

**VILLAGE OF MARIEMONT
REGULAR COUNCIL MEETING HELD IN COUNCIL CHAMBERS
MAY 8, 2017**

Mayor Policastro called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the flag. The following Council members answered present to roll call: Mr. Brown, Mr. Marsland, Ms. Palazzolo, Ms. Schwartz and Mr. Wolter.

Mr. Wolter moved, seconded by Mr. Marsland to excuse the absence of Mr. Hlad. On roll call; five ayes, no nays.

Ms. Palazzolo moved, seconded by Ms. Schwartz to accept the minutes as written for the April 10, 2017 and April 24, 2017 Council meetings. On roll call; five ayes, no nays.

Mayor Policastro read the following communications:

From Police Chief Hines: April 2017 Monthly Report. Police Chief thanked Council, Mayor Policastro, Mayor's Office and all the residents and volunteers who helped to pass the levy. The residents overwhelmingly showed their support for the police and fire departments and we certainly appreciate it. Mayor Policastro said the levy passed with 78% percent of the residents voting in favor of the levy.

From Assistant Fire Chief Kiefer: April 2017 Monthly Report

From Service Superintendent Scherpenberg: April 2017 Monthly Report. Mayor Policastro said this is the time of the year when Davey Tree comes in the Village with their Arborist and take down trees that are in bad shape. It makes for a safer Village. He has had some citizen complaints but we have to do what is safe for the people. We have had several trees fall on cars. One tree was hit by a truck and with the severe root rot due to all the rain we have had it came right down. We are fortunate that no one was injured. If it would have fallen on someone it would have killed them.

Mr. Brown asked about the plans to replant. Mayor Policastro said the planting season is in the fall. Most of the stumps have been ground out. We will not be planting Maple Trees due to the damage they do to sidewalks.

Superintendent Scherpenberg said we will be planting big street trees such as Sycamores, Tulip Poplars, Pioneer Elms, and Lyndon Trees which are good plantation trees which do not interfere with sidewalks or powerlines. It will also depend on the planting area and underground utilities. He has samples with him if anyone wants to stay after Council.

Ms. Palazzolo asked if there is a watering plan for the new trees. Superintendent Scherpenberg said yes. They use the truck with the watering tank and water new trees 20 gallons per week and then 10 gallons per week. After that the tree is on its own.

From Tax Administrator Busam: April 2017 Monthly Report. Mr. Brown asked about the reference to contentious language being removed from the State House Bill 49. He assumes it has to do with centralized collection. Mrs. Busam said the centralized collection has been taken out of the language. It has passed the house and is now in the Senate. It is a positive sign and a good step.

Mayor Policastro said he talked with State Representative Tom Brinkman who said the language had been taken out entirely. Mrs. Busam said it could always be introduced at some point on its own but. Mayor Policastro said he does not believe the State Representatives that we have now have the stomach to do this. At the last Municipal League meeting it was made clear to the State Representatives that this would be a terrible thing to do to the municipalities.

Mr. Jerry Vianello, 6570 Wooster Pike, was granted permission to address Council. He complimented the Service Department and Superintendent Scherpenberg for what they did at the monument for Jordy Alsfelder. It is leveled out and it really looks nice. Today marks the one-year anniversary of his death. He also thanked Councilmember Eric Marsland for making it happen.

Mr. Vianello said he wanted to make Council aware of a concern he has with a dead tree on the border with the Waldorf School by the creek on the Wooster Pike side. It could fall on the kids that play in the area. They are not supposed to be in the valley area but it does appear to be a Village tree. It is right on the property borderline. Superintendent Scherpenberg said he will take a look at it.

Mr. Vianello said he is speaking for himself, not the Planning Commission, but there is some confusion as to whether Planning Commission is going to receive another drawing as to where the parking pads are going to be placed along Murray Avenue. Engineer Ertel said he would get a final plan to the Planning Commission.

Mr. Vianello said he brought before Council the matter of the dirt for the ball fields and asked them to revisit the topic to see what the total cost was. He asked if the Recreation Association reports to the Health and Recreation Committee. Mayor Policastro said no – they are a separate entity. By our code they are to report to the Mayor and he is supposed to pick a Chairman but he does not. The Recreation Association is made up of Mariemont, Terrace Park, Columbia Township and Fairfax and he lets them run their own show. Mr. Vianello said his concern is that if he is correct it is tax dollars and he wants to make sure that those monies get spent on recreational. He believes the Village should take an interest in because it is our property and would like Council to have discussion on paying half as they have done historically.

Mayor Policastro said the Village gave the Recreation Association \$2,000. He heard that the dirt cost about \$13,000 which the Recreation Association wanted to pay for. They said if the Village wanted to donate funds that would be appreciated. He said the Village was \$13,000 over budget for the Permanent Improvement Fund but squeezed out \$2,000 to donate. The money that the Recreation Association uses to run the program is not tax dollars but funds they raise from the track meet and the pay to play fees charged.

Mr. Vianello said he understood that the Village has a levy titled recreation that tax dollars go to and knows that some of it goes to the MariElders. Fiscal Officer Borgerding said that all of the monies from that levy go to the MariElders. Mayor Policastro said Mayor Clarence Erickson said to title the levy with that wording was the only way to get the MariElders started. Mr. Vianello said he wondered if the residents were aware that it is not for recreational purposes.

Mr. Brown moved, seconded by Mr. Marsland to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. Ms. Palazzolo asked what the expenditure was for Dr. Larkin. Mayor Policastro said we gave her a framed Proclamation for her opening. Mr. Wolter asked about the \$44,000 cost for the radios and asked if they were replaced because of age and condition. Chief Hines said they were replaced because Hamilton County is going to the new radios for county dispatch and we needed to be replaced by 2019. As discussed in the Permanent Improvement Budget meeting the Village received a discount of \$10,000 by buying early through Motorola. Assistant Fire Chief Kiefer said Motorola is going to stop making parts for the radios that we currently have at the end of 2018. Because it is such a big expense most municipalities are slowly switching. Mr. Wolter said this should help with the improvement of communication throughout the county. Fiscal Officer Borgerding said this was discussed and approved at the Permanent Improvement a few months ago. Mr. Marsland said it is important to note that this is not just a county issue, but it is a federal mandate. On roll call; five ayes, no nays.

Mayor Policastro said Ms. Palazzolo indicated that she no longer is going to serve on the Pool Board and said he will need a letter of resignation or her verbal statement. She gave her verbal statement that she resigned. Mayor Policastro said he does have someone who is willing to be on the Board.

The Rules and Law Committee met on April 10, 2017 at 6:00 p.m. Present were Maggie Palazzolo, Dennis Wolter, Mary Ann Schwartz, Eric Marsland and Lorne Hlad. The Rules and Law Committee discussed and recommends to keep the current ordinance regarding fences, but to specify that this applies to privately owned properties only. The Committee also recommends that the Village begin more strict enforcement of this existing Ordinance. The Committee recommends that the Solicitor prepare any necessary legislation. Ms. Palazzolo said for clarification she emailed the Solicitor the section which should be changed. Mayor Policastro said he and the Building Administrator were confused. Ms. Palazzolo said it was discussed in the meeting that at the time the Village was in the process of erecting a chain link fence around the tennis courts so we wanted to be specific and add to the section that discusses if any section of fence more than 10' needs to be repaired that the fence must be replaced not repaired. We also wanted it to state that it has to do with residential privately owned properties not city properties or we would be violating our own ordinance. She said enforcement is essential. Mr. Wolter said there are circumstances where a chain link fence is the only option, and the Village would have the right to use that material – such as the tennis courts and swim pool. After discussion there was still confusion. Mr. Wolter moved, seconded by Ms. Schwartz to table the matter for the Committee to discuss and make a recommendation to Council. On roll call; five ayes, no nays.

Mr. Brown moved, seconded by Mr. Marsland to accept the recommendation of the Finance Committee which met on Wednesday, April 19, 2017, at 4:30 pm to discuss the Salary Ordinance for Appointed Village Officials. Present at the meeting were Finance Committee Chair Eric Marsland, members Mary Ann Schwartz and Bill Brown, Council Members Maggie Palazzolo and Dennis Wolter, Mayor Dan Policastro, and Fiscal Officer Tony Borgerding. Initial discussion focused on the Salary Ordinance. The following recommendations were unanimously approved for recommendation to council. Don Keys as the Building Department Administrator should receive a \$5,000.00 raise to \$37,105.00 and that the position be raised to a maximum of \$42,000.00. Jordan Schad, the Swimming Pool Manager, should receive a \$500.00 raise to a rate of \$8,000.00 from \$7,500.00. The Inspector for the Building Commissioner should be raised to \$35,000 from \$32,105.00. Chris Ertel, the Village Engineer, should receive a raise to \$50.00/hour from \$44.58/Hour. Anthony Borgerding, the Fiscal Officer for the Village of Mariemont, should receive a raise of \$1,000 to \$6,000.00. Eli Wendler, the Assistant Fiscal Officer for the Village of Mariemont, should receive a raise of \$1,000 to \$3,500.00. Mr. Marsland said some of these positions have not had a pay increase in 3-4 years. Mayor Policastro said when Don Keys becomes certified he will be increased to the top salary of \$42,000 which is what the former Building

Commissioner was earning. He will be able to take the test in the fall. He said all the Appointed Officials are doing a great job and are very deserving of the increases. On roll call; five ayes, no nays.

Mr. Brown moved, seconded by Ms. Schwartz to accept the recommendation of the Finance Committee which met on Wednesday April 19, 2017 at 4:30 p.m. to discuss the financing for the addition to the Administration Building. Present at the meeting were Finance Committee Chair Eric Marsland, members Mary Ann Schwartz and Bill Brown, Council Members Maggie Palazzolo and Dennis Wolter, Mayor Dan Policastro, and Fiscal Officer Tony Borgerding. Bill Brown described conversations with the grant liaison in Columbus who will be administrating the grant. Reimbursement of monies spent will be made at a rate of 40% until the maximum allowed by the grant of \$400,000.00 is used. In order to keep work on the project continuing as the timing of said reimbursements is uncertain, it was unanimously decided that the loan value to be pursued by the Village of Mariemont be increased from \$450,000.00 to \$650,000.00. Mr. Brown said he distributed a copy of the estimate that was prepared for the cost of the addition to the building. The cost estimate is \$755,000. He along with Village Engineer Ertel and Architect Bob Rich will use this estimate to put together the bid package. Once the bids are received we will then have a solid figure of what it will actually cost. Fiscal Officer Borgerding said he has approval with both PNC Bank and Huntington Bank with Huntington Bank having the lower rate at this point. He is planning to have more discussions with both banks. Mayor Policastro said in projects like this one there are always overruns and he believes it may end up costing about \$850,000. On roll call; five ayes, no nays.

Miscellaneous:

Village Offices will be closed Monday May 29, 2017 in Observation of Memorial Day

The Memorial Day Parade will be Monday May 29, 2017. Line-Up will begin at 8:00 a.m. and the parade will begin at 8:30 a.m.

Resolutions:

“To Authorize the Designation of a Handicapped Parking Space in Front of 3912 Miami Road” had a third reading. Mr. Marsland moved, seconded by Ms. Palazzolo to adopt the Resolution. On roll call; five ayes, no nays. Resolution No. R-11-17 was adopted.

“Renewal of 3.5 Mill Tax Levy in Excess of 10 Mill Limitation for Permanent Improvements for the Tax Years of 2017, 2018, 2019, 2020 and 2021” had a second reading. Fiscal Officer Borgerding said this is a renewal of levy from 1993. It brings in \$300,000 for the Permanent Improvement Fund which is needed after paying off the fire truck and the proposed addition to the Municipal Building.

“Fixing a Time for Public Hearing on the 2018 Budget” had a second reading. Ms. Palazzolo moved, seconded by Mr. Brown to amend the Resolution to have the meeting start at 6:00 p.m. in order to allow more time for discussion. On roll call; five ayes, no nays.

“To Appoint Don Keyes to the Position of Building Department Administrator for Calendar Years of 2017 and 2018; To Set Compensation; and To Declare emergency” had a first reading. Mr. Marsland moved, seconded by Ms. Palazzolo to suspend the rules to allow for the second and third readings. On roll call; five ayes, no nays. The Resolution had a second and third reading. Mr. Wolter moved, seconded by Ms. Palazzolo to adopt the Resolution. On roll call; five ayes, no nays. Mr. Marsland moved, seconded by Mr. Brown to invoke the emergency clause. On roll call; five ayes, nays. Resolution No. R-12-17 was adopted.

“To Confirm the Reappointment of Christopher M. Ertel as Village Engineer for Calendar Years of 2017 and 2018; To Set Compensation; and To Declare Emergency” had a first reading. Mr. Wolter moved, seconded by Ms. Schwartz to suspend the rules to allow for the second and third readings. The Resolution had a second and third reading. Mr. Wolter moved, seconded by Ms. Palazzolo to adopt the Resolution. On roll call; five ayes, no nays. Mr. Marsland moved, seconded by Mr. Brown to invoke the emergency Clause. On roll call; five ayes, no nays. Resolution No. R-13-17 was adopted.

Ordinances:

“To Temporarily Suspend Section 95.05 liquor of the Mariemont Code of Ordinances for the Time Period 6:00 p.m. to 10:00 p.m. June 9, 2017, July 14, 2017 and August 18, 2017; and To Declare Emergency had a first reading. Mr. Brown moved, seconded by Ms. Palazzolo to suspend the rules to allow for a second and third reading. On roll call; five ayes, no nays. The Ordinance had a second reading. Mr. Brown asked if this is a covered liability with our insurance carrier. Mayor Policastro said we just have to notify them and it should be a covered liability. The Ordinance had a third reading. Mr. Marsland moved, seconded by Ms. Palazzolo to adopt the Ordinance. On roll call; five ayes, no nays. Mr. Wolter moved, seconded by Ms. Schwartz to invoke the emergency clause. On roll call; five ayes, no nays. Ordinance No. O-10-17 was adopted.

“To Reappoint Anthony Borgerding as Village Fiscal Officer for the Calendar Years 2016 and 2017; and To Declare Emergency” had a first reading. Mr. Marsland moved, seconded by Mr. Wolter to suspend the rules to allow for the second and third readings. On roll call; five ayes, no nays. The Ordinance had a second and third reading. Ms. Palazzolo moved, seconded by Mr. Wolter to adopt the Ordinance. On roll call; five ayes, no nays.

Mr. Brown moved, seconded by Mr. Marsland to invoke the emergency clause. On roll call; five ayes, no nays. Ordinance No. O-11-17 was adopted.

“To Appoint Elissa Wendler as Village Fiscal Officer Administrative Assistant for the Calendar Years 2016 and 2017; To Set Compensation and To Declare Emergency” had a first reading. Mr. Marsland moved, seconded by Mr. Wolter to suspend the rules to allow for the second and third reading. On roll call; five ayes, no nays. The Ordinance had a second and third readings. Ms. Palazzolo moved, seconded by Mr. Wolter to adopt the Ordinance. On roll call; five ayes, no nays. Mr. Brown moved, seconded by Mr. Marsland to invoke the emergency clause. On roll call; five ayes, no nays. Ordinance No. O-12-17 was adopted.

“To Amend Ordinance No. O-16-15; To Set Compensation for the Inspector for the Building Commissioner; and To Declare Emergency” had a first reading. Mr. Marsland moved, seconded by Mr. Wolter to suspend the rules to allow for the second and third readings. On roll call; five ayes, no nays. The Ordinance had a second and third reading. Ms. Palazzolo moved, seconded by Mr. Wolter to adopt the Ordinance. On roll call; five ayes, no nays. Mr. Brown moved, seconded by Mr. Marsland to invoke the emergency clause. On roll call; five ayes, no nays. Ordinance No O-13-17 was adopted.

The meeting adjourned at 7:57 p.m.

Dan Policastro, Mayor

Anthony J. Borgerding, Fiscal Officer