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Council of the Village of Mariemont, Ohio
August 22, 2022
Agenda

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Roll Call
- 3a. Letter from Mr. Bartlett asking that his absence be excused
- 4. Minutes
 - a. Council Meeting August 8, 2022
- 5. Communications: (Council has copies except those marked **. These are in the Village Office for Perusal)

*From Fiscal Officer Ford: Cash Summary Fund for July 2022
 *From Service Superintendent Scherpenberg: July 2022 Monthly Report

- 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: (Susan Brownknight– Chair; Marcy Lewis – Vice-Chair; Kelly Rankin – Member)

- ~~⌵~~ Review Signage Legislation (Per Building Department) (1-11-21)(4-11-22)
- ~~⌵~~ Assist Update to Employee Policy Handbook (4-12-21) (3-14-21)
- ~~⌵~~ Hot Tub Regulations (6-13-22)
- ~~⌵~~ Bench Naming Request (7-25-22)

Health and Recreation: (Randy York – Chair; Leah Geldbaugh – Vice-Chair; Susan Brownknight – Member)

- ~~⌵~~ Dale Park Hillside (3-25-19)
- ~~⌵~~ Village Wide Benches (6-13-22)

Finance: (Rob Bartlett - Chair; Marcy Lewis – Vice-Chair; Kelly Rankin – Member)

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Finance Sub-Committee: (Rob Bartlett, Kelly Rankin, Randy York)

- ✦ Assessing Need for Operations Manager/Administrator (1-11-21) (2-8-21) (4-26-21) (8-9-21) (10-11-21) (1-24-22) **Target Date June 2022**

Safety: (Leah Geldbaugh– Chair; Rob Bartlett – Vice-Chair; Randy York – Member)

- ✦ Establish Process to Address Traffic and Speed Concerns: (7-13-20)
- ✦ Work with Pool Commission to Address Miscellaneous Tasks Not Covered by the Pool Management Company (12-20-21) (*Moved From Health and Recreation 7-11-22)

Planning and Zoning & Economic Development: (Marcy Lewis - Chair; Leah Geldbaugh – Vice-Chair; Susan Brownknight – Member)

- ✦ Explore Financial Incentives for Local Businesses (12-21-20) (10-11-21)
- ✦ MPF Demolition and New Construction Ordinance **Target Date March 2022 (7-25-22)
- ✦ Paver/Patio Installation Regulations (4-11-22 – Moved From Rules & Law)
- ✦ Zoning Code Clean-Up (7-11-22)

Planning and Zoning & Economic Development Sub-Committee: (Marcy Lewis, Kelly Rankin, Randy York)

- ✦ Agreement with Ken Geis to Work on Economic Development (10-11-21) (11-8-21)

Public Works and Service: (Kelly Rankin – Chair; Rob Bartlett – Vice-Chair; Randy York – Member)

- ✦ Long-Term Plan Recommending Painting of the Lamp Poles (1-24-22) (4-26-21)
- ✦ *Pedestrian Crosswalk at Library (6-13-22)*

Committee of the Whole:

8. Miscellaneous:

- ✦ Special Meeting of Council will meet Monday August 29, 2022 at 5:30 p.m. to discuss the Strategic Planning Session Report Summary

9. Resolutions:

- ✦ “Resolution Authorizing the Granting of Landscape and Maintenance easement in Favor of Property Located at 6490 Mariemont Avenue; And To Declare Emergency” (*Requires Three Readings*)
- ✦ “Authorizing Expenditure from American Rescue Plan Act Funds; And To Declare Emergency” (*Requires Three Readings*)
- ✦ “Resolution to Form a Diversity and Inclusion Committee” (First Reading)
- ✦ “Resolution to Confirm Appointment of Members to the Community Reinvestment Council; and To Appoint a Housing Officer” (First Reading)

10. Ordinances:

- ⚡ “An Ordinance Authorizing Application and Contracting with the Ohio Public Works Commission” (Second Reading)
- ⚡ “Approval and Granting Consent to the Director of the Ohio Department of Transportation Authority to Apply, Maintain and Repair Standard Longitudinal Pavement Markings and Erect Regulatory and Warning Signs on State Highways Inside Village Corporate Limits, and Giving Consent of the Village for the Ohio Department of Transportation to Remove Snow and Ice and Use Snow and Ice Control Material on State Highways Inside the Village Corporate Limits, and Giving Consent of the Village for the Ohio Department of Transportation to Perform Maintenance and/or Repair on State Highways Inside the Village Corporation” (Second Reading)

11. Task List:

	<u>Person Accountable</u>	<u>Target Date Completion</u>

1. 2021 Financial Recap to Council with commentary/explanations	Mayor Brown	
2. Finish work on Murray Path/Submit invoices to ODNR for Reimbursement	Engineer Ertel	Oct. 2022
3. Boat House roof repair/potential grants for funding	Mayor Brown	Oct. 2022
4. Clean up Village (hydrants, benches, curbs etc.)	Mr. York	
5. Assessing parks, what needs to be fixed/potential grants	Mr. York	July 2022
6. SWIM POOL:		
a. List of activities identified by Pool Commission/Action	Ms. Geldbaugh	Ongoing
b. Fixing Leak	Mayor Brown	
c. 3-year master plan pool/facilities	Mr. York	Ongoing
7. Master Plan for improving office space in Municipal Building	Mayor Brown	
8. Improvements to Bell Tower baseball fields/batting cage	Mr. York	
9. Walking Path Whiskey Creek	Mrs. Rankin/Engineer Ertel	
10. Parking Lot Light Issue	Mayor Brown/Mrs. Brownknight	
11. Porsche Rallye	Mayor Brown	
12. Wooden Duke Energy Poles	Mayor Brown/Council	
13. Ohio Historic Building Preservation Tax Credit	Mrs. Brownknight	
14. Audit Committee Follow-Up	Mr. Bartlett/Fiscal Officer Ford	
15. Tree Committee Recommendations	Mayor Brown	

Joanee Van Pelt

From: Rob Bartlett
Sent: Tuesday, August 09, 2022 10:24 AM
To: Joanee Van Pelt
Subject: Please excuse me from August 22 council meeting

Joanee,

I will be out of town for the August 22 council meeting. If you can please include this email in the council packet, asking to excuse my absence, I would appreciate it.

Thanks,

Rob

**Village of Mariemont
Council Meeting
August 8, 2022**

Vice-Mayor Lewis called the meeting to order at 6:30 p.m. with the Pledge of Allegiance. Present were Mr. Bartlett, Mrs. Brownknight, Ms. Geldbaugh, Mrs. Rankin, and Mr. York.

Mrs. Rankin moved, seconded by Mr. Bartlett, to accept the minutes as written for the Council Meeting July 25, 2022. On roll call: five ayes, no nays (Dr. Lewis abstained due to her absence).

Mrs. Rankin moved, seconded by Mr. York to accept the minutes as written for the Tax Review Budget Hearing. On roll call: five ayes, no nays (Dr. Lewis abstained due to her absence).

Communications:

- From Police Chief Hines: July 2022 Monthly Report. Chief Hines said the Safety Village began for the kids. Officer Romano will demonstrate bike safety and Officer Kurtz will offer a K-9 demonstration. Mr. Bartlett noted an increase in drug abuse. Chief Hines said the numbers are up due to the K-9 which is good.

- From Assistant Fire Chief Copeland: July 2022 Monthly Report. Chief Hines noted that runs are up 70 runs from last year.

- From Tax Administrator Barlow: July 2022 Monthly Report

- From Building Official Holloway: July 2022 Monthly Report

- From Esther Osman: Picture/Request Re: Area in front of Rooster. Vice-Mayor Lewis said Mayor Brown indicated that he would reach out to the Tree Committee for recommendations. Mr. York stated that there are several areas in the Village that look similar. The Tree Committee is working on a plan and he believes we should follow the plan, not react on demand. Vice-Mayor Lewis said she has asked a representative from the Tree Committee to update Council on the scope of work at an upcoming meeting. There is much more than just choosing a tree. It requires surveying the environment including sidewalks, overhead power lines, width etc. to determine the proper urban site. The Tree Committee has surveyed all six districts with a plan in place for selecting trees.

Mr. Bartlett suggested this matter be placed on the Task List.

- From Douglas Gruver, Letter Dated June 28, 2022 re: Consent Legislation Snow and Ice Removal

Permission to Address Council:

Chris Ertel, Village Engineer, was granted permission to address Council. He was approached by Mel Taylor from Columbia Township regarding paving along Berwick Avenue between Murray and Cambridge. It is a split corporation. The cost would be \$8,000 with Columbia Township reimbursing the Village \$4,000. The current street rehab construction is scheduled to start Thursday and he will follow-up with the needed paperwork. Mr. Bartlett said Fiscal Officer Ford indicated that ARPA funds could be used once we pass the necessary legislation. Mr. York moved, seconded by Mrs. Rankin to share a paving contract for Berwick Avenue with Columbia Township. On roll call; six ayes, no nays.

Motion to Pay the Bills:

Mr. Bartlett moved, seconded by Mrs. Rankin to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. Mr. Bartlett said he would be interested when the next round of tree work will take place. On roll call: six ayes, no nays.

Committee Reports:

Mr. Bartlett moved, seconded by Mrs. Rankin to accept the recommendation from the Finance Committee which met on Friday, July 22, 2022 at 2:00 pm to discuss renewing the Village's risk management insurance. Present at the meeting were Finance Committee Chair Rob Bartlett, Finance Committee Members Kelly Rankin and Marcy Lewis, Mayor Bill Brown, and Senior Administrative Assistant Joanee Van Pelt. The Finance Committee reviewed the proposal for risk management coverage from Hylant. If we did not change any of the coverage levels in the plan, the Village's cost would go from \$35,383 in 2021 to \$36,021 in 2022, an increase of \$638 or 1.8%. Karie Novesl from Hylant previously shared that the average increase in Ohio for risk management insurance for municipalities this year was 6%. Ms. Novesl also shared several areas where the coverage limit has been increased at no extra charge. The Finance Committee had previously benchmarked our coverage levels versus Fairfax, Terrace Park, Newtown and Columbia Township and we are in line with the other municipalities. As such, the Finance Committee agreed to maintain the current levels of coverage and deductibles. The Finance Committee recommends agreeing to the new updated coverage and quote. If Council agrees with this recommendation, because this needs to be passed via resolution and it needs to be effective by August 26, 2022, the legislation will need to be passed as an emergency measure at the first Council meeting in August. On roll call; six ayes, no nays.

Mr. York moved, seconded by Mrs. Brownknight to accept the recommendation of the Public Works and Service Committee which met on July 22, 2022 at 2:30 PM to discuss solid waste and recycling service beginning in January 2023. In attendance were Committee Chairperson Kelly Rankin, Committee Member Randy York, Committee Member Rob Bartlett and Mayor Brown. The Village participated in the SWORRE (Southwest Ohio Regional Refuse) Consortium for the provision of waste and recycling service in an RFP along with 5 other communities. By participating in this program via the Center for Local Govt., the Village had hoped to obtain more favorable rates for this service. The rates provided by the bid were compared to the rates we would pay if we contracted directly with Rumpke. Our current year contract is for a total of \$16.75/unit per month for 1,425 units at \$23,868.75 per month for all 3 services. The option year 2023 would increase rate 3% to \$17.25/unit per month for all 3 services. The 3-year firm rate option with the CFLG group bid is \$18.90 for trash and recycling and \$4.50 for yard waste or \$23.40 for all 3 services. The Committee recommends renewing the contract with Rumpke for the service year 2023. On roll call; six ayes, no nays.

Miscellaneous:

- Safety Services Night Out will be August 16, 2022 at the Bell Tower from 6:00 p.m. to 9:00 p.m.
- Special Meeting of Council will meet Monday August 29, 2022, at 5:30 p.m. to discuss the Strategic Planning Session Report Summary

Resolutions:

“To Renew Current Contract for the Following Kinds of Insurance: Real and Personal Property, comprehensive General Liability, Business Automobile, and Other Coverages; To Pay Premiums; and To Declare Emergency” had a first reading. Mr. Bartlett moved, seconded by Mrs. Rankin to suspend the rules to allow for the second and third readings. On roll call; six ayes, no nays. The Resolution had a second and third reading. Mrs. Rankin moved, seconded by Ms. Geldbaugh to adopt the Resolution. On roll call; six ayes, no nays. Mr. York moved, seconded by Mrs. Rankin to invoke the emergency clause. On roll call; six ayes, no nays. Resolution No. 30-22 was adopted.

Resolution Authorizing Village to Enter Into Easement Agreement with Duke Energy and To Declare Emergency” had a first reading. Mr. Bartlett moved, seconded by Mrs. Rankin to suspend the rules to allow for the second and third reading. On roll call; six ayes, no nays. The Resolution had a second and third reading. Mrs. Rankin moved, seconded by Ms. Geldbaugh to adopt the Resolution. On roll call; six ayes, no nays. Mr. Rankin moved, seconded by Mr. York to invoke the emergency clause. On roll call; six ayes, no nays. Resolution No. R-31-22 was adopted.

Ordinances:

“An Ordinance Authorizing Application and Contracting with the Ohio Public Works Commission” had a first reading.

“Approval and Granting Consent to the Director of the Ohio Department of Transportation Authority to Apply, Maintain and Repair Standard Longitudinal Pavement markings and Erect Regulatory and Warning Signs on State Highways Inside Village Corporate Limits, and Giving Consent of the Village for the Ohio Department of Transportation to Remove Snow and Ice and Use Snow and Ice Control Material on State Highways Inside the Village Corporate Limits, and Giving Consent of the Village for the Ohio Department of Transportation to Perform Maintenance and/or Repair on State Highways Inside the Village Corporation” had a first reading.

Task List:

Ms. Geldbaugh updated Council on developments happening at the Mariemont Swim Pool. A Safety Committee meeting was held last week that covered many issues regarding how to move forward with the pool. The communication between Council, the Pool Committee and Cincinnati Pool Management is not great. She was in contact with a representative from the Health Department who indicated that two of the pools failed inspection this past Wednesday. There was an additional inspection on Thursday. No one from Cincinnati Pool Management contacted anyone in the Village. She made multiple calls to Jeff Blume, Owner of Cincinnati Pool Management, to discuss the situation. She made Mayor Brown aware as well. She also reached out to Mike Lockhart, whom the Safety Committee would like to have employed next year as the Pool Manager. Documentation should have been left at the pool indicating why the pools (lap pool and baby pool) failed inspection. Mr. Lockhart went to the pool Friday and tested the water which showed no chlorine in the water at all. The pumps that hold the acid that is added to the water to keep the chlorine alive were empty and not turned on. The lights for the baby pool are hooked to the pump breaker which was being turned off at night. It should never be turned off. He performed what was needed to get the water levels where they should be. She finally heard back from Mr. Blume who insisted there was not a problem at the pool and the earliest he could get the reports to her was Monday. The pools were tested Thursday and were fine. Ms. Geldbaugh insisted on seeing the inspection reports to ensure that the pool was safe for our residents. Mr. Lockhart contacted Mr. Blume who explained all that was wrong to Mr. Lockhart. In conclusion, Nicole from Cincinnati Pool Management Company obtained the reports and met with Ms. Geldbaugh and Mayor Brown. Due to the weather and because so many chemicals had been put in the pool, they opted to close the pool for the day.

She also learned that the testing of the water was random and incomplete. They were also putting the acid in by hand from jugs which is dangerous, not recommended and can lead to the closure of the pool by the Health Department. It has been occurring all summer. It can only be handled by those 18 years and older. Many of the employees at the pool have never been taught how to test the water – it was assumed they knew how to test the water. Cincinnati Pool Management never taught anyone at our pool how to test the water. In conclusion, training is to take place and the water will be tested every 1-2 hours by those over the age of 18 with a log to be kept. A sign has been posted to not turn the breaker off a night. In addition, the tanks have been filled. Fiscal Officer Richard Ford and Mayor Brown are to meet to go over invoicing for July and August to obtain a monetary number on what Cincinnati Pool has not met per the contract. A meeting is planned with Cincinnati Pool Management, Mr.

York and members from the Pool Committee. Ms. Geldbaugh will continue to follow-up that testing is being done on a timely basis to ensure it is safe for our residents. If that does not or cannot be done, the pool will need to shut down. Tax Administrator Barlow offered to go to the pool and check the logs.

The meeting adjourned at 7:45 p.m.

Dr. Marcy Lewis, Vice-Mayor

Richard D. Ford, Fiscal Officer

VILLAGE OF MARIEMONT, HAMILTON COUNTY
Cash Summary by Fund
 July 2022

Fund #	Fund Name	Fund Balance 7/1/2022	Fund Balance Adjustments	Revenue (excluding transfers and advances in)	Transfers In	Advances In	Total Fund & Adjustments & Revenue	Expenditures (excluding transfers and advances out)	Transfers Out	Advances Out	Fund Balance 7/31/2022	Non-Pooled Balance	Pooled Balance
1000	General	\$1,234,109.24	\$0.00	\$196,397.98	\$0.00	\$66,000.00	\$1,496,507.22	\$245,977.26	\$0.00	\$0.00	\$1,250,529.96	\$0.00	\$1,250,529.96
2011	Street Construction, Maint. and Rept	\$197,179.16	\$0.00	\$13,487.05	\$0.00	\$0.00	\$210,666.21	\$3,738.53	\$0.00	\$0.00	\$206,927.68	\$0.00	\$206,927.68
2021	State Highway	\$23,439.74	\$0.00	\$1,094.71	\$0.00	\$0.00	\$24,534.45	\$1,654.07	\$0.00	\$0.00	\$22,880.38	\$0.00	\$22,880.38
2041	Ann Buntin Becker Park	\$3,452.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,452.00	\$0.00	\$0.00	\$0.00	\$3,452.00	\$0.00	\$3,452.00
2051	Federal Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2081	Drug Law Enforcement - confiscated	\$10,063.07	\$0.00	\$350.00	\$0.00	\$0.00	\$10,413.07	\$0.00	\$0.00	\$0.00	\$10,413.07	\$0.00	\$10,413.07
2101	Permissive Motor Vehicle License Tz	\$46,696.34	\$0.00	\$3,196.00	\$0.00	\$0.00	\$49,892.34	\$0.00	\$0.00	\$0.00	\$49,892.34	\$0.00	\$49,892.34
2151	Coronavirus Relief Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2152	ARP Fund	\$1,992.71	\$0.00	\$184,992.71	\$0.00	\$0.00	\$186,985.42	\$0.00	\$0.00	\$66,000.00	\$120,985.42	\$0.00	\$120,985.42
2271	Alcohol Enforcement and Education	\$32,559.71	\$0.00	\$2,742.28	\$0.00	\$0.00	\$35,301.99	\$246.00	\$0.00	\$0.00	\$35,055.99	\$0.00	\$35,055.99
2901	Mayor's Court Computer Fund	\$5,663.45	\$0.00	\$1,136.00	\$0.00	\$0.00	\$6,799.45	\$22.75	\$0.00	\$0.00	\$6,776.70	\$0.00	\$6,776.70
2902	Marfielders	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2903	Paramedic Services	\$113,612.49	\$0.00	\$12,947.46	\$0.00	\$0.00	\$126,559.95	\$28,311.78	\$0.00	\$0.00	\$98,248.17	\$0.00	\$98,248.17
2904	Safety Services Levy	\$204,190.71	\$0.00	\$0.00	\$0.00	\$0.00	\$204,190.71	\$23,737.51	\$0.00	\$0.00	\$180,453.20	\$0.00	\$180,453.20
2905	Mayor's Court Computer Fund for Ch	\$1,955.00	\$0.00	\$341.00	\$0.00	\$0.00	\$2,296.00	\$0.00	\$0.00	\$0.00	\$2,296.00	\$0.00	\$2,296.00
3401	Note Retirement	\$49,419.00	\$0.00	\$0.00	\$0.00	\$0.00	\$49,419.00	\$0.00	\$0.00	\$0.00	\$49,419.00	\$0.00	\$49,419.00
4901	Permanent Improvement Levy - All	\$329,830.15	\$0.00	\$220.00	\$0.00	\$0.00	\$330,050.15	\$1,079.95	\$0.00	\$0.00	\$328,970.20	\$0.00	\$328,970.20
4902	Permanent Improvement Levy - Limi	\$41,161.40	\$0.00	\$0.00	\$0.00	\$0.00	\$41,161.40	\$0.00	\$0.00	\$0.00	\$41,161.40	\$0.00	\$41,161.40
9901	Mayor's Court Fiduciary clearing	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Report Total:		\$2,295,324.17	\$0.00	\$416,905.19	\$0.00	\$66,000.00	\$2,778,229.36	\$304,767.85	\$0.00	\$66,000.00	\$2,407,461.51	\$0.00	\$2,407,461.51

Last reconciled to bank: 07/31/2022 - Total other adjusting factors: \$243.00

**SERVICE DEPARTMENT
MONTHLY REPORT
JULY
2022**

BRUSH ROUTE.....	6 Loads of chipped brush \$ 0 Charge this month Saving of \$ 150.00 \$ 725 savings year to date.
Dump Brush either Hafner or S-80	
Other Dumping's	3 Load of brush \$ 75.00 Loads of debris Cost \$ 0 \$ 325.00 Total savings
Street Sweeping/ debris S-80	4 loads cost \$532.80
TOTAL COST SAVINGS YTD	\$ 1,572.20
Total cost for mowing Including parts, equipment, fuel	\$ 19,926.61

PARK WORK INCLUDES THE FOLLOWING:

Clean up of CG&E Median	Denny Place Island	Settle Island
The Point	Albert Place	Trolley Park
Dale Park & Cemetery	Sheldon Close	Concourse
Jordan Memorial	Beech Grove	S-80
Tot Lot	Bell Tower	Lower Meadow
Midden Island	Livingood	

CONTRACTOR'S WORK
Davey Tree Service
Custom Tree Service (stump removal)

MECHANICAL WORK :

Chain saws
Chev 3500 dump truck
Chery Picker
Scag Walker mower

General check each morning on all trucks

STREET SWEEPING FOR JULY:

TOTAL HOURS: 2 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 2022 12

SAFTEY TRAINING CLASS:
Storm Water management updates

OVERTIME HOURS	TOTAL HOURS	HOURS COST PAID	COMP TIME
Scherpenberg	10.25	\$	\$ 418.51
Schmid	0	\$	\$.
James	1	\$ 43.94	\$
Evanchyk	0	\$	\$
Swader	1	\$ 38.25	\$
TOTAL HRS	12.25		\$ 418.51
TOTAL HRS. PAID	2	\$ 82.19	
Meetings			
Completion of work			
Emergency call in Storms			

SICK TIME FOR JULY :.....TOTAL HOURS

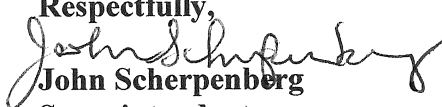
Scherpenberg	0
Schmid	8
James	0
Evanchyk.....	0
Swader.....	0

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

Scherpenberg	0
Schmid	109
James	0
Evanchyk.....	0
Swader.....	0

MISCELLANEOUS WORK INCLUDES THE FOLLOWING:

Village clean up limbs and hangers from storms.
Village mowing and trimming
Village clean up brush from storm damage
Village water new trees
Village started to mulch flower beds and trees
Goshen Township assisted with clean up from tornado
Amberley Village video pipe for sink hole
6812 Mt. Vernon fixed sink hole from steam plant line
Bell Tower removed gate for new practice area
Tot Lot repaired broken whale
Hopkins Park removed bags from volunteers
S-80 clean up fallen trees on paths
Boathouse cleanout gutters
Village clean up parks and fountains
Village started making and replacing broken wooden street signs and post.
Village marked utilities for OUPS tickets.
Pool, clean leaves from pools and installed 1 back flow devices to turn water on for cleaning
Tot Lot, bell Tower, Ann Buntin Becker, John Nolen and Erickson Pavilions Covid-19 spray
Village clean out storm drains.
Village Pothole repair
Miami Hill cleaned out 5 drains.
Boathouse reset timer.
Village clean up brush from volunteers.
Pick up dead animals off roadway.
Village streetlight repair
Wooster Pike clean up island tips.
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 also extra pick up Wednesday Starbuck cans
Clarence Erickson shelter clean up.
John Nolen Pavilion clean out inside debris.

Respectfully,

John Scherpenberg
Superintendent

VOUCHERS FOR THE REGULAR COUNCIL MEETING, AUGUST 22, 2022

DEPARTMENT	VENDOR	DESCRIPTION	COST
Admin	Staples	Office Supplies	3.79
Admin	Verizon	Wireless Service Monthly Charges (Mayor)	48.49
Admin	William Brown	Car Allowance for Mayor August 2022	41.66
All	Dental Care Plus	Insurance Premium Sept. 2022	967.83
All	Village Payroll	Medi \$2662.28, Soc. Sec. \$3722.18, and Gross Payroll \$93370.22 for Period Ending 8/6/2022	99,754.68
Building	Board of Building Standards	Permit Assessment Fees July 2022	18.29
Building	Rod Holloway	Zoning Officer for Period Ending 8/6/22	910.00
Building	Staples	Office Supplies	22.24
Fire	Fire Apparatus Service & Repair	Service Call and Replace Shoreline Charger in Quint 67	2,406.63
Fire	Verizon	Wireless Service & Routers Monthly Charges	386.48
Fire	Spectrum	Cable Service Monthly Charges	24.75
Fire & EMS	Wex Bank	Fuel for Village Vehicles July 2022	2,041.52
Legislative	Center for Local Government	Annual Meeting (Van Pelt)	30.00
Legislative	Enquirer Media	Legal Ad for 2023 Budget Hearing	138.44
Legislative	Gilson's	Outstanding Citizen 2022 Engraved Plate	25.00
Legislative	Hospice of Cincinnati	Donation in Memory of Marian Scherpenberg	50.00
Legislative	Hospice of Cincinnati	Donation in Memory of Richard Adams	50.00
Legislative	Ohio Plan Management Resources	Strategic Planning Session and Report	2,850.00
Legislative	Staples	Office Supplies	22.25
Miscellaneous	Duke Energy	Gas & Electric Monthly Charges	3,807.34
Miscellaneous	Mills Fence Company	Replace Damaged Sections of Guard Rail	1,170.00
Miscellaneous	NAPC	National Alliance of Preservation Commissions Forum -- Lewis & Ayers (Received \$480 Stipend to Cover the Cost)	480.00
Miscellaneous	The Kleingers Group	Mariemont Trail Study (All Costs to be Reimbursed by CROWN Group)	5,529.00
Municipal	Altafiber	Belltower Elevator Alarm Monthly Charges	50.26
Municipal	Altafiber	Municipal Elevator Alarm Monthly Charges	109.02
Municipal	Altafiber	Internet Service Monthly Charges	349.50
Municipal	Altafiber	Phone Service Monthly Charges	625.80
Municipal	Buckeye Power Sales	Annual Maintenance Contract Renewal 2022-2023	782.25
Municipal	CBTS	Long Distance Service Monthly Charges	10.30
Municipal	Treasurer State of Ohio	Annual Renewal of Elevator Certificate	334.25
Municipal	Verizon	Internet Router Monthly Charges	40.13
Paramedics	Bound Tree	EMS Supplies/Medications	1,194.00
Paramedics	Teleflex	EMS Supplies/Medications	1,115.50
Paramedics	Verizon	Transmit Data from Squad to Hospital Monthly Charges	14.08
Police	Ace Hardware CPU	2 Rolls Forever Stamps	120.00
Police	Ohio Association of Chiefs of Police	Annual Membership Dues 10/1/22-9/30/23	195.00
Police	Ritze's Auto Service	Replace Serpentine Belt Car #4	129.78
Police	Staples	Office Supplies	54.58
Police	Tire Discounters	Oil Change Car #2	40.70
Police	Verizon	Wireless Service Monthly Charges	130.07
Police	Wex Bank	Fuel for Village Vehicles July 2022	2,798.17
Police	Batteries Plus Bulbs	Radio Battery	149.95
Police	Benefit Wallet	2nd Half Installment Wellness Compliance -- Dan Lyons	1,050.00
Police	Galls Uniforms	Uniform Items	630.65
Police	Ritze's Auto Service	Batteries for Car #2 and #4	462.47
Police	Tire Discounters	Wiper Blades for Car #6702	41.78
Pool	Altafiber	Phone & Internet Service Monthly Charges	123.45
Pool	Anna Morgan	Swim Instructor June & July 2022	517.50
Pool	Amanda Rohal	Swim Instructor June & July 2022	735.00
Pool	Ava Ellis	Swim Instructor June 2022	240.00
Pool	Ben Fahnestock	Swim Instructor June 2022	420.00
Pool	Braylin Ludwig	Swim Instructor June 2022	232.50
Pool	Cincinnati Pool Management	Concessions	4,610.11
Pool	Colin Mikesell	Swim Instructor June 2022	300.00
Pool	Mandy Rohal	Reimbursement for Supplies and Concessions	267.19
Pool	P&B Awards	Swim Team Awards	363.95
Pool	Sophia Decamp	Swim Instructor June 2022	360.00
Pool	Staples	Office Supplies	10.29
Pool	William Pettifer	Swim Instructor July 2022	270.00
Service	BrewPro	Pot Hole Repair Supplies/Materials	689.85
Service	Budget Door of Cincinnati	Repair/Replacement of Shop Door	1,999.00
Service	Center for Local Government	Annual Meeting (Scherpenberg)	30.00
Service	H Hafner & Sons	South 80 Clean-Up	532.80
Service	Hyde Park Lumber	Wooden Street Sign Post	356.46

VOUCHERS FOR THE REGULAR COUNCIL MEETING, AUGUST 22, 2022.

DEPARTMENT	VENDOR	DESCRIPTION	COST
Service	Spectrum	Internet Service Monthly Charges	84.99
Service	Verizon	Wireless Service Monthly Charges	78.59
Service	Vermeer	Emergency Repair on Woodchipper	4,001.31
Service	Wex Bank	Fuel for Village Vehicles July 2022	2,221.24
Tax	Income Tax Refunds	Overpayment of Taxes -	2,465.00
Tax	SWOTAA	Quarterly Meeting (Barlow)	25.00
Tennis	David Russell	Tennis-Pro Services for Period Ending 8/6/2022	682.50
TOTAL			152,823.36

VILLAGE OF MARIEMONT
BIWEEKLY PAYROLL ENDING AUGUST 6, 2022

Police Department

Richard D. Hines, Regular	4465.60	Rick Hines, Overtime	418.65
Tom Ostendarp, Holiday	382.88	Rachel Hays, Overtime	492.00
Adam Geraci, Sick	1817.64	Fred Romano, Overtime	412.50
Adam Geraci, Overtime	185.88	Paul Rennie, Comp	619.65
Tom Ostendarp, Overtime	358.95	Dan Lyons, Regular	3284.15
Dan Lyons, Comp	20.66	Paul Rennie, Overtime	309.80
Derek Bischoff, Overtime	309.80	Fred Romano SRO, Regular	1897.60
Derek Bishoff, Comp	495.72	Rachel Hays, Vacation	492.00
Dan Lyons, Overtime	1239.20	Fred Romano, Vacation	189.76
Rachel Hays, Regular	2788.00	Steve Watt, Overtime	743.52
Steve Watt, Regular	3304.80	Nick Pittsley, Regular	3094.00
Nick Pittsley, Vacation	546.00	Derek Bischoff, Sick	495.72
Matt Kurtz, Sick	1652.40	Matt Kurtz, Regular	1652.40
Adam Geraci, Regular	1487.16	Tom Ostendarp, Regular	3828.80
Derek Bischoff, Regular	2313.36	Paul Rennie, Regular	2685.15
Vikki Hill, Regular	1991.25	Vikki Hill, Mayor's Court	125.00
		Department Total	43361.30

Paramedics/Fire

Jim Henderson, Supervisor Pay	304.85	Keary Henkener, PT, Regular	136.08
Tim Peaker, Supervisor Pay	1077.60	Craig Coburn, Supervisor Pay	269.40
Richard Cathcart, PT, Regular	855.36	Pat Dixon, PT, Regular	233.28
Don Scarpiniski, PT, Regular	1399.68	Mike Washington, Supervisor Pay	561.25
Evan Dunkleman, Supervisor Pay	3524.65	Robert Mercer, PT, Regular	466.56
Joe Lowry, PT, Regular	466.56	Brian Gross, PT, Regular	233.28
Joey Homan, PT, Regular	864.00	Morgan Hunter, PT, Regular	466.56
Matt Clark, Supervisor Pay	2267.45	Eric Freeland, PT, Regular	466.56
Brayden Young, PT, Regular	933.12	Tim Linz, PT, Regular	204.40
Brayden Miller, PT, Regular	1652.40	Scott Ray, PT, Regular	699.84
Chris Miller, PT, Regular	252.72	Brayden Miller, PT, Regular	1127.52
Ryan Frazee, PT, Regular	1516.32	Ryan Brown, PT, Regular	583.20
Jeff Ridge, Supervisor Pay	260.40	Brandon Manor, PT, Regular	466.56
Josh Watren, Supervisor Pay	1077.60	Dan Copeland, Assistant Fire Chief	2884.62
Johnny Stewart, PT, Regular	233.28	Rick Hines, Regular	475.39
Mark Hardin, PT, Regular	466.56	Nick Guilkey, Supervisor Pay	1077.60
Kris Schnell, PT, Regular	486.00	David Huckleby, PT, Regular	1559.58
Jason Williams, Supervisor Pay	2469.50	Jeremy Burns, PT, Regular	311.04
Bryan Schmidlap, PT, Regular	466.56	Nick Guilkey, Supervisor Pay	942.90
Jordan Cochrane, PT, Regular	122.32	Department Total	30017.62

Maintenance Department

John M. Scherpenberg, Regular	1306.56	John Scherpenberg, Vacation	1959.84
Mike Evanchyk, Regular	2343.20	Jeremy Swadder, Regular	2040.00
Kevin Schmid, Regular	2472.00	Department Total	12464.80

Administrative

Joanee B. Van Pelt, Regular	2634.81	Joanee Van Pelt, Council	125.00
Joanee Van Pelt, Vacation	148.44	Allison Uhrig, Vacation	966.41
Allison Uhrig, Regular	834.35	Joanee Van Pelt, Tax Budget Hearing	125.00
		Department Total	4834.00

Tax Department

Chuck Barlow, Regular	2692.50	Department Total	2692.50
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GRAND TOTAL **93370.22**

TO: Council, Village of Mariemont
FROM: Public Works & Services Committee
DATE: August 17, 2022
SUBJECT: Crosswalk request

.....

The Public Works & Service Committee met on August 4th at 4:30 PM to discuss the request for the addition of a crosswalk from the entrance of the Mariemont library to Isabella Hopkins park. Present at the meeting were Chairperson Kelly Rankin, Committee members Rob Bartlett and Randy York, Village Engineer Chris Ertel and Mayor Brown.

The addition of a crosswalk crossing Pocahontas at the entrance to the library was discussed and determined that a midwalk crosswalk between Wooster Pike and Rembold Ave. could potentially be dangerous as cars turning onto Pocahontas and/or cars turning south off of Warrior Way, would not have sufficient time to react if pedestrians are in the street.

The Committee recommends against the addition of a crosswalk at the requested area.

The Committee also recommends that the crosswalk at Wooster and Pocahontas be repainted.

Respectfully submitted,

Kelly Rankin
Chairman

Rob Bartlett
Member

Randy York
Member

VILLAGE OF MARIEMONT, OHIO

RESOLUTION NO. 0- ____ -22

**RESOLUTION AUTHORIZING THE GRANTING OF LANDSCAPE AND MAINTENANCE EASEMENT
IN FAVOR OF PROPERTY LOCATED AT 6490 MARIEMONT AVENUE; AND TO DECLARE
EMERGENCY**

WHEREAS, in Resolution No. 0-16-20, dated July 27, 2020, Council for the Village of Mariemont authorized the sale of a portion of a vacated street such that a building could be built on the lot adjacent to 6500 Mariemont Avenue; and

WHEREAS, in connection with the grant of that easement, an ingress and egress easement was also granted in favor of the lot to be created, which lot is now known as 6490 Mariemont Avenue; and

WHEREAS, after nearing completion of construction of the residence, the builder has determined that it is in the best interest of the property to have the ingress and egress easement previously granted be paved into a driveway and, as such, requires an easement and maintenance agreement for the maintenance of said driveway; and

WHEREAS, Council for the the Village believes it is in the best interest of the Village and in furtherance of the prior Resolution No. 0-16-20 to grant same.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF
MARIEMONT, A MAJORITY OF THE MEMBERS DULY ELECTED THERETO
CONCURRING:**

SECTION I. That the Mayor is hereby authorized to execute the Easement which shall be prepared by the builder or his representative and reviewed by the Village Solicitor for legal sufficiency. After said review and execution, said easement shall be recorded at the Hamilton County Recorder's Office.

SECTION II. 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 the said emergency is to assure the completion date is achieved by the builder.

Passed: August 22, 2022

William A. Brown, Mayor

ATTEST:

I, Richard D. Ford, 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 23rd day of August 2022.

Richard D. Ford, Fiscal Officer

Village of Mariemont

Resolution R- -22

Authorizing Expenditure from American Rescue Plan Act Funds; And To Declare Emergency

Be It Resolved by the Village Council of Mariemont, Hamilton County, Ohio

WHEREAS, this date, September 26, 2022 Council Member _____ moved the adoption of the following Resolution:

WHEREAS, the Village has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

WHEREAS, Section 603(c) generally provides that:

(1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 -

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

WHEREAS, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

WHEREAS, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund's smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients.

WHEREAS, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

WHEREAS, some common examples of "government services" expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities
- Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

WHEREAS, "Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;" and

WHEREAS, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or "rainy day" funds

WHEREAS, the Village Council has identified projects which, in the judgment of the Council, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

General Government Services (the "Project").

NOW THEREFORE, it is hereby RESOLVED by the Board that:

1. The Village elects to use the standard allowance and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services
2. The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed the total allocation provided.
3. The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:
 - Police protection
 - Fire and emergency medical services
 - Road repair, maintenance and other transportation and safety services

- Public infrastructure support
 - General government administration and administrative facilities
 - Land use regulations and enforcement
 - Parks and recreational facilities and programs
 - Other
4. Accordingly, the Project is in the best interests of the Village and is deemed a priority for the community.
5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

Council Member _____ seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of this Village concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village Council, and that all deliberations of the Village Council and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION I: That this Resolution is an emergency measure necessary for the health, safety and welfare of the Village. The reason for the emergency is to utilize funds for upcoming street rehabilitation projects.

Passed: August 22, 2022

William A. Brown, Mayor

Attest:

I, Richard D. Ford, 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 23rd day of August 2022.

Richard D. Ford, Fiscal Officer

VILLAGE OF MARIEMONT, OHIO

RESOLUTION NO. R-_____ -22

RESOLUTION TO FORM A DIVERSITY AND INCLUSION COMMITTEE

WHEREAS, the Village Of Mariemont is committed to cultivating and preserving a culture of inclusion and community. The Village believes an inclusive culture can inspire the Village to try new things, speak openly, and be curious. The Village celebrates diverse perspectives and cultures and believes diversity and inclusion drive innovation; and

WHEREAS, the Village of Mariemont believes a collective sum of the individual differences, life experiences, knowledge, self-expression, and talents generate better ideas to solve the complex challenges of a changing and increasingly diverse world; and

WHEREAS, the Village of Mariemont honors our shared humanity and the unique contributions all individuals bring in terms of age, disability education, beliefs, culture, ethnicity, race, sex, gender identity and expression, nation of origin, languages spoken, veteran's status, faith, sexual orientation, and socio-economic status; and

WHEREAS, the Village believes that as our world and communities change and sometimes struggle to find common ground, so too must the Village of Mariemont find ways to encourage diversity and dialogue among its residents; and

WHEREAS, to ensure the Village encourages diversity and dialogue among its residents, it is believed to be in the best interest of the Village that a Diversity and Inclusion Committee be created.

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 shall form a Diversity and Inclusion Committee, to be appointed by the Mayor and approved by council to make actionable recommendations to the Village of Mariemont Council that will further a more inclusive and diverse community through dialogue, goal setting, economic development/planning and policy.

SECTION II. That the committee shall consist of ___ members.

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

Passed: September 26, 2022

William A. Brown, Mayor

ATTEST:

I, Richard D. Ford, 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 27th day of September 2022.

Richard D. Ford, Fiscal Officer

VILLAGE OF MARIEMONT

RESOLUTION NO. R-____-22

RESOLUTION TO CONFIRM APPOINTMENT OF MEMBERS
TO THE COMMUNITY REINVESTMENT HOUSING COUNCIL; AND TO APPOINT A HOUSING OFFICER

WHEREAS, on September 10, 2007, the Village of Mariemont passed Ordinance No. R-19-07 implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of the Community Reinvestment Area ("CRA") in the Village of Mariemont, Ohio, and designating a housing officer to administer the program and creating a CRA Housing Council ("CRAHC"); and

WHEREAS, although the boundaries for the CRA were established, Village Council has not yet designated a Housing Officer or created a CRAHC; and

WHEREAS, it is appropriate to designate a Housing Officer to administer the program and also to create a CRAHC; and

WHEREAS, the Mayor recommends Rod Holloway as the Housing Officer and Council believes Rod Holloway is well qualified to fulfill the duties of this position. Said term shall be for two years with reappointment by Council thereafter.

WHEREAS, the CRAHC shall consist of two members appointed by the Mayor of the Village of Mariemont, two members appointed by the Council of the Village of Mariemont, and one member appointed by the Planning Commission of the Village of Mariemont; and

WHEREAS, the Mayor would like to name Bob Van Stone and Chad Osgood as members of the CRAHC; and Village Council is recommending that Charlie Thomas and Charles Martinez be named as members of the CRAHC, and the Planning Commission is recommending Kristina Getter to be a member of the CRAHC; and

WHEREAS, once said five (5) individuals referenced above are confirmed by Village Council, those members will select two additional members to the CRAHC.

NOW THEREFORE 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. That the following members are hereby named as members of the CRAHC: Chad Osgood; Robert Van Stone; Charlie Thomas; Charles Martinez and Kristina Getter.

SECTION II. That once the members of the CRAHC select the two additional members, a separate Resolution shall be passed by the Village of Mariemont Council to confirm that selection.

SECTION III. The term of the seven members of the CRAHC shall be two staggered terms. In the first year of the CRAHC, at least half of the Board will be appointed for a one-year term. The other members shall be appointed for a two-year term. If a vacancy shall occur during the term of any member, a successor shall be recommended by the Mayor and approved by Council.

SECTION III. This Resolution shall go into effect at the earliest date allowed by law.

Passed: September 26, 2022

William Brown, Mayor

ATTEST:

I, Richard D. Förd, Fiscal Officer Village of Mariemont, Ohio, does 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 27th day of September 2022.

Richard D. Ford, Fiscal Officer

VILLAGE OF MARIEMONT

ORDINANCE NO. O – – 22

AN ORDINANCE AUTHORIZING APPLICATION AND
CONTRACTING WITH THE OHIO PUBLIC WORKS
COMMISSION

WHEREAS, Council desires to make applications for State Issue II funding for roadways, storm sewers and capital Improvements within the Village of Mariemont; and

WHEREAS, the program for State Issue II Funding Applications requires designated officials for applications and contracting execution; and

WHEREAS, the Mayor and Fiscal Officer are hereby authorized to sign and submit such documents.

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

SECTION I. The Council hereby authorizes the Mayor and the Fiscal Officer to enter into a project agreement with the Ohio Public Works Commission for any grants which may be received from Issue II funding.

SECTION II. The Council hereby authorizes Mayor William Brown and Fiscal Officer Richard Ford to make applications on behalf of the Village of Mariemont for OPWC funding and for all applications they shall be noted as the designated officials to submit, amend and review such applications.

Passed: September 12, 2022

William A. Brown, Mayor

ATTEST:

I, Richard D. Ford, Fiscal Officer for 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 comer 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 day commencing on the 13th day of August, 2022.

Richard D. Ford, Fiscal Officer

**Village of Mariemont, Ohio
Ordinance No. O- -22**

APPROVAL AND GRANTING CONSENT TO THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION AUTHORITY TO, APPLY, MAINTAIN AND REPAIR STANDARD LONGITUDINAL PAVEMENT MARKINGS AND ERECT REGULATORY AND WARNING SIGNS ON STATE HIGHWAYS INSIDE VILLAGE CORPORATE LIMITS, AND

GIVING CONSENT OF THE VILLAGE FOR THE OHIO DEPARTMENT OF TRANSPORTATION TO REMOVE SNOW AND ICE AND USE SNOW AND ICE CONTROL MATERIAL ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATE LIMITS, AND

GIVING CONSENT OF THE VILLAGE FOR THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM MAINTENANCE AND/OR REPAIR ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATION.

WHEREAS, the Director of Transportation, under Section 5521.01 of the Revised Code of Ohio, is authorized upon request and approval of the legislative authority of the Village to maintain, repair and apply standard longitudinal pavement marking lines and to erect regulatory and warning signs, as defined in the manual adopted under section 4511.09 of the Revised code on any section of a State Highways within the corporate limits of a village; and

WHEREAS, the Director of Transportation, under Section 5501.41 of the Revised Code of Ohio, may, upon consent of the legislative authority of the Village, remove snow and ice and use snow and ice control material on State Highways within the corporate limits of a Village pursuant to a written agreement to be entered into between the Village and the Department of Transportation of the State of Ohio; and,

WHEREAS, the Director of Transportation, under Section 5511.01 of the Revised Code of Ohio, may, upon the consent of the legislative authority of the Village, perform maintenance and/or repair on the State Highways within the corporate limits of the Village pursuant to a written agreement to be entered into between the Village and the Department of Transportation of the State of Ohio; and

WHEREAS, State Highway No. 50 lies within the Village of Mariemont, Hamilton County; and

WHEREAS, the work proposed to be authorized under this ordinance shall be restricted to the application, maintenance and repair of standard longitudinal pavement markings and the erecting of regulatory and warning signs, and may include if an Agreement is entered into, the removal of snow and ice and the use of snow and ice control material on State Highways within the corporate limits of Village but shall not include the removal of snow and ice and the use of snow and ice control material on driveways, parking areas, and intersecting roads and streets, and, may include if an Agreement is entered into, the maintenance and/or repair of the State Highways within the corporate limits of the Village; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Mariemont, State of Ohio as follows:

SECTION I: It is hereby declared to be in the public interest that the consent of said Village be, and such consent is hereby given to the Department of Transportation of the State of Ohio for said Department to apply standard longitudinal pavement markings, and to erect regulatory and warning signs on said State Highways in accordance with the standard practices of the Ohio Department of Transportation.

SECTION II: It is hereby declared to be in the public interest that the consent of said Village be, and such consent is hereby given to the Department of Transportation of the State of Ohio, if an agreement is entered into, for said Department to remove snow and ice and use snow and ice control material on any State Highways listed in the agreement in accordance with the standard practices of the Ohio Department of Transportation.

SECTION III: It is hereby declared to be in the public interest that the consent of said Village be, and such consent is hereby given to the Department of Transportation of the State of Ohio, if an agreement is entered into, for said Department to perform certain maintenance and/or repair on any State Highways listed in the agreement in accordance with the standard practices of the Ohio Department of Transportation.

SECTION IV: That the Village Mayor, William A. Brown, is authorized to enter into any agreement with ODOT for the removal of snow and ice and the use of snow and ice control material on said State Highways within the corporate limits of the Village and any agreement with ODOT for certain maintenance and/or repair of the State Highways within the corporate limits of the Village.

SECTION V: That the Fiscal Officer is hereby directed to furnish the Director of Transportation and the Board of County Commissioners of Hamilton, Ohio, with a certified copy of this Ordinance immediately upon execution.

SECTION VI: That this Ordinance shall take effect and be in force at the earliest time allowed by law.

Passed: September 12, 2022

William A. Brown, Mayor

ATTEST:

I, Richard D. Ford, Fiscal Officer for 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 day commencing on the 13th day of September, 2022.

Richard D. Ford, Fiscal Officer

CERTIFICATE OF COPY

Village of Mariemont

ss:

County of Hamilton, Ohio

I, Richard D. Ford, as Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Council of said Village on the 12th day of September , 2022; that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and the certificate of publication thereof are of record in Ordinance Record No. O-22.

I have hereunto subscribed my name and affixed my official seal this _____ day of _____, 20_____.

_____, Fiscal Officer

(SEAL)

Village of Mariemont, Ohio

ACCEPTED AND APPROVED by the Ohio Department of Transportation

_____, Director of Transportation

Date:

ODOT AGREEMENT NO. _____
Village Consent Ordinance/Resolution No. _____

**AGREEMENT
BETWEEN THE STATE OF OHIO,
DEPARTMENT OF TRANSPORTATION
AND THE VILLAGE OF MARIEMONT, OHIO
FOR THE REMOVAL AND CONTROL OF SNOW AND ICE**

This Agreement is made by and between the State of Ohio, Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223, acting by and through its Director, hereinafter referred to as the “ODOT” and the Village of Mariemont, 6907 Wooster Pike, Mariemont, Ohio 45227, hereinafter referred to as the “VILLAGE” and shall be referred to singularly as “party” and collectively as “parties”.

WHEREAS, pursuant to Ohio Revised Code 5501.41, the Director of the Department of Transportation may remove snow and ice from state highways within villages, but before doing so, the Director must obtain the consent of the legislative authority of such village; and

WHEREAS, the legislative authority of the VILLAGE has granted its consent to the Director to remove snow and ice and to use snow and ice control material on the state highways within the its corporate limit; and

WHEREAS, it is in the interest and safety of the traveling public and it serves to manage public resources of ODOT and VILLAGE in an efficient manner that ODOT perform snow and ice removal and control on US 50 within the VILLAGE.

NOW THEREFORE, it is agreed by the parties as follows:

1. OBLIGATIONS OF ODOT

- 1.1 ODOT will remove snow and ice and apply snow and ice control material on US 50, both sides of road within the VILLAGE’s corporate limits during the normal course of removing snow and ice and applying snow and ice control material on roads within ODOT’s responsibility. ODOT shall not perform this work more frequently nor alter the schedule of when this work is to be performed and such work shall not include the removal of snow and ice from and the use of snow and ice control material on driveways, parking areas, and intersecting village roads and streets.

2. OBLIGATIONS OF THE VILLAGE

- 2.1 The VILLAGE grants ODOT the right to use and occupy the right-of-way in and abutting the section of US 50 herein described for the purposes of performing snow and ice removal and control operations.

2.2 The VILLAGE is responsible to fix, at its own expense, any damage to the road surface, such as potholes, caused by ODOT's removal of snow and ice and/or application of any snow and ice control material.

3. **INSPECTIONS**

3.1 Periodic inspections may be performed jointly by representatives of the parties to determine the level of service being provided on the state highway system during a snow and ice event.

4. **TERM OF AGREEMENT**

4.1 This Agreement shall commence on the date of the last signature below and shall expire on the last date of the current biennium unless terminated sooner pursuant to paragraph 4.2 of this Agreement. Upon agreement of the Parties, this Agreement may be renewed in writing for additional (2) year terms.

4.2 This Agreement may be terminated by either party giving sixty (60) days written notice to the other party.

5. **GENERAL PROVISIONS**

5.1 This Agreement shall be to the benefit of and be binding upon the respective parties herein, their successors and assigns. Nothing in this Agreement shall inure to the benefit of any third parties. Nothing stated in this Agreement shall act as a waiver of any immunities or defenses available to either party, either by statute or common law.

5.2 Either party may, at any time during the term of the agreement, request amendments or modifications which includes assignment. Requests for amendments or modifications shall be in writing and shall specify the requested changes and the justifications for such changes. Should the parties consent to modifications of the contract, then an amendment shall be drawn, approved and executed in the same manner as the original agreement.

5.3 This Agreement shall be governed, construed and interpreted in accordance with the laws of the State of Ohio. To the extent that the ODOT is a party to any litigation arising out of or relating in any way to this agreement or the performance there under, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.

5.4 The State of Ohio and ODOT are self-insured.

5.5 ODOT is hereby released from any and all liability for damage or injury received by the VILLAGE, its employees, agents or subcontractors while performing tasks, duties, work or responsibilities as set forth in this Agreement.

- 5.6 If the VILLAGE breaches or defaults any of the terms or conditions of this Agreement, and if that breach is not remedied within thirty (30) days after written notification by ODOT of that breach or default, ODOT may terminate this Agreement.
- 5.7 ODOT and VILLAGE agree to make a good faith effort to resolve any disputes which may arise between them concerning interpretation of, or performance pursuant to, this agreement. In the event a dispute arises regarding this Agreement, notification of the dispute shall be sent to the other party within ninety (90) days of discovery of such dispute. Within the notification, the disputing party shall present such evidence as may support their position. Within a reasonable time, the ODOT District Deputy Director and a designated representative from the VILLAGE shall review the facts and circumstances surrounding the dispute for the purpose of determination. Said dispute shall be resolved within a reasonable period of time. The parties agree that any dispute that cannot be resolved shall be resolved solely and finally by the Director of ODOT.
- 5.8 Ohio Ethics Law: The VILLAGE and ODOT, by signing this document, each certify: (1) it has reviewed and understands the Ohio Ethics law and conflict of interest laws as provided by Chapters 102 and 2921 of the Ohio Revised Code, and (2) will take no action inconsistent with those laws.
- 5.9 In carrying out this Agreement the parties shall comply with all applicable federal, state and local laws in the conduct of all work including, but not limited to non-discrimination, equal employment opportunity and drug free workplace.
- 5.10 In no case shall the VILLAGE or any of its personnel be considered agents, servants or employees of ODOT or the State of Ohio. Each party shall be responsible for the full payment of all taxes including without limitation, unemployment compensation premiums, income tax deductions, payroll deductions.

6. NOTICE

- 6.1 Notices under this agreement shall be directed as follows:

VILLAGE of MARIEMONT
6907 Wooster Pike
Mariemont, OH 45227

Ohio Department of Transportation
District 8 Roadway Services Manager
505 South State Route 741
Lebanon, OH 45036

7. SIGNATURES

- 7.1 Any person executing this agreement in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this agreement on such principal's behalf.

7.2 Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or email. Each party hereto shall be entitled to rely upon a facsimile or electronic signature of any other party delivered in such a manner as if such signature were an original.

The Parties hereunto have caused this agreement to be executed by officials thereunto duly authorized as of the day and year last written below.

VILLAGE OF MARIEMONT

By: _____

Printed Name: _____

Title: _____

Date: _____

STATE OF OHIO
Department of Transportation

By: _____
Jack Marchbanks, Director

Date: _____