

**Village of Mariemont
Regular Council Meeting
March 22, 2021**

Mayor Brown called the meeting to order at 6:33 p.m. Present was Mr. Bartlett. Virtually present due to the COVID-19 pandemic were Dr. Lewis, Mrs. Rankin, Ms. Palazzolo, Mr. Stelzer, Fiscal Officer Borgerding, Engineer Ertel, Building Department Assistant Aileen Beatty, Assistant Fire Chief Feichtner and Superintendent Scherpenberg.

Dr. Lewis moved, seconded by Ms. Palazzolo to excuse Mrs. Graves from the meeting. On roll call; five ayes, no nays.

Mrs. Rankin asked that the Council minutes from March 8, 2022 be amended to indicate "Mrs." Rankin under communications. Mr. Bartlett asked that the minutes be changed under Motion to Pay the Bills to read "We are not consistent across the board and he would like to see more consistency".

Mrs. Rankin moved, seconded by Mr. Bartlett to amend the minutes for the Council meeting March 8, 2021. On roll call; five ayes, no nays.

Mr. Bartlett moved, seconded by Mrs. Rankin to accept the amended minutes for the Council meeting March 8, 2021. On roll call; five ayes, no nays.

Communications:

*From McGrath Consulting Group: Proposal to Conduct Assessment of Fire/EMS Delivery & Future Service Options of the Mariemont Fire & Rescue. Mr. Bartlett said he has reached out to other consulting firms. The costs are Kramer & Associates \$7,400, McGrath Consulting Firm \$18,250 and ESCI \$33,000-\$36,000.

Council agreed to not spend the money for a proposal from ESCI. Mayor Brown said it would make sense to wait to get the report from Mariemont Assistant Fire Chief Feichtner and Little Miami Fire & Rescue Chief Terry Timmers. Mr. Bartlett said Council should still get an objective 3rd party report regardless. Dr. Lewis said she agreed with waiting until the report is finalized by Assistant Fire Chief Feichtner and Chief Timmers. One aspect of the McGrath proposal she liked was they incorporated talking with stake holders. She would like to see if Kramer & Associates would do the same and if that would increase the cost. Mrs. Rankin pointed out that Kramer's proposal also says they will meet with all stakeholders.

Mr. Stelzer said we have been talking about the fire department options for 6 months. One complaint he has heard is that members of Council are not qualified enough to evaluate the options for the fire department. From reading the gentleman's resume he is more than qualified to be able to consult with Council about potential options regarding potential sharing of fire services. He sees no reason to not move forward and not delay this to death.

Assistant Fire Chief Feichtner said he will meet with Chief Timmers to gather data and they will prepare a report to be submitted for the next Council meeting. Mr. Stelzer asked that the data be shared with the consulting firm. He sees no reason to delay. Mayor Brown said he sees no reason for urgency. It is a very big decision and Council has yet to have correspondence with residents on this. There is no formal proposal on the table. Mr. Stelzer said he requested data two months ago that he still has not received – there have been delays in this process. Ms. Palazzolo does not think this is rushing a decision. It is a reasonable offer from a qualified candidate to do analysis.

Dr. Lewis asked for Assistant Fire Chief Feichtner's input. He said he and Chief Timmers will meet to weigh the options. Last week was the first time had seen something in writing of what could potentially take place. There are concerns from both departments about providing adequate service with the original proposal. Mr. Stelzer asked if Assistant Chief Feichtner thought it was reasonable to have two fully staffed fire departments one mile away from each other. Assistant Fire Chief Feichtner replied for the situation that it currently is – yes. It is not Mariemont's fault there is a firehouse one mile away. Ultimately the Mariemont Fire Department is here to provide services to the community of Mariemont. Mr. Stelzer asked how far apart the fire houses in Sycamore Township are where Assistant Fire Chief Feichtner also works. He responded 4 miles with Mr. Stelzer saying it is 5 miles and asked if residents of Sycamore Township do not have adequate coverage. Assistant Fire Chief Feichtner said the operations of Sycamore Township are different than those of Mariemont, Columbia Township and Fairfax. Mr. Stelzer said the evaluation of doing nothing has to get a full analysis for both communities. Mayor Brown said no one is suggesting we default to do nothing but simply asked to have it added to the scope of work for evaluation.

Assistant Fire Chief asked what information Mr. Stelzer was not provided with. Mr. Stelzer said he asked Chief Hines for the analysis of how Mariemont could provide fire service to the residents of Columbia Township and Fairfax. Assistant Fire Chief Feichtner clarified that he was not asked to provide the information nor is he hindering the process. In his professional opinion, the cart was put way before the horse. When the meeting was had with Chief Timmers and members of the fire board, we could have properly prepared something that might work. There are a lot of moving parts. This will give us the ability now to look to see what potential problems or

benefits this potential plan could do for all communities. He has told Mr. Kubicki and Mr. Lemon the Little Miami Fire and Rescue is a broken model and is set to fail. A potential option is all three communities sit down at a table with fire officials and look at a plan that includes everything such as personnel, apparatus, apparatus replacement plans, gear needed etc. in which each community agrees to equally fund the service. If the Village is forced to join the district, we know from 2009 when the residents voted in favor of staying with our own fire department and not paying 60% of the budget for 3 communities. As long as each community is paying equally, and each community has equal service our goal is to provide adequate protection to keep all residents safe.

Mr. Stelzer recommended and Council agreed to hold off making a decision on the consulting firm until a representative of Council, a representative of Little Miami Fire Board meet with Chief Timmers and Assistant Fire Chief Feichtner.

*From Police Chief Hines: February 2021 Monthly Report

*From Council Member Bartlett: Email Dated March 16, 2021 re: information of 3rd Fire/EMS Consultant

*From Kramer & Associates, fire & EMS Consultants: Company Information , References and Bios

*From Mills Fence and Eads Fence: Estimates for Fence at Pool.

*From Service Superintendent Scherpenberg: Memo Dated March 17, 2021 re: Outsourcing Mulching. Mayor Brown referred the matter to the Public Works and Service Committee.

Mayor Brown said he and Superintendent Scherpenberg will be meeting with the insurance adjuster to look at the damage at the pool and the batting cage. Mr. Stelzer said if we wait too long it may be hard to get the work done prior to the opening of the pool. We have two estimates. There is wind damage on the main pool house and a tree fell on the gazebo. The roofs are estimated to be 25 years old. The estimates include bringing the roofs up to code and putting down ice shields. The question is whether to install gutter and downspouts. It was agreed to have that work included. Mr. Stelzer said he will contact two more contractors for bids. Solicitor McTigue said due to the emergency repair we do not need to pass legislation – a simple vote of Council will suffice. Mr. Stelzer moved, seconded by Ms. Palazzolo to approve the cost for the pool not to exceed \$23,500 plus permit costs. On roll call; five ayes, no nays.

Permission To Address Council:

Motion To Pay Bills:

Mrs. Rankin moved, seconded by Mr. Bartlett to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. Mrs. Rankin asked about the window damage in the K-9 unit and asked if was covered by insurance. She said she would reach out to Chief Hines. On roll call; five ayes, no nays.

Committee Reports:

Mrs. Rankin moved, seconded by Mr. Bartlett to accept the recommendation of the Rules and Law Committee which met on March 17, 2021 at 2:00 p.m. Attendees included: Mayor Bill Brown, Administrative Assistant Joanee Van Pelt, Committee Members Maggie Palazzolo, Marcy Lewis and Rob Bartlett. The Committee discussed recodifying the Mariemont Code of Ordinances. It was agreed to proceed, and funds have been allocated. Council planned to do this in 2020, but postponed due to financial uncertainty brought on by COVID-19. The cost will not exceed \$11,000 plus shipping. It will include an online version of the code, which we currently have. Additionally, to reduce costs, the Committee recommends doing this on a more frequent basis going forward. The Committee recommends that the Solicitor prepare the necessary legislation for the next Council meeting. The Committee also discussed implementing a social media policy. More research is being done on various policies other organizations use, so there is no action at this time. Solicitor McTigue will prepare a Resolution out of an abundance of caution and transparency for the next meeting. On roll call; five ayes, no nays.

Ms. Palazzolo moved, seconded by Mrs. Rankin to accept the recommendation of the Finance Committee which met on Wednesday, March 17, 2021 at 5:00 pm via video to discuss the purchase of new software for Mayor's Court. Present at the meeting were Finance Committee Chair Rob Bartlett, Finance Committee Members Kelly Rankin and Joe Stelzer, Mayor Bill Brown, Police Chief Rick Hines, Clerk of Courts Vikki Hill, and Robin Kemp who is Clerk of Courts for Amberley Village. The Finance Committee reviewed the purchase request submitted by the Police Department for new Mayor's Court software. The current software (RCIC) is only being used by three municipalities and is being sunsetted by the developer. The majority of municipal Mayor's Courts (including Amberley Village) are using software developed by The Baldwin Group, Inc (BGI). The quote we have received from BGI is for \$15,082 and is good until June 10, 2021. This will cover full licensing costs, as well as support and maintenance for the remainder of 2021 and all of 2022. We have the option to pay this over 18 months with no financing charge, with \$8,361 occurring in 2021 and \$6,721 in 2022. This was not included in the budget, as the situation was only discovered with the turnover in the Clerk of Courts role. There could be an opportunity to offset this cost, though, as it appears that Mariemont is not charging the full amount that it could for tickets it issues. For now, we would recommend charging this software to the Police budget. However, if we are successful in increasing some of the

fees associated with issued tickets, this charge would then be moved to the Mayor's Court Computer Fund. The Finance Committee recommends that council approve the spending of \$15,082 for this new Mayor's Court software, with \$8,361 occurring in 2021 and \$6,721 in 2022, and for now being charged to the Police budget. The Finance Committee also recommends putting into this committee an investigation of if we are charging the full amount that we can for tickets issued by our police.

Mayor Brown thanked Robin Kemp, Mayor's Court Clerk for Amberly Village, for helping with the training for our new clerk Vikki Hill. With the personnel turnover, we were unaware that old software was not sufficient. Mayor Brown referred to the Finance Committee assessing the Mayor's Court Computer Court Fee. Solicitor McTigue will prepare the necessary Resolution. On roll call; five ayes, no nays.

Miscellaneous:

Village Offices will be Closed in Observation of Good Friday April 2, 2021

Remind Residents of the Upcoming Council Seats should they have an interest in running. Mr. Bartlett said an article will be in the April and May edition of the Town Crier. Mr. Bartlett asked that the information be posted on the Village website.

Resolutions:

"To Appoint Alicia Cline as a Member of the Pool Commission, To Fill the Unexpired Term of Leesa Blanding, for the Calendar Years 2021 and 2022" had a second reading.

"Resolution Declaring the Necessity of Levying a Tax in Excess of the 10 Mill Limitation for Permanent Improvements and Requesting the County Auditor to Certify Matters in Connection Therewith" had a first reading. Fiscal Borgerding said this is a renewal of the smaller Permanent Improvement Levy first passed in 1981. This is required paperwork to get it on the November ballot.

Ordinances:

"To Amend Section 51.17 of the Mariemont Code of Ordinances, Fees for Garbage and Refuse Pick Up" had a third reading. Mrs. Rankin moved, seconded by Ms. Palazzolo to adopt the Ordinance. On roll call; five ayes, no nays. Ordinance No. O-19-21 was adopted. Mr. Bartlett asked that the website information be updated to reflect the change.

"Ordinance to Amend O-9-21 Establishing a Tree Advisory Board in the Village of Mariemont and Creating New Section 37.06 of the Mariemont Code of Ordinances; 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; five ayes, no nays. The Ordinance had a second reading. The Ordinance was passed on February 8, 2021 after three readings. It is missing in Section I(a) the words "Voting" and "Non-Voting". It is being passed on an Emergency so it can be included in the code recodification. The Ordinance had a third reading. Dr. Lewis moved, seconded by Mrs. Rankin to adopt the Ordinance. On roll call; five ayes, no nays. Mrs. Rankin moved, seconded by Mr. Bartlett to invoke the emergency. On roll call; five ayes, no nays. Ordinance No. O-20-21 was adopted.

Mr. Stelzer said the bids were collected for the Murray Path project. Six bids were received with 4 being under the original estimate. \$175,000 has been raised privately. The Village Engineer is in the process of evaluating the contractors. He will submit a recommendation to Council. It was agreed to hold a Special Meeting of Council either Thursday March 25, 2021 or Friday March 26, 2021 to discuss and award the project. In addition, added to the agenda will be discussion of the pool fence project.

Mayor Brown referred to the Finance Committee the healthcare renewal for full-time employees.

Mr. Bartlett said for the next meeting he would like all Council members to think about members for the Audit Committee.

Ms. Palazzolo asked to have the review of MCO in the Rules and Law be removed from the Rules and Law Committee.

Mayor Brown referred to the Rules and Law Committee fences related to corner properties and chain link fences.

Ms. Palazzolo gave a brief update on the DORA legislation. She will contact the State of Ohio to check on the paperwork. She and Mayor Brown are working on the signs and Chief Hines is ordering the cups.

The meeting adjourned at 7:40 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer

