Miscellaneous	Edward McTigue	Solicitor Services for May 2021	3,150.00
Miscellaneous	Greater Cincinnati Water Works	Water & Sewer Service Monthly Charges	1,793.46
Miscellaneous	Ohio Treasurer	OPWC Loan Payment Settle Rd Project	987.81
Miscellaneous	Ohio Treasurer	OPWC Loan Payment Madisonville Rd Project	983.58
Miscellaneous	PNC Bank	Credit Card Purchases (Internet Storage, PD Plaques, Storage Cabinets, Paypal, K9 Supplies)	2,347.78
Miscellaneous	Rumpke	Final Payment for Portolet Lease	46.56
Miscellaneous	Rumpke	Trash & Recycling Collection Monthly Charge	23,868.75
Municipal	Ace Hardware	Misc. Supplies/Parts/Materials	154.92
Municipal	Affordable Pest Control	Preventive Treatment Service Monthly Charge	75.00
Municipal	Cincinnati Bell	Internet Service	350.10
Municipal	Hamilton County Public Health	Backflow Device Test	50.00
Municipal	Jani-King of Cincinnati	Janitorial Services Junes 2021 (Includes Bell Tower Bathrooms)	500.00
Municipal	Schindler Elevator Company	Warranty Agreement Monthly Charges June 2021	83.51
Municipal	Verizon	Router Line for Internet	40.11
Paramedics	Verizon	Machine to Machine Activity (Ambulance to Hospital)	18.08
Paramedics	Wex Bank	Fuel for Village Vehicles	424.86
Police	Ace Hardware	Misc. Supplies/Parts/Materials	66.99
Police	CBTS	Wireless Access Point for PD Cameras	104.02
Police	Enterprise Technology Solutions	Annual Renewal of CAGIS Membership 2021	250.00
Police	Hamilton County Coroner	Lab Fees	200.00
Police	Lowe's	Misc. Parts/Supplies/Materials	38.13
Police	Police & Fire Pension Fund	Village Obligation for May 2021	20,936.49
Police	Staples	Adobe Acrobat and Copy Paper	115.18
Police	TransUnion	Data Subscription Monthly Charges May 2021	75.00
Police	Verizon	Cell Phone Service Monthly Charges	130.25
Police	Wex Bank	Fuel for Village Vehicles	2,030.90
Pool	Ace Hardware	Misc. Supplies/Parts/Materials	411.24
Pool	Elissa Wendler	Reimbursement for Office Supplies	22.02
Pool	Flow-Rite Plumbing	Backflow Testing at Pool	358.00
Pool	Hyde Park Lumber	Supplies/Materials for Pool Bathhouse	251.76
Pool	Lowe's	Misc. Parts/Supplies/Materials	221.47
Pool	Minges Candy	Snacks for Concession Stand 2021	670.62
Pool	My Flower Service, LLC	4 Flower Boxes for Pool Landscaping	1,552.00
Pool	Shamrock Enterprises	Repair/Paint/Pool (Expense Approved in 2020)	9,209.00
Pool	Shamrock Enterprises	Replace 6 Chemical Injectors and Tubing	800.00

## VOUCHERS FOR THE REGULAR COUNCIL MEETING, JUNE 14, 2021

DEPARTMENT	VENDOR	DESCRIPTION	COST
Pool	Silco	2021 Annual Fire Extinguisher Inspection x4	253.50
Service	Ace Hardware	Misc. Supplies/Parts/Materials	68.97
Service	Board of County Commissioners	Radio Service - 5 Non Public Safety Radios	130.00
Service	Bramble Mower	Gaskets and Grease for Shop	23.98
Service	Cincinnati Bell	Phone Service Monthly Charges	101.20
Service	Davey Tree	Storm Damage on Park Ln	1,200.00
Service	Enterprise Technology Solutions	Annual Renewal of CAGIS Membership 2021	250.00
Service	GrassCor	Mowing Contract June 2021	5,982.35
Service	H. Hafner & Sons, Inc.	Mulch for Arbor Day and Parks, S80 Debris and Street Sweep	329.00
Service	Lowe's	Misc. Parts/Supplies/Materials	149.09
Service	Southeastern Equipment Company	Emergency Repair John Deere Loader	901.70
Service	Spectrum	Cable Service Monthly Charges	18.05
Service	Staples	Printer Ink	85.16
Service	Supreme Scapes	Mulch for Village	4,750.00
Service	Verizon	Cell Phone Service Monthly Charges	78.77
Service	Wex Bank	Fuel for Village Vehicles	828.92
Service	Davey Tree	Tree Removal (Trees on List 1)	4,320.00
Tax	Income Tax Refunds	Overpayment of Taxes	6,649.63
Tax	Staples	Adobe Acrobat	76.70
Tax	Woodhull	Copier Maintenance Contract	231.33
Tennis	Carter Kemper	Reimbursement for Tennis Social	35.47
Tennis	David Russell	Tennis-Pro Services for Period Ending 5-29-2021	650.00
Tennis	Midwest Sports	2 Pickleball Nets (MTA Reimbursed \$575.00)	639.90
<b>TOTAL</b>			<b>239,606.87</b>

VILLAGE OF MARIEMONT  
BIWEEKLY PAYROLL ENDING MAY 29, 2021 AND MONTHLY PAYROLL ENDING MAY 31, 2021

<b><u>Police Department</u></b>			
Richard D. Hines, Regular	4335.20	Dan Lyons, Overtime	265.39
Paul Rennie, Comp	160.40	Tom Ostendarp, Regular	3366.03
Tom Ostendarp, Vacation	322.77	Nick Pittsley, Overtime	191.91
Steve Watt, Comp	120.30	Derek Bishoff, Sick	462.00
Derek Bishoff, Comp	115.50	Dan Lyons, Overtime	390.98
Steve Watt, Regular	3087.70	Steve Watt, Overtime	240.60
Fred Romano SRO, Regular	1842.40	Pat Harrison, Vacation	3060.00
Matt Kurtz, Regular	3208.00	Nick Pittsley, Regular	3412.00
Derek Bischoff, Regular	3080.00	Paul Rennie, Regular	3047.60
Derek Bischoff, Overtime	462.00	Matt Kurtz, Overtime	360.90
Paul Rennie, Overtime	240.60	Adam Geraci, Sick	962.40
Dan Lyons, Regular	3208.00	Blake Wallace, PT, Regular	1064.00
Blake Wallace, Overtime	385.00	Vikki Hill, Regular	1762.50
Adam Geraci, Regular	2245.60	John Zellner, PT, Regular	520.40
Judy Gerros, PT, Regular	540.80	Penny Anderson, PT, Regular	510.00
Dorris Hallums, PT, Regular	520.40	<b>Department Total</b>	<b>42648.51</b>
 <b><u>Paramedics/Fire</u></b>			
Jim Henderson, Supervisor Pay	781.20	Jim Henderson, Overtime	65.10
Ryan Brown, PT, Regular	969.80	Dan Copeland, Regular	2884.61
Joey Homan, PT, Regular	432.00	Richard Cathcart, PT, Regular	410.30
Evan Dunkelman, PT, Regular	1249.55	Scott Ray, PT Regular	486.00
Chris Miller, PT, Regular	746.00	Rob Runella, PT, Regular	1044.40
Hunter Morgan, PT, Regular	897.60	Evan Dunkelman, Supervisor Pay	505.20
Tim Peaker, PT, Regular	1122.00	Eric Freeland, PT, Regular	447.60
Josh Watren, Supervisor Pay	520.80	Keary Henkener, Supervisor Pay	252.60
Rick Hines, Regular	647.67	Derek Hunt, PT, Regular	261.80
Michael Washington, Jr., Supervisor Pay	520.80	Nicholas Guilkey, Supervisor Pay	976.50
Bryan Schmidlapp, PT, Regular	223.80	Derek Hunt, PT, Regular	252.70
Keary Henkener, PT, Regular	411.40	Scott, Ray, Supervisor Pay	505.20
Michael Washington, Supervisor Pay	585.90	Mike Washington Jr., PT, Regular	598.40
David Huckleby, PT, Regular	669.31	Brandon Manor, Supervisor Pay	736.75
Chris Ramsey, Supervisor Pay	1044.20	Joe Lowry, PT, Regular	223.80
Jeremy Burns, PT, Regular	1342.80	Matt Clark, Supervisor Pay	1255.70
Curtis Ryan, PT, Regular	764.92	Mark Hardin, PT, Regular	895.20
Robert Mercer, PT, Regular	857.90	Scott Ray, PT, Regular	447.60
Brian Gross, PT, Regular	270.43	Jason Williams, Supervisor Pay	694.65
Jason Williams, PT, Regular	1280.30	<b>Department Total</b>	<b>25381.81</b>
 <b><u>Maintenance Department</u></b>			
John M. Scherpenberg, Regular	3186.50	Mike Evanchyk, Regular	1920.00
Jeremy Swadder, Regular	1920.00	Ben James, Vacation	682.57
Jeremy Swader, Overtime	18.00	Kevin Schmid, Overtime	45.00
Kevin Schmid, Regular	2400.00	Ben James, Regular	1592.67
		<b>Department Total</b>	<b>11764.74</b>
 <b><u>Administrative</u></b>			
Joanee B. Van Pelt, Regular	2557.84	Joanee Van Pelt, Vacation	90.07
Joanee Van Pelt, Council	125.00	Joanee Van Pelt, Personal	54.04
Allison Uhrig, Regular	1664.84	<b>Department Total</b>	<b>4491.77</b>
 <b><u>Tax Department</u></b>			
DeAnna Darrah, Regular	2493.00	<b>Department Total</b>	<b>2493.00</b>
 <b><u>Pool</u></b>			
Jordan Schad, Regular	850.00	Ed Beck, PT, Regular	1658.22
Ava Ellis, PT, Regular	44.50	Andrew Foley, PT, Regular	178.79
Beth Johnson, Asst. Manager	58.04	Nick McCarthy, Asst. Manager	567.84
Jonah Mikesell, PT, Regular	18.22	Stefan Nistor, PT, Regular	184.48
Kate Overby, Asst. Manager	153.00	Davis Schmit, Asst. Manager	441.15
Lauren Schmit, PT, Regular	56.94	<b>Department Total</b>	<b>4268.33</b>



Council/Appointed Officials

Chris Ertel, Regular	1592.75	Bill Brown, Regular	666.67
Avia Graves, Regular	83.26	Marcy Lewis, Regular	83.26
Kelly Rankin, Regular	83.26	Joe Stelzer, Regular	83.26
Rob Bartlett, Regular	83.26	Tony Borgerding, Regular	515.00
Maggie Palazzolo, Regular	83.26	Eli Wendler, Assistant Fiscal Officer	300.42
Eli Wendler, IT	2783.06	<b>Department Total</b>	<b>6357.46</b>
		<b>GRAND TOTAL</b>	<b>97,405.62</b>

TO: Village Council and Mayor Brown  
FROM: Finance Committee, Rob Bartlett - Chair  
RE: Hamilton County Community Development Block Grant Program  
DATE: June 4, 2021

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The Finance Committee met on Friday, June 4, 2021 at 2:30 pm to discuss Mariemont possibly entering a cooperation agreement with Hamilton County which would give us access to their Community Development Block Grant (CDBG) program. Present at the meeting were Finance Committee members Rob Bartlett, Kelly Rankin and Joe Stelzer, Mayor Bill Brown, and Joy Pierson and James Noyes from the Hamilton County Planning & Development department.

CDGB is one of three grants that Hamilton County receives from U.S. Housing and Development. In 2021, CDGB received \$3.5 million. Mariemont is 1 of only 6 Hamilton County jurisdictions that currently does not participate in CDGB. The 41 jurisdictions in Hamilton County that do participate include Glendale, Amberley Village, Wyoming, Fairfax, Newtown and Madeira. If Mariemont joins the program, CDGB will receive more money from HUD. Mariemont in turn will automatically have access to 40%-45% of that money: 40% is estimated to be \$13,117 a year and 45% to be \$14,756 a year.

The CDGB grant money must be used for specific projects, for example projects that benefit senior citizens, ADA compliance, historic building preservation and renovation, and code enforcement/property maintenance to name a few. Also, we can let the amount build up over time. It is not “use it or lose it”. And to be clear, there are no requirements for creating low income housing. Joining will also give us access to two other grant programs that we could apply for: Mini Planning Grants, which can be used for project such as business district plans, sewer system replacement plans, strategic planning, or identifying community development needs, and the Community and Economic Development Assistance Program (CEDAP), which can be used for large scale strategic projects for economic development.

To participate in CDGB requires that council pass a resolution authorizing the Mayor to enter into an agreement of cooperation with Hamilton County, and then the Mayor sign the agreement of cooperation. In order for Mariemont to have access to funds in spring/early summer 2022 (estimated to be between \$26,234 and \$29,513), we need to submit the resolution and the signed agreement by July 16, 2021. The Finance Committee is recommending that we enter an agreement of cooperation with Hamilton County. If council agrees, the Village Solicitor will draw up the resolution for council to vote on at the next meeting. In order to meet the July 16 deadline, the resolution will need to be passed on an emergency basis.

Respectfully Submitted,

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Rob Bartlett, Chairman

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Kelly Rankin, Vice-Chairman

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Joe Stelzer, Member

VILLAGE OF MARIEMONT, OHIO

RESOLUTION NO. R- -21

RENEWAL OF 3.0 MILL TAX LEVY IN EXCESS OF 10 MILL LIMITATION FOR CAPITAL IMPROVEMENTS FOR THE TAX YEARS OF 2021, 2022, 2023, 2024 AND 2025

BE IT RESOLVED by the Council of the Village of Mariemont, State of Ohio, two-thirds of the members duly elected thereto concurring:

SECTION I. The Council hereby declares that the amount of taxes which may be raised within the 10 mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Village of Mariemont and that it is necessary to renew a tax levy in excess of such limitation for the following permanent improvements for the Village: streets 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, Maintenance and Administrative departments.

SECTION II. The rate of tax in excess of 10 mill limitation which Council hereby finds to be necessary for the permanent improvements of the Village of Mariemont, Ohio, is 3.0 for each one dollar (\$1.00) of valuation, which amounts to \$0.30 for one hundred dollars (\$100.00) of valuation.

Said tax shall be levied upon the duplicates of each of the next five years starting in tax year 2021 and continuing with tax years 2022, 2023, 2024 and 2025 inclusive. The above stated rate shall be applied to the valuations on the tax year lists and duplicates of each said years, whether or not said valuations have been or may be from time to time increased.

SECTION III. This Resolution being a Resolution provided for by Ohio Revised Code Section 5705.19 shall go into immediate effect upon passage and no publication of same shall be necessary other than that provided for the in the notice of election to be published as required by Ohio Revised Code, Section 5705.25.

SECTION IV. That the Fiscal Officer be and is hereby directed to certify a copy of this Resolution to the Board of Elections of Hamilton, County, Ohio, in order that said Board of Elections may make the necessary arrangements for the submissions of such question to the electors to be put on the November 2, 2021 ballot of said Village of Mariemont, Ohio as provided by law.

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

Passed: June 28, 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: 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 29th day of June 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**

**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."

Passed: June 14, 2021

\_\_\_\_\_  
William A. Brown, Mayor

ATTEST:

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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 15<sup>th</sup> day of June 2021.

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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.
- k. On the request of the Mayor or his authorized deligate, perform any required inspections of rental units as may be recommended by the Mayor and/or his designee. If the inspection pertains to a rental unit turning over, then a Landlord shall be responsible for the payment of any fees. If the inspection is requested by the Renter; and the unit is found to not be in compliance, then it would be the Landlord's responsibility to pay. If the inspection is requested by the Renter and the unit is found to be in compliance, the Renter is responsible for the payment of such fee.

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 ninety (90) 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 10<sup>th</sup> 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 10<sup>th</sup> 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 or 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.

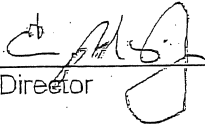
Village of Mariemont:

XPEX:

By: William A. Brown  
Bill Brown, Mayor

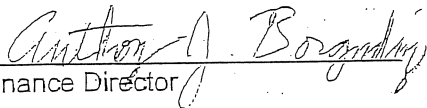
By: \_\_\_\_\_  
Gerald Stoker, President

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

6/2/21  
\_\_\_\_\_  
Date



VILLAGE OF MARIEMONT  
ORDINANCE NO. O-\_\_\_-21

CREATING THE POSITION OF ZONING OFFICIAL FOR THE  
VILLAGE OF MARIEMONT, ESTABLISHING COMPENSATION THEREFOR

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.

Passed: June 14, 2021.



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William A. Brown, Mayor

ATTEST:

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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 15<sup>th</sup> day of June 2021.

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Anthony J. Borgerding, Fiscal Officer

VILLAGE OF MARIEMONT, OHIO

ORDINANCE NO. 0-\_\_\_-21

ORDINANCE AMENDING SECTION 151.104 OF THE MARIEMONT CODE OF ORDINANCES REGARDING FENCE CONSTRUCTION

WHEREAS, by Ordinance No. 151.104 of the Mariemont Code of Ordinances, chain line fences were prohibited as an acceptable fence as far as the construction of fences within the Village of Mariemont is concerned; and

WHEREAS, pursuant to Ohio law, preexisting chain line fences were grandfathered into Section 151.104 and were allowed to continue; and

WHEREAS, said chain link fences have been determined to be a public nuisance, adversely impacting the aesthetics, vitality, and value of property within the Village of Mariemont; and

WHEREAS, Council for the Village of Mariemont desires to amend Section 151.104 of the Mariemont Code of Ordinances to prohibit the installation of chain link fences and to further have chain link fences be declared to be public nuisances, thereby affecting health, value, welfare, aesthetics, vitality and value of the Village's real property.

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 the Village of Mariemont hereby enacts the following Section 151.104 as it pertains to the construction of fences:

(A) *Material.*

(1) Materials used for construction of all fences or walls shall be subject to approval by the Building Commissioner. The following types of fences may be erected except where prohibited elsewhere in this chapter: split rail; board-on-board; shadow box; basket weave; picket, stockade; lattice; combination board and lattice or picket; post and rail (horizontal board); vertical board; solid panel board; wrought iron; and chain link.

(2) If a fence is constructed of boards, pickets, wire, or other material applied to rails or posts, the rails or posts shall be on the owner's side and the applied material on the neighbor's side, unless the fence is so constructed as to provide finished surface on each side such as staggered vertical boards on each side of horizontal rails.

(3) It shall be unlawful to construct or erect a fence made of the following materials:

(a) Barbed wire on or as a part of fence or walls in a residential district or business district;

(b) Electrified wiring on or as a part of fences or walls in a residential district or business district;

(c) Picket fences having pickets connected by wire, that is, so-called snow fences, in a residential district or business district; and

(d) Wire fences, including chain link, in any residential district.

(e) Any of the above-referenced fences that may have been grandfathered in by prior Section 151.104 of the Mariemont code of Ordinances are hereby declared to be a public nuisance and, as such, shall be removed upon notification from the Building Commissioner for the Village of Mariemont.

(4) Barbed wire may be used in the industrial district if on top of a fence or wall having a height of at least eight feet.

(5) Electrically supervised fence may be used in the industrial district consisting of single wire at the top of a fence set back into the owner's property at least nine inches from the fence line; voltage in the line shall not exceed 24 volts; the line shall be insulated from the remainder of the fence; and the entire installation shall be approved by the Inspection Bureau, Inc.

(6) It shall be unlawful to plant, trim, or otherwise maintain hedging that is in excess of three feet in height within 25 feet of the intersection of two or more streets.

(7) All fences shall be placed entirely on the property owner's lot. No setback is required for fencing in any yard.

(8) The maximum permitted height of fences constructed on top of a wall shall be measured from the grade line of the abutting property.

(B) *Fence support structure.* All fences must be secured with below ground posts except wire fencing used as a liner for a permitted fence.

SECTION II. In all other respects, Section 151.104 of the Mariemont Code of Ordinances shall remain unchanged and in full force and effect.

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

Passed: July 12, 2021

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William A. Brown, Mayor

ATTEST:

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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 13<sup>th</sup> day of July 2021.

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Anthony J. Borgerding, Fiscal Officer