

**MINUTES OF THE COUNCIL
VILLAGE OF MARIEMONT, OHIO
REGULAR MEETING HELD IN COUNCIL CHAMBER
MAY 14, 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, Mr. Black, Ms. McCarthy, Mr. Miller, Mr. Scheeser and Mr. Wolter.

Mr. Scheeser moved, seconded by Ms. McCarthy to accept the minutes as written for April 23, 2012. On roll call; six ayes, no nays.

The following communications were read by Mayor Policastro:

From Police Chief Hines: April 2012 Monthly Report

From Assistant Fire Chief Feichtner: April 2012 Monthly Report

From Superintendent Scherpenberg: April 2012 Monthly Report. Treasurer Kulesza asked about the multi-color Christmas lights on the square. Superintendent Scherpenberg said some of the lights burnt out and they thought the replacement lights would match but they do not. They are going to take them off but finding Christmas lights this time of year is difficult. Mr. Scheeser suggested buying extra in the fall to put back in case this happens again.

From Building Commissioner Malone: April 2012 Monthly Report

From Tax Administrator Judd: April 2012 Monthly Report

From Rick Greiwe: Letter dated April 25, 2012 re: Request to opt out of the annual waste fee charge. Mayor Policastro said we have to be fair and believes they should be able to opt out. Ms. McCarthy said the intent was to allow those to opt out if applicable provided they recycle which they do through Rumpke. Mr. Andrews said he was surprised that Mr. Greiwe did not request the same for Jordan Park. The consensus was that the building is built out. Mayor Policastro said he will contact the President of the Association and make them aware they need to request to opt out as well. Mr. Miller moved, seconded by Mr. Scheeser to approve the opt out. On roll call; six ayes, no nays.

From John R. Grier: Letter dated April 20, 2012 re: permit fees. Building Commissioner Malone said this is the only complaint regarding this issue in ten years. He explained to Mr. Grier that a typical fee per unit is \$95.00. He was given a flat fee of \$206.00. Being part of the Historic District it is our responsibility to make sure replacement shingles match as closely as possible. Mayor Policastro said some of the inspections have found as many as five roofs when the maximum is two by state law. Plus we need to make sure felt and frost strips are used. Mr. Miller said Council backs Building Commissioner Malone 100%. Mr. Andrews asked if a resident asks the same question Mr. Grier asked how that would be answered. Building Commissioner Malone said he would give the same response as he did to Mr. Grier but he would need to determine if they were in the Historic District or not. If it was not in the Historic District it would still require inspections. He said he will send a response letter.

From Center for Local Government: Financial Statement April 2012

From Police Clerk Maupin: Mayor's Court Statement March 31, 2012

From Liz Mozer, Hylant Group: Liability Insurance Policy Renewal. Mayor Policastro referred the matter to the Finance Committee. He asked that the Committee look into if the Village is just sued for damages, like the Altman case, we have coverage for attorney fees - he believes \$25,000 is the maximum but wants to know if there is more coverage available.

From the Parks Advisory Board: Meeting Minutes May 1, 2012

From Clerk Borgerding: 1st Quarter 2012 Expense Report. He said in talking with Mrs. Van Pelt he understands the system in paying Paramedics and EMT's better. Personnel can only have one reporting code not both. It is too difficult to change each employee during each pay period. He will keep an eye on it and figure out the best process to allocate and code the expenses.

From Rick Dunn: e-mail dated May 3, 2012 re: Coyote problem. Mayor Policastro said he can attest to the problem and referred the matter to the Safety Committee. It is getting dangerous if you have a pack of coyotes. He believes they are along Mariemont Avenue and not down in the south 80 acres because the trails have forced them to go elsewhere. We have to come up with some sort of plan. Mr. Wolter said once coyotes are established they are hard to get rid of. If you kill 50 of them they will breed 50 more. The most effective way is to herd them by making it difficult for them to be in a certain place. That would involve traps or weapons. They

will attack a small child or dog if there is a group of them. Rabies is another issue as well. This is a tough problem and a lot of municipalities allow their police officers to make it tough on the critters. Mr. Scheeser asked if the trails will affect the deer population and if the deer population will affect the coyote population. If people are using the trails and the deer get skittish and if that is the coyote's primary food source could we see a different situation this summer. Mr. Wolter said initially we will see a repositioning of the deer herd but once they get used to what is going on down there they will slowly migrate back in. Mayor Policastro said once the food source for the coyotes are gone they will come up into the Village. Ms. McCarthy said she read the only real way to get rid of the coyotes is to bring in wolves. Mr. Andrews said we need to determine how big the problem is. Mayor Policastro said that is something that the Safety Committee will discuss. He can hear them at night from his window near Mariemont Avenue and Whiskey Creek.

Mr. Andrews moved, seconded by Ms. McCarthy to pay the bills as approved by the Mayor, Clerk and Finance Chairman. Ms. McCarthy said thank you for the extra detail on the miscellaneous expenses. On roll call; six ayes, no nays.

Mr. Wolter moved, seconded by Mr. Black to accept the recommendation of the Health and Recreation Committee which met Monday April 23, 2012 to discuss the necessity to purchase two (2) chair lifts for the pool. In addition to the Committee members, Ed Beck and Joanne Van Pelt were in attendance. In order to be ADA compliant, we need to have a chair lift for the main and lap pools. At this time, we are not required to have a lift or ramp for the wading pool. If in the future we do any renovations to that pool, we will be required to install a lift or ramp. Ed Beck did advance research on companies offering pool chair lifts. The consensus was that Inter-Fab Inc. is the company the chairs should be purchased from. They offer a good product and have been in business many years. Mr. Beck received a quote of approximately \$8,400.00 for two (2) battery operated chairs; this includes the installation of these chairs. The Committee recommends that Mr. Beck proceed with the purchase and installation of the two (2) chairs. Ms. McCarthy said we might consider purchasing an extra battery next year. On roll call; six ayes, no nays.

Ms. McCarthy moved seconded by Mr. Black to accept the recommendation of the Public Works & Service Committee to restore the uneven portions of the original brick sidewalks on Albert Place for a cost not to exceed \$15,000 funded out of the Road Fund. The Committee also recommends that the Rules and Law Committee review the Code of Ordinances pertaining to sidewalks to: (1) clarify responsibility for repair and upkeep, specifically as it pertains to cause and (2) define a policy for installing sidewalks where none exist today. Solicitor McTigue said he did an opinion letter ten years ago regarding this matter. If the Rules & Law Committee wants to meet to discuss the issue he would still have the same opinion. What we have is pretty accurate. Mr. Andrews said questions have come up surrounding the issue and suggested going forward with the meeting. Mayor Policastro said he does not understand how we can not go along with the Supreme Court decisions. Solicitor McTigue said he would tell the Committee to leave the ordinance the way it is. Mr. Andrews said our Code of Ordinance is in conflict with the state Supreme Court. Mayor Policastro disagreed. Mr. Scheeser said if sections of the ordinance no longer apply we should have them appealed. He would like to see it cleaned up because it is confusing because it says the homeowner is responsible all the time. On roll call; six ayes, no nays.

Mayor Policastro read the following miscellaneous announcements:

Lima Company/Marines of Always Brothers 100 Mile Run will be held Saturday May 26, 2012 starting at 6:00 a.m. Mr. Black said he saw a letter from Mrs. Swisher asking residents to participate which he encourages. Mayor Policastro said he will be there in the morning and invited Council and residents to join him for a good cause.

Memorial Day Parade will be Monday May 28, 2012 (Lineup begins at 8:00 a.m.)

Village Offices will be closed in Observation of Memorial Day Monday May 28, 2012

Mayor Policastro said the Council meeting scheduled for Monday May 28, 2012 will be moved to Tuesday May 29, 2012 due to the Memorial Day holiday.

Resolutions:

"Fixing a Time for Public Hearing on the 2013 Budget" had a third reading. Mr. Black moved, seconded by Ms. McCarthy to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-10-12 was adopted.

"A Resolution Authorizing the Adoption of an Alternative Method of Apportioning the Local Government Fund" had a second reading. Clerk Borgerding said in the State Code there is a certain method of appropriating local funds. It has not been used in the last 20-30 years. Hamilton County has been doing it a different way. We need to do adopt this Resolution every five years. It will not change the way the money is calculated to the Village.

"A Resolution Approving the Update of the Solid Waste Management Plan of the Hamilton County Solid Waste Management District" had a second reading.

"To Appoint Laura McMahon as a Member of the Parks Advisory Board to fill the Unexpired Term of Lisa Gordon for the Calendar Years 2012 and 2013" had a first reading.

Mr. Wolter said the suggestion that we itemize the miscellaneous bills adds undo work for our employees. With the additional work the Fire Department and other departments have taken on we will see an increase in these types of expenditures. He has a moral issue with the request for our employees. Our employees work hard and we erode the trust by saying we want to see an itemized listing. It takes a lot of time to do and he believes it is unnecessary. We have good people doing good work and if Council has a question on a certain bill we can ask to look at the bill. In addition, these are the types of expenses that the Auditors review. Mr. Andrews said he would agree and at that particular Council meeting he simply asked the question because there were so many that appeared on the bill list. He is not sure where the specific request came from for the itemization on each list. He does not believe that was the nature of the discussion that meeting. After further discussion, Council agreed to ask for itemization if a miscellaneous expense exceeds \$1000.

Mr. Scheeser asked the status of the letter to ODOT regarding the roundabout. Mayor Policastro said he is waiting on Mr. Sturtz and Mr. Savage’s questions. He also has a call into Ted Hubbard for clarity on a few things but he has yet to hear back from him. Mr. Scheeser said we discussed a liaison. Mayor Policastro said it was would always be the Chairman of the Planning Commission, Carl Stich.

The meeting adjourned at 8:06 p.m.

Dan Policastro, Mayor

Anthony J. Borgerding, Clerk