

**Village of Mariemont  
Regular Council Meeting  
May 10, 2021**

Mayor Brown called the meeting to order at 6:32 p.m. with the Pledge of Allegiance. Present were Mr. Bartlett, Mrs. Graves, Dr. Lewis, Ms. Palazzolo, Mrs. Rankin and Mr. Stelzer.

Mr. Bartlett moved, seconded by Ms. Palazzolo to accept the minutes as written for the Council meeting April 26, 2021. On roll call; six ayes, no nays.

**Communications:**

\*From Police Chief Hines: April 2021 Monthly Report

\*From Assistant Fire Chief Feichtner: April 2021 Monthly Report

\*From Superintendent Scherpenberg: April 2021 Monthly Report

\*From Tax Administrator Darrah: April 2021 Monthly Report

\*From Assistant Fiscal Officer Wendler: April 2021 Monthly Report

\*From Council Member Stelzer: Email Dated May 7, 2021 re: Additional Items to be Discussed – Consumption of Alcohol at Certain Pool Events, Age Requirements/Policy for Pool, ODNR Nature Works Grant Program.

Mr. Stelzer informed Council of the following: The Village does not have a liquor liability provision with our insurance carrier. Therefore, our carrier does not provide liability insurance for BYOB events. Signed waivers are not sufficient. In order to allow alcohol at events on Village property it would require a temporary change to the Ordinance. Our insurance company is not aware of any coverage that could be provided for BYOB events. It is possible to get coverage if the Village was selling the alcohol under an F-2 permit or D-4 permit. It is possible to bring in a vendor and sell the alcohol under their permit. A State of Ohio F-2 permit is \$100-\$200 (only one every 30 days), and a D-4 is \$500-\$1,000. He does not recommend due to the fact that many of the employees at the pool are not of age to sell alcohol and are not familiar with the responsible server statutes regarding serving alcohol. Mr. Stelzer moved, seconded by Ms. Palazzolo to recommend that no BYOB will be allowed; use a food truck vendor and beer vendor and only allow the consumption of alcohol for up to three adult parties at the pool; and third-party vendor must supply proof of adequate liquor liability insurance coverage and obtain the proper state permits and the Mayor will work with the Pool Board going forward. On roll call; six ayes, no nays.

Regarding age requirements at the pool, Mr. Stelzer said in the past children 8 years and under had to be accompanied by an adult, unless they passed an intermediate swim test. There was concern by our insurance company and some members of Council that it was too young. He benchmarked other communities and shared the information with Council. The insurance company recommended age 15 which Council felt was not realistic. After discussion, Mr. Stelzer moved, seconded by Mrs. Rankin to recommend children ages 12 and under must be accompanied by an adult, however, children ages 10-11 who have passed the swim proficiency test may go unaccompanied by an adult. On roll call; six ayes, no nays. Mr. Stelzer will inform the insurance company of the recommendation.

The ODNR Nature Works Grant Program will help fund recreational facilities \$75,000-\$100,000. To come up with a project of that scale for pool/tennis became complex and projects such as a water slide or complete remodel of the wading pool will take time. The tennis courts are not in great shape (almost 30 years old) with cracks that are somewhat significant. Currently they require annual maintenance and painting. Long-range plans need to be studied and written for Permanent Improvements. For the future, the Village needs to completely assess the pool and tennis facilities; develop a daily, weekly and annual plan for both; and have a clear sign on who is responsible for these plans, such as a Village employee. Council agreed to not apply for the Nature Works grant at this point and to gather an assessment and development/maintenance plan on an annual basis and develop a written long term capital plan. Mr. Stelzer said we need to get with Mariemont Schools to see the level of support. There was an agreement made in 1975, but he does not think it is still in force.

\*From Council Member Stelzer: Murray Path Landscaping Plan. Resident Martin Koepke has volunteered his time and has been working on this for the past year. He was assisted by Matt Ayer and Lisa Wharton. Mr. Koepke came up with a comprehensive plan which has been shared with residents for input which he shared with Council. The plantings were selected due to the low maintenance. Who will maintain the path is still to be determined. The planting will be done in the fall while the boulders will be placed as the path is being constructed. Mr. Stelzer will provide Council with an estimate of future landscape purchases which will be paid with money from fundraising. Mr. Stelzer moved, seconded by Mr. Bartlett to approve the conceptual landscaping plan and the purchase of the landscape boulders. On roll call; six ayes, no nays.

### **Permission To Address Council:**

Mr. Grant Karnes, past Village resident and past President of Ohio Valley Porsche Club of America, and current Chair of the Porsche Rallye of Milford, was granted permission to address Council. There is interest in bringing the event back to the Village of Mariemont. It is a community event that started in 2012 and was well received with the residents and the Village businesses.

Mr. Bill Altvater, was granted permission to address Council, and said they are looking forward to the community event which is planned for September 18, 2021. It is a positive merchant/citizen event. They are looking forward to working with Council to plan a memorable event.

Council agreed the event would be good for the Village and named Mr. Bartlett as the Council Representative for the planning Committee.

Assistant Fire Chief Feichtner was granted permission to address Council. There has been discussion to find ways to try and develop a new system that would provide adequate emergency services within Mariemont, Fairfax and Columbia Township. He and Fairfax Chief, Terry Timmers, have potentially constructed a model that would benefit all communities interested in a "Shared Services" model. Basically, it would be to erase and start fresh. He feels strongly that the input from the community should be heard. The decision of Council will be impactful for years to come. What they have proposed is to combine what we have now from two firehouse to one staffed with a combination of full-time and part-time personnel. It would provide two ambulances and a pumper truck at all times. Presently, there is a lot of overlapping when both Mariemont and Little Miami are out at the same time limiting coverage in the area. While this is being looked into, we need to coddle what we have right now and appreciate the department as we have it today during this process. We will be looking at the report from Kramer and Associates while also looking at different funding options. He is not a fan of the way the Little Miami District is set up taxing each community. The way it is set up, Mariemont would be paying 60%. Some sort of shared services in this area would be a good thing, it just has to be done the right way.

Ms. Kate Fenner, 3901 West Street, was granted permission to address Council. She pleaded that the Fire Department transition process be open and transparent with an in-depth process. Many of us in Emery Park, Jordan Park, Nolen Park and Livingood Park are very happy with the service they see currently and are comfortable and secure with the response time from the Fire Department. We are concerned that it may change. Part of the security of living in the Village is knowing how well we will be taken care of. She urged Council to take a great deal of time when considering this and to have as much interaction with the citizens as possible.

Ms. Aileen Beatty, Assistant Building Administrator, was granted permission to address Council. She submitted to Council a report regarding assessing the department and the appropriate level of staffing needed. She will look in depth at the impact of outsourcing to XPEX. As she reviewed the contract with XPEX, she came up with a new idea/recommendation as an alternative for the Building Department. The report was a collaboration of work by herself, Don Keyes, Marty Simon and Bill Fielder. Their findings show that not much change is needed to hit the break even point. Mayor Brown suggested given the timing of the report to Council, that the first reading of the XPEX legislation be read and the matter referred back to the Finance Department for further discussion and examination.

### **Motion To Pay Bills:**

Mrs. Graves 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.

### **Committee Reports:**

Ms. Palazzolo moved, seconded by Mr. Bartlett to un table chain link fences in the Rules and Law Committee. On roll call; six ayes, no nays. Ms. Palazzolo said she received an email regarding chain link fences from Ms. Beatty. She will forward to all of Council for addition to the agenda for the next Council meeting.

### **Miscellaneous:**

Village Offices will be closed in Observation of Memorial Day Monday May 31, 2021

4<sup>th</sup> of July Fireworks will be held on Sunday July 4, 2021 at Dusk

Village Office will be closed in observation of Independence Day Monday July 5, 2021

Mayor Brown said Engineer Ertel will send to Council a brief update on the Right-of-Way fee.

Mayor Brown said the sticker buy-back program is underway and is successful.

**Resolutions:**

“Authorizing Purchase of Mayor’s Court Software from the Baldwin Group, Inc. (BGI)” had a third reading. Mrs. Rankin moved, seconded by Dr. Lewis to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-13-21 was adopted.

“To Authorize the Recodification of the Mariemont Code of Ordinances” had a third reading. Ms. Palazzolo moved, seconded by Mr. Bartlett to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-14-21.

“Fixing a Time for Public Hearing on the 2022 Budget” had a second reading. Fiscal Officer Borgerding said he will run the numbers by the Finance Committee prior to the hearing.

“Authorizing Subscription to Lexipol Software to Assist Police and Fire Departments” had a second reading.

“To Accept Bid of Supreme Scapes for Mulching Required Ares of the Village” had a second reading.

“Resolution Appointing Members to the Tree Advisory Board” had a second reading.

“To Amend R-12-21 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. 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 Hamilton County requires the Resolution to be amended to include language that was adopted in 2018. The Resolution had a third reading. Mrs. Rankin moved, seconded by Ms. Palazzolo 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-15-21 was adopted.

“To Enter Into Contract with XPEX for the Purpose of Enforcing the Building Codes Applicable to the Village and To Issue Related Permits; And To Declare Emergency” had a first reading. Mrs. Rankin moved, seconded by Ms. Palazzolo to remove the Emergency Clause. On roll call; six ayes, no nays. The Resolution will have the second reading at the next Council meeting. Solicitor McTigue said if there are any changes to the XPEX contract to please let him know.

**Ordinances:**

“An Ordinance Amending Ordinance No. O-32-98 Establishing a Restricted Computer Fund, Herein Called Mayor’s Court Computer Fund” had a third reading. Mr. Bartlett moved, seconded by Mrs. Rankin to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No O-22-21 was adopted.

“Creating the Position of Zoning Officer for the Village of Mariemont, Establishing Compensation Therefor, and Declaring an Emergency” had a first reading. There was no motion to suspend the rules to allow for the second and third readings. The Ordinance will have a second reading at the next Council meeting.

The meeting adjourned at 8:05 p.m.

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William A. Brown, Mayor

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Anthony J. Borgerding, Fiscal Officer