

**Village of Mariemont  
Regular Council Meeting  
October 25, 2021**

Mayor Brown called the meeting to order with the Pledge of Allegiance at 6:31 pm. Present at the meeting were Mr. Bartlett, Mrs. Graves, Dr. Lewis, Mrs. Rankin, Mr. Stelzer, and Mr. York.

Mr. York moved, seconded by Mrs. Rankin to accept the minutes of October 11, 2021, as written. On roll call: five ayes, no nays, with Mr. Stelzer abstaining.

**Communications:**

\*From Zoning Officer Van Stone: September 2021 Monthly Report: Mrs. Rankin thanked Mr. Van Stone for the report. Mr. Bartlett questioned if we are still looking for a permanent replacement for the job. Mrs. Rankin said that is done. Mr. Rod Holloway had accepted the position and will start November 1, 2021. Mr. Van Stone said he will stay on for a while to get some things cleaned up and help Mr. Holloway get acclimated.

\*From Pool Commission: Pool Commission Meeting Minutes 10/10/2021 and From Council Member Joe Stelzer: Pool Operations Analysis: Mayor Brown said a decision has not been made if we will just hire another pool manager or a pool management company, so we will pursue both avenues. Mr. Stelzer has met with a couple of pool management companies and they offer a range of things they do, including opening and closing for the season, taking care of the chemicals and so on or we may use a hybrid method of having an individual person as the manager and have the pool management company run the 'behind the scenes' operation like caring for the facilities, staffing, etc. Mayor Brown said he thinks we should keep the concession stand as a separate entity. Mayor Brown said he believes we need a resolution to put the contract for a pool management company out to bid. Mr. Stelzer said we are just putting this out for bid at this time, but we are not entering into a contract. He said the threshold that requires us to go out for bid is \$50,000 and we will not know if that is how much it will be until the bids come in. Solicitor McTigue said we can place an ad for bids without a resolution. Mr. Stelzer said at this point we are just doing gathering information, including if there is someone who could be the manager. Mr. Stelzer said the goal is to make a decision before the holidays. Mr. Stelzer said he had provided a pool operations financial analysis and there is one question regarding the \$125,000 that had been allocated from the Permanent Improvement Fund for improvements at the pool. So far in 2021 we are in budget, but there were some items that needed to be looked at such as finding the leak. Mr. Brown said he met with the company about the extent of the work that needs to be done to fix the drain pipe leaks and it could be expansive. Mr. Stelzer said we have a little bit of funds remaining to be spent on the pool this year and the leaks have to be fixed.

\*From Council Member Randy York: Town Crier Surveys: Mr. York said we used to publish Council Minutes in the *Town Crier*, but that was before the minutes were available online or anywhere else. One of the things we would like to do is surveys by setting up an email account where residents could answer survey questions, such as limiting parking on certain streets during leaf collection. He would like to start this as soon as possible so we need an answer to this sooner rather than later. Dr. Lewis said it is better to ask people to answer on a scale of 1 to 10 rather than yes or no. It helps to determine where residents really stand on an issue. Mr. York explained that the Service Department would have to manage no parking during leaf collection by rotating the streets where parking would not be allowed at certain times, etc. Mr. Scherpenberg has said having to go around parked cars is the biggest problem during leaf collection. Mr. Stelzer said the surveys would have to be limited to certain topics and should include some back story for asking the questions. Mr. York said this could also be done in an email blast. Members of Council all agreed this is a good idea and that Mr. York should go ahead with it.

\*From Kellogg's: Worker Adjustment Retraining Notification (WARN): Mayor Brown said this is somewhat good news, because the original number of employees Kellogg's thought would be leaving was 250. So far, they plan to let go 73 employees. There have been 100 who have already left due to natural attrition and there are about 43 who have volunteered to leave to accept other jobs. That is 216, which is slightly less than the 250 we thought would be gone. What he would like to get from Kellogg is what the remaining number of jobs there will be. Originally, there were about 530.

**Permission to Address Council:**

Bob Van Stone of 4050 Lytle Woods Place, Mariemont, Ohio was given permission to address Council and he read the following statement: There has been a lot of discussion concerning spending and finances by this council. There should

also be discussion of wasted expenditures. Based on the request at the last council meeting, the costs associated with the study and investigation of the Fire Department issues total \$173,904. This includes the cost of Mr. Kramer, the consultant, the solicitor, along with village employees in the Fire Department, Police Department, and the related administrative support. A little bit of effort with the Fire Department could have eliminated the need for much of this expense. When a candidate for council re-election publicly brags about saving the village over \$155,000, he does not consider the additional expenses that have been incurred. In addition, he has stated in Council meetings that he saved \$40,000 in the Building Department which has not occurred and has not been documented. Those two expenses alone drop the savings and added expense to a total of almost \$214,000. This adds up almost \$59,000 more than the reported savings. In addition, this and similar crusades has demoralized the employees of the Village. The latest shoe to drop is the resignation of the Pool Supervisor. This was an unforced error and will result in potential issues with pool operations and spending a significant amount of time and possibly money to right the ship. These kinds of divisive activities must stop.

Bill Kramer, the fire/EMS consultant of Kramer & Associates, stated that he was honored to do the study for the fire department. He is not officially on the agenda for tonight. He believes that will be scheduled at a later date. He just wanted everyone to know that he is here and will be around after the meeting to answer any questions. He has met three or four times with the fire chief and they had discussed ways to economized based on the model that was approved at the last meeting. Mayor Brown thanked Mr. Kramer for sticking with the Village going forward which is very generous on his part. Mayor Brown said he would be sure that Mr. Kramer would be on the agenda for the November 22<sup>nd</sup> meeting. Mr. Bartlett asked if Mr. Kramer could send Council any suggestions he has for reducing expenses in advance of that meeting. Mr. Kramer said he would be happy to do so.

Mr. Bartlett asked Mr. Stelzer if there was an update on how much we have left to spend on Murray Path and how that stands overall, including the reimbursements from Hamilton County. Mr. Stelzer said the numbers he shared about 60 days ago are probably still valid. They are in the process of grading right now but rain had caused some problems with the storm sewers. The key swing number at this point is the amount of top soil that has to come in. We probably will not need the supplemental funds. When it is finally finished there will be some sort of ribbon-cutting.

#### **Motion to Pay the 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. On roll call: six ayes, no nays.

#### **Committee Reports:**

Mayor Brown said there were no committee reports on the agenda, but he would be making some assignments. We are going to move the Building Department Fees into Public Works. Mrs. Graves said she would like to move the issue of parking on West Street back to her committee because there is a real problem there. Mayor Brown said he was going to create two temporary sub committees with one being Economic Development and the other being Village Administrator and Strategic Planning. Mrs. Rankin suggested that she would be on Economic Development with Dr. Lewis and Mr. York and she would be on the other committee with Mr. Bartlett and Mr. York. Mr. Bartlett said this will set them up to look for a consultant for Economic Development. Mrs. Rankin said this puts the proper people in the proper place. Council agreed through a show of hands.

#### **Miscellaneous:**

Mayor Brown made the following miscellaneous announcements:

- Beggar's Night will be Sunday October 31, 2021 from 6:00 p.m. to 8:00 p.m.
- Leaf Season will begin Monday October 25, 2021 and run through Thursday December 23, 2021. ***Don't rake leaves into the street. Rumpke will take bagged leaves if residents don't want to wait for the leaf vacuum truck.***
- The Council Meeting for December will be on the third Monday of the month, December 20, 2021.
- Village offices will be closed November 25-26 for Thanksgiving.
- Pool RFP (it is now on the website)

## **Resolutions:**

“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 an Emergency” 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. York asked what the purpose of this resolution is. Mr. Borgerding explained that it lets us know how much money we will receive from the various tax levies. Mrs. Rankin moved, seconded by Mr. Bartlett, to adopt the resolution. On roll call: six ayes, no nays. \*\*Resolution R-53-21 was adopted.

“Resolution Authorizing the Filing of an Urban Canopy Restoration Grant Application with the Ohio Department of Natural Resources, and to Declare an Emergency” Mayor Brown asked Mr. Jason Brownknight to speak about the grant. He said that this is a very rare grant opportunity from the Ohio Department of Natural Resources (ODNR). They usually don’t have funding to plant trees. The grant will be a 50/50 match. The Tree Committee is looking at using funds already approved in the Service Department budget. We will use about \$6,800 cash match. We will ask for \$8,000 from the grant to plant 40 trees. Some of the trees will be planted along Mariemont Avenue and most of the rest will be planted along Homewood, Settle, and other streets in District 6. Dr. Lewis said the Tree Committee has been hard at work assessing these areas and they deserve a lot of credit. Mr. Bartlett moved, seconded by Mr. York, 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. Mrs. Rankin moved, seconded by Mr. York, to adopt the resolution. On roll call: six ayes, no nays. \*\*Resolution R-54-21 was adopted.

“Resolution Approving Interfund Advance of \$125,000 from the General Fund to the Paramedic Fund; and to Declare Emergency” 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. Borderding said the paramedics get paid from the Paramedic fund for the first half of the year and from the firefighter budget in the General Fund the rest of the year. With the new system, we will be able to break it down throughout the year. Mrs. Rankin moved, seconded by Mr. York, adopt the resolution. On roll call: six ayes, no nays. \*\*Resolution R-55-21 was adopted.

“Authorizing the Sale of 2003 Seagrave Series/Model JB4ODD Fire Apparatus and Declaring an Emergency” 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. Stelzer asked if this resolution was on the agenda. It was explained that it was on a revised agenda that had been sent out. Mr. Stelzer asked if it had been revised and sent out on time to be on tonight’s agenda. Solicitor McTigue said the Village had been presented with an offer from Park Hills for the purchase of the fire truck that we are not using. He said he is uncomfortable passing the resolution because the agenda was not revised until today. He said someone could challenge if it had been done correctly, particularly because it is being passed on an emergency basis. He suggested Council hold a special meeting on Thursday, which everyone agreed with. Mr. Stelzer said he was uncomfortable with the process of agreeing to the sale because it came out of the blue pretty quickly. He wanted to know how much of a marketing process we had gone through to make sure Park Hills is making the best offer. He said it was happening too quickly to identify any other potential buyers. Mayor Brown said he understands Mr. Stelzer’s point, but to assuage those concerns, Firefighter Mike Washington had prepared comps for us as to what other trucks of that year and vintage would be. Mayor Brown contacted a broker/dealer who deals in used fire equipment, but selling that way would require us to pay commission. Solicitor McTigue said the rules are different when one municipality is selling to another municipality. Assistant Fire Chief Dan Copeland said Park Hills had borrowed the truck because they have an historic station and needed to see if the truck would fit in the station. They offered \$125,000. He also wants Council to do the right thing, but he has been hounded for months about budgets and money. This sale is a plan that allows the Village to get some money back so we don’t have to rob Peter to pay Paul. He said it would also save us from having to pay for expenses on the truck, such as insurance and pump testing. We also need an ordinance to go along with this resolution and we can pass that tonight. Mrs. Graves moved, seconded by Mrs. Rankin, to table the resolution. On roll call: six ayes, no nays. The resolution was tabled.

## **Ordinances:**

“Ordinance Amending Section 151.04 of the Mariemont Code of Ordinances Regarding Fence Construction” (Third Reading) ***Tabled 7-12-21***

“An Ordinance Creating Position of Village Administrator” (Second Reading)

“Ordinance Amending Ordinance O-19-21 of the Mariemont Code of Ordinances and to Declare an Emergency” Mrs. Rankin moved, seconded by Mr. York, to suspend the rules to allow for the second and third reading. 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 O-27-21 was adopted.

“An Ordinance Authorizing Application and Contracting with the Ohio Public Works Commission; and to Declare Emergency” 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 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 O-28-21 was adopted.

“Ordinance Implementing a Policy Regarding the Sale or Lease of Municipal Property by Enacting New Chapter 38 of the Codified Ordinances of the Village of Mariemont and to Declare an Emergency” Mrs. Rankin moved, seconded by Mr. York, to suspend the rules to allow for the second and third reading. On roll call: six ayes, no nays. The ordinance had a second and third reading. Mrs. Rankin moved, seconded by Mr. York, to adopt the ordinance. On roll call: six ayes, no nays. \*\*Ordinance O-29-21 was adopted.

The meeting was adjourned at 7:48 pm.

\*\*The emergency clause was not invoked at this meeting but was done at the Special Meeting of Council on 10/28/2021.

---

William A. Brown, Mayor

---

Anthony J. Borgerding, Fiscal Officer