

**MINUTES OF THE COUNCIL
VILLAGE OF MARIEMONT, OHIO
REGULAR MEETING HELD IN COUNCIL CHAMBER
FEBRUARY 24, 2014**

Mayor Policastro called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the flag. The following Council members answered present to roll call: Mr. Marsland, Mr. Miller, Ms. Palazzolo, Ms. Schwartz, Mr. Tinkham and Mr. Wolter.

Mr. Marsland moved, seconded by Mr. Miller to approve the minutes as written for January 27, 2014. On roll call; six ayes, no nays.

The following communications were read by Mayor Policastro:

From Clerk/Treasurer Borgerding: January 2014 Monthly Report/Trend Reports

From Ray and Judy Kagrise: e-mail dated February 11, 2014 re: Thank You Maintenance Department

From South 80 Advisory Board: Installation of a water well in the South 80 Gardens. Mayor Policastro referred the matter to the Finance Committee. It is going to cost approximately \$4000. It will really make the Lower 80 Park and Gardens somewhere residents want to go. He is hopeful that we will be able to get donations from the Mariemont Civic Association and MPF.

From Mark Erhardt: e-mail dated February 19, 2014 re: South 80 Gardens water well quote

Mayor Policastro also referred the following to the appropriate Committee of Council based on the Committee of the Whole meeting to establish the budget for the Permanent Improvement Fund: Safety – the request from the Police Department for a new unmarked car and (11) Sig Sauer duty weapons. He referred to the Finance Committee – the request from the Tax Department for new computer stations and tax software; from the Fire Department – the request for a new John Deere Gator.

Ms. Julie Northrop, 3901 West Street #112, was granted permission to address Council. At the October 14, 2013 Council meeting the Greiwe Development Phase 4 condo project architect made a presentation. The site plan showed a shared driveway with Emery Park to access the required under the building parking garages and both Village and Duke Energy easements. At that time she had expressed her several concerns about the driveway including making it even more difficult than it is to exit the garage. At a later Council meeting, Chief Hines said the greatest number of speeding citations on Village streets issued in 2013 were for Miami Road, Wooster Pike and Madisonville Road. She questioned adding more traffic to Madisonville Road if there is an alternative, namely Murray Avenue. On February 13, 2014 the Emery Park owners were notified of a meeting which will be held on February 26, 2014. On the agenda is “Mariemont IV update with subtopics: site plan, evaluation of alternatives, garage access decision and easement”. She is looking for clarification of both Village and Duke easements. As far as the Village easement, she asked at the October Council meeting about the Phase IV driveway going through the Village easement. Solicitor McTigue stated that he was unsure if the Village can grant a permanent easement for private use. At the present time there is a double driveway for the two houses that will be demolished plus two single driveways for the two houses that remain. All that pass through the easements are hard surface and are for private use. She asked if the Phase IV driveway could replace the no longer needed double driveway. She thought that some of the Village concern might also be about the proposed bike trail. The existing Murray Trail crosses one street and three driveways. She hopes that Council will feel that this is similar and that the path and driveway could co-exist. An independent search by an examiner in a title office has so far not found evidence of a Duke easement in that particular area. The search may not have been broad enough in scope as the easement may exist, but it does raise a question. Another Emery Park owner who also questions the shared driveway concept went to the County Administration Building to see if he could obtain any information. He found an easement but thought it may have been only for overhead lines. She asked for the name of the contact person at Duke Energy so she may contact them in this regard. Mr. Greiwe stated at the October meeting that he did not know how deep the utilities were buried. He also stated in an e-mail to the Emery Park owners that ‘Duke Energy has overhead and underground utilities along Murray that make the cost of construction prohibitive’. If cost is the factor, she thinks that it should be part of the purchase price of a Phase IV condo just as it was when Emery Park owners purchased their units. She thanked Council for the opportunity to speak before them. Mayor Policastro said there will not be a bike trail in that area. If we do a bike trail it will come up the other part of

Murray Avenue to Plainville Road. It will cost a lot of money to do and right now we would need two grants to do it. Solicitor McTigue said it would not be in the best interest of the Village to give up the easement on its right-of-way in case of some future expansion on Murray Avenue. He said it would be up to Mr. Greiwe to determine where the utilities are located since this is a request from the homeowners of Emery Park. Mayor Policastro asked Solicitor McTigue to contact Mr. Greiwe's attorney for clarification.

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

Mr. Marsland moved, seconded by Ms. Schwartz to accept the recommendation of the Public Works Committee which met on Tuesday February 11, 2014 at 6:00 p.m. in Council Chambers to discuss the one year renewal option on the grass cutting contract with GrassCor Lawn & Landscaping LLC at a 2% increase over the 2013 contract price of \$42,720. Present at the meeting were Public Works Chairman Dennis Wolter, Vice-Chairman Mary Ann Schwartz, Committee Member Eric Marsland, Mayor Dan Policastro, Service Superintendent John Scherpenberg and his son, GrassCor Representative John Swisher and residents Rob Matthews and Scott Matthews. After much discussion, the Committee voted unanimously to recommend renewing the contract for one year at a 2% increase over the 2013 price for a new amount of \$43,574.40 representing an increase of \$854.40. Mr. Wolter said this is a good deal and according to Superintendent Scherpenberg their work is good quality and they are very responsive. On roll call; six ayes, no nays.

The Mayor read the following miscellaneous announcements:

Outstanding Citizen Award Applications are due to Mrs. Van Pelt by Thursday March 20, 2014

Resolutions:

"To Amend Resolution of Existing Pick-Up for the Mariemont, Ohio Fire Department" had a third reading. Mr. Miller moved, seconded by Mr. Wolter to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-6-14 was adopted.

"To Amend Resolution of Existing Pick-Up for the Mariemont, Ohio Police Department" had a third reading. Mr. Wolter moved, seconded by Mr. Marsland to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-7-14 was adopted.

Ordinances:

"Ordinance Amending Section 32.13 of the Mariemont Code of Ordinances, Rules of Council" (Council Meeting Frequency Change) had a first reading.

"Ordinance Amending Section 32.13 of the Mariemont Code of Ordinances, Rules of Council" (Three Minute Time Limit at Podium) had a first reading.

"To Amend Section 151.026(A)(1) of the Mariemont Code of Ordinances to Increase the Number of Members of the Architectural Review Board from Five to Seven" had a first reading.

"To Amend the Contract of Rumpke Waste Dated November 15, 2012 and To Declare Emergency" had a first reading. Ms. Palazzolo moved, seconded by Mr. Miller to suspend the rules to allow for the second and third readings. On roll call; six ayes, no nays. The Ordinance had a second and third reading. Mr. Wolter moved, seconded by Mr. Tinkham to adopt the Ordinance. On roll call; six ayes, no nays. Ms. Palazzolo moved, seconded by Mr. Wolter to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-5-14 was adopted.

"To Appoint Anthony Borgerding as Village Fiscal Officer for the Calendar Years 2014 and 2015 and To Declare Emergency" had a first reading. Mr. Marsland moved, seconded by Ms. Palazzolo 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. Wolter moved, seconded by Ms. Schwartz to adopt the Ordinance. On roll call; six ayes, no nays. Mr. Tinkham moved, seconded by Ms. Schwartz to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-6-14 was adopted.

"To Appoint Christopher Eldridge as Village Fiscal Administrative Assistant for the Calendar Years of 2014 and 2015; and To Declare Emergency" had a first reading. Ms. Palazzolo moved, seconded by Ms. Schwartz to suspend the rules to allow for the second and third readings. On roll call; six ayes, no nays. The Ordinance had a second and third reading. Mr. Wolter moved, seconded by Mr. Tinkham to adopt the Ordinance. On roll call; six ayes, no nays. Mr. Marsland moved, seconded by

Ms. Schwartz to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-7-14 was adopted.

Mr. Wolter moved, seconded by Ms. Schwartz to go into Executive Session to discuss confidential information relating to negotiations with another political subdivision regarding their request to enter into an economic development zone. The information to be discussed relates directly to request for economical development assistance under section 715 of the Ohio Revised Code and that the Executive Session is necessary to protect the applicant’s interest. Solicitor McTigue said the other political subdivision wants to keep their identity confidential at this point which they are allowed to do under state statute. It does require a unanimous vote of Council to go into Executive Session. On roll call; six ayes, no nays. Mayor Policastro asked resident, Mr. Joe Stelzer, be present at the meeting.

The meeting had a brief recess at 7:30 p.m.

Ms. Palazzolo moved, seconded by Mr. Tinkham to return to regular session of Council. On roll call; six ayes, no nays.

The meeting adjourned at 8:17 p.m.

Dan Policastro, Mayor

Anthony J. Borgerding, Fiscal Officer