

**MINUTES OF THE COUNCIL
VILLAGE OF MARIEMONT, OHIO
REGULAR MEETING HELD IN COUNCIL CHAMBER
OCTOBER 22, 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. Miller moved, seconded by Mr. Scheeser to approve the minutes as written for October 8, 2012. On roll call; five ayes, no nays. (Mr. Andrews abstained due to absence)

The following communications were read by Mayor Policastro:

From Police Clerk Maupin: Mayor's Court Statement August 2012

From Treasurer Kulesza: September 2012 Monthly Report. Mayor Policastro said the report looks really good. We are approximately \$300,000 up from where we thought we would be at this time. In addition, the Permanent Improvement fund looks good too. Clerk Borgerding said we usually better this time of year. We have received all of our real estate tax and will not receive anymore in the last quarter. So we will probably spend more than we bring in the remainder of the year. The income tax revenue has been up 10% last year and another 10% this year which is the big reason we are up this year. It is up \$130,000 more than it was this time last year. He projects \$175,000-\$200,000 more than last year.

From Administration Office: 3rd Quarter Expense MTD/YTD Report

From Mariemont Parks Advisory Board: Meeting Minutes September 4, 2012

From Assistant Fire Chief Feichtner: Memo Dated September 24, 2012 re: Fire Code Regarding Grills. Mayor Policastro referred the matter to the Safety Committee. Mr. Andrews asked what the thought was putting it into Safety instead of Rules and Law. He asked if the matter would eventually go to the Rules and Law Committee. Mayor Policastro said no not necessarily. Mr. Scheeser asked if multi-family applies to both ownership or renting. It looks to him that single family and two family have a little more leeway. Clerk Borgerding said it would apply to any building with more than two units.

From Nickolas Butterfield: e-mail dated October 16, 2012 re: Receipt of letter regarding ODOT's Eastern Corridor Preferred Route. Mayor Policastro said Mr. Butterfield works for Rob Portman whom he believes will help us with this matter.

Mr. Shannon Moore, 6531 Park Lane, was granted permission to address Council. He was recently informed that some of the recreation ball uniforms were being used by a private Mariemont select team. He questioned how the uniforms could be used in a private manner. He has reached out to the President of the Recreation Association but has not yet heard back. He wanted to know how to address the issue appropriately. He does not believe the team was made available to the local public. Mr. Stelzer said he was on the Recreation Association for ten years and has heard of select teams forming out of the recreation teams. This is the first time he has heard of recreation uniforms being used. When he served on the Recreation Association they tried very hard to have a policy of not having select teams. His first recommendation would be to talk with John Getgey, President of the Mariemont Recreation Association, and get his feedback to see what is going on. Mr. Moore said he had contacted Mr. Getgey but has not had any response. Mr. Andrews asked if there are municipal funds that go to the Recreation Association. Mr. Stelzer said there were a few years where there was a small siphon that came from the Village to the Recreation Association in the amount of \$2,000-\$3,000. Mayor Policastro said we used to give a check to the Recreation Association for \$2,000-\$3,000 every year. When times became financially tougher for the Village about five years ago we had to discontinue the donations. Mr. Stelzer said the Recreation Association is pretty much self supporting but there has been a small amount of funding, infrequent at best, that has come from the Village. The Association has always tried to run it as an all inclusive league. We always tried to have a fair process with random draws etc. because there were always a lot of allegations regarding stacked teams. Mr. Moore said the Association has proven to uphold that level of scrutiny which is the reason he brought the matter before Council. He believes it has slipped and he would like help understanding why it has happened. Mayor Policastro said he will contact Mr. Getgey to see what exactly happened. Clerk Borgerding said one of the coaches at one age level wanted to continue to play fall ball after the spring/summer season was over. He contacted some parents and put together a fall team and just kept their uniforms. The same has occurred with indoor soccer teams using the same recreation uniforms. These are usually run by parents and not the Recreation Association. Mr. Stelzer said the formation of a winter indoor soccer team is beyond the control of the Recreation Association. The Association provides soccer leagues for the fall and spring. If someone organized informally and played indoors somewhere and had they not turned in their uniforms the same thing could have happened. He imagines that is what occurred with the baseball team. He does not know if there is a formal policy of the Recreation Association to supply uniforms to select teams, especially teams that are not including everyone in the community. That creates a lot of hard feelings. Mr. Moore said a new neighbor asked to join the team and was denied so it made for conversation as to why their child could not play. He would like to seek out how this occurred and do what we can to correct it. The creation of the select team did not include 4-6 of the kids who did play on the recreation team. Mr. Andrews said Mr. Getgey is a standup guy and he is sure we can help make the connection.

Ms. Erika Turan, 3853 Homewood Road, was granted permission to address Council. She asked about the possible installation of a school 20 mph school zone on Madisonville Road. With the school construction and main entrance on Madisonville Road the traffic for kids, cars and pedestrians is pretty high. She is concerned for the crossing guard who has to cross the kids when cars are not slowing down. Mayor Policastro said there is a formula to follow but if it can be done he would like to see it happen. Chief Hines said he agrees it is something that should be looked at but he agrees that we need to see if we meet the criteria. Solicitor McTigue said he will look into the matter. Mr. Scheeser asked if we have to petition the county or the state. Chief Hines said he did not believe so because it is not a state route but we would need to check with

ODOT. Mr. Miller asked how the school flow has been going. Chief Hines said it has been working really well. With the two drop off areas there is still some congestion but it is not like it used to be. Mr. Wolter asked if we can show a special situation that is outside of the parameter of the code will the state give permission to make a custom situation for our needs. Solicitor McTigue said absolutely.

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.

Ms. McCarthy moved, seconded by Mr. Scheeser to accept the recommendation of the Public Works and Service Committee to not renew the 2012 Mowing Contract with 4 Seasons and instead go out to soft bid for 2013. (bid is expected to be below \$50,000). Text of proposed contract was attached for Council's review. On roll call; six ayes, no nays.

Solicitor McTigue said a new law was passed by the Ohio Senate which makes possession of marijuana a minor misdemeanor. Possession of the pipe to smoke the marijuana is a misdemeanor of the 4th degree. Legislation was changed at the state level to make drug paraphernalia a minor misdemeanor. He will make the necessary changes to our Code of Ordinances.

Mayor Policastro read the following miscellaneous announcements:

Beggar's Night will be Wednesday October 31, 2012 from 6:00 p.m. to 8:00 p.m.

Leaf collection has been changed to begin Monday October 29, 2012 so the leaves can be collected prior to Halloween.

Mr. Stelzer said there were 1100 participants in the Warrior Run. We do not know exactly how much money was raised but it was substantial and probably exceeding last year. There were a few small traffic issues and hopefully we will do better next year.

Mr. Stelzer said there will be an informational meeting on Wednesday October 24, 2012 at 7:00 p.m. to educate Mariemont residents as much as possible about the Wasson Way project. If he is successful raising money he wants to have an informed community. He has a long way to go but he has 2000 people following on Facebook. He has tremendous support with 100 people.

Mr. Stelzer said the camping area in the South 80 is moving along. A couple Eagle Scouts are going to under take the area as their project. We are waiting on a final proposal. There will be star gazing on November 23, 2012 at 7:30 p.m. in the South 80. Resident Ryan Kelly is getting that organized with Cincinnati Observatory. They are going to bring in 20 telescopes. There is a rough proposal at this point to get temporary lighting to the driveway going down and in the tunnel.

Mr. Stelzer said the Village had a visit from a Tri-State Hiking Club with 62 hikers. It included a four mile walk through Mariemont including the South 80 Trails.

Mr. Stelzer said he was tipped off on some state grants that are available for parks. We are going to see if we can obtain some of those. As far as the South 80 goes so far we have been able to do it all with volunteer efforts and not much money being spent. If anyone has any creative ideas for the area let him know.

Mr. Stelzer said there was a Hamilton County TID meeting which he attended with Karen Sullivan. We have formed a Community Partners Committee within the Village. It was recommended that we do this by ODOT and Commissioner Portune. The Committee is supposed to provide ODOT with feedback and work with ODOT during the process. We made it crystal clear that we will work with them as much as possible with the Eastern Corridor Project. However there is little if no support for the idea of State Route 32 going through the South 80 property. The County Commissioners understand and are sympathetic of our predicament but there has not been a formal Resolution passed objecting the process. The Committee continues to educate themselves with a tremendous amount of documents that need to be reviewed.

In addition we had a meeting with State Representative, Peter Stautberg, where we explained our situation and the dilemma with the Eastern Corridor Project. Mr. Stautberg is going to touch base with the Hamilton County Commissioners and then get back to us. We will continue to educate the politicians.

Mr. Stelzer said he found out that the visit by the National Park Service and State Historical Society to the South 80 acres was instrumented by Millard Rogers. Mr. Rogers contacted the National Park Service which was in town to do a tour of Greenhills. He was able to convince them to come visit our South 80 acres. They had not heard about the proposed highway project. The comment was made that they would be working on it right away.

Mayor Policastro said we are working on a public meeting with ODOT. Mr. Stelzer said we specifically asked for an additional public involvement meeting in Mariemont for Mariemont citizens to try to educate them as much as possible. We have asked for this meeting for several months and he has requested that the meeting occur prior to November 16, 2012 because people's schedules get busy during the holidays. Commissioner Portune supports this.

Mr. Wolter said he will be going out with Assistant Chief Feichtner to check all the data on their map for the width of the streets. He is hopeful to have the final accurate map available for the next Council meeting. A flyer will be made and distributed for the effected streets prior to the meeting.

Mr. Miller said he wanted to call a Committee of the Whole meeting together to discuss the feasibility of having one Council meeting per month. It was agreed to have the meeting on Monday November 12, 2012 at 6:45 p.m.

Resolutions:

"To reappoint Mary Ann Swartz as a member of the Architectural Review Board for calendar years 2013 and 2014" had a second reading.

“To reappoint Charlie Thomas as a member of the Architectural Review Board for calendar years 2013 and 2014” had a second reading.

“To reappoint Dave Tensi as Inspector for the Building Commissioner for the calendar years 2013 and 2014” had a second reading.

“To confirm the reappointment of Christopher M. Ertel as Village Engineer for calendar years 2013 and 2014; and to set compensation” had a second reading.

“To reappoint Don White as Magistrate for calendar years 2013 and 2014; to set compensation” had a second reading.

“To reappoint Peggy Keyes as a member of the Parks Advisory Board for the calendar years 2013 and 2014” had a second reading.

“To reappoint Darla Michael as a member of the Parks Advisory Board for the calendar years 2013 and 2014” had a second reading.

“To confirm the reappointment of Edward J. McTigue as Solicitor for the Village of Mariemont for the calendar years 2013 and 2014” had a second reading.

“To appoint Nancy Drexel as a member of the Pool Commission for the calendar year of 2013” had a second reading.

“To appoint Susan Eberlein as a member of the Pool Commission for the calendar year of 2013” had a second reading.

“To reappoint Jenny Baker as a member of the Pool Commission for the calendar year of 2013” had a second reading.

“Resolution Authorizing the Renaming of the Mariemont Municipal Building to the Colonel Donald L. Shanks Municipal Building for the Village of Mariemont” had a first reading.

“To Appoint Laura Stith as a Member of the Pool Commission for the Calendar Year 2013” had a first reading. Mr. Andrews said he remembers looking at the Pool Commission Code and it was pretty clear that states that the term is supposed to be two years. Two of the initial six positions would be one year for the first year to allow for staggering. He believes the terms should all be two years. Solicitor McTigue said he will research the matter.

Ordinances:

“To Amend Schedule VIII of Section 78, Traffic Control Devices, of the Mariemont Code of Ordinances, To Restrict Trucks on Lane A” had a first reading.

The meeting adjourned at 8:04 p.m.

Dan Policastro, Mayor

Anthony J. Borgerding, Clerk