

**MINUTES OF THE COUNCIL  
VILLAGE OF MARIEMONT, OHIO  
REGULAR MEETING HELD IN COUNCIL CHAMBER  
JULY 23, 2012**

Mayor Policastro called the meeting to order at 7:30 p.m. with the Pledge of Allegiance to the flag. The following Council members answered present to roll call: Mr. Andrews, Ms. McCarthy, Mr. Miller, Mr. Scheeser, Mr. Stelzer and Mr. Wolter.

Mr. Scheeser moved to nominate Ms. McCarthy as President Pro-Tem of Council. He thinks she would do a great job and it would be nice to have a woman in the chair. She has showed a lot in the last 13 months. We have talked about rotating the responsibility. Mr. Wolter moved to nominate Mr. Miller as President Pro-Tem of Council. His work on the Economic Development Committee shows he is the man for the job. There was no second nomination for Ms. McCarthy. Mr. Stelzer seconded the nomination of Mr. Miller. Mr. Andrews abstained from the vote. Mayor Policastro said a Council member cannot abstain due to Rule 13 of Council. He will have the Solicitor explain it in more detail at the next meeting. The vote proceeded with five ayes, no nays (Mr. Andrews abstained)

Mayor Policastro introduced Mr. Jay Address who addressed Council regarding the possibility of expanding our bike trails. Mr. Address thanked Council for the opportunity to speak of this exciting project. The proposal will hook all the trails together and also hooks the population to the trails. It would be wonderful for the Village to be able to hook up with the Little Miami Scenic Trail and a network of trails from Coney to downtown, Lunken Airport to Columbus and extend to Xavier University. Students will safely bike to Xavier in less time than driving. It will also connect the population to Ault Park, Hyde Park stores and restaurants. It is an excellent opportunity for the best urban bike trail in the United States. It provides great health benefits for reducing obesity through recreational trails. It will increase property values. University of Cincinnati professors did a study and determined that homes within 1000 feet of the Little Miami Scenic Trail increase by \$9,000. Their organization consists of ten board members. They are currently applying for 501C3 status and maintain a strong social media community. Norfolk Railroad has agreed to enter negotiations for the sale of the right-of-way from Red Bank trestle to Xavier University. In addition, the City of Cincinnati Council passed a motion authorizing the City Administration to proceed with the purchase. They are working on funding from Federal Transportation Enhancement Programs which is usually 50% of the project, Clean Ohio funds usually 20% along with city, county OKI, Hamilton County Parks, City of Cincinnati Parks, foundations and private funding. He estimates it will take seven million dollars to complete. He would like to have a community meeting in the Village to develop public support and input. Mayor Policastro asked for a months' notice so he could put it in the Mayor's Bulletin. Mr. Andrews said the last exhaustive study we did with Village residents was the Vision 2021 Plan which had a lot of support for bike trails. He asked what the next step in the process is. Mr. Address suggested putting together a small group of people who would be willing to take an active interest in the project and connect with the community to try and also be a liaison to Council. He said if Council wants to pass a Resolution of support that would also be helpful. Mr. Wolter asked if there have been any meetings with the Eastern Corridor members and possibly coordinating and partnering on funding. Mr. Address said they met with officials of ODOT but unfortunately what happens with these projects is they say they are going to support these amenities and then they run out of funds. Mayor Policastro said the project would definitely need the cooperation of the railroad. Mr. Stelzer said the idea is to run the trail under the trestle then no tracks would need to be taken out. The trail could basically run along the tracks. There are still a lot of questions to answer. Mr. Scheeser said he is bullish about the idea but he is also excited about light rail. He has heard that a bike trail could significantly complicate any ability for future light rail to run from Terrace Park to Xavier University. Mr. Address said they agreed with light rail that they would give them priority. If 25 years from now light rail comes along and they are in the way they will agree to give in to them. The right-of-way is 75 feet in some places so that may not even be necessary. The only problem may be along Wasson Road.

Mayor Policastro presented a Proclamation to Mr. Bob Rich who has done many wonderful things for the Village and upon his retirement from the Mariemont Recreation Association.

Mr. Scheeser asked to amend the minutes to reflect the change that Solicitor McTigue said Mr. Black should not vote for his replacement. Mrs. Van Pelt said she would review the tape. Mr. Wolter moved, seconded by Mr. Scheeser to accept the amended Council minutes as written for July 9, 2012. On roll call; six ayes, no nays.

The following communications were read by Mayor Policastro:

From Treasurer Kulesza: Treasurer's Report June 2012

From Administration Office: 2<sup>nd</sup> Quarter MTD/YTD Report

From Councilman Scheeser: Information on Utility Aggregation. Mayor Policastro referred the matter to the Finance Committee. Mr. Scheeser said the representative from Eagle Energy would be willing to make a presentation.

Mr. Jerry Vianello, 6570 Wooster Pike, was granted permission to address Council. He said it may be too soon to ask questions regarding the presentation by Mr. Andress but his is concerned when he sees in writing that we are legally required to turn over property that we believe will be going for a bike trail to a light transit authority. It has been his experience when you put light transit in, heavy transit is going to follow. We need to be prepared for that. He is not sure by looking at the map exactly where this is going to go through Mariemont. Mayor Policastro said he has a meeting planned with Hamilton County Engineer to look over this proposal because he too has concerns.

Chief Hines reminded Council of Safety Services Night being held Wednesday July 25, 2012. We will have hot dogs, drinks and Graeter's ice cream. They will have a live band, emergency equipment, mounted patrol, canine units and Air Care if they are not on a run. It is a well attended event and encouraged Council to attend. Mr. Miller suggested placing signs at the east/west entrances to the Village. Mayor Policastro said with the short notice we will see what we can do.

Mr. Mark Erhardt, 6614 Pleasant Street, was granted permission to address Council. He said regarding the trails there still seems to be a lot of details that need to be worked out but he feels that as an overall concept it would be important to the Village. It is important to go through the right process so we can get connected to other trails which he feels will be a huge win for the Village. They picked the Village over Wyoming because of the proximity to the existing bike trails. It is a worthwhile investment.

Ms. McCarthy proposed that Council consider adopting a civility code or pledge so we can stop the name calling and insults from happening and be more respectful. She passed out information from other cities that have done something similar and asked that it be put into a Committee of Council for further discussion. A member of Council or the Mayor should not feel the need to seek legal counsel because of incidents that happen during or after Council. Mayor Policastro said we will look it over and then he will make a decision. Mr. Scheeser said Council can make the decision. He believes everyone on Council in theory would say this is a no brainer. He looks forward to digging into the material and would absolutely support it barring something strange in the packet which he does not foresee. Mr. Andrews said there are currently three sentences that touch on civility and it would be something to review. It is certainly something we can take up in the Rules and Law Committee. Mr. Wolter said civility comes from the individual and during his first four years on Council we did not have an issue with that. Mayor Policastro said he is still waiting for something on the political ad that appeared in the Eastern Hills Journal. Nothing in that article was true. Mr. Miller said he agrees with the need to be civil. You can add on to the rules we have right now but people will be people. Are we going to throw the rules back at someone and say they have to read it? He understands that it is a reminder of what we have to do. He does not think we need to add another three paragraphs to what we already have. We have a civil group; we just need to take a deep breath during heated discussions and think about what we are saying. Ms. McCarthy said unfortunately is not limited to discussions. Mr. Wolter said what is important is when people make statements is that people make sure they are accurate and not exaggerated. He believes what started this at the last meeting was the conversation of Mr. Andrews not knowing of things that he thinks everyone in the room knew. He planned to have this conversation in private but did not get a return phone call from Mr. Andrews. He said Mr. Andrews knew darn good and well that the statements he was making were not accurate. Mr. Andrews knew Mr. Black was leaving and Mr. Andrews knows Mr. Stelzer and how the caucus works. If we are going to operate under those delusions then we are going to need rules thicker than the Code of Ordinances just to cover the ethics. Mr. Andrews said he did respond to Mr. Wolter's e-mail and believed that he was out of town on vacation. At the last meeting he simply made a request for something that he felt was important. He put it before Council. The root of some of this is we have a tough time disagreeing and still respecting each other. What escalated after the last meeting was uncalled for. We have to be able to disagree and still be able to keep our cool. Mr. Wolter said he does not think that any Council member has a problem with agreeing to disagree. Mr. Scheeser said he may not always claim that level of professionalism. He and Rex Bevis mixed it up pretty embarrassingly outside of Council. He is passionate about his position and the Village. Ms. McCarthy said she and Mr. Wolter have yelled at each other on the phone however the type of incident that happened needs to stop. Mr. Wolter said we need to operate in a forthright way and say what really the facts are and not have a ploy in mind in order to get something else accomplished without being straight forward about what is trying to be accomplished. He said Mr. Andrews was speaking to another person trying to get them to run for the position and more time was needed and that was the motive for what he was doing. Mr. Andrews said he asked no one to run for that position and there was no ploy behind the scenes. Mr. Wolter said he does not believe that. Mayor Policastro said that is not what a lot of people heard but let's not get into that. Mr. Andrews said that is on the long list that gets passed around as rumors. Mr. Scheeser said Ms. McCarthy's idea is worth merit and discussion. Mayor Policastro said he would let Council know - he is running the meeting - he will let them know and look it over. Mr. Andrews and Mr. Scheeser said it does not work that way. Mayor Policastro said yes it does. Mr. Scheeser said a committee can take up an issue anytime. Mayor Policastro said he will let Council know what Committee he puts it in - if he does decide to put it in committee. Mr. Scheeser said it is the same as when a committee took up the Code of Ordinance changes in Public Works & Service. Mayor Policastro said we are trying to be civil and you guys are telling him how to run the place when that is the job he swore to do. Mr. Andrews said a Committee can take up a topic. Mayor Policastro said no it cannot. It has to go through a vote of Council. Mr. Miller suggested moving to the next topic and stopping the discussion right now.

Mr. Scheeser moved, seconded by Mr. Andrews to pay the bills as approved by the Mayor, Chairman of the Finance Committee and the Clerk. On roll call; six ayes, no nays.

Mayor Policastro read the following miscellaneous announcements:

Safety Services Night Out will be July 25, 2012 6:00 to 9:00 p.m.

Ordinances:

“An Ordinance Authorizing an Agreement Between the Village of Mariemont and the Board of Hamilton Commissioners Relative to the Improvement of Miami Road from Wooster Pike to Rembold Avenue” had a second reading.

“To Renew Current Contract for the Following Kinds of Insurance: Real and Personal Property, Comprehensive General Liability, Business Automobile and Other Coverages; To Pay Premiums” had a second reading.

The meeting adjourned at 8:15 p.m.

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Dan Policastro, Mayor

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Anthony J. Borgerding, Clerk