

**MINUTES OF THE COUNCIL
VILLAGE OF MARIEMONT, OHIO
REGULAR MEETING HELD IN COUNCIL CHAMBER
JANUARY 9, 2012**

Solicitor McTigue swore in Clerk Borgerding and Ms. McCarthy for their re-elected positions.

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, Mr. Black Ms. McCarthy, Mr. Miller, Mr. Scheeser and Mr. Wolter.

Mr. Andrews said the minutes should reflect 'irrigation system'. Mr. Wolter moved, seconded by Mr. Black to accept the minutes as amended for December 27, 2011. On roll call; five ayes, no nays. (Mr. Black abstained)

The following communications were read by Mayor Policastro:

From Police Chief Hines: December 2011 Monthly Report. Mr. Wolter asked if any progress has been made regarding the armed assault at the High School. Chief Hines said none that he can discuss at this time. He said he was happy to report that both the Police and Fire Departments were able to come in under budget for 2011. Everyone is tightening their belts and it is working. Mr. Wolter said Council appreciates all the hard work done by all the departments. Chief Hines said he was notified today that the department received a federal grant through Homeland Security for a license plate reader which will go on one of the police cruisers. They need to schedule the installation and then they should be up and running. It will be a good tool for the Police Department. Any license plate that the cruiser comes in view of it will be scanned without the officer having to enter the plate. If it identifies a stolen car, wanted subject or a threat to terrorism etc. it will alert the officer. The equipment is worth \$14,000.

From Assistant Chief Feichtner: December 2011 Monthly Report

From Superintendent Scherpenberg: December 2011 Monthly Report/2011 Annual Report. Ms. McCarthy asked if any more trees were planted on Beech Street. Superintendent Scherpenberg said no, that Beech Street is now complete.

From Building Commissioner Malone: December 2011 Monthly Report. Mr. Andrews said there was no fee associated with Emery Park. Building Commissioner Malone said the fees were paid up front. The overall permit for the entire condos included the individual condo.

From Tax Staff Assistant Combs: 2011 Annual Report

From Hamilton County Municipal League: Meeting Notice January 30, 2012

From Treasurer Kulesza: December 2011 Monthly Report. Mr. Scheeser asked if there was a way to tweak the interest rate for \$600,000. Treasurer Kulesza said he and Clerk Borgerding had discussed moving the money from Star Ohio to PNC Bank. They are going to check on the interest rates.

Mr. Andrews said when he looked at the December 2011 monthly disbursements they were \$153,317. Looking back over the past three years December expenses are generally in the neighborhood of \$300,000. This is 50% less than what we spent last December. Knowing that we pay bi-weekly and we have two payrolls every month with each payroll approximately \$65,000-\$70,000, payroll for December would be approximately \$140,000 yet our total expenses booked in accounting are \$153,000. He said he started digging and noticed that in December we chose not to book the Rumpke December expenses but instead chose to push it to January. The same was done with the healthcare insurance premiums, Ohio Police and Fire Pension Funds all which have historically been paid in the month of December. He is curious if some expenses were pushed into January. Treasurer Kulesza said he usually does not handle the expenses - he handles the deposits. He has some data for Mr. Andrews and said he appreciated the heads up. As far as a philosophical point and as a business person you are not supposed to pay your payables as quick as you can pay them. As long as the bills are paid on time with no fees or interest it is perfectly legal to stretch them as long as possible. We should be doing what we can to free up cash flow and do what is the best for the Village. He would like to take credit for the fact that we only paid \$153,000 in December but unfortunately he cannot. He asked Mr. Andrews if he had a problem with it. Mr. Andrews said he does not have a question of whether it is legal or not - that is not for him to answer. It is out of pattern from what we have done in prior years. It was interesting to him if you add up the amount of pushing a payroll out. Treasurer Kulesza said does know that IRS taxes were called in and there were two payrolls in December. Mr. Andrews said we did push out some considerable expenses in January. The reason he has a problem with it is because we historically have not done it and if you add up all those figures it would show us in a deficit for 2011 not a surplus. We are showing a surplus of \$20,000 for the year. We would have shown a deficit of approximately \$130,000 for the year. That would also put the General Fund ending balance under one million dollars. He wonders if we did this on purpose or not. Treasurer Kulesza said he could not say whether it was done on purpose but if he was the one to make the call I would tell everyone to hold their bills as long as

possible without being late or being charged a fee. Mr. Andrews said we did not do it at all last year yet we did it in December which is out of pattern - maybe we just got smart in December. Mayor Policastro said with Governor Kasich's cuts we are doing everything we can get every inch of interest we can get. Treasurer Kulesza said he appreciated Mr. Andrews being a class act and giving him advance notice that he did have some questions. He did do the research and saw that December expenses were \$288,532. We had expenses in April of \$221,653 so we had other months where we did not pay out as much as we did in December. He does not have a problem making our books look good at the end of the year. He said he knows Mr. Andrews ran companies but he does not believe he reported to shareholders and stretched payables etc. But that is the name of the game. Mr. Andrews said this does not have anything to do with any companies he ran. Mr. Scheeser said P&G is very careful not to let this year's expenses get paid for next year. What is interesting that Mr. Andrews is saying is that we are crossing years. Clerk Borgerding said the bottom line is the Village is on a cash basis so we record the expense when the check is cut. Treasurer Kulesza said if we were on an accrual basis it would be a different story. We are abiding within the accounting laws. He said he probably should not say this but he is sick of being out in public as a citizen of Mariemont, a great community with great people, and sitting here in Council and hearing the politicizing of things that do not need to be politicized. The campaign is over. To continue to try to bring things down about the Village for our own benefit politically is not a good thing. Mr. Andrews said he does not know if Treasurer Kulesza's comments were directed at him, the Mayor or someone else in the room but we are elected Council members who have fiduciary responsibilities to ask questions to get clarity and that is simply what he is doing. He is trying to understand why we are doing something different from how we have done it in the past.

Mayor Policastro called for order and moved the meeting on.

From Mayor Policastro: e-mail from Solicitor McTigue dated December 28, 2011; Copy pg. 30 Mariemont Code of Ordinances; Ordinance No. O-18-07 "To Create The Swim Pool Commission; Swimming Pool Income Comparison 2006-2011; Comments from Board Members regarding Increasing Membership of Parks Advisory Board.

From Engineer Ertel: 2012 Rehabilitation Project and Mariemont Curb ramp and Sidewalk Inspection. Mayor Policastro referred the matter to the Public Works & Service Committee. He encouraged Ms. McCarthy to work with the engineer on the sidewalks in the Historic District. Mr. Scheeser asked if the drainage issues on Murray could be added to the list. Mayor Policastro said he and Superintendent Scherpenberg are working on that problem. Engineer Ertel said we attempted to get funding through Hamilton County for the project but it did not come through. Mayor Policastro said it will be a separate project this spring.

From Robert Johnson, CLGBP: e-mail dated January 5, 2012 re: CLGBP Participation Agreement Changes - Adoption Process. Mayor Policastro referred the matter to the Rules and Law Committee. He said there is a meeting being held to get more information.

Ms. Lisa Lopresti, 3823 Watterson Road, was granted permission to address Council. She is representing Mariemont Troop 149 and wanted to sincerely thank Mayor Policastro and members of Council in addition to the Police and Fire Departments for all their support during the tree sale. They had a great year and truly thank and appreciate everyone for their support. It will allow for the Boy Scouts to go on all of their outings including a 50 mile canoe trip in Wisconsin. She said they will be reseeding the area in April.

Mr. Miller moved, seconded by Mr. Andrews to nominate Mr. Black as President Pro-Tem of Council. On roll call; six ayes, no nays. Mr. Black said what just went on here in the meeting cannot continue. There are way too many more important things to be done in the Village. We cannot continue to have inter-politics and bickering if we are going to accomplish what we want to get done this year. We need to improve communication which he believes is a huge issue with this Council. Everyone needs to realize that everyone who sits in their seat, past and present, is doing so because they want what is best for the Village. Going forward this year he asked that everyone keep that in mind. Let's put the election behind us and try to make sure that what we have on the agenda for us this year is what is most important - not a matter of who is going to try to one up someone in front of these cameras that nobody watches or meeting minutes that no one hardly reads. Mr. Miller seconded Mr. Black and also said if Council has questions to pick up the phone and call to get answers to questions. This is not the place to air out those questions because usually we do not have the answers. Mr. Black said Council tends to be reactive with all issues that come up. He would like for Council to make a list of what they want to accomplish. He would like each committee to set goals of what they want to accomplish in the Village. Mr. Wolter thinks that would be a great idea to have the committees let the Mayor and Vice-Mayor know what their priorities are along with a timeline. He also encouraged good communication between Council members. Mr. Andrews said we are going to have difficult financial times ahead with the state cuts that are coming. We need to recognize as Council members in a Council meeting it is our duty to ask the questions we need to ask to understand what is being presented and what is happening. It can be viewed that certain questions are being asked because of the recent election and hopefully that will fade over time. These meetings are for asking questions and having conversations. We have to be able to ask those difficult questions. Mayor Policastro said kudos to Mr. Black and urged Council to stay positive.

Clerk Borgerding said the Appropriation Ordinance is basically a copy of the budget that Council adopted in June 2011. The one change he made to the General Fund was to decrease the amount of salaries in the Tax Department. The total General Fund budget is now \$3,150,000. The total expenses for 2011 were three million dollars but you have to account for health care increase etc. Hopefully the revenues will again be over budget like it was this year. Mayor Policastro said the tax collections were up 10%. Clerk Borgerding said he believes half of the increase was from all the additional work being done in the Village. Mayor Policastro said he believes we were the only municipality in Hamilton County to build condos last year. We are doing things here in the Village.

Mr. Scheeser asked if we have bills that show up in 2012 that were meant for 2011 will that flow into the 2011 Ordinance or will it flow over to 2012. Clerk Borgerding said the expense would be encumbered in 2011 but it will not be paid until 2012. It will have an effect on the budgeted numbers but there was some cushion already. We will take a look at it at the end of the year. “An Ordinance to Make Appropriation for Current Expenses and Other Expenditures of the Village of Mariemont, State of Ohio, During Fiscal Year Ending December 31, 2012” had a first reading. Mr. Miller moved, seconded by Mr. Wolter 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. Mr. Andrews moved, seconded by Mr. Black to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-1-12 was adopted.

Mr. Black moved, seconded by Ms. McCarthy to pay the bills as approved by the Mayor, Clerk and Finance Chairman. On roll call; six ayes, no nays.

Mr. Wolter said the Assistant Fire Chief and Police Chief went around the Village and looked at all of the streets for fire egress. We are going to have a standard plan to apply any restrictions that are required to ensure egress for the Fire Department. We are going to have to address what happens on Flying Pig Marathon day. Those streets are completely blocked which we have to do something about.

Mayor Policastro read the following miscellaneous announcements:

Council Committee Assignments

Mr. Black moved, seconded by Ms. McCarthy to appoint Mr. Miller to the Planning Commission. On roll call; six ayes, no nays.

Mr. Andrews moved, seconded by Mr. Black to appoint Mr. Wolter to the Income Tax Board of Review. On roll call; six ayes, no nays.

Mr. Black moved, seconded by Mr. Wolter to appoint Mr. Scheeser and Mr. Miller to the Hamilton County Regional Planning Commission. On roll call; six ayes, no nays.

Assistant Fire Chief Feichtner said the Volunteer’s Firemen’s Dependent Board is a fund set up in case something happened to one of the firefighters in the line of duty so that funds are available to help the families. Mr. Scheeser moved, seconded by Mr. Wolter to appoint Ms. McCarthy and Mr. Wolter to the Board. On roll call; six ayes, no nays.

Resolutions:

“To Reappoint Nancy Stelzer as a Member of the Parks Advisory Board for the Calendar Years 2012 and 2013” had a third reading. Mr. Miller moved, seconded by Mr. Black to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-1-12 was adopted.

“To Appoint Maggie Palazzolo as a Member of the Pool Commission for the Calendar Years 2012 and 2013” had a first reading.

“To Appoint Jenny Baker as a Member of the Pool Commission for the Calendar Year 2012” had a first reading.

Mayor Policastro said if Council approves increasing the Pool Commission from seven to nine members he will reappoint Scott McIntosh and actively seek someone from the Historic District to serve. He wants to continually improve the Historic area and in his opinion it starts with the people. The present Pool Board Members want to go from seven to nine as well.

Ordinances:

“To Amend Ordinance No. O-4-10 To Create the Swim Pool Commission and To Increase Members from Seven to Nine” had a first reading.

“To Amend Ordinance No. O-25-10 To Create the Parks Advisory Board and To Increase Members from Eight to Nine”

The meeting adjourned at 8:15 p.m.

Dan Policastro, Mayor

Anthony J. Borgerding, Clerk