

**VILLAGE OF MARIEMONT  
SPECIAL COUNCIL MEETING HELD IN COUNCIL CHAMBERS  
FEBRUARY 19, 2018**

Mayor Policastro called the meeting to order at 6:45 p.m. The following Council members answered present to roll call: Mrs. Graves, Mr. Hawkins, Mr. Marsland, Ms. Palazzolo and Ms. Schwartz.

Ms. Schwartz moved, seconded by Ms. Palazzolo to accept the recommendation of the Finance Committee which met Monday February 12, 2018 at 6:00 p.m. in Council Chambers to discuss the purchase of a new police cruiser. Present at the meeting were Finance Committee Chairman Eric Marsland, Finance Committee Members Dennis Wolter and Troy Hawkins, Mariemont Police Chief Rick Hines, and Mariemont residents Linda Bartlett and Bob Van Stone. Discussion focused on how waiting to approve the purchase may hinder the acquisition for approximately 3-4 months. There is a local dealership with a limited number of cruisers on the lot currently. The Committee recommends the purchase of a new cruiser a the price of \$26,599.00 with modifications to be made at a cost of \$11,401.00 and that this acquisition be approved in an emergency meeting of Council due to the time sensitive nature of the transaction. The meeting adjourned at 6:12 p.m. On roll call; five ayes, no nays.

Ordinances:

“To Purchase a 2018 Ford Explorer Police Cruiser Using the State of Ohio Purchasing Program and to Declare Emergency” had a first reading. Ms. Graves moved, seconded by Mr. Marsland to suspend the rules to allow for the second and third readings. On roll call; five ayes, no nays. The Ordinance had a second reading. Ms. Schwartz asked if Chief Hines checked to see if the cruisers were still available. Mr. Marsland said as of Friday there were two. Ms. Palazzolo questioned how many police cruisers we have and how they are staggered through the day for patrol, court etc. Mayor Policastro said there are seven cars and suggested she talk with Chief Hines for specifics. Mr. Marsland said the idea was to have an equipped car for the School Resource Officer. The Ordinance had a third reading. Mr. Marsland moved, seconded by Mr. Hawkins to adopt the Ordinance. On roll call; five ayes, no nays. Ms. Schwartz moved, seconded by Mr. Marsland to invoke the emergency clause. On roll call; five ayes, no nays. Ordinance No. O-9-18 was adopted.

Ms. Schwartz said it was unclear if Mr. Luken could address Council since it was not on the agenda. Mayor Policastro said he could address Council for the allotted three minutes. Ms. Palazzolo said the agenda is not structured like a normal agenda and it would have been helpful to have it on camera so people who have been writing her incessantly would be able to hear the answer to their questions.

Mr. Clem Luken, Town Meeting Chairman, said Town Meeting has a job to call a caucus in the event of a vacancy on Council. The vacancy of Council occurred on February 12, 2018. Town Meeting has 14 days to caucus and try to get a candidate/nominee from the caucus. That is their job and that is their limit. We cannot take any other steps. The matter that became the first cause of concern was where we caucus. Whether we like it or not we have a process that began last year with an At Large Candidate who is not affiliated with a district. There have been three attorneys who have looked at this matter – himself, Sam Duran and Village Solicitor Ed McTigue. Every other comment that has come in has come from non-attorneys and that is what is driving this whole matter. The attorneys look at this and evaluate it on behalf of Town Meeting what they can do. He said to the Mayor that he was unsure if Town Meeting could caucus District 2 because Mr. Wolter left from District 1. All three attorney looked at the bylaws, Mariemont Ordinances and the Ohio Revised Code. There is nothing that they could find that prevents the Mayor from slotting Ms. Palazzolo to whichever District he wishes. The fact that the Mayor did not slot Joe Stelzer somewhere else in 2012 just means that the Mayor had the discretion to do it. He chose not to. It does not prevent the Mayor from making that move now. The reality is Town Meeting looks at the procedure. The Council and the Mayor potentially look at the political process. We have done everything that we are permitted to do under the Town Meeting constitution. Anyone who suggests we should have a second one falls outside. He does not care what anybody else says on that. The reality is those are the rules. In a civilized society we create rules for how we organize ourselves and how we conduct business. If we don't like it we change the rules. What has happened in Mariemont is everyone seemingly with their emails is I don't care what the rules are I'd like to do something else. And so far, apparently, that is going to win.

The meeting adjourned at 7:03 p.m.

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Dan Policastro, Mayor

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Anthony J. Borgerding, Fiscal Officer