

**Village of Mariemont
Council Meeting
May 23, 2022**

Mayor Bill Brown called the meeting to order at 6:30 p.m. with the Pledge of Allegiance. Present were Mr. Bartlett, Dr. Lewis, Mrs. Rankin, and Mr. York.

Mrs. Rankin moved, seconded by Mr. Bartlett to excuse the absence of Mrs. Brownknight and Ms. Geldbaugh. On roll call; four ayes, no nays.

Due to a lack of a quorum to pass emergency legislation, Council agreed to have a Special Meeting of Council on Wednesday May 25, 2022 at 6:00. It was agreed to read the Planning & Zoning and Economic Development Committee report at the special meeting due to lack of Committee signatures on the report that was to be presented and voted upon.

Mrs. Rankin moved, seconded by Mr. York, to accept the minutes as written for May 9, 2022. On roll call: four ayes, no nays.

Communications:

*From Engineer Ertel: Memo Dated May 20, 2022 re: Hiawatha Avenue Grant Application Loan Offer. He said in October 2021, the Village submitted a funding application for the Hiawatha Avenue Rehabilitation Project. The project includes the rehabilitation of Hiawatha Avenue from Miami Avenue to Pocahontas Avenue. To total estimated project gross is \$220,000. This is comprised of a \$99,000 grant request from the Ohio Public Works Commission, a \$40,000 grant request from the Municipal Road Fund (Hamilton County) and \$81,000 in Village funds. The grant application was not successful. However, the Ohio Public Works Commission is offering a loan of \$99,000. The Village is expected to receive the \$40,000 from the Municipal Road Fund. If the Village accepts the loan, the project could be designed and bid in August 2022. Depending on the bids received, construction could be completed this year. With the current inflation, a lower bid price may be secured by bidding this project in October with construction starting in spring 2023. It would be a 20-year interest free loan with no penalty if paid off early. Response is needed within 30 days. Mayor Brown referred the matter back to the Public Works & Service Committee.

Permission To Address Council:

Ms. Mary Alice Maze, 6734 Chestnut Street, was granted permission to address Council. She addressed Council last July regarding chain link fences Ordinance section 151.04. She was told that tonight Council would be having a third reading regarding fences. When she looked it refers to section 151 which she believed to be something different and asked if Council was voting tonight on the chain link fence issue. Council was discussing corner fences which is a separate issue. She had questions regarding if property owners did not choose to take down their chain link fences. Mayor Brown said it will depend on the condition of the fence. If the fences are in disrepair and it needs to be replaced depending on the percentage of fence that needs to be repaired, it may need to be replaced with another acceptable type of fence. The acceptable fences for the Historic District have been fairly well established and are in place. Should the desired fence not be a recognizable fence, a property owner may come to ARB for a Certificate of Appropriateness. Mrs. Rankin said the current fence legislation does not address taking down current chain link fences. Ms. Maze said she heard that the Village incentivized property owners and management companies to put parking pads behind the building. Council answered no. The current pads in the back of properties were done solely at the cost of the owner.

Ms. Maureen Heide, 6727 Maple Street, was granted permission to address Council. She believes the vision of the Village is focused on fencing etc. when the issue is buildings are falling down and are in jeopardy of burning

down and wants to be on record stating she brought it to Council's attention. Using bobcats to tear down the fences was destructive to plants and trees planted by renters. The replacement fences are dog eared and will be in need of repair in a few years. She estimates that 50 trees were cut down in the past year. She questioned if they had permits to take down a tree next to her building. In December 2021 she indicated that she sent emails regarding the matter to members of Council and the Mayor but did not receive a response from anyone. Mayor Brown apologized for the mis-communication. He will follow-up with the Building Official and let Ms. Heide know the outcome of that conversation. Dr. Lewis said she will work on her end with Ms. Heide along with MPF and ARB members to help address issues and concerns.

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. Mr. York asked if the Tree Board paid for trees. Mayor Brown said the Tree Board provides recommendations but does not provide funding. On roll call: four ayes, no nays.

Committee Reports:

Mr. York moved, seconded by Mrs. Rankin to accept the recommendation of the Finance Sub-Committee which met on Wednesday, May 11, 2022 at 3:45 pm to discuss the Fiscal Officer role for Mariemont. Present at the meeting were Finance Sub-Committee members Rob Bartlett, Kelly Rankin and Randy York, and Mayor Bill Brown.

Rich Ford, a consultant who has been helping the Village in its transition to the UAN accounting system, has offered to become our part-time Fiscal Officer. Both Tony Borgerding and Eli Wendler (in her Assistant Fiscal Officer capacity) have previously announced their plans to step down by the end of this year. Mr. Ford would replace both of them. Attached is a Memorandum Of Understanding (MOU) on what tasks Mr. Ford would perform. Mr. Ford has been a Fiscal Officer for Mad River Township and for Emmanuel Christian Academy, and as such is very familiar with the responsibilities of a Fiscal Officer. Mr. Ford lives in Urbana, Ohio. As is laid out in the MOU, Mr. Ford will primarily work remotely, but he will be here at the Village Offices two times a month, including one Council meeting per month. Ideally, Mr. Ford would start by June 1. The agreement would be to pay Mr. Ford \$5,000/month through the end of this year, when hopefully things are in more of a going state. Mr. Ford is envisioning that initially, this work will require 20 hours/week, but over time that would go to 10 hours/week. Mr. Ford will track the hours he works each week, and at the end of this year, an assessment will be made as to what an appropriate on-going fee would be. We should also plan for two to four months of overlap between Mr. Ford, Mr. Borgerding and Ms. Wendler as they help Mr. Ford onboard into this role. As this is a part time role, Mr. Ford would receive OPERS benefits, but he would not be on our health care plan or other benefits limited to full-time employees. At the beginning of the year, roughly \$58,000 was built into the Mayor's Department (1000-710) to pay for a part year of a Village Administrator. It is looking unlikely that we will be able to fill that role or an Operations Officer role this year. As such, the Finance Sub-Committee is recommending that the necessary funds be moved from the Mayor's Department to the Clerk/Treasurer Department (1000-725) to cover Mr. Ford's costs less the reduced cost from Mr. Borgerding and Ms. Wendler not working for a full year. Appointing Mr. Ford as our Fiscal Officer and establishing his pay requires a Resolution be passed by Council. Since we would like Mr. Ford to start by June 1, the resolution will need to be passed on an emergency basis. If Council agrees with the recommendation to hire Mr. Ford under the MOU that is attached and pay him \$5,000/month through the end of this year, then the Resolution will be voted on in the May 23 Council meeting.

Dr. Lewis asked for clarification on "more of a going state" and the urgency for starting by June 1. Mr. Bartlett said Mr. Ford will start working with Mr. Borgerding and Mrs. Wendler. Going forward he estimates he will not work as many hours per month as while he is working during the learning curve. Due to the budget process

in July, it is best to have Mr. Ford be a part of the process in developing the 2023 budget. On roll call; four ayes, no nays.

The report submitted by the Planning & Zoning and Economic Development Committee did not have the required signatures to have the report read. It will be presented at the Special Meeting of Council May 25, 2022.

Miscellaneous:

- Village Offices will be Closed in Observation of Memorial Day Monday May 30, 2022
- Memorial Day Parade will be held Monday May 30, 2022
- Village Offices will be Closed in Observation of Independence Day Monday July 4, 2022
- Village Fireworks will be held at Dusk Monday July 4, 2022
- Budget Hearing will be Monday July 25, 2022 at 5:30 p.m.
- Mayor Brown referred to the Finance Committee the Village liability insurance policy renewal.

Resolutions:

“A Resolution for the Village of Mariemont to Establish Policies and Procedures Concerning the Naming and Renaming of Village Property” had a third reading. Mr. York moved, seconded by Mrs. Rankin to adopt the Resolution. On roll call; four ayes, no nays. Resolution No. R-22-22 was adopted.

“Resolution to Enter into Project Agreement with Kate Albert Studio, LLC” had a third reading. Mr. Bartlett moved, seconded by Mr. York to adopt the Resolution. On roll call; four ayes, no nays. Resolution No. R-23-22 was adopted.

“Renewal of 3.5 Mill Tax Levy in Excess of 10 Mill Limitation for Permanent Improvements for the Tax Years of 2022, 2023, 2024, 2025 and 2026” had a first reading.

“Resolution Authorizing Mayor To Execute Contract with A359 Partners in Architecture” had a first reading.

“Fixing a Time for Public Hearing on the 2023 Budget” had a first reading.

“To Confirm the Appointment of Richard Ford as Village Fiscal Officer; To Establish Pay Rate; and To Declare Emergency” had a first reading. The second and third readings will be heard at the Special Meeting of Council on May 25, 2022.

Ordinances:

“To Amend Section 151 of the Mariemont Code of Ordinances” (Fences & Walls) had a third reading. Mrs. Rankin moved, seconded by Mr. York to adopt the Ordinance. On roll call; four ayes, no nays. Ordinance No. O-14-22 was adopted.

Mr. Bartlett moved, seconded by Mr. York to amend the Ordinance as previously written to amend provisions in 152.02(B) and 152.05 and 152.08. Solicitor McTigue gave credit to Mr. York for his assistance. Mr. York said the changes accommodate the property owners and also allows for the Village to maintain responsibility

to those who rent within the Village. On roll call; four ayes, no nays. Mr. York moved, seconded by Mr. Bartlett to accept the Ordinance as amended. “To Amend Chapter 152 of the Mariemont Code of Ordinances Rental Dwellings and Units” had a third reading. Mrs. Rankin moved, seconded by Mr. Bartlett to adopt the Ordinance. On roll call; four ayes, no nays. Ordinance No. O-15-22 was adopted.

“To Amend Ordinance O-11-22 of the Mariemont Code of Ordinances to Increase Payment for Employees” had a second reading.

“To Amend Section 151.087; Permitted Obstructions in Required Yards” had a third reading. Mrs. Rankin moved, seconded by Mr. Bartlett to adopt the Ordinance. On roll call; four ayes, no nays. Ordinance No. O-16-22 was adopted.

Mr. Bartlett presented a check for \$2800.00 to reimburse for the Choice One Engineers work for the Murray Path. It was given to the Village from the non-profit organization

The meeting adjourned at 7:16 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer