

**MINUTES OF THE COUNCIL
VILLAGE OF MARIEMONT, OHIO
REGULAR MEETING HELD IN COUNCIL CHAMBER
SEPTEMBER 24 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: Ms. McCarthy, Mr. Miller, Mr. Scheeser, Mr. Stelzer and Mr. Wolter.

Mr. Miller moved, seconded by Mr. Scheeser to excuse the absence of Mr. Andrews. On roll call; five ayes, no nays.

Mayor Policastro said former Fairfax Mayor, Ted Shannon, passed away this morning. He was a hard working civil servant and was a good friend to the Village of Mariemont. He asked that Council observe a moment of silence.

Mr. Wolter moved, seconded by Ms. McCarthy to approve the amended minutes as written for August 13, 2012. Mr. Wolter said the printed maps referenced are for the street parking issues for egress for the fire equipment - not the coyote problem. Mr. Stelzer said regarding the energy aggregation agreement it should say they will reach out to Indian Hill and the City of Cincinnati. On roll call; four ayes, no nays. Mr. Scheeser abstained because he did not attend the meeting.

The following communications were read by Mayor Policastro:

From Swim Pool Manager Beck: August/September 2012 Monthly Report

From Frank Uehlin: Letter dated September 27, 2012 re: Thank you

From Treasurer Kulesza: August 2012 Monthly Report

From Mr. Stelzer: Memo dated September 21, 2012 re: Frequency of Council meetings. Mr. Stelzer said one of the things in talking with former Council member, Andy Black, about some ideas for improvements to the Council process. There was some conversation when Mr. Black was still a member of Council about changing the frequency of the meetings but it apparently never got completely discussed and voted on. Based on the activity in the past couple of meetings we should be able to merge the activities from two meetings into one and get everything accomplished in a reasonable amount of time. There was a decision made as a budget cutting mechanism to ask certain members of the Village administration and Solicitor McTigue to not attend the second meeting of the month. This cut down on overtime and fees charged. That process has left Council having questions and the proper individual not in attendance to answer. Other local municipalities/school boards only meet once a month and they seem to be able to get everything done in that time frame. He asked if it would be more efficient to have the Council meeting once per month. Solicitor McTigue said the idea of trying it out on a temporary basis to see how it works is a good idea. From legal prospective he is okay with Council doing it for the remainder of the year but if after if it is decided to make it a permanent change he recommends that it be referred to a Committee of Council with a public hearing so residents could weigh in. It would also require an amendment to our Ordinance. He said he would call other municipalities where he knows the Solicitors and see how it works for them especially with having to do three readings for legislation. Mr. Scheeser asked to check with the other municipalities how it works with paying bills and bi-weekly payroll. Mr. Wolter said he likes seeing and talking with each other every two weeks. He believes the more frequent meetings helps with communication. Mayor Policastro referred the matter to the Committee of the Whole.

From Engineer Ertel: Quote for additional work for Miami Hill and Spring Hill Drive. Mayor Policastro said the sidewalk along Miami Road does not go all the way to the Bevis Residence at 4011 Miami Road and the resident now wants it to go there. Engineer Ertel said the original scope of work was to take the sidewalk all the way from Lytle Woods to 4009 Miami Road. Once complete, the Bevis's asked to have the sidewalk extended to their property. It can be done but it requires a change in the scope of the contract. It would also include the asphalt ditching from 4009 Miami Road to 4011 Miami Road and Rowan Hill Drive. On Miami Road there is an asphalt curb on one side and concrete curb on the other. On the property side of the asphalt curb was a two foot area where water would collect coming down the hill. In order to put the sidewalk next to that the contractor had to remove some of the asphalt. It will require approximately 80' of sidewalk to connect both driveways. The additional asphalt all the way to Rowan Hill will be 150'. Mr. Scheeser said he likes the idea and encourages stretching sidewalks all over the Village but he was concerned about the budget and the Murray Avenue project. Engineer Ertel said the Murray Avenue project was not included because the work is being performed by our Maintenance Department. We did not perform the brick work on Albert Place with this contract which was \$21,000. Instead it was bid out to Swisher for \$12,500 which leaves extra room in our budget to perform additional work.

Mr. Rex Bevis, 4011 Miami Road, was granted permission to address Council. He said when Public Works & Service met on this project he and his wife were really concerned that the sidewalk would eat up their front yard. Their front yard is narrow and they have a circular driveway. The Committee took their concern into

consideration. As the project progressed he was pleased with how good the project looked. The contractor really did good work but when complete it appears that the sidewalk is a sidewalk to nowhere. He understood that some of his neighbors called to complain about the sidewalk not extending the entire way. At the time he believed that the Public Works & Service Committee wanted them to extend the sidewalk all the way. The solution the Engineer came up with extending the sidewalk and the water control will be better. Mayor Policastro said it would also help keep the children off the street. Ms. McCarthy moved, seconded by Mr. Wolter to approve the extra money for the scope of work. On roll call; five ayes, no nays.

Engineer Ertel recommends that the Spring Hill manhole work be put out to bid next year as he feels we will get a better price.

Mayor Policastro said we received a check for approximately \$1900 from the City of Blue Ash for overtime paid for OVI enforcement. Chief Hines said this is a grant funded by the State of Ohio for OVI enforcement. Last month we had an OVI checkpoint which was very successful. There were 300 + cars that came through and we were able to make a couple of arrests. This is a great tool to help us keep our roads safe. He is hopeful that the Village will again receive the Platinum Award from triple AAA in November.

Mr. Wolter moved, seconded by Mr. Scheeser to pay the bills as approved by the Mayor, Chairman of the Finance Committee and the Clerk. Mr. Scheeser commented that the banners hanging in the Village for the Porsche Rallye look fantastic. He asked if Council should invest in permanent brackets on light posts so we can hang banners all year long. Mayor Policastro said the banners are very expensive and he is not sure many organizations could afford them. Mr. Scheeser asked about the payment to the school district for the concrete aprons to replace the sidewalk. He thought the school district would be responsible for paying for the replacement of the sidewalk. Mr. Miller said this is for the parking lot apron. On roll call; five ayes, no nays.

Mr. Miller moved, seconded by Ms. McCarthy to accept the recommendation of the Finance Committee which met on August 21, 2012 and September 20, 2012 in Council Chambers to discuss the purchase of Maintenance Department radios. Present at both meetings were Committee members: Joe Stelzer, Cortney Scheeser and Joe Miller. Also present at the August 21, 2012 meeting was Service Department Supervisor John Scherpenberg. The Committee discussed the loss of city band radio starting in January 2013 and recommends Mr. Scherpenberg's request for the purchase of five new hand held radios at a cost of \$7,783 before the end of the year. These radios will replace 7 truck radios and 4 old hand help police radios. The new radios will allow the Maintenance Department to communicate with Police, Fire and other communities, especially in the case of a disaster. On roll call; five ayes, no nays.

Mr. Scheeser moved, seconded by Ms. McCarthy to accept the recommendation of the Finance Committee which met September 20, 2012 to discuss modifications to the Cincinnati Bell telephone contract. Present were Committee members Joe Stelzer, Cortney Scheeser and Joe Miller. The Committee discussed the opportunity to reduce the amount paid to Cincinnati Bell for local phone service if the Village entered into a long term contract. The Committee determined that entering into a 36 month contract would reduce the annual local phone service bill by 23% or \$1,967. The Committee believed this option gave the Village significant savings with a reasonable amount of flexibility in case changes to phone service would be needed in the future. The Committee also recommends that in the next 12 months the Village review its current phone equipment and determine if and/or when a replacement system should be purchased. Mr. Stelzer said during the process they found out that the phone equipment is old and was probably bought in the late 1990's. We may run into an issue at some point with our equipment wearing out. That is one of the reasons the Committee agreed on a 36 month contract instead of a 60 month contract. We do need to do a comprehensive review of the equipment and determine if and when it needs to be replaced. On roll call; five ayes, no nays.

Mr. Wolter said the Safety Committee met to discuss the coyote issue again. He distributed an informational sheet. He is going to an ODNr deer and coyote program in November with Chief Hines. The information gathered will also be put in the informational sheet. If anyone sees anything that should be added please let Mrs. Van Pelt know because we want this to be as inclusive and objective as possible. Mr. Scheeser asked how the information will be sent out to the Village residents. Mr. Wolter said we will attach it with the Mayor's Bulletin. Mr. Scheeser suggested also leaving packets at the MariElders and the library. Mr. Wolter said we can use the school also to help get out the information.

Mayor Policastro read the following miscellaneous announcements:

Porsche Rallye will be held October 7, 2012

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

Mr. Stelzer said last week we had a visit from Commissioner Todd Portune who spent two hours touring the south 80 acres. He was impressed with the trails and made the statement that the Eastern Corridor road cannot go through this area which was very encouraging. He attended the Hamilton County Transportation Improvement Meeting which includes 20-25 politicians from Hamilton, Warren and Clermont County. They discuss all issues regarding transportation. During that meeting Commissioner Portune brought up the current recommended route for the State Route 32 relocation was not an acceptable solution. Mr. Portune said 'you could not have picked a route going through a more sensitive area unless you decided to run it through the town center'. There are definitely indications that he understands that the route that was picked was not favorable to Mariemont. There was a subsequent meeting this afternoon to discuss the recommended route for the relocation of St. Rt. 32 which included four representatives from ODOT and also included Commissioner Portune who voiced his

disappointment in the fact that this decision was reached without a lot of public involvement. It may be necessary to redo some of the public involvement meetings. We are in the middle of a highly complex issue. When highways are structured there is an analysis that is used by NEPA (National Environmental Policy Act) requirements which includes a series of studies to determine a route of a highway. They did a Tier I study a few years ago and had a recommendation that primarily looked at the effects of a roadway crossing the Little Miami River. Because of the study a determination was made that wide spans would be used instead of narrow spans to reduce the impact on the Little Miami River. One thing that happened in the most recent process was the cost factors and alternatives. The cost alternative going through the south 80 acres was approximately 150 million dollars. To build the route across the Little Miami River by Horseshoe Bend was approximately 350-450 million dollars because of the length of the span. Clearly they picked the route through the south 80 acres because of cost which is being driven by the Tier I decision to have wide vs. narrow spans. The representatives from ODOT agree that there needs to be additional public involvement meetings and additional studies to determine if they need to go back and review the Tier I study. If not, part of the Tier II study will start to look at a Section 106 review regarding the National Historic Landmark status of the Village and Section 48 because the area is designated a park area before they can finalize the Tier II process. There is a lot of homework that needs to be done on this project in the next 60-90 days. The good news is that he thinks they are listening and that they understand that the route selected causes severe devastating impact on the Village. We are fighting a decision that was made five years ago because of environmental impacts.

Mayor Policastro said the Department of the Interior said the bridge has to be wide-span and there could not be pillars in the water but we also have the Department of the Interior on our side because they made us a Historic Landmark. He made the comment in the meeting that the body in Washington D.C. who makes the decisions would consider human beings more important than fish. He was told that no - the fish would win out.

Mr. Stelzer said this will be a highly complex process and hopefully we will prevail. The good news is we have a politician starting to listen to us. Commissioner Portune wants the Eastern Corridor Project to occur with a lot of public involvement. He made the statement today that it seems like the recommended route was done without a lot of public involvement, like the fact that ODOT unveiled that map on August 2, 2012 and gave us only 30 days to respond with comments. We have supplied them with over 200 insightful comments. It appears that we now have a little more time to put this all together. Contact was made with Congressional candidate Brad Wenstrup who wishes to tour the south 80 acres. We plan on continuing to educate politicians about what the impact of the proposed route would be.

Mr. Miller said there is 175 million dollars of pressure of putting this route where we do not want it.

Mayor Policastro said we brought up the fact that a wall would need to be put up along Miami Bluff for about ¾ of a mile which would be very costly. Also, they would need to bring in tons and tons of dirt into the floodplain area.

Mr. Stelzer said one thing they did come away with from the meetings was the fact that they do not simply want to hear the Village does not want State Route 32 to be built. We would lose our place at the table very quickly.

Treasurer Kulesza asked out of curiosity if there is a price tag on the land and if it could be sold. Mayor Policastro said we would have to if it went through. Mr. Scheeser said the front yard on the Bluff would now be highway and the most expensive land in the Village loses tax base - it just upsets the apple cart. Mr. Stelzer said he has heard conflicting views on the matter of eminent domain on public property if the Village would even be paid anything. Typically on the process there is an appraisal process and we would pretty much be subject to the appraisal price. An appraisal of the property may not get a high number.

Mr. Wolter said it is his understanding that the State and Federal governments do not require economic impact studies for roads like they do for railroads. Mayor Policastro said he believes they would have to do a study based on the Village's National Historic Landmark Status.

The meeting adjourned at 8:13 p.m.

Dan Policastro, Mayor

Anthony J. Borgerding, Clerk