

**MINUTES OF THE COUNCIL
VILLAGE OF MARIEMONT, OHIO
REGULAR MEETING HELD IN COUNCIL CHAMBER
MARCH 28, 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 and Mr. Miller.

Mr. Black moved, seconded by Mr. Andrews to excuse the absence of Mr. Scheeser and Mr. Wolter. On roll call; four ayes, no nays.

Mr. Black moved, seconded by Ms. McCarthy to accept the minutes as written for March 14, 2011. On roll call; three ayes, no nays. (Mr. Miller abstained)

The following communications were read by Mayor Policastro:

From Mayor Policastro: Letter dated March 25, 2011 re: Response to Brian Vianello

From Michael Benson: Letter dated March 24, 2011 re: Parking/Traffic Situation East Center Street. Mr. Andrews said he spoke with Mr. Benson and said he the Mayor shared with Council the plan to paint the curb yellow. He said he was curious as to why the north side was painted as opposed to the south side being painted. He did not understand how it would be an issue if no cars were allowed to park a specific distance on East Center Street on either side from Crystal Springs. Assistant Fire Chief Travers said Fire Marshal Feichtner brought to the attention of Chief Hines the difficulty of making a right turn out of the driveway and an immediate left turn on East Center Street. It would give the trucks 43' more radius in turning into the gateway to the majority of the streets on the south side of Wooster Pike. Mr. Andrews said he did not understand how it would make a difference which side of the street they were on if the cars were a certain distance from Crystal Springs. Assistant Fire Chief Travers passed out photos that were taken given different scenarios of parking along East Center Street. In some of the photos it was simply impossible for the apparatus to maneuver. The right side of the road gives the trucks more ability to swing the left hand turn. Attempting to stagger the vehicles on both sides also will not work. In doing some research it was found out that the curb is 23' 6". If you put two cars there mirror to mirror is 8' 3". The fire trucks are 9' 8". The 2007 Ohio Fire Code says the Authority of the Jurisdiction (Chief Hines) can dictate right out of the code lanes less than 20' wide shall have no parking at all. Parking is allowed on one side only if wider than 26'. We are trying to take a pro-active approach as opposed to a re-active approach. According to Ohio Fire Code D103.6.1 specific measurement requirements need to be met in order to allow any parking on either side of the street. Ohio Fire Code D103.6.2 allows parking on one side of the street according to specific measurements with the other lane being maintained as a fire lane. Safety can be a pain in the butt sometimes. A fire doubles in size every minute and East Center Street is the quickest access to the majority of streets on the south side. In the past there have been times when they had to go around because they were not able to get through. It may be that Chief Hines looks at other streets as well.

Mr. Andrews said had we had this conversation and more details at the last meeting before the painting was done it would have been more helpful. Assistant Fire Chief Travers said he was not part of the original conversation and Marshal Feichtner is on vacation. Mr. Andrews said he is not pointing a finger but this should be a lesson to us all. It would have saved a lot of struggles and frustration. Mayor Policastro said time was of the essence. Ms. McCarthy said this has been the case for years with the parking so she asked why now - why not last year. Mayor Policastro said we now have a pro-active Fire Department not a re-active one and safety will always be first. Mr. Andrews said it is something that should be brought to Council's attention but it should have gone through a Committee process. Mayor Policastro said he is very concerned that the state law states that there should be no parking on both sides of East Center Street. Assistant Chief Travers said the Village can adopt a variance submitted by the Fire Chief. It would also need to be adopted by the Fire Code Marshal Feichtner. He would not have anything to do with it because it is not his role or responsibility. Mr. Black asked what other communities have done. Assistant Chief Travers said variances probably have been adopted but he also thinks there is a common sense approach to things. By virtue of the code all the streets are in violation in the Historic District. Mayor Policastro referred the matter of identifying streets that are in violation to the Fire Department and the Safety Committee. Solicitor McTigue said the Village was just made aware of the urgency and that is why the Mayor went ahead and had the curb painted. Once we are made aware of certain problems that exist if we do not take a pro-active approach to try to correct the problems then we can open the Village up to more problems. Mr. Andrews said in a case like this he would like to see it be referred to a Committee, a meeting held and a recommendation from the Committee be presented at the following meeting.

From Chief Hines: Copy of Donation Check from Mariemont Civic Association for TV Purchased in the Fire Department

Pictures of Flooding at the South 80 Acres. Mayor Policastro said it would not be a very good place to put tennis courts.

From MariElders: Monthly Recap Ending February 28, 2011

From Thomas Davis: Arborist Resume. Mayor Policastro said he will be contracted to review the street trees and then give us his opinion of which ones should come down. He was recommended by our contact at Ohio Department of Natural Resources and he will bill the Village \$20.00/hour which is a very good rate.

From Mariemont Preservation Foundation: Meeting Minutes February 24, 2011

From Kelly DeGuia, FEMA, Natural Hazards Program Specialist: e-mail dated March 12, 2011 re: Confirmation of Village Enrollment. Mayor Policastro said hopefully this will help the Village obtain grant monies.

From Engineer Ertel: Memo dated March 23, 2011 re: Plainville Road Rehabilitation Project. Engineer Ertel said the Village will receive grant money for this project of repaving from Chestnut to Murray. \$42,000 will come from Ohio Public Works Commission (State Issue II Funding) and \$14,000 will come from the license plate sales tax which is the Municipal Road Fund (MRF). The Village will be responsible for the remaining \$14,000. Mayor Policastro asked if the project can be held off for awhile due to the Elementary School Renovation Project. Engineer Ertel said we talked about this last year and unfortunately the work needs to be done this year or we will lose the money. Mayor Policastro said even if we can do the work over the summer when the kids are out of school would be more helpful. Engineer Ertel said he does not think that would be a problem but he would have to talk with the contractor.

From Michelle Balz: Residential Recycling Incentive \$8,134.23. Mayor Policastro said the Village was the highest recycling community in Hamilton County. He said there are now five recycling cans in the main parks.

Mr. Brian Vianello, 3726 East Center Street was granted permission to address Council. He said he wanted to express concerns about the decision to paint the curbs on East Center Street yellow and restrict parking on one side of the street. He understands the Village has concerns that a fire truck might not be able to pass through because of cars parked on the street. He feels painting the curbs was the wrong decision. A more appropriate decision would have been to put up "no parking" signs as a temporary measure, talk to the residents and study if indeed there is a safety issue. He is not in favor of restricting parking on either side of East Center Street. If indeed there is a need for restricting parking the other side of the street would be a more appropriate choice and a safer one at that. At no point should 180' of historic granite curbs be painted with yellow paint when a simple "no parking" sign would have been more appropriate and more in character with the neighborhood. He would appreciate if the Safety Committee would look into this matter and come to a more appropriate decision with neighbor input. He understands the turning radius for the truck to make a wide turn but that can also be accomplished by restricting parking a certain distance on the north side of East Center Street from the corner of Crystal Springs and restrict parking on the opposite side. The majority of the ones who park on the street (beside himself and his large truck) are the ones who live on the opposite side of the street. It is a hassle for the elderly residents. There are two curb cuts of driveway on the south side of the street with small children going in and out of the driveways. Sometimes cars will sit for four or five days at a time without moving. To align that side of the street with cars makes it hard to back out of driveways. More often than not people coming around the bend are speeding and it makes it a blind turn. Most streets within the Village fall within this restriction.

Mr. Vianello said in regards to his e-mail, the Mayor's response and his follow-up he wanted to reiterate that this is not a witch hunt or a personal vendetta. It is simply about oversight, accountability and fiscal responsibility.

Mr. Jerry Vianello, 6570 Wooster Pike, was granted permission to address Council. He asked for an update on the Adopt-A-Unit. He talked with Kim Beach and he knows she is too inundated with other things at the moment. He wanted to know if we are going to follow through and proceed with that. He believes Council wanted to do this but it seems to be in holding pattern. He does not want to see it die on the vine. Mayor Policastro said last time he talked with Mrs. Beach she was still waiting to hear from the Sergeant of the unit. Mr. Vianello said when he spoke with Mrs. Beach it was her understanding that the unit was now home. If that is so, do we want to continue this process and adopt another unit oversees. He would like to help but he does not know where we are in the process. Mayor Policastro said we need someone to lead. It was decided to hold a meeting next week that would include Mayor Policastro, General Short, Mr. Vianello, Mr. Ewald and Mr. Miller. Mr. Vianello said he spoke with Mr. Imhoff and he said the children would be more than happy to write letters.

Mr. Vianello asked if there was any update on the cost of the flashing lights in a pedestrian crosswalk. Engineer Ertel said he believed Mr. Wolter was going to contact someone regarding the matter. Mayor Policastro thought Mr. Wolter was waiting on Engineer Ertel to gather some price information. Engineer Ertel said he will follow up with Mr. Wolter and look into some pricing for the next Council meeting.

Mr. Vianello said it was his understanding that there was going to be a study done on the timing of the traffic lights at the square. He asked if that had been accomplished. Engineer Ertel said it was still in progress and had been delayed due to the street bids.

Mr. Vianello said there was a counter on Homewood Road. He assumes it was to count the traffic. If it was to count speed then he would question the data because by the time you hit the stop sign at Hawthorne you barely have enough time to accelerate before you hit the counter. Chief Hines said he believes the device that is there is just to count the traffic. The same device has already been on Hiawatha. We will get the data from the state as soon as they complete the study.

Mr. Black moved, seconded by Mr. Miller to pay the bills. Ms. McCarthy asked if the Verizon bill was one or multiple accounts. Chief Hines said it is one account which is broken down by department. It used to be separate accounts but now it is one account with a two year contract. Ms. McCarthy asked if the Village has looked into co-op buying of bulk office supplies with surrounding municipalities. Mrs. Van Pelt said we get a business rate when we order online. Mr. Andrews said the Center for Local Government may have some sort of program in place. Chief Hines said one problem with buying in bulk is that we do not have room in this building to store in bulk. Ms. McCarthy asked if there has been a trend study done on expenses. She thinks it would be a great tool. Clerk Borgerding said he would put something together. Most of the expenses are broken down on the annual report. He would need to get help from Mrs. Van Pelt and Mrs. Singleton on breaking down some of the expenses. Mr. Andrews said regarding the \$426.15 expense for letterhead/envelopes for waste fee billing we should be developing some long term plan to get away from postal mail whether it is an e-mail system or simply pay online with a credit card. By the time we pay for printing, the time it takes to stuff the envelopes and the postage expenses we could save money even if we had to pay a 2 1/2 % merchant fee. We are doing things the way most companies took payments 15 years ago. Clerk Borgerding said Mrs. Judd has moved her tax letters online and onto postcards and he agrees we should be able to do the same thing with the waste collection fee. Mr. Black said the Finance Committee is going to do a second roadmap meeting and perhaps this is something they can add to the discussion. On roll call; four ayes, no nays.

Mr. Andrews moved, seconded by Ms. McCarthy to accept the recommendation of the Finance Committee which met on Monday March 14th at 6:30 p.m. to review the Fire Department's request to replace the fire house alerting system. Committee members Andy Black, Jeff Andrews and Denise McCarthy were present. Police-Fire Chief Rick Hines, Assistant Fire Chief Jeff Travers, Fire Marshal Tim Feichtner, Mayor Policastro, Clerk Tony Borgerding and Councilman Dennis Wolter were also present. After reviewing the mandate issued by the Hamilton County Communications Center to upgrade to an 800 MHZ alerting system. Committee members voted unanimously to recommend replacing the current house alerting system at a cost not to exceed \$15,786.00. The deadline issued by the HCCC to purchase replacement equipment is March 31st therefore the Committee recommends authorizing the purchase under the emergency clause. Mr. Andrews said the equipment needs to be installed by August but by buying it now we can get a discount. On roll call; four ayes, no nays.

Mr. Miller moved, seconded by Mr. Black to accept the recommendation of the Finance Committee which met on Monday March 14th at 6:30 p.m. to review the Fire Department's request to replace the cardiac monitor. Committee members Andy Black, Jeff Andrews and Denise McCarthy were present. Police-Chief Rick Hines, Assistant Fire Chief Jeff Travers, Fire Marshal Tim Feichtner, Mayor Policastro, Clerk Tony Borgerding and Councilman Dennis Wolter were also present. Committee members reviewed Fire marshal Feichtner's request for replacing the Zoll M Series cardiac monitor. The Zoll M-Series was purchased in 2003 and recurring maintenance expenses exceed \$3,200 annually. Committee members voted unanimously to recommend replacing the current monitor due to reliability issues and increasing maintenance expenses at a cost not to exceed \$24,510.00 (this includes a one-year maintenance service plan). Due to recent performance and reliability issues with the current monitor, Committee members also recommend authorizing this purchase under the emergency clause. Mr. Black said this is truly a liability issue and needs to be replaced due to imminent danger. On roll call; four ayes, no nays. Clerk Borgerding noted that both the alerting system and the cardiac monitor had been approved and budgeted for under Permanent Improvements.

Resolutions:

"To Reappoint Dennis Malone as Building Commissioner for the Calendar Years 2010 and 2011; To Set Compensation" had a third reading. Mr. Black moved, seconded by Mr. Andrews to adopt the Resolution. On roll call; four ayes, no nays. Resolution No. R-5-11 was adopted.

"To Confirm the Reappointment of Christopher M. Ertel as Village Engineer for Calendar Years 2011 and 2012; and To Set Compensation" had a third reading. Mr. Miller moved, seconded by Ms. McCarthy to adopt the Resolution. On roll call; four ayes, no nays. Resolution No. R-6-11 was adopted.

"Resolution Declaring the Necessity of Levying a Tax in Excess of the 10 Mill Limitation for Permanent Improvements and Requesting the County Auditor to Certify Matters in Connection Therewith" had a second reading. Clerk Borgerding said this is a renewal of the five year levy which brings in approximately \$115,000/yr into the Permanent Improvement Fund. Once the funds are certified by the County we will have to do another Resolution in order to put it on the ballot. It has to be to the Board of Election three months prior to the election. Mr. Andrews asked at what point does Council set the rate. Clerk Borgerding said it is a renewal. If Council wanted to change it a new Resolution would need to be adopted. Mayor Policastro said we risk the chance of losing it if we ask for more. Clerk Borgerding said this levy was first passed in 1981. Mr. Andrews asked how the levies get assessed as to whether they are sufficient for the future. Clerk Borgerding said it is the same amount of money but the millage may be different due to the value of the homes. Mr. Andrews said in that case if the money is the same but our expenses go up when do we have the discussion and when does the analysis get done. Mayor Policastro said you would do a new levy but keep these levies on the ballot. Clerk Borgerding said we have \$700,000 in the Permanent Improvement Fund right now. We would need to do more long term budgeting to see if we would need more money. Mayor Policastro said the two Permanent Improvement levies bring in approximately \$390,000/yr so it does replenish itself pretty well each year. We have been saving a lot of it for renovations to the Municipal Building and other capital projects around the Village. He believes the Permanent Improvement levies are fine - it is the operational levy that we are going to have to look at in the next 2-3 years. Clerk Borgerding said there is another Permanent Improvement levy up for renewal next year which brings in \$280,000. Ms. McCarthy asked if we have long term budgeting. Mayor Policastro said we have a five year plan. Right now we are in pretty good shape but last year it showed we would break even in two or three

years. It helped with all the moves we made last few years but it is still uncertain what the Governor is going to do. Mr. Andrews said that is the reason to have the discussion.

Ordinances:

“To Amend Prior Ordinance No. O-8-10; To Increase the Pool Manager’s Salary” had a third reading. Mr. Black moved, seconded by Mr. Miller to adopt the Ordinance. On roll call; four ayes, no nays. Ordinance No. O-5-11 was adopted.

“To Amend Ordinance No. O-9-10; To Set Compensation for the Inspector for the Building Commissioner” had a third reading. Ms. McCarthy moved, seconded by Mr. Andrews to adopt the Ordinance. On roll call; four ayes, no nays. Ordinance No. O-6-11 was adopted.

“To Repeal Ordinance No. O-7-10 Pertaining to Maximum Pay Rates for all Grades of Recreation Employees and to Enact New Legislation Pertaining to Maximum Pay Rates for all Grades of Recreation Employees” had a third reading. Mr. Black moved, seconded by Mr. Andrews to adopt the Ordinance. On roll call; four ayes, no nays. Ordinance No. O-7-11 was adopted.

“To Amend Ordinance O-2-11 of the Mariemont Code of Ordinances to Increase Payment for Employees” had a third reading. Mr. Andrews moved, seconded by Ms. McCarthy to adopt the Ordinance. On roll call; four ayes, no nays. Ordinance No. O-8-11 was adopted.

The meeting adjourned at 8:17 p.m.

Dan Policastro, Mayor

Anthony J. Borgerding, Clerk