

**MINUTES OF THE COUNCIL  
VILLAGE OF MARIEMONT, OHIO  
REGULAR MEETING HELD IN COUNCIL CHAMBER  
NOVEMBER 14, 2011**

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, Ms. McCarthy, Mr. Miller, Mr. Scheeser and Mr. Wolter.

Mr. Wolter moved, seconded by Ms. McCarthy to accept the minutes as written for November 14, 2011. On roll call; six ayes, no nays.

The following communications were read by Mayor Policastro:

From Police Chief Hines: October 2011 Monthly Report

From Assistant Fire Chief Travers: October 2011 Monthly Report. Mr. Wolter said the Operating Procedure Manual which was written by Assistant Chief Travers has been turned over to the Solicitor for review. The Safety Committee will get copies for their perusal once the Solicitor is finished with his review.

From Superintendent Scherpenberg: October 2011 Monthly Report

From Building Commissioner Malone: October 2011 Monthly Report

From Tax Administrator Judd: October 2011 Monthly Report/Waste Collection Report/Memo Dated October 21, 2011 re: Centralized Collection of Local Income Tax. Clerk Borgerding said if we keep going like this, and he believes we might keep at this same pace, we will end up with 1.950 million in earnings tax income which is \$200,000 more than we budgeted. It will help fill the inheritance tax void of \$100,000 plus it will reduce our surplus that was budgeted. This is good news.

From Time Warner Cable: 3<sup>rd</sup> Quarter Franchise Fees \$11,696.71

From Police Clerk Maupin: Mayor's Court Statement September 2011

From Paul Allen: Resume/Summary Profile

From ODNR: Ohio Asian Longhorned Beetle Cooperative Response. Mayor Policastro said he is going to put an article in the next Mayor's Bulletin. If anyone sees one of these beetles they need to contact the Village right away. It is a smaller moving bug than the Emerald Ash Borer but it will kill our trees.

Mr. Joe Schneider, 6975 Murray Avenue, was granted permission to address Council. He thanked the Safety Committee for adopting the new traffic calming plan. He questioned if there is any recourse for the signs that have been placed on Homewood Road. If the plan was taken to residents on Homewood he believes they would opt for the speed bump or no stop sign at all. He lived on Homewood for 15 years and it used to be at 10:00 p.m. there would be just a few cars parked on the street. Now at the same time it is impossible to find a place to park on the south side. It used to be that a permit was needed to park on the street overnight and he questioned why this is not being enforced.

Chief Hines said it is something that is enforced. However, after the first of the year they are going to review all the overnight parking stickers that have been issued in the Village and make sure that the criteria for having the stickers are still being met. Certain criteria include lack of a garage or a driveway or a driveway that will not accommodate all their vehicles. Most families with teenage children have extra cars that need to park on the street. Over the years he believes stickers have been issued to households where the need for the stickers is not there because the kids have gone off to college. He understands that it is not convenient to back cars out of the driveway to get another car out but at the same time the only way to fix the issue is to reevaluate who is getting the stickers. Mr. Miller said the department is not really policing the problem and asked that it be part of the reevaluation program. Chief Hines said they will start issuing tickets for those parking without a sticker. Residents can call the department and alert them if they have out of town visitors staying and it will be noted for the 3<sup>rd</sup> shift officers. Most streets are restricted 1:00 a.m. to 6:00 a.m. from overnight parking.

Mr. Wolter said part of the traffic calming plan is to have a monitoring system to see if something is an effective fix or not. If it is not then they will go to another fix. They are working hand and hand with the police and fire departments. Mr. Schneider said in the article he read it stated that Mr. Wolter conferred with other communities and he asked which ones those were. Mr. Wolter said the City of Cincinnati had a plan they looked at. He did not speak with city officials but he did speak with residents of Montgomery. We saw their plans as an idea for our plan. The problem is that with the city being so much larger their system takes two or three years to actually implement the installation of a fix. Mr. Schneider said speed bumps are at the top of the mountain and asked if they are not deemed effective. Mr. Wolter said they are effective but they require maintenance, they cause snow removal issues and they are noisy. If you read the City of Cincinnati's speed hump program report

people want them but not in front of their house. We will need to rely on a survey and neighborhood representatives to help implement the survey. Everyone on the street will get a postcard with advance warning of the survey. Mr. Schneider said cars coming to a stop and then accelerating at a stop sign are just as noisy as a speed hump. Mr. Wolter said a car hitting a speed hump is louder than a car at a stop sign. Mr. Schneider said Terrace Park uses the speed humps effectively. Mayor Policastro said he has had quite a few people on Settle and Homewood asking that the Safety Committee review Murray going one way east to west. He referred that matter to the Safety Committee.

Mr. Andrews moved, seconded by Mr. Black to pay the bills as approved by the Mayor, Finance Chairman and Clerk. On roll call; six ayes, no nays.

Mayor Policastro read the following miscellaneous announcements:

Leaf Season will begin Monday October 17, 2011 and will end Friday December 16, 2011

Village Offices will be closed Thursday November 24, 2011 and Friday November 25, 2011 in Observation of Thanksgiving. Council Packets will be done on Wednesday November 23, 2011.

Tree Lighting and Luminaria will be December 3, 2011 at 5:00 p.m.

Council will meet Tuesday December 27, 2011 at 7:30 p.m. due to the holiday.

Resolutions:

“To Reappoint Dennis Malone as Building Commissioner for the Calendar Years 2012 and 2013; To Set Compensation” had a first reading.

“To Reappoint Maria Borgerding as a Member of the Pool Commission for the Calendar Years 2012 and 2013” had a first reading.

“To Reappoint Wes Iredale as a Member of the Pool Commission for the Calendar Year 2012” had a first reading.

“To Appoint Merilee Turner as a Member of the Pool Commission for the Calendar Years 2012 and 2013” had a first reading.

“To Reappoint Don Slavik as a Member of the Pool Commission for the Calendar Years 2012 and 2013” had a first reading.

“To Reappoint Ken Heuck as a Member of the Pool Commission for the Calendar Years 2012 and 2013” had a first reading.

“To Reappoint Louise Schomburg as a Member of the Parks Advisory Board for the Calendar Years 2012 and 2013” had a first reading.

“To Reappoint Ruth Varner as a Member of the Parks Advisory Board for the Calendar Years 2012 and 2013” had a first reading.

“To Reappoint Lisa Gordon as a Member of the Parks Advisory Board for the Calendar Years 2012 and 2013” had a first reading.

“To Reappoint Eric Marsland as a Member of the Parks Advisory Board for the Calendar Years 2012 and 2013” had a first reading.

“To Appoint Paul Allen as a Member of the Architectural Review Board for the Calendar Years 2012 and 2013” had a first reading.

“To Reappoint Michael Stegman as a Member of the Architectural Review Board for the Calendar Years 2012 and 2013” had a first reading.

“To Reappoint Mark Bruggeman as a Member of the Architectural Review Board for the Calendar Years 2012 and 2013” had a first reading.

“Resolution opposing the State of Ohio Taking Control of Municipal Tax Collection and To Declare Emergency” had a first reading. Mr. Black moved, seconded by Mr. Wolter to suspend the rules to allow for the second and third readings. Mr. Scheeser asked the reason for the emergency and when is the vote expected at the State level. Mayor Policastro said we do not know when the vote will be but Mrs. Judd indicated that it would be best to get the Village’s objection to the Governor’s office ASAP. On roll call six ayes, no nays. The Resolution had a second reading. Mr. Andrews said he is a small government supporter and local government control person. He asked if we know what the argument is for the change and what is Governor Kasich and Mary Taylor’s position on the benefits of doing this. Mr. Wolter said he does not know what their thinking is on this other than they will get to handle a lot more money. According to Mrs. Judd the State will pay us at their leisure. We may be waiting for our money. This is similar to what banks do and the amount of money could make the

'float' pretty inviting. He does not like the idea of others having control of what we do in the Village if we can avoid it.

Clerk Borgerding said he has seen larger cities do Regional Income Tax Authority (RITA) such as Columbus and Cleveland. They consolidate their resources. At the State level he is not so sure it is a great idea. We would definitely lose control at the local level.

Solicitor McTigue said he sees cases in Mayor's Court of those who do not file their taxes in the Village which is a criminal charge. We would lose control of collecting our municipal income tax to the State of Ohio.

Mayor Policastro said it is important to residents to be able to walk into the Tax Department and get their questions answered and the help they need. You are not going to get that at the State level. If you have ever tried to contact the State you will find that you cannot get through.

Treasurer Kulesza said as far as going with the State of Ohio he can tell Council from working in a business finance function that he finds dealing with those people totally incompetent when it comes to their tax department. When it comes to the State auditing somebody he finds they are contacting him for things that happened six years ago. If the Village is going to want to go after somebody that does not pay their taxes and they are running from the law if you are talking about six years later good luck finding them and getting their money. It is just not going to happen. When he first started as Treasurer he could not believe the amount of money that comes out of our residents pockets and gets cycled up to the State and then filtered back to the Village with a cut taken out of it. From a political perspective it is too much big government. It would be stupid to give the State any more control because they are incompetent. Mr. Wolter said that is the same experience in his business with having to wait on the phone a long time when dealing with the State on business matters. It is a great service to have an office where people can go in and someone is there with authority to handle their problem.

Mayor Policastro said with all the construction going on in the Village Mrs. Judd is on top of collecting tax revenue owed to the Village whereas the State would not be regulating that.

Mr. Andrews said he believes the State's position is that there are over 500 municipalities and the thought was if there are 3000 Tax Administrators processing the work could the State do it more efficiently. He supports the Resolution and the intent of it but he questioned the language in the 4<sup>th</sup> whereas "the Village of Mariemont would incur additional loss of revenue with centralized collection at an increase cost for any administrative fees collected by the State" and asked Council if they were comfortable with the statement. Treasurer Kulesza said yes and the Village would also lose interest because we would not get the money as quick. Mr. Andrews said we do not know how often we would get it and asked if Council was comfortable stating that we would incur additional loss of revenue. Solicitor McTigue said the statement is pretty generic. Mr. Wolter suggested changing "would" to "could". Mr. Miller moved, seconded by Mr. Black to amend the Resolution. On roll call; six ayes, no nays. The Resolution had a third reading. Mr. Wolter moved, seconded by Mr. Andrews to adopt the Resolution. On roll call; six ayes, no nays. Mr. Wolter moved, seconded by Mr. Miller to invoke the emergency clause. On roll call; six ayes, no nays. Resolution No. R-15-11 was adopted.

The meeting adjourned at 7:57 p.m.

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Dan Policastro, Mayor

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Anthony J. Borgerding, Clerk