

**MINUTES OF THE COUNCIL
VILLAGE OF MARIEMONT, OHIO
REGULAR MEETING HELD IN COUNCIL CHAMBER
AUGUST 27, 2012**

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: Ms. McCarthy, Mr. Miller, Mr. Scheeser and Mr. Stelzer.

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

Mr. Stelzer moved, seconded by Mr. Miller to approve the minutes as written for August 13, 2012. On roll call; three ayes, no nays. Mr. Scheeser abstained because he did not attend the meeting. Mayor Policastro said the rules of Council indicate that Council needs to vote to allow Mr. Scheeser to abstain from the vote. The vote passed unanimously.

The following communications were read by Mayor Policastro:

From Dave Core: Quote to repair bad switches in control panel for the generator in the Municipal Building. Mayor Policastro said this was brought to our attention by our Assistant Fire Chief when the generator did not work last time we lost power. For obvious safety reasons for the residents of the Village he referred the matter to the Safety Committee.

From Treasurer Kulesza: July 2012 Monthly Report

From Ted Hubbard: Letter dated August 22, 2012 re: Eastern Corridor. Mr. Hubbard is turning our concerns over to ODOT. We will wait to see what they come back with.

Mr. Millard Rogers, 3942 Miami Road was granted permission to address Council. The Mayor's letter to Mr. Hubbard regarding the Eastern Corridor alerted us all to a very serious problem with great potential for damage to the integrity of the Village. The new proposed route, if enacted, affects the physical environment of a large section of Mariemont, the integrity of the John Nolen plan, and the status of our National Historic Landmark (NHL) award we received in 2007. Assuming that the Eastern Corridor Project will involve Federal funding for portions of it, and because Mariemont is established as a Historic District in its NHL status, this initiates the requirements for "Section 106 Review Process" under the National Historic Preservation Act of 1966. The Section 106 Review Process is detailed in the publication "Protecting Historic Properties: A Citizen's Guide to Section 106 Review". Some of the action prescribed in this review should focus on: (1) Determining adverse effects on the affected property (such as the acreage immediately below Miami Bluff Drive and Mariemont land in the 80 acres adjacent to the Little Miami River; (2) Negating a significant portion of the Nolen plan for Mariemont as well as impacting negatively on the integrity of our NHL award; (3) Identifying Federal involvement in any part of the project and to what extent; (4) Engaging the United States National Park Service in Omaha, attention: Geoffrey Burt, who works with NHL's in Ohio; (5) Engaging the Ohio Historic Preservation office, Columbus, Ohio attention: Nancy Campbell; and (6) Establishing a "Consulting Party" described in the Guide as a "Local Government" which would be the Mayor and Council, who participate in the review process. The Mariemont Preservation Foundation is supportive of any action that rescinds the new proposed Eastern Corridor recommendation. He noted that the MPF has long monitored the Eastern Corridor Project through the efforts of Trustee Don Keyes. He also said he will leave copies of e-mails between himself, as the National Park Service contact for our NHL award, and Linda McClelland, Historian, National Register of Historic Places; Geoffrey Burt, National Park Service, Midwest Regional Office; and Nancy Campbell, Ohio Historic Preservation Office, as well as a copy of the Section 106 Citizen's Guide.

Mr. Jerry Vianello, 6570 Wooster Pike, was granted permission to address Council. He said he believes in 2011 there was discussion regarding what outsourcing mowing company the Village was going to use to cut the grass. There was a lot of discussion about saving the Village \$1.15 per household. One of the things Council did was enact a rule that we would not continue to pay for services we were not getting. So in the hot weather when it was not necessary to cut grass under that contract we would not be billed for that grass cutting fee. With the hot weather we had this summer he was curious how much money the Village had saved. He approached the Maintenance Supervisor and was informed that that was no longer in the contract. His belief was that Council put that in the contract to save money. With all the drought conditions he thinks it was a missed opportunity to save money. He would like Council to give the citizens an explanation perhaps through the Mayor's Bulletin.

Mr. Vianello said he was hoping that the Village Solicitor was present so he could respond to his concern regarding Council indicating they broke the law when voting Mr. Stelzer to fill the unexpired term of Mr. Black as reported in the Eastern Hills Journal. He believes it would be appropriate for the Solicitor to address the issue. He is not the only citizen who is concerned about this kind of comment in the press. He would like to know the remedy to the situation. He suggested addressing the matter in the Mayor's Bulletin. Mayor Policastro said he spoke with the Solicitor who indicated that we did not break the law. Mr. McTigue will put together an opinion

letter with case law etc. and he will be present at the next meeting. We will have documented proof and he will plan on putting it in the Mayor's Bulletin.

Ms. McCarthy moved, seconded by Mr. Scheeser to pay the bills as approved by the Mayor, Chairman of the Finance Committee and the Clerk. On roll call; four ayes, no nays.

Mayor Policastro read the following miscellaneous announcements:

Village Offices will be closed in Observation of Labor Day Monday September 3, 2012

Kiwanis Club Arts & Crafts Show Sunday September 9, 2012 11:00 a.m. to 5:00 p.m.

The Elementary School will celebrate their opening dedication on September 9, 2012.

Resolutions:

“To Authorize Clerk to Advertise for Bids for Waste Collection; To Pay for Advertising and To Declare Emergency” had a first reading. The second and third readings will be at the next Council meeting as we need to pass the Resolution on an emergency basis.

The meeting adjourned at 7:45 p.m.

Dan Policastro, Mayor

Anthony J. Borgerding, Clerk