

**Village of Mariemont
Regular Council Meeting
June 22, 2020**

Mayor Brown called the meeting to order at 6:33 PM. Present were Mr. Bartlett; Mrs. Graves, Dr. Lewis, Ms. Palazzolo, Mrs. Rankin, Mr. Stelzer and Fiscal Officer Borgerding were virtually connected due to the COVID-19 pandemic.

Mrs. Rankin moved, seconded by Mr. Bartlett to accept the minutes as written for the Special Council meeting June 4, 2020 and Regular Council meeting June 8, 2020. On roll call; six ayes, no nays.

Mayor Brown thanked the many volunteers for helping with opening the pool, including Lorne Hlad, Joe Stelzer, Leesa Blanding, Terry Donovan, Ted Beach and of course Pool Manager, Jordan Schad. Mr. Stelzer added that it has been pretty successful so far. The maximum capacity has increased from 75 to 100. He believes most residents are complying with the restrictions that were put into place.

Mayor Brown read the following communications:

From Assistant Fiscal Officer Wendler: May 2020 Monthly Report/Expense Report

From Ohio Department of Public Safety: Letter Dated June 5, 2020 re: Federal Grant Recovery Program \$20,262.62. Mayor Brown thanked Assistant Fire Chief Feichtner for all his help in securing the FEMA grant funds for the Village.

From Jack Hemenway: Email Dated June 18, 2020 re: General Right-of-Way Ordinance. Mayor Brown said this is not to be confused with the 5G legislation. Frost Brown Todd has already done some preliminary work on the right-of-way legislation. Council needs to decide if they are going to engage them to continue with the work. They have provided us with a sample document from the Village of Marble Cliff, Ohio. There is a lot of work to be done on this. This work is going to stay in the Public Works and Service Committee. They anticipate 15 hours of legal work going forward. There was some discussion that Solicitor McTigue may be able to do some of the work which could be determined going forward.

Council agreed to have Frost Brown Todd move forward with the work. It was noted that time was of the essence and it is critical to get the first draft of the Ordinance before the next Council meeting.

Mayor Brown said he received an email dated June 19, 2020 from Marianne Schmidt, 3895 Oak Street. It read: "Dear Mayor Brown, I recently received a flyer distributed by Jennifer Manzel that suggests a contractor proposes to install 16 mini cell towers on the north side of the Village. One of those towers apparently is planned for the corner of Chestnut and Oak Streets, directly in front of my home for 35 years! For those 35 years, I have faithfully adhered to the numerous restrictions the Village has placed on me in order to maintain the architectural integrity of this historic community. It should go without saying that cell towers are completely incompatible with the character of the historic district. As explained more fully in the flyer, I also am extremely concerned about the safety issues these towers pose to the residents of this densely populated residential area. Yours and Council's attention to this serious matter is appreciated."

Mayor Brown said he received an email from Karen Peters Fallon, 6966 Murray Avenue. It read: "There are two homes on the street behind me that are clearly abandoned. 6941 Cambridge appears to be an abandoned rebuild and 6945 Cambridge has been empty for several years and is in sad shape and terribly overgrown. Both are an eyesore. Can you please let me know the status of these two properties and what actions the Village is taking to correct the situation?" Mayor Brown said the one house has been under remodel for nearly three years. He will contact Ms. Beatty and Building Administrator Keyes for an update.

Mr. Bartlett moved, seconded by Dr. Lewis to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. On roll call; six ayes, no nays.

Ms. Palazzolo moved, seconded by Mr. Bartlett to accept the recommendation of the Public Works Committee which met via Zoom on June 16, 2020 at 3:00 PM to discuss the timeline and costs of the Petoskey Ave drainage project.

In attendance were the Committee Chairperson Kelly Rankin, Committee Member Rob Bartlett, Village Engineer Chris Ertel and Mayor Brown. The topic of discussion was to review the timeline and affiliated costs provided by Mr. Ertel; noted here:

Costs by Calendar Year:

2020:

Village: \$0 OPWC grant: \$0 GCWW: \$194,023.30

Note: the work for GCWW will be done by our contractor (Nemann). The village will receive \$185K ahead of the project and invoice GCWW for the balance due upon receiving the final amount.

Village sunk costs: Design by Kleingers: \$22,400, Advertising for bids: \$1,446.20

2021:

Village: \$296,133.37 OPWC grant: \$98,711.13 GCWW: \$0

Note: Village will submit invoices to OPWC for the 25% reimbursement as they are received from Nemann.

2020:

First Reading of Awarding the Contract Legislation 6/22/2020

Duke Energy begins replacing the gas main 6/29/2020

Second/Third Reading/Passage on Emergency of Awarding the Contract Legislation by 7/27 Council meeting

Preconstruction Conference with Nemann late August

Notice to Proceed issued by the Village for Nemann 9/8/2020

Duke finishes gas main work 9/12/2020

Nemann finishes underground water main work and storm pipe work 11/22/2020

2021:

Nemann begins road removal 4/1/2021

Nemann finishes road work 7/1/2021

Village has until 12/31/2021 to complete grant paperwork with OPWC

*All construction dates are weather permitting

Two points to note from the meeting:

1.) The road will be trenched on both sides from November until start date in 2021 (assumption

is April). The gravel fill will be compacted and coated with crusher run gravel in order to control the spread of the gravel.

2.) The funds allocated for this project should remain earmarked in the 2020 and 2021 budget.

The Public Works Committee recommends we proceed with the project as outlined above.

Mrs. Rankin said the Village will get the \$185,000 ahead of time in 2020 from Water Works so we will have the money before it is spent. Ms. Palazzolo asked if we could delay the gravel until spring 2021 so it is not everywhere. Mrs. Rankin said the goal for 2020 is to get the underground work done. The advantage is all that work will be done by next spring so we do not have to wait for Water Works/Duke – we will be ready to start on our timeline. Mrs. Graves verified that the work will just be on the sides of the road. Mr. Brown stressed that the Village is not fronting any of the money for the work. Fiscal Officer Borgerding said the money will be rolled over into next year's Capital Improvement Budget. On roll call; six ayes, no nays.

Mayor Brown moved the matter of Creation of CRA Committee to Planning and Zoning from Public Works and Service.

Mr. Bartlett asked to move the Trash Contract renewal to the Public Works and Service. The code does specify Health and Recreation but it was in Public Works last year and Mrs. Rankin has already done work on the project. He said an email was sent to Council regarding trash stickers and the pros and cons of continuing them. He would like to have a survey/poll done via Town Crier to see if they want to continue to do waste stickers or not. Council can review the data and decide if they want to act on it or not. Mayor Brown said if we are going to poll on that why not ask if they want to pull their trash can to the curb. This discussion should be happening on the Committee level. Mr. Bartlett wants Council's input if we partner with the Town Crier to get residents' input or not. Mrs. Graves said to poll properly we would have to give them information such as how much the trash fee will go up. Mr. Bartlett said he does not think we would be able to

provide information on getting it to the curb, but the increase from no sticker we could. Mr. Stelzer said we are talking about a lot of details that we should not be doing right now. He cautioned to be careful of the whole idea of polling to try to develop policy. We should not do it on something as volatile as the trash contract. He wants to know exactly how the process is going to work, what system is going to be used to collect the data. One of the concerns from the Pool Task Force was people were going to stuff the ballot box with their opinion. He wants to know who is going to control it and how do we keep that from happening. He would rather solicit resident comments to the proposal through the committee process. Mr. Bartlett disagreed and said there is an easy way to poll people without stuffing the ballot box. It can be a numbered flyer which is very simple to implement. Mayor Brown said the matter can be debated in the committee meeting.

At the request of Mr. Bartlett, Mayor Brown referred the 10-15 year forecast of the fire and EMS costs to the Finance Committee.

Miscellaneous:

Village Offices will be closed Friday July 3, 2020 in Observation of Independence Day

The Budget Hearing will be Monday July 27, 2020 at 5:30 p.m.

Mayor Brown said the ODOT work on Wooster Pike has started. He and Engineer Ertel have tried to contact them to get a start date. He estimates they will be in the Village within the next week.

Mayor Brown said July 1, 2020 we will return to live meetings. The building will re-open under restrictions of how many people can be in an office. This will be the last zoom meeting. The public has been getting the short end of the stick and we need to allow them to come and address us. We will maintain the extra table and encourage seating distance and encourage those who wish to wear face coverings.

Resolutions:

“To Authorize Ohio Department of Transportation to Proceed with Various Traffic Signal, Signing and Pavement Marking Upgrades on US 50 (Wooster Pike) Located on the Eastern Corridor Section II/III PID Mo. 112171 County/Route/Section: Ham Eastern Corridor VAR TSG; and Enter into Contract” had a second reading.

“Resolution Regarding Cares Act Grant; And To Declare Emergency” had a second reading. Mrs. Rankin moved, seconded by Ms. Palazzolo to suspend the rules to allow for the third reading. Mr. Bartlett noted that there were some changes on the final bill adopted. Mrs. Van Pelt said she would incorporate the changes on the permanent copy. On roll call; six ayes, no nays. The Resolution had a third reading. Ms. Palazzolo moved, seconded by Mrs. Graves to adopt the Resolution. On roll call; six ayes, no nays. Mr. Bartlett moved, seconded by Mrs. Rankin to invoke the emergency clause. On roll call; six ayes, no nays. Resolution No. R-13-20 was adopted.

Ordinances:

“Ordinance Amending Section 32.1 of the Mariemont Code of Ordinances, Rules of Council, Section (A) Rule 1” (Council meeting time) had a second reading.

“To Accept bid of Fred A. Nemann Company for the Petoskey Avenue Reconstruction Project; To Authorize Contract and To Declare Emergency” had a first reading. Mrs. Rankin moved, seconded by Dr. Lewis 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. Ordinance No. O-17 was adopted.

The meeting adjourned at 7:12 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer