

**MINUTES OF THE COUNCIL
VILLAGE OF MARIEMONT, OHIO
REGULAR MEETING HELD IN COUNCIL CHAMBER
SEPTEMBER 27, 2010**

Mayor Policastro called the meeting to order at 7:30 p.m. with the Pledge of Allegiance to the flag. The following Council members answered present to roll call: Mr. Andrews, Mr. Black, Mr. Miller, Mr. Scheeser, Ms Sullivan and Mr. Wolter.

Mr. Miller moved seconded by Mr. Andrews to accept the minutes as written for September 13, 2010 and the Committee of the Whole Meeting September 20, 2010. On roll call; five ayes, no nays. Mr. Black abstained.

The following communications were read by Mayor Policastro:

From Karen Koetzle: e-mail dated September 10, 2010 re: Trash fees. Mr. Scheeser agreed that it was a misprint. Mr. Andrews said it was language that refers to units with a common collection point. He will contact Ms. Koetzle to discuss her concerns.

From Public Servant Blog: Top 20 Urban Planning Successes of all Time. Mayor Policastro thanked Mr. Andrews for bringing it to Council's attention.

From Hamilton County Environmental Services: Letter dated August 24, 2010 re: Recycling Incentive Check \$8873.72. Mr. Scheeser asked how that money is protected and how do we know that the money is spent on recycling per the clause in the letter. Treasurer Borgerding said the money is put into the General Fund as he was not aware that there was such a clause. Clerk Tontillo said we have not gone to specific lengths to insure that it is only used for recycling related expenses. It could be argued that we are using it for trash pickup. It is logical to say the money goes against other things that are done in the Village to promote recycling. We do not go to administrative lengths to set up separate accounts. Treasurer Borgerding said all of the trash fees are taken out of the General Fund. Mr. Scheeser asked because he might need some handouts for the trash class and he wanted to tap into that money. Mayor Policastro said he would need to submit a purchase order for the expenditure.

From Mary Prevey: Letter dated September 13, 2010 re: \$3282.00 Contribution for the steps in the Bird Sanctuary.

From Police Chief Hines: Memo dated September 17, 2010 re: Drug Forfeiture check \$2,300

From Treasurer Borgerding: Treasurer's Report for August 2010. Treasurer Borgerding said expenses are down \$220,000 from this same time last year.

From J. D. Spinnenweber: Letter dated September 15, 2010

From Mayor Policastro: Letter dated September 22, 2010 re: Response to letter dated September 15, 2010

From Mariemont Preservation Foundation: Meeting Minutes August 26, 2010

From MariElders: Monthly Recap ending August 31, 2010

From Mayor Policastro: Letter dated September 15, 2010 re: Proposed Re-zoning of 6928 Madisonville Road and 6927 Thorndike Road from Residence "B" to Business "A"

From J. D. Spinnenweber: Letter dated September 16, 2010 re: Concerns with Mariemont Elementary School

Ms. Marty Bartlett, 3744 Indianview Avenue, was granted permission to address Council. She said with the upcoming elections she would ask that the Police Department would pay special attention to enforcing the sign ordinance.

Mr. Paul Wright, 6924 Thorndike, was granted permission to address Council. He thanked Mayor Policastro for his response to his concern regarding the proposed re-zoning. He is still concerned with what he feels is a lot of surface parking. He believes it distracts from the small Village look. He was not very hip on the condo development but at least Mr. Greiwe had to submit plans prior to approval by the Village. He would like to see the same process with Mr. Spinnenweber. He suggested that people park along the street. He does not feel we need more parking in the Village. Mayor Policastro encouraged him to come to the meeting once it is planned.

Mr. Jetty Vianello, 6570 Wooster Pike, was granted permission to address Council. He reported that the stop signs are up on Homewood but at least 10 cars have been witnessed running the stop signs. There might be a

vision problem due to a tree blocking the view. People may be running the signs because they are new and are not used to them.

He said it appears that we are doing leaf removal later this year. With the drought a lot of leaves are already falling. He encouraged Council to review this as it is an additional incurred expense for the residents.

Mr. Wolter moved, seconded by Mr. Scheeser to pay the bills as approved by the Mayor, Clerk and Chairman of the Finance Committee. Mr. Andrews asked about the petty cash reimbursement in the Police Department. He wanted to know if it was standard practice to just list it or should it be broken down. Chief Hines said petty cash is used to reimburse officers for parking when they have to attend court and for small purchase such as a cake for Lt. Van Pelt's retirement. All receipts are logged and turned in when the reimbursement request is submitted. It is not necessarily a monthly expense. On roll call; six ayes, no nays.

Mr. Black moved, seconded by Mr. Wolter to accept the recommendation of the Safety Committee which met Monday September 20, 2010 at 6:00 p.m. to discuss the Fire Department's existing outdated equipment. Present at the meeting were Safety Committee members Dennis Wolter, Any Black and Joe Miller, as well as Mayor Dan Policastro, Police/Fire Chief Rick Hines, and Firemen Joe Getha and Tyler Morgan. The Committee discussed the purchase of new breathing apparatus and turnout gear to replace existing outdated equipment. After hearing information presented by Mariemont firemen Joe Getha and Tyler Morgan regarding the type and function of this equipment, the Committee recommends the purchase of 10 sets of advanced state-of-the art turnout gear (coats, pants and related accessories) at a cost not to exceed \$20,000. The Committee also recommends the purchase of 15 M7 Fire Hawk SCBA state-of-the art breathing units and related components at a cost not to exceed \$77,000. This equipment will be purchased through a state bid process. Due to the condition of our existing equipment, time is of the essence and the Committee suggests that this purchase be put through on an emergency basis. Mr. Wolter said this is a critical need as the department is working with equipment that has potential for failure. In fact, during the last training session one of the breathing units did fail. The new equipment will be a lot safer including an audio warning system. He believes we need to support our firemen when they go out on a run by supplying them with safe equipment. He reminded Council that \$75,000 was allocated earlier in the year for this purchase through the Permanent Improvement Fund. Assistant Fire Chief Travers said he has prepared the grant in the amount of \$300,000. Also due to the relationships that have been fostered over the years, we will be receiving 13 sets of turnout gear instead of the 10 sets and it will still not exceed \$20,000. Solicitor McTigue will prepare the legislation with the emergency clause for the next meeting. On roll call; six ayes, no nays.

Clerk Tontillo asked when a purchase requires legislation. Solicitor McTigue said he will confirm the number and let him know.

Mayor Policastro read the following miscellaneous announcements:

Beggar's night will be Sunday October 31, 2010 from 6:00 p.m. to 8:00 p.m.

Leaf pick up will begin Monday November 1, 2010 and will end Monday December 20, 2010. Mayor Policastro said if we do get some rain then Council may want to consider moving leaf collection up. But we have to keep watering the trees that we have planted. Mr. Scheeser asked if the labor is stretched too thin to do both watering and leaf removal. Mayor Policastro said yes. Mayor Policastro said we had discussed moving leaf removal back but no one knew we would have this hot of a summer. We can discuss it at the next meeting when Superintendent Scherpenberg will be present. Mr. Black said part of the original discussion was that this was part of the plan to reduce the financial deficit.

Resolutions:

"To appoint Ruth Varner as a Member of the Parks Advisory Board and to fill the unexpired term of Bev Kranitsky for the calendar years 2010 and 2011" had a third reading. Mr. Black moved, seconded by Mr. Miller to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-18-10 was adopted.

"Resolution concerning flood prone areas and intent to participate in the National Flood Insurance Program; and to Declare Emergency" had a second reading. Mr. Andrews moved, seconded by Mr. Black to suspend the rules to have the third reading. On roll call; six ayes, no nays. Mr. Scheeser asked if we accept the MPF Vision Plan which describes doing some development in the Lower 80 Acres, would the designation preclude the Village from putting flood friendly improvements in the area. Mayor Policastro said we probably could but he would be dead set against it as it would be a waste of money. Mr. Scheeser said any improvements would have to be done with flooding in mind. Solicitor McTigue said the Village would not be prohibited. Mr. Wolter said mostly what they are concerned about are permanent structures and anything with a basement. The Resolution had a third reading. Mr. Wolter moved, seconded by Mr. Miller to accept the Resolution. On roll call; six ayes, no nays. Mr. Black moved, seconded by Mr. Wolter to invoke the emergency clause. On roll call; six ayes, no nays. On roll call; six ayes, no nays. Resolution No. R-19-10 was adopted.

"To appoint Lisa Gordon as a Member of the Parks Advisory Board to fill the unexpired term of Mike Benson for the calendar years of 2010 and 2011" had a first reading.

Ordinances:

"Ordinance amending Chapter 151, Appendix A, of the Mariemont Zoning Code" had a second reading.

“To amend Ordinance No. O-5-04; To increase membership in the Parks Advisory Board from seven members to eight members and to have said Board report to the Mayor” had a first reading.

“To amend Mariemont Code Section 78, Schedule III of the Mariemont Code of Ordinances” (Homewood Road) had a third reading. Mr. Wolter moved, seconded by Mr. Andrews to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-19-10 was adopted.

“To amend Section 51.17 of the Mariemont Code of Ordinances, fees for garbage and refuse pick up” had a second reading. Mr. Andrews moved, seconded by Ms. Sullivan to amend the Ordinance to read that the standard size of the can would change from 32 gallons to 45 gallons. On roll call; six ayes, no nays. Mr. Andrews said the second page Section (A) should read at the end non-householder or non-residential businesses will be required to contract for their own waste collection services.

“To amend Mariemont Code Section 78, Schedule III of the Mariemont Code of Ordinances” (Nolen Circle) had a second reading.

“An Ordinance authorizing application and contracting with the Ohio Public Works Commission” had a second reading.

Assistant Fire Chief Travers said next month is breast cancer awareness month. He has purchase a helmet which people can sign for \$2.00. In the past he has raised over \$700 towards this cause. He is going to take it around the neighborhood, collect signatures and then give it away. He asked for Council’s support as it will have a Mariemont flag on the side of the helmet.

Mayor Policastro asked Chief Hines to go over the future unneeded drug disposal program. Chief Hines said November 13, 2010 from 10 a.m. to 2:00 p.m. residents will be able to drop off to the police or fire departments drugs that they do not need for proper disposal. This is so drugs do not get improperly placed in the water supply. If residents are not able to drop those off they can call and someone will be happy to pick them up.

Mr. Wolter moved, seconded by Mr. Miller to go into Executive Session to discuss the possible settlement of the Altman lawsuit which includes the acceptable language for the press release which is part and parcel of the settlement. On roll call; six ayes, no nays.

The meeting adjourned at 8:08 p.m. to go into Executive Session and reconvened at 8:18 p.m. Council agreed to how the press release shall read and Solicitor McTigue will forward a copy to Mr. Altman’s attorney for his review.

The meeting adjourned at 8:20 p.m.

Dan Policastro, Mayor

Paul Tontillo, Clerk