

VILLAGE OF MARIEMONT
REGULAR COUNCIL MEETING HELD IN COUNCIL CHAMBERS
March 25, 2019

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. Bartlett, Mr. Brown, Mrs. Graves, Ms. Palazzolo, Mrs. Rankin and Ms. Schwartz.

Ms. Schwartz moved, seconded by Mrs. Rankin to accept the minutes as written for the Council meeting March 11, 2019. On roll call; six ayes, no nays.

Mayor Policastro read the following communications:

From Police Chief Hines: February 2019 Monthly Report

From Police Clerk Maupin: Mayor's Court Statement for February 2019

From Solicitor McTigue: Email Dated March 13, 2019 re: Resolution Loaning of Property by the Public Library. Solicitor McTigue said the attorney from the Prosecutor's Office sent him a Quit Claim Deed which essentially extinguishes the Village's reverter clause altogether. He wrote him back and said the Village was not going to do that. The attorney is to rework the paperwork to a license agreement. He hopes to have it for the next Council meeting. The license agreement says the Village concurs with the library allowing the contract for utilizing the library property for a staging area for construction and by so concurring the Village is not going to trigger the converter clause that says the Village would get the property back in the event the property is no longer used for public library purposes. Mr. Brown said he noticed there was no time period. Solicitor McTigue said he addressed that in his letter that there has to be a drop dead date. There will be the first reading of the Resolution later in the meeting. He hopes to have the license agreement by the next meeting to attach to the Resolution.

From Jennifer King: email Dated March 7, 2019 re: Cleaning of Restrooms Bell Tower. Mayor Policastro referred the matter to the Health and Recreation Committee. It was originally referred April 23, 2018. The Committee was to work with the Recreation Association to see how much they would contribute to the cost. It needs to be addressed soon as the bathrooms will open by mid-May depending on the weather.

Mr. Jerry Vianello, 6570 Wooster Pike, was granted permission to address Council. He requested that Council consider all the efforts Louise Schomburg puts in the Village. He recommended to name at the Old Town Square the area that she maintains as the "Louise Schomburg Gardens". In addition, a plaque be place recognizing her efforts. Mayor Policastro referred the matter to the Health and Recreation Committee.

Mr. Bartlett moved, seconded by Mr. Brown to pay the bills as approved by the Fiscal Officer, Mayor, and Chairman of the Finance Committee. Ms. Rankin asked if we have salt inventory left. Mayor Policastro said last time he was down there the Village had plenty of salt. It will be good next year. On roll call: six ayes, no nays.

Ms. Schwartz moved, seconded by Mrs. Rankin to accept the recommendation of the Rules and Law Committee which met on March 4, 2019, at 6:00 p.m. to discuss how we currently award contracts to bidders. Attendees: Rob Bartlett, Maggie Palazzolo, Mary Ann Schwartz. The Committee discussed the language in the current Mariemont code regarding awarding bids to the lowest and best bidder as opposed to the lowest responsive responsible bidder. According to Solicitor McTigue, to date, the Village has not passed an ordinance requiring us to award to the lowest responsive responsible bidder. The committee agreed that maintaining the lowest and best language gives us the most flexibility to evaluate and choose the bidders most suited to the jobs. The committee recommends no changes to the code. Mrs. Graves asked where the lowest responsive responsible bidder come from. Ms. Palazzolo said in the code it addresses the way the Village currently does it. It also says if the municipality were tasked then legislation allowing the Village to use the other methodology must be utilized. On roll call; six ayes, no nays.

Mr. Bartlett moved, seconded by Mr. Brown to accept the recommendation of the Rules and Law Committee which met on March 4, 2019 at 6:00 p.m. to review the Language in the Ordinance regarding the current process of committee assignments/reports. Attendees: Rob Bartlett, Maggie Palazzolo, Mary Ann Schwartz. The Committee discussed adding expected completion dates to each item in each committee on the agenda to help us keep track of our progress and eliminate redundant questions when an item remains in committee for several months. The current Mariemont code says:

(W) *Rule 22A*. When any matter is referred to a committee, instructions when to report thereon may be included in the order of reference.

(1) If no instructions are included, the committee shall be deemed to have been instructed to report back at the second subsequent regular adjourned meeting of Council.

(2) At the subsequent adjourned meeting, if no written report is tendered by the committee, and no further time is asked for and granted, the matter so referred shall be considered reported back without recommendation, the committee shall return those documents to the Village Fiscal Officer, and the matter shall take its appropriate place in the order of business.

However, there have frequently been matters in committee that are longer-term projects. The Committee suggests changing the code to say:

(W) *Rule 22A*. When any matter is referred to a committee, instructions when to report thereon may be included in the order of reference.

(1) If no instructions are included, the committee chair shall provide an estimate of the expected completion date by the following meeting. This date may be adjusted as the matter is researched.

(2) If no written report on the matter is tendered by the committee, and no further time is asked for and/or granted by the estimated completion date, the matter will be added to the agenda to be discussed at the next meeting.

(3)

To set these completion dates, the head of each committee will assess each item in committee and provide the estimate of the completion date to the Village Admin. When the items need to be amended, they can be amended in Council meetings. The Committee further recommends that the Solicitor prepare the necessary legislation.

Ms. Schwartz asked if the time needs to be adjusted as the matter is researched will that be asked for at a Council meeting. Ms. Palazzolo said we generally do because it is on the agenda. Mayor Policastro said it would be considered a verbal report which is typically a committee assignment update. She asked that the expected completion dates be emailed to Mrs. Van Pelt prior to the next meeting so they may be added to the agenda. On roll call; six ayes, no nays.

Mrs. Rankin moved, seconded by Ms. Palazzolo to accept the recommendation of the Finance Committee which met on Wednesday, March 13, 2019 at 2:00 pm in Council Chambers to discuss the financial reports currently received by council, as well as recent trends in income and spending. Present at the meeting were Finance Committee Chair Rob Bartlett, Finance Committee Members Bill Brown and Kelly Rankin, and Assistant Fiscal Officer Eli Wendler. The Finance Committee reviewed the current financial reports that council receives and agreed we would like to have a more complete picture of both income and spending by the Village beyond the current Fiscal Officer's Report. Furthermore, the committee would also like to have any debt owed by the Village (whether loans or leases) included in the Fiscal Officer's report, so council can see where the village stands in total and not just look at cash only, which can be misleading. Eli Wendler shared with the committee a report she can generate from CMI that gives much more detailed spending by department, as well as historical spending. Eli also shared a report that shows detailed revenue year to date and how that compares versus previous years. The committee found both reports to be very helpful and requests that these be included as part of the council packet in the second council meeting of each month. The committee also reviewed recent income and spending trends. The table below summarizes the results over the past three years excluding any income and expense related to the addition to the Municipal building (all of the numbers below are in thousands of dollars).

<u>\$k</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Income	\$4,220	\$4,370	\$4,644
Expense	<u>\$4,275</u>	<u>\$4,427</u>	<u>\$4,790</u>
Surplus/(Deficit)	(\$55)	(\$57)	(\$146)

The committee is very concerned about the increasing level of deficit spending, particularly given that income has increased by \$424k over this period of time. What the committee finds most concerning, though, is that 2018 was the first year of the new Safety Services levy, which brought in \$305k. Even if one adds back one-time items such as a 27th pay period (\$90k) and pre-paying workers comp (\$48k), there is still a deficit in 2018. The Safety Services levy was supposed to provide enough income to allow for salary increases for the next 7-8 years. However, as it currently stands, the entire levy will be spent by the end of this year.

To address these deficits and ensure there is enough money to continue to give salary increases in the future the Finance Committee is proposing three next steps:

1. The committee would like to enlist the help of the Department Heads to review their spending over the past 3 years, particularly those items that have increased by \$5,000 or 5%, whichever is lower, and identify any opportunities to reduce expenses going forward.
2. Establish quarterly reviews with each Department Head to ensure spending is on track and will not exceed the budget for the current year.
3. The committee will begin to reach out to other communities in Hamilton County of similar size and spending to see if they would be willing to:
 - a. Share spending details by department, to see if there are any learnings on how to reduce costs.
 - b. Explore if there are any areas where we might be able to share resources or bid out contracts together to leverage our combined scale to deliver savings for both communities.

On roll call; six ayes.

Mr. Bartlett moved, seconded by Mrs. Graves to accept the recommendation of the Finance Committee which met on Thursday, March 21, 2019 at 1:00 pm at Ambulance Maintenance Company in Norwood to discuss purchasing a new ambulance for Mariemont. Present at the meeting were Finance Committee Chair Rob Bartlett, Finance Committee Members Bill Brown and Kelly Rankin, Police Chief Rick Hines, Assistant Fire Chief Jason Kiefer, and Dennis Wolter. The group met with Steve Kroeger, owner of Ambulance Maintenance Company, to discuss the normal life of a public ambulance and how best to extend it. Mariemont's current ambulance is 10 years old and has 44,913 miles and 5,434 hours of usage. Mr. Kroeger said with a good preventative maintenance program, a public ambulance should be able to last 9-15 years. Assistant Chief Kiefer shared that most other municipalities he has talked to have two ambulances that they rotate. Mr. Kroeger agreed this would definitely help push the life of an ambulance closer to 15 years. Mariemont currently has only one ambulance, but the Fire Department is proposing to keep the current ambulance if we purchase a new ambulance to allow Mariemont to be able to make more runs and to rotate the two ambulances. Based on history, the additional income from making more runs should more than cover the cost of maintaining the older ambulance, and having two ambulances will allow us to rotate them, which should help extend the life of the new ambulance. After further discussion, the committee agreed to recommend purchasing a new 2019 F-450 Braun Chief XL for \$228,969.75 via a State of Ohio Procurement Contract. Furthermore, the committee agrees with the Fire Department's recommendation to keep the current ambulance. The committee would also like to see the current ambulance and the new ambulance receive annual preventative maintenance "check ups" as recommended by Mr. Kroeger. By keeping the current ambulance and instituting the annual preventative maintenance, the goal should be to not have to purchase another new ambulance for 15 years. Assistant Chief Kiefer will track the additional income and additional costs associated with keeping the old ambulance to ensure that continues to make financial sense. The committee also recommends the Village use Republic First National to finance the purchase. Republic First National offered a lower interest rate (3.985%) than Tax-Exempt Leasing Corp. and PNC Bank. With the financing, the payments would be \$51,411.64 a year for five years, for a total of \$257,058.20, with the option to pay earlier at no penalty. The payments will be made from the Permanent Improvement Fund and would be due one year from the date of the contract with Republic First National, with annual payments thereafter.

Ms. Schwartz said her understanding was that the current ambulance would be used as a back-up but she is now unclear if the two ambulances will be rotated. Assistant Chief Kiefer said having both would give them the

option to use the backup ambulance for a couple days and leave the new ambulance in secondary status to keep both in running condition. It will help to prolong the life of the new ambulance. Both ambulances will be located here and the pumper will be moved to the Service Department location. We pump water out of the ladder truck currently. Fiscal Officer Borgerding asked how old the current ambulance is. Assistant Fire Chief Kiefer said it is 9 years old. The average span for an ambulance is 8-13 years. Most communities have two ambulances. There are many more new safety features and updated technology with the new ambulance. He feels it will keep the citizens more safe with the availability of two ambulances. We should take possession of it 6-7 months after we sign the paperwork. On roll call; six ayes, no nays.

Mrs. Rankin moved, seconded by Mr. Brown to accept the recommendation of the Finance Committee which met on Wednesday, March 6, 2019 at 3:30 pm in Council Chambers to discuss purchase requests by the Police Department. Present at the meeting were Finance Committee Chair Rob Bartlett, Finance Committee Members Bill Brown and Kelly Rankin, Assistant Fire Chief Jason Kiefer, Police Lieutenant Tom Ostendarp, and Joanee Van Pelt. The Finance Committee reviewed the purchase requests that were submitted by the Police Department as part of the Capital Improvement Budget process for 2019. The Police department requested the purchase of a used Ford Explorer plus equipment for Chief Hines. The cost of a used Ford Explorer was originally estimated to be \$30,000. Since the meeting, Chief Hines has found a used Ford Explorer at Beechmont Ford. The cost is \$24,000 net of the trade-in of one of the police cars. The purchase will be funded \$20,000 from the Drug Fund and \$4,000 from the Capital Improvement Fund. Chief Hines is requesting to purchase the used Ford Explorer as soon as possible in order to lock in the price he has been quoted. As such, the Finance Committee recommends purchasing the used Ford Explorer on an emergency basis. Mr. Brown asked if there will be lights or accessory items added to the vehicle. Chief Hines said he is looking into getting some estimates and depending on the cost they may or may not put any lights on. If so, they will be minimal with the lights in the grill. On roll call; six ayes, no nays.

Ms. Schwartz moved, seconded by Mrs. Rankin to accept the recommendation of the Public Works and Service Committee which met on March 19, 2019 at 5:00 PM to evaluate the contract bids submitted for the 2019 Street Rehab Project and recommend award. In attendance were the Committee Chairperson Kelly Rankin, Committee Member Bill Brown, Village Engineer Chris Ertel, Mayor Policastro and Mary Ann Schwartz. Bids received for the 2019 Street Rehabilitation project are as follows:

Adleta Construction, Inc. \$1,116,851.95
Fred A. Nemann Company \$1,039,360.00
Majors Enterprises, Inc. \$1,035,747.00
Prus Construction Co. \$ 895,542.10
Ford Development Corp. \$ 846,723.20

The Village contracted with Trend Development which is a subsidiary of Ford Development in 2006 to install the stormwater detention facility under the parking lot of Mercy St. Theresa. They performed well on the project. Although Ford has not bid on recent Village work they did perform as a subcontractor for J.K. Meurer Corporation on the Pocahontas Avenue Improvement in 2014.

Albert Place/Mt Vernon (Drainage) \$368,014
Homewood Rd (Drainage) \$252,186 (\$247,186 + \$5,000 in Contingency)
Madisonville Rd (Rehabilitation) \$179,949 (\$174,909 + \$5,040 Contingency)
Mariemont Ave (Pipe Repair) \$ 17,800 (\$12,500 + \$5,300 Contingency)
Miami Ave Hill (Drainage) \$ 28,775 (\$24,775 + \$4,000 Contingency)

After thorough discussion, the Committee recommends to award the 2019 Street Rehab Project to Ford Development Corp. The Committee also recommends the Albert Place portion of the project be postponed until 2020. The Committee requests that this be passed on emergency basis so the contractor can commence on April 1st. Mr. Brown said the Homewood Road work would begin this coming Monday. Mayor Policastro said Mrs. Rankin and Engineer Ertel did a great job on this. On roll call; six ayes, no nays.

Mayor Policastro read the following miscellaneous announcements:

The applications for Outstanding Citizen of the Year are to be turned in to Mrs. Van Pelt by Thursday March 13, 2019.

Village Offices will be closed Friday April 19, 2019 in Observation of Good Friday

State Auditors will conduct on-site audit work May 16, 2019 and May 17, 2019

Resolutions:

“To Confirm the Reappointment of Christopher M. Ertel as Village Engineer for Calendar Years 2019 and 2020; And To Set Compensation” had a second reading.

“To Authorize Mayor for the Village of Mariemont to Enter Into an Agreement for Use of Public Library Property Without Triggering Reversionary Clause” had a first reading.

Ordinances:

“To Create the Position of Part-Time IT Administrator; To Confirm the Appointment of Elissa Wendler for Calendar Years 2018 and 2019” had a second reading.

“To Reappoint Elissa Wendler as Village Fiscal Administrative Assistant for the Calendar Years 2018 and 2019; To Set Compensation” had a second reading.

“To Reappoint Anthony Borgerding as Village Fiscal Officer for the Calendar Years 2018 and 2019” had a second reading.

“Ordinance Amending Chapter 31.075(D) of the Mariemont Code of Ordinances Regarding Legal Counsel” had a first reading.

“To Purchase a Used 2019 Ford Explorer for the Chief of Police and To Declare Emergency” had a first reading. Mrs. Rankin moved, seconded by Mr. Bartlett to suspend the rules to allow for the second and third readings. On roll call; six ayes, no nays. The Ordinance had a second reading. Chief Hines corrected that it should read 2017 used vehicle not 2019. Mr. Bartlett said it should also be changed to show that \$20,000 should be charged to the Alcohol Education Enforcement Fund and \$4000 from the Capital Improvement Fund. Mr. Bartlett moved, seconded by Mr. Brown to make the amendments to the report. On roll call; six ayes, no nays. The Ordinance had a third reading. Ms. Schwartz moved, seconded by Mrs. Rankin to adopt the Ordinance. On roll call; six ayes, no nays. Mrs. Rankin moved, seconded by Ms. Schwartz to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-7-19 was adopted.

“To Accept Bid of Ford Development Corporation for the 2019 Street Rehabilitation Corporation for the 2019 Street Rehabilitation Project, To Authorize Contract and To Declare Emergency” had a first reading. Ms. Schwartz moved, seconded by Mr. Bartlett to suspend the rules to allow for the second and third readings. On roll call; six ayes, no nays. The Ordinance had a second and third reading. Mrs. Rankin moved, seconded by Mrs. Graves to adopt the Ordinance. On roll call; six ayes, no nays. Mrs. Graves moved, seconded by Mr. Brown to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-8-19 was adopted.

“To Amend Section 51.17 of the Mariemont Code of Ordinance, Fees for Garbage and Refuse Pick Up” had a first reading.

“To Purchase an Ambulance to Replace Older Ambulance and To Declare Emergency” had a first reading. Mrs. Graves moved, seconded by Mr. Bartlett to suspend the rules to allow for the second and third reading. On roll call; six ayes, no nays. The Ordinance had a second and third reading. Mr. Bartlett moved, seconded by Ms. Schwartz to adopt the Ordinance. On roll call; six ayes, no nays. Mr. Brown moved, seconded by Mrs. Rankin to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-9-19 was adopted.

Assistant Fire Chief Kiefer thanked Mr. Bartlett and the Finance Committee along with the rest of Council for the support. He is working with what he's got and is trying to make it better.

Mr. Bartlett said he and Mr. Brown had a meeting with the Waldorf School. It was very positive. They are interested in trying to work together on the hillside erosion. He believes that Public Works would be a good committee to oversee the matter. Mayor Policastro said he will have information at the next Council meeting. He is waiting on a report from Dr. Tankersley. Ms. Schwartz said it should be in Health and Recreation due to it being a park. Mayor Policastro referred the matter to the Health and Recreation Committee.

The meeting adjourned at 7:46 p.m.

Dan Policastro, Mayor

Anthony Borgerding, Fiscal Officer