

Village of Mariemont
Regular Council Meeting (February 22, 2021 was Postponed)
March 1, 2021

Mayor Brown called the meeting to order at 6:34 p.m. Present was Mr. Bartlett. Virtually present due to the COVID-19 pandemic were Mrs. Graves, Dr. Lewis, Mrs. Rankin, Ms. Palazzolo, Mr. Stelzer, Fiscal Officer Borgerding, Engineer Ertel, Superintendent Scherpenberg and Solicitor McTigue.

Mr. Stelzer asked that the Council minutes from February 8, 2022 be amended to indicate that the official MPF Vision 2021 Report did recommend the hiring of a Village Administrator.

Mr. Bartlett asked that the “companies” that Fairfax participates in be amended to read “organizations”.

Mr. Bartlett moved, seconded by Ms. Palazzolo to amend the minutes for the Council meeting February 8, 2021. On roll call; six ayes, no nays.

Ms. Palazzolo moved, seconded by Mrs. Rankin to accept the amended minutes for the Council meeting February 8, 2021. On roll call; six ayes, no nays.

Communications:

*From Assistant Fire Chief Feichtner: January 2021 Monthly Report

*From Service Superintendent Scherpenberg: January 2021 Monthly Report. Mr. Stelzer said the fiscal information on the report was helpful. Superintendent Scherpenberg said the overall cost with benefits and materials was \$23,400.00 for the February 8th-19th snowfall. Year-To-Date was \$25,649.65. He did order more salt which we will be able to use next year if there is carryover.

*From Tax Administrator Darrah: January 2021 Monthly Report. Mr. Stelzer said he talked with Administrator Darrah and the numbers reflect some late payments from 2020. He would not expect these increases throughout the whole year.

*From Fiscal Office Borgerding: Capital Improvement Budget 2021. Fiscal Officer Borgerding said this is the updated budget.

*From Council Member Stelzer: Email/Proposals Regarding Improvements to Tennis Courts from Harry Ewers & Sons (\$8150.00); and Proposal from Tennis Technology to Clean, Fill and Paint Tennis Courts (\$12,836). He said the crack repairs will appear every year. It is appropriated in the General Fund Budget. There is money to repair the Pickle Ball Court which is getting very popular. It is critical to start the work so it can be completed before the courts get busy, but the work cannot be done until the temperature is favorable. He is hopeful for April/May. It exceeds the \$5,000 Mayor’s spending authority so Council needs to approve the expenditure. There is a quote for \$31,000 for complete court re-pavement but it may be something we can apply for a grant through Nature Works. We should look at the pool requests as well and decide if we apply for one or two grants. In addition, to the South 80 for requests. We have to determine the projects and then determine who writes and applies for the grant. The application is due June 1, 2021. Tennis is break-even with the built-up revenue stream and donations. The High School pays for the nets and windscreen. There is some sort of agreement with the High School from the mid 1970’s. Mr. Bartlett moved, seconded by Mrs. Rankin to approve the purchases. On roll call; six ayes, no nays. Mayor Brown will sign the contracts and Service Superintendent Scherpenberg will prepare the purchase order and oversee the scope of the project.

*Narrative Regarding Exploratory Discussions with Little Miami Fire District on Providing fire Protection Services for the Village of Mariemont. Mayor Brown said he and Mr. Bartlett have been in discussions with The Little Miami Fire District (LMFD) regarding exploratory discussions with LMFD providing the Village with fire services. Reasons for exploring include: (1) Village is faced with financial challenges, (2) Two stations in close proximity, (3) For Mariemont to maintain Fire Department is a large chunk of the budget, (4) LMFD has had other contractual arrangements such as this with other municipalities.

Mr. Bartlett provided data from Hamilton County Communications Center from 2017-2020. The data was broken out between fire and EMS. He pointed out that this is just looking at contracting fire service to the Village. This is not joining LMFD. The data also shows response time which is very similar between both departments. The Village has 3 times the EMS runs than fire (EMS is not part of this discussion). LMFD participates in 70% of the fire runs to Mariemont providing mutual aid. ISO (Insurance Services Office) rating for Mariemont is 2; LMFD is 3. The potential savings is \$450,000-\$480,000 savings minus the fee paid to LMFD for services. A meeting with Chief Hines and Chief Timmers (LMFD) will be set up. Resident Matt Ayer made a recommendation to him regarding a consultant, Bill Kramer, who has done studies regarding fire and EMS. The estimate for a report is \$5,000-\$10,000. The initial consultation is free of charge. He and Mayor Brown are planning to meet with him and share with Council what he could do for the Village and what the cost would be. It would be beneficial to all to have an expert and an objective 3rd party opinion. A proposed trial period is being discussed to take place over the summer before anyone making hard commitments.

Mrs. Rankin asked that Council be made aware of when future meetings will take place and who will be attending.

Mr. Stelzer said he wants to make sure Council is all on the same page that we should be exploring this option and Council should gather information to explore this option. There should be no barriers to Mr. Bartlett or the Mayor from obtaining information.

Dr. Lewis said she would like to see what the generated revenue would be if the Village contracted our services. Mr. Stelzer said he asked for that 5 weeks ago and has yet to see it. Dr. Lewis said it would be good to see all options on the table.

Mr. Bartlett said one area that still needs to be discussed is the boundary area for EMS Services. Both departments drive by the other to get to a part of the municipality that they need to service. But that discussion will take place after the fire service is decided.

Permission To Address Council:

Mr. Joel Purcell, 4104 Rowan Hill, was granted permission to address Council. He and his wife want to put more money into their home but there were concerns of over capitalizing. They need more room but without a tax abatement it would be hard to justify the investment back into the property. A house just down from them on Murray has the same layout as theirs and that house qualifies for a tax abatement. He wanted Council to look at moving the line of those who would qualify for a tax abatement. Ms. Palazzolo explained the working of the Community Reinvestment Area (CRA) and the specific rules which apply. One rule is that it must be one contiguous area. It has been a point of debate in Council in years past how to make it one contiguous area without including places that Council would not necessarily intend to give a huge tax write off and lose income to do things such as fix streets etc. Mr. Purcell said by increasing the investment in his house he will be increasing the value of households around him. The Village may lose a little short-term cash but will gain more long term.

Mr. Purcell said there is also a lot of traffic and inquired about speed bumps to slow the traffic. Mayor Brown said the issue of speeding down Miami Hill is a hot topic.

Dr. Lewis said the CRA is in her Committee of Council. She asked that he reach out to her so she has his contact information and can contact him when the Committee will be meeting.

“An Ordinance To Make Appropriations for Current Expenses and Other Expenditures of the Village of Mariemont, State of Ohio, During the Fiscal Year Ending December 31, 2021; To Repeal and Replace Ordinance O-1-21” had a first reading. Mr. Bartlett moved, seconded by Mrs. Rankin 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 Mr. Bartlett to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-11-21 was adopted.

Motion To Pay Bills:

Mr. Bartlett moved, seconded by Mrs. Rankin to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. Mr. Stelzer asked if the bonus payment had been paid to the employees. Mayor Brown said the reviews have been completed. Some departments have submitted their requests and payment has been made. Mr. Stelzer asked if the Service Department had room in the shop to store the tractor used for the South 80 Gardens & Trails to save the \$600 annual charge. Superintendent Scherpenberg said it is pretty tight down there, but he will see what can be done. Mayor Brown said the cremation cost is a legitimate cost for the Village for someone determined to be indigent. On roll call; six ayes, no nays.

Committee Reports:

Ms. Palazzolo moved, seconded by Dr. Lewis to accept the recommendation of the Public Works and Service Committee which met on February 10, 2021 at 5:00 PM to discuss the 2021 Mowing Contract. In attendance were the Committee Chairperson Kelly Rankin, Committee Member Avia Graves, Committee Member Rob Bartlett, Maintenance Supervisor John Scherpenberg and Mayor Brown. The topic of discussion was whether to renew the contract with the current grass service, Grass Cor or put the contract out for bid. Per the contract, the Village shall have the option of extending this contract for three 1 additional years, (through 2022). The extension term provided that the increase for the extension year shall not be more than two percent (2%) over the previous term. The 2021 contracted amount will be \$47,858.76. Mr. Scherpenberg has stated that he has been satisfied with the service provided by Grass Cor. The Committee recommends exercising the option to renew the contract with Grass Cor for the 2021 year. On roll call; six ayes, no nays.

Miscellaneous:

The Outstanding Citizen Award nominations are due to Mrs. Van Pelt by March 11, 2021.

Mayor Brown said Kellogg's has notified the Village that 250 employees will be laid off. It will affect 165 workers in July and the rest in the 4th quarter of 2021. He has been in contact with Tom Brinkman, Redi Cincinnati and the Business Representative, Dave Puckett, for the Baker's Union Local 253. Mr. Puckett has contacted Sherrod Brown's office and gave him Mayor Brown's contact information. They want to have a meeting to explore if there are any options or incentives to do something about this move of product line. The impact from the loss of earnings tax revenue is estimated to be \$180,000-\$200,000. We are going to have to work and strategize what we are going to do about the loss of income to the Village.

Mr. Stelzer said we need to figure out how to address the fiscal challenge. The fiscal challenge is not only the potential loss of employment at Kellogg's but an overall plan for the Village. We need to create a reasonable plan to assure that the Village has adequate cash reserves. The reserves were getting dangerously low but we did have several onetime events in 2020 that gave some breathing room (such as BWC Rebates, CARES Act, Water Works payment on Petoskey street repair and the \$75,000 donation from Columbia Township for the Murray Path). The other issue the Village faces is how do we communicate our current fiscal issues with our residents. We need to come up with a plan that gives assurance that the Village will be in financial stability well into the future. We cannot just raise taxes without doing the rest of the analysis. We have been on this trend for 10 years beginning with the removal of the Estate Tax which brought in approximately \$300,000 per year. We addressed that when we did the Safety Services Levy in 2017. The levy was supposed to 8 years, but it was spent the first year and every year thereafter. We need a holistic view. In the past we could have looked at shared services. The Village has fiscal disadvantages to some other neighboring communities such as a limited tax base, small commercial and industrial zone. 70% of the Real Estate taxes goes to the School District. He believes that the Village has a high cost on the operation side and need to look at that as much as possible. When staffing levels are compared to other communities, we have more people on board. Some communities have volunteer fire departments and private swim and tennis facilities. He would like to see Fiscal Officer Borgerding and Mayor Brown in the next 30 days come up with an analysis about where our current tax burden is and see where we stand. He would like the focus to be on 1) Earnings Tax, 2) Real Estate Taxes 3) Fees to Residents (such as trash). We need this data before we ask for a tax levy. He would also like to see in the next 30 days an analysis of how much additional revenue does the Village need to address the restoration of reasonable cash reserves. It is not reasonable when compared to other communities. Without those one-time money events last year, we would be looking at the State coming in and putting us in fiscal emergency. We need to address: 1) How do we restore reasonable cash reserves, 2) How do we address the current annual deficit with the current operating structure 3) How do we deal with the Kellogg's issue 4) How do we come up with enough money for street repairs, pool repairs, trees, parks etc. 5) Sewer repairs and replacement. Fiscal Officer Borgerding said with tax season he will do what he can in the next 30 days. He asked for two months. Mayor Brown said he would be available to help with the analysis. Mr. Stelzer asked if something could be put together in the next 30 days to communicate to the residents. Mayor Brown said he would be reluctant to put something out to the residents until information is available. Mr. Stelzer said the communication can be that the Village has a bit of breathing room, but we do need to deal with these issues. He will send his PowerPoint presentation to members of Council.

Resolutions:

"Resolution to Update Swimming Pool Fees" had a third reading. Dr. Lewis said she talked with Pool Manager Schad who indicated that currently there is not a policy in place regarding children attending and have to pass a test to come unattended. Ms. Schad said she knows the kids sufficiently. Dr. Lewis wants to look at Terrace Park and Indian Hill to see what they do. She will gather the information for the March 8, 2021 Council meeting. Mr. Stelzer voiced to vote for the Resolution as proposed to include the lower age limit for individual memberships. Ms. Palazzolo said we do not know the impact with our liability insurance carrier. She believes it is something that should be checked into prior to a final decision. Mr. Stelzer said he is trying to make this process move fast for the pool people due to their marketing plan. After discussion, Mrs. Rankin moved, seconded by Dr. Lewis to table the Resolution until the next Council meeting. On roll call; six ayes, no nays. Mr. Stelzer said in the future he would like Council to address issues well in advance.

"Resolution to Update Tennis Court Fees for the Season" had a third reading. Mr. Bartlett moved, seconded by Mrs. Ranking to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-5-21 was adopted.

"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 Elissa Wendler as Part-Time IT Administrator for Calendar Years 2020 and 2022; and To Set Compensation" had a second reading.

To Authorize the Solicitation of Bids for the Murray Avenue Multi-Use Path; 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 reading. On roll call; six ayes, no nays. The Resolution had a second and third reading. Mr. Bartlett moved, seconded by Mrs. Rankin to adopt the Resolution. On roll call; six ayes, no nays. Mrs. Rankin moved, seconded by Mr. Bartlett to invoke the emergency clause. On roll call; six ayes, no nays. Resolution No. R-6-21 was adopted.

Ordinances:

“To Amend Mariemont Code of Ordinances Chapter 95 Parks and Recreation: Municipal Swimming Pool” had a second reading. Mr. Bartlett moved, seconded by Mrs. Rankin to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-12-21 was adopted.

Solicitor McTigue said the following four Ordinances regarding residency requirements are no longer constitutional.

“To Amend Section 34.02(A) of the Mariemont Code of Ordinance Regarding Residency Requirements for Marshal” had a second reading.

“To Amend Section 31.076(A) of the Mariemont Code of Ordinances Regarding Residency Requirements for Administrator” had a second reading.

“To Amend Section 31.004 of the Mariemont Code of Ordinances Regarding Residency for Police Chief” had a second reading.

“To Amend Section 31.060(A) of the Mariemont Code of Ordinances Regarding Residency Requirements for Street Commissioner” had a second reading.

“To Amend Ordinance O-16-20 of the Mariemont Code of Ordinances to Increase Payment for Employees” had a second reading.

“To Repeal Ordinance No. O-10-20 Pertaining to Maximum Pay Rates for All Grades of Recreation Employees and To Enact New Legislation Pertaining To Maximum Pay Rates for All grades of Recreation Employees” had a second reading.

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

Mr. Bartlett asked if something was sent to the Town Crier regarding the stickers. He was going to send something regarding Organizational Structure. Mrs. Rankin said she coordinated with Ms. Uhrig to get something in the March issue and will do the same for the April issue.

The meeting adjourned at 7:55 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer