

**Village of Mariemont
Regular Council Meeting
April 13, 2020**

Mayor Brown called the meeting to order with the Pledge of Allegiance at 7:10 PM. Present were Mr. Bartlett, Mrs. Graves, Dr. Lewis, Ms. Palazzolo and Mrs. Rankin. Mr. Stelzer was virtually connected due to the COVID-19 pandemic.

Mrs. Rankin moved, seconded by Mrs. Graves to accept the minutes as written for March 23, 2020. On roll call; six ayes, no nays.

Mr. Bartlett asked that the Employee Health Care Renewal be referred to the Finance Committee. Mayor Brown referred the matter to the Finance Committee.

Mayor Brown asked for a moment of silence for Peggy Keyes who died last Friday. She was the wife of Building Administrator, Don Keyes, and she was a long term resident of the Village since 1973. She was active in the garden Club and past President of the Parks Advisory Board – and was the first member of the Parks Advisory Board and also was very active in her church.

Mrs. Rankin said the Village should think of doing a memorial or a contribution of some sort in her memory. Mayor Brown said that is something we can definitely do.

Mayor Brown read the following communications:

From Police Chief Hines: March 2020 Monthly Report. Mayor Brown read the following from Chief Hines:

Due to the COVID-19 situation, and the changes made in the council meetings, I personally will not attend this evening's meeting.

I am respectfully asking that you read the following into the council minutes;

The Police and Fire Departments want to thank you, and your lovely wife Debbie for providing Jersey Mike subs for the police and fire personnel last week.

We also want to thank Councilwoman Dr. Marcy Lewis and her husband Dr. Steve Lewis for the wonderful dinners from The National Exemplar that they graciously provided to the police and fire fighters yesterday for Easter.

We have received numerous food items, and cards of thanks from a number of residents during this unprecedented time that we are all in. We received a pizza dinner from residents Ted and Kim Beach last week, dinners from the Mariemont Community Church, pastries from Kathy Graeter, and hand sanitizer was donated from residents Jeff and Suzanne Bischoff.

The Police and Fire professions can at times seem to be thankless jobs, but when the troops are blessed by the people that they serve, with love and support it makes the job feel worth all the dedicated time and effort that our wonderful men and woman put in to serve this wonderful village with the VERY BEST service in the county.

We are so blessed to serve in this community, and remain "Committed to Excellence".

Thank you, and stay healthy,

Richard D. Hines
Chief of Police/Fire

From Acting Assistant Fire Chief Feichtner: March 2020 Monthly Report

From Service Superintendent Scherpenberg: March 2020 Monthly Report

From Tax Administrator Darrah: March 2020 Monthly Report

From Assistant Fiscal Officer Wendler: March 2020 Monthly Report

From Solicitor McTigue: CARES Act Briefing. Mayor Brown asked Solicitor McTigue to prepare a slight briefing about the CARES Act. It is an informational handout he plans to distribute to local businesses in the community in order to make them aware and if there is any assistance they may need they can work out details with Mr. McTigue directly should they need legal assistance.

Mayor Brown thanked Mr. Bob Osman who coordinated with the five Greiwe condos to donate \$500 each to the Police and Fire Departments for use in Covid-19 pandemic. The \$2500 donation was extremely generous and he hopes to do a more formal ceremonial dedication when the quarantine is lifted.

Mayor Brown said he has not received any emails from residents for Council to address, except the email from Mr. Kintner but that will be addressed when the second reading of the Resolution is read. He encouraged residents who may be watching via ICRC or who may read the minutes to contact himself, the office or any member of Council should they have a question or concern they wish to address.

Mr. Bartlett moved, seconded by Ms. Palazzolo to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. Mrs. Rankin questioned the bill for the Enquirer for the advertising of bids for street rehab. Her understanding was each ad was to be \$500. Mrs. Van Pelt said one ad ran over the weekend which is more expensive. Mrs. Graves thought the project was on hold. Mrs. Rankin said they discussed getting an idea of what it would cost would be helpful. Mayor Brown said we could ask that they hold the bid for a period of time. On roll call; six ayes, no nays.

Miscellaneous:

Council Meeting Scheduled for Monday May 25, 2020 will be held Tuesday May 26, 2020 at 7:00 p.m.

Resolutions:

“To Authorize the Sale of Paper Streets Adjacent to 6500 Mariemont Avenue” had a second reading. Discussion ensued about the bid being contingent on a house being built and putting restriction on the bidding leading to a limit of those who would bid. Mr. Bartlett said the idea of selling the paper street was to generate money from the sale and ongoing revenue for the Village from income and real estate taxes. If no house was built those revenues would not happen thus the argument for selling has no principle in his opinion. He is not in favor of just selling the land. Mayor Brown said putting a contingency on the bid will limit those who would bid on the property. It is a unique situation and he does not believe it is setting a precedent. Mr. Stelzer said the Village Solicitor has reviewed the entire fact sheet and the Village can in fact put a contingency on the sale of the property should we desire. He cautioned if we put a contingency on the property it will definitely limit the number of people who will bid. It would be great to put in the contingency that a house is going to be built but the byproduct of that contingency is there will really only be one bidder. Ms. Palazzolo said if the stated goal is to generate ongoing income then it would be in the Village’s interest to place a contingency. Dr. Lewis asked if a timeframe can be placed with the contingency. Mr. Stelzer said the Village can put a timeframe with the contingency. Council discussed the difficulties with enforcement and the fairness of such a stipulation. Council agreed to vote on the matter. Mr. Bartlett, Ms. Palazzolo and Mrs. Rankin voted in favor of a contingency to have a house built in order for the Village to vacate the paper street. Mrs. Graves, Dr. Lewis and Mr. Stelzer voted against the contingency. Mayor Brown voted against the contingency breaking the tie.

Ms. Palazzolo read the email sent from Mike Kintner dated April 13, 2020 re: the sale of the paper street: “Thank you for getting me the "Fact Sheet" on the 6500 Mariemont Avenue Development. Although it attempted to address some of my questions, it really failed to provide information on several of my concerns. Accordingly, I have attached my original email for the entire council to see. I remain concerned that the Planning Commission/Council has not fully considered the overall impact of selling this paper street. I believe the central question is how many lots will be developed once access to these back lots is provided. Clearly, you are presenting this project as simply an effort by Mr. Turner to sell or develop the lot behind his house. It is unclear however whether you are allowing a driveway or a street. If it is the latter, what is the situation with the Trust that is shown as an adjoining lot? Is Mrs. Graeter's lot also going to be developed? I gather from

your sheet that there is a builder involved. Who is that? From my experience, I think it is unwise to rely on a builder's view that there are no "soil erosion/soil movement" issues. I also do not understand how the Village Engineer and Police Chief can comment on the traffic issues without an understanding of how many lots are going to be developed. What is the status of the home construction contingency? I fully understand that health concerns over the corona virus makes it impossible to have a full public discussion of this development at this time. However, I hope the Council will consider how a much broader discussion might be possible going forward. Thank you for the opportunity to comment on this initiative."

Council answered his concerns and agreed that it would be a driveway. Mr. Stelzer said the paper street gives access to the lots. The only thing the Village would be selling would be the paper street that services Chip's lot. The street cannot be vacated unless half is given to the adjacent land owner. Mayor Brown said he has given informational fact sheets to all the adjacent property owners and he has gotten positive feedback. Mr. Stelzer agreed.

Discussion about the soil ensued. Mr. Stelzer said the Village can put the onus of the liability on the owner and ask that the buyer hold the Village harmless. It is stated in the fact sheet that was distributed. This building lot sits back from the slope of the hill leading down to the creek. There are plenty of trees anchoring the soil. It can also be noted in the bid that the house would need to be on the building lot that is there right now and nothing will go on the paper street.

"Fixing a Time for a Public Hearing on the 2021 Budget" had a first reading.

Ordinances:

"Authorizing the Purchase of New Turnout Gear, An Upgrade to the Mobile Data Computers, and Purchase of Chest Compression System by the Mariemont Fire Department; And To Declare Emergency" had a second reading. Ms. Palazzolo asked because we are in a financial situation due to the Covid-19 situation are these purchases that the Village must do. Mayor Brown asked the Police Chief and Acting Assistant Fire Chief Feichtner about the Chest Compression System and apparently it has been ordered. The turnout gear is something the Village must purchase. Dr. Lewis asked if it is normal to order something before the second and third reading. Ms. Palazzolo said not normally but it was approved by a committee report and vote of Council. There may have been a price deadline. Mr. Rankin moved, seconded by Mr. Bartlett to suspend the rules to allow for the third reading. On roll call; six ayes, no nays. The Ordinance had a third reading. Mr. Bartlett moved, seconded by Mrs. Rankin to adopt the Ordinance. Mrs. Rankin moved, seconded by Dr. Lewis to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-12-20 was adopted. Mr. Bartlett said we need to have the permanent improvement requests in December or earlier so we are not pushed up against the wire.

"Ordinance Levying a \$5.00 Mo tor Vehicle License Tax as Authorized by Section 4504.173 of the Ohio Revised Code and Establishing New Mariemont Code or Ordinances No. 110.12" had a first reading.

"Ordinance Levying a Supplement Motor Vehicle License Tax and Establishing a New Mariemont Code of Ordinances 110.13" had a first reading.

Mr. Bartlett said going forward we need to determine how to have Committee meetings virtual to meet state guidelines. Mayor Brown said unless it is absolutely urgent that we limit our committee meetings at this time. A lot of residents do not have the equipment/technical ability.

Mr. Bartlett said it would be a good time to revisit the timelines on Committee assignments. Mrs. Van Pelt suggested that Council send her any changes and she would update the Council agenda. One of the items in the Finance Committee is to create an incentivize program for creation of parking on private property. When he, Dr. Lewis and the Mayor met with Frost, Brown & Todd they talked about that along with economic development ideas. They had ideas that he would like to explore and asked for Council permission to utilize their firm because they have experience in that field. Mrs. Rankin suggested a cap on the spending limit. Mayor Brown said given the unknown constraints facing the Village he does favor a spending limit and is not certain it is a priority at this time. Mr. Bartlett said they charge \$235 per hour and he will obtain an estimate.

Mr. Bartlett asked that the matter of the Village Liability insurance be referred to the Finance Committee. He does not want to pass the legislation on an emergency and would like to get the renewal by early June. Mrs. Van Pelt said the renewal is not usually available until late June – mid July. Mr. Stelzer agreed and said when he was the Chairman of the Finance Committee it was hard to get quotes for renewals early and left no choice but to do it as an emergency. Mr. Bartlett

said he would like to meet to discuss what other municipalities are doing and compare coverage. Mr. Stelzer said the fact finding could be done without a meeting. Mayor Brown referred the matter to the Finance Committee.

Mr. Bartlett said the Waste Renewal Contract needs to be referred. Last year it was done through Public Works but according to the Code of Ordinances it should be done through the Health and Recreation Committee. Mrs. Rankin agreed but said it did not need to be referred to a committee at this point.

Ms. Palazzolo said the matter of the Ordinance Amending Chapter 151.025 and 151.024 have been addressed and she asked that both be removed from the agenda. Council concurred.

Mr. Bartlett said the shed for the Maintenance Department should be removed. We are not going to spend the money on a shed. Council concurred.

Mr. Bartlett said the items in the Committee of the Whole need to be evaluated. Mrs. Rankin said the matter of the Overnight Parking Regulations on Homewood/Settle is somewhat redundant as it is in the Public Works & Service Committee to review a comprehensive Village parking assessment. Any further issues would be discussed in committee. The Municipal Building Renovation/Addition was given a target date of June 2021. Mr. Bartlett said the business economic development in the Village should be placed in the Planning and Zoning & Economic Development Committee. Council concurred.

The meeting adjourned at 8:12 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer