

**Village of Mariemont
Regular Council Meeting
September 28, 2020**

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

Mrs. Rankin moved, seconded by Mr. Bartlett to accept the minutes as written for the regular Council meeting September 14, 2020. On roll call; six ayes, no nays.

Mr. Bartlett referenced an email that was received from a resident in the last minutes regarding the port-o-lets violating sections of the Mariemont Code of Ordinances. We asked the Village Solicitor to look into it and Mr. McTigue responded back that there was no violation of the code. That is good considering the Village does allow them at the Tennis Courts and various locations for Village events. There is also a precedent about tents on public property. The same issue applies. We need to apply the rule consistently. We cannot say no to certain organizations and yes to other ones. Tents are used for really good fundraising events such as the 5K Race, Taste of Mariemont and Farmers Market. The important thing is to treat everyone equally. We cannot single out one organization and say they cannot while everyone else can. The Mayor is trying to treat everyone equally and he believes it is an important message for the residents as well that the Village is trying to consistently apply the law.

Mayor Brown said the Village does not have any really clear defined ordinance regarding port-o-lets other than on private property and even then it is not well defined. In the future it may be something we look to having a committee work on to define where they should be placed and the length of time.

Mayor Brown read the following communications:

From Hamilton County Auditor: 2nd Half Real Estate Tax Deposit \$601,836.34

From Service Superintendent Scherpenberg: Memo Dated September 4, 2020 re: Handicap Ramp Hampstead Park Condominium. Mayor Brown referred the matter to the Safety Committee. The ramp would go from the sidewalk to the curb and would be in the Village right-of-way. The question is who would pay for it. Mrs. Graves said she would contact Superintendent Scherpenberg to get the contact information.

Mayor Brown said he has talked with Mr. Molski, 4004 Miami Road, who was telling him about a 'speed table'. It is not a speed hump or bump but lays flat on the surface with perhaps an inch elevation. He asked Mrs. Graves and the Safety Committee to exam to see if those would be a possibility on the Miami Hill. The speeding issue on the hill is ongoing. We have signs and reflectors but we never really came up with a good remedy. He talked with Chief Hines who may have other ideas about cutting grooves into the pavement. Mr. Stelzer said grooves in the pavement on that hill could turn into a disaster for cyclists. He would be a strong no in any grooves on the hill of any type. Solicitor McTigue suggested the small speed tracker devices that are used instead of the speed trailers. Perhaps there is assistance from the State of Ohio. Mayor Brown said he gave Chief Hines permission to explore the devices. They are nice because they can be moved and used in other areas such as Homewood Road. They are approximately \$5,000 but Chief Hines is still exploring options. Engineer Ertel said he does not know of any funding available for these devices. Mayor Brown said the police are utilizing the speed trailer to gather data on speed patterns, time etc. on the hill. Ms. Palazzolo said most times when there have been accidents on the hill they have been due to drivers in distress or asleep. They would not see a speed sign. Dr. Lewis suggested using the old fashion police officer at the bottom of the hill. Mayor Brown said the police department is doing that as well. Mayor Brown said the Safety Committee can look into the options and make a recommendation.

Mayor Brown said he and Mr. Stelzer had a meeting with Melissa Taylor, Columbia Township Administrator, and Trustee Dave Kubicki regarding the funding for Murray Path. Mr. Stelzer said the fundraising is going well. There is an event at 50 West on October 21, 2020 at 4:00 p.m. 50 West is going to brew a special beer featuring the Murray Path logo. The new alignment plan was presented to Columbia Township. They have indicated they are fully behind the project and ready to fund immediately with a resolution being passed. We got the contract from ODNR for the grant Solicitor McTigue believes the Village needs a Resolution to give the Mayor authority to sign the contract. Mr. Stelzer said hopefully we can

get it signed and moving at the next Council meeting. Mayor Brown said he would send the contract to all Council members for their review.

Mayor Brown is not sure that we need to sign the contract to move forward with the construction documents. It is his understanding that the construction documents are needed when the contract is signed for ODNR approval. We need to determine if the original resolution to approve the preliminary drawings is sufficient or if a new resolution is needed to proceed with the construction documents. Mr. Stelzer disagreed and said Council should get this moving and get the paperwork done. We have been messing with this for a couple of years. Construction documents should take 6-8 weeks to complete. We then have to go through the bid process. He believes we can easily get this done within the 15 month timeframe. If in fact the construction documents are needed to be attached to the contract then that would hold it up. The Village is able to do progress billing so any monies spent on design engineering we can collect after the contract has been signed. Engineer Ertel said he believes it has to be 30% minimum of the threshold for the contract amount. Mr. Stelzer said he would like to see if the Village can recover the monies already spent on design and engineering. Engineer Ertel said he can look into that. ODNR will not allow the Village to go to bid without seeing the construction documents. We can sign the contract now if desired but we will be eating into the 15 months as we prepare the construction documents. Mr. Stelzer said the only penalty if we do not hit the 15 month timeframe is if the Village goes out for another grant application we could be penalized. There is enough presently collected in private funding and the commitment from Columbia Township to build the path. We are raising the rest of the landscaping monies right now. Mr. Bartlett suggested going forward with the construction documents being paid with the private funds. Engineer Ertel said Choice One would have to check to see if they would take the money from them. Mr. Stelzer would prefer it come from the Village money so we get the reimbursement from the State. We need to make sure we do this in the right order.

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

Mr. Bartlett moved, seconded by Ms. Palazzolo to accept the recommendation of the Finance Committee which met on Thursday, September 24, 2020 at 3:00 pm via Zoom to discuss the possibility of using CARES Act money to pay for an IT Infrastructure project that would support social distancing and remote access within the Municipal Building. Present at the meeting were Finance Committee Chair Rob Bartlett, Finance Committee Members Joe Stelzer and Kelly Rankin, Mayor Bill Brown, and IT Leader Eli Wendler. To date, Mariemont has received \$92,865.71 in CARES Act funding, with \$36,842.04 allocated so far, leaving \$56,023.67. One of the ways this money can be used is for IT projects that would support social distancing. Eli Wendler shared with the committee four interrelated projects that meet that criteria. The projects are:

1. Re-cabling of the infrastructure to move all of the networking equipment to an isolated, secure location so social distancing can be maintained when on-site maintenance is being provided.
2. Replacing old networking hardware, and adding modern networking software which will allow for remote VPN access to critical on-premises systems for employees and remote management.
3. Creating a comprehensive wireless network within the building to support employee, community and Council access while maintaining distancing within the building. Wireless can support live streaming of Council and Committee meetings should we choose to do so in the future.
4. Migrating to the Office 365 product which will allow employees off-site access to critical shared files and secure remote email service that meets the government compliance/retention standards for municipalities.

Ms. Wendler went to several vendors for quotes on this work. The vendors that provided the best overall value for the Village were as follows. The "Up To" amount below provides a 10% contingency to allow for any change orders that may occur as the work progresses.

Vendor	Work to be Done	Cost	Up to
CBTS	Network as a Service provisioning and set-up	\$25,583.00	\$28,000.00
Intrust	MSoftware 365 tenant set-up, email migration	\$9,770.00	\$10,700.00
PCS Cabling	Cabling to basement	\$16,293.00	\$18,000.00
Dell UPS	Rack Mount 2,200 Volt Amp	\$2,000.00	\$2,200.00

The Finance Committee is recommending we proceed with this project. In order to qualify for CARES Act money, the work needs to be encumbered by October 15 and completed by December 15. All of the above vendors have said they can get this work done on that timing, provided they start the work in early October. Members of Council thanked

Mrs. Wendler for all her hard work on this project and added she did a great job. It was determined that the Resolution passed to get the CARES Act monies should be sufficient going forward. On roll call; six ayes, no nays.

Miscellaneous:

Mayor Brown said Ms. Palazzolo had thoughts on an alternative plan to Trick or Treat. He contacted Madeira, Terrace Park and Fairfax to see what those communities were doing and they are all observing traditional Trick or Treat at this stage. Hamilton County has set guidelines but essentially left the decision to local municipalities. Mr. Brown suggested looking at a way to do both traditional Trick or Treat and perhaps the alternative at a different time.

Mrs. Rankin said people are in control of that. If people are not comfortable with people coming to their house they do not turn their house light on.

Dr. Lewis said she saw data today that said COVID-19 is not qualified as an epidemic in Ohio for six weeks based on CDC guidelines.

Ms. Palazzolo said both events could not happen concurrently. The MPPG idea is for a daytime parade for younger children. Her idea is a drive through event for all ages at the Concourse where people in masks and gloves would hand out items. She has talked with many people and some feel that we should leave Halloween as is unless the county goes to a level 3 or 4 indicating a problem in the community. This could be done conditionally should there be a mass outbreak. She does not want to spend the money and plan for it and not do it. She can call to see if items are ordered and not opened if they may be returned. She does not want to cancel Halloween and not have an event. The event would require Miami Bluff to have the traffic go one way down and one way out. It would not be safe to have this event concurrent with traditional trick-or-treating. Her idea would be to have it 6-7:30 with blown up characters and car hatch backs decorated like caves or monster faces. Mrs. Rankin said people could donate candy to the event. Ms. Palazzolo said because of the concern about eating food handed out by others and food allergies she priced out non-food items.

Mayor Brown said it may be good to have a back-up plan should we not be able to do traditional trick-or treating.

Mr. Stelzer said there are very strong feelings on both side of COVID-19. Some people don't want to do anything and others don't want their rights restricted. Even if we called off Halloween there is still a good chance people are going to do it anyway. It will be hard to enforce and an uncontrollable event by the Village. Whatever decision is made is not going to be completely acceptable to 100% of the Village. It was agreed by Council to wait and talk further at the next Council meeting. Ms. Palazzolo said that would allow enough time to still prepare. It would be a municipality sponsored event so she would need time to raise funds or work with a budget. Her thought was also to have the fire truck at the municipal building passing out glow sticks. Dr. Lewis suggested doing a hybrid and offering the alternative plan for earlier in the day and having traditional trick-or-treat at night. Mrs. Graves said we can encourage people to socially distance, wear masks and set out their candy via the website and NextDoor. Mr. Stelzer asked Ms. Palazzolo to send to Council what she is planning and what the estimated cost would be.

Mr. Stelzer said the Pool Commission met last week. They are bringing more formality to the commission and working on a draft of the by-laws. He will forward a copy to the Solicitor for review. The Chairperson will be Lorne Hlad, Vice-Chairman is Leesa Blanding and Laura Stith is Secretary. She will be preparing minutes which will be prepared and distributed to Council. We are still dealing with the leaks in the pool and what the solution is. He is hoping to have more information to Council by the end of October.

Mr. Stelzer said he circulated a spreadsheet with the street spending. He worked with Engineer Ertel to gather data on what the needs are for the Village going forward. His opinion is that we have not been spending enough in the past. At some point Council needs to address how to spend more. Some will be solved by the gas tax but we cannot ignore streets that we should be spending money on.

Mr. Stelzer said he is hopeful that the street vacation closing should happen this week. The contract needs to be signed by Mayor Brown. There was some delay due to Hamilton County not being able to find the original survey map when Mariemont was created.

Resolutions:

“To Establish Court Costs as Authorized by Section 33.05 of the Code of Ordinances of the Village of Mariemont” had a third reading. Mrs. Rankin moved, seconded by Dr. Lewis to adopt the Resolutions. On roll call; six ayes, no nays. Resolution No. R-17-20 was adopted.

“To Accept the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor; 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 Resolution had a second reading. Fiscal Officer Borgerding said this a compliance measure we need to do every year after we submit the budget. Hamilton County looks over the budget and approves it. They estimate what the levies should bring to the Village. The emergency is due to the county needing it back by October 15, 2020. The Resolution had a third reading. Mrs. Rankin moved, seconded by Ms. Palazzolo 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-18-20 was adopted.

To Authorize Fiscal Officer to Advertise for Bids for Waste Collection to Pay for Advertising 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 Resolution had a second reading. Mr. Bartlett said the first reading of the Resolution to adopt the bid will occur the same meeting as the Committee recommendation to avoid emergency legislation. The Resolution had a third reading. Mrs. Rankin moved, seconded by Mr. Bartlett 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-19-20 was adopted.

“To Reappoint Rick Gibson as Mayor’s Court Magistrate for Calendar Years 2021 and 2022; To Set Compensation” had a second reading.

“To Reappoint Edward J. McTigue as Solicitor for the Village of Mariemont for the Calendar Years 2021 and 2022” had a second reading.

“To Confirm the Reappointment of Christopher M. Ertel as Village Engineer for Calendar Years 2021 and 2022; and To Set Compensation” had a second reading.

“To Confirm the Reappointment of Jordan Schad as Swim Pool Manager for Calendar Years 2021 and 2022” had a second reading. Mayor Brown said she is working well with the new Pool Commission. Mr. Stelzer said this was a challenging year and she has worked very hard with the Pool Commission.

“To Reappoint Ted Beach as a Member of the Pool Commission for the Calendar Year 2021” had a second reading.

“To Reappoint Terry Donovan as a Member of the Pool Commission for the Calendar Year 2021” had a second reading.

“To Reappoint Leesa Blanding as a Member of the Pool Commission for the Calendar Year 2021” had a second reading.

To Reappoint Mandy Rohal as a Member of the Pool Commission for the Calendar Year 2021” had a second reading.

Ordinances:

“To Amend Chapter 79 of the Mariemont Code of Ordinances for a Charge of \$100 for Annual Stickers Issued for Overnight Parking” had a second reading.

“An Ordinance Enacting Chapter 56 of the Codified Ordinances of the Village of Mariemont, Entitled Comprehensive Right of Way Administration” had a first reading.

Mr. Bartlett reminded Council that they need to provide a written or verbal update on their Committee assignments for the next meeting.

The meeting adjourned at 7:40 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer