

**VILLAGE OF MARIEMONT
REGULAR COUNCIL MEETING HELD IN COUNCIL CHAMBERS
APRIL 10, 2017**

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. Brown, Mr. Hlad, Mr. Marsland, Ms. Palazzolo, Ms. Schwartz and Mr. Wolter.

Mr. Brown moved, seconded by Mr. Hlad to approve the minutes as written for March 27, 2017. On roll call; six ayes, no nays.

Mayor Policastro read the following communications:

From Police Chief Hines: March 2017 Monthly Report. Mr. Wolter said there was a marked increase in traffic citations and asked if hiring the tenth officer contributed to that. Police Chief Hines said he believes that it does contribute. Everyone is out of field training and out on their own. Mr. Brown thanked the Police Department for the additional enforcement on Miami hill. He commented that vehicles really do speed coming down the hill. Mr. Hlad asked about the transition in schedule for twelve hours on and twelve hours off. Chief Hines said there was a departmental meeting today and the staff is happy and he is happy from an administration point of view.

From Assistant Fire Chief Kiefer: March 2017 Monthly Report

From Tax Administrator Busam: March 2017 Monthly Report

From Service Superintendent Scherpenberg: March 2017 Monthly Report

From Building Administrator Keyes: March 2017 Monthly Report

From Tax Administrator Busam: March 2017 Monthly Report. Mr. Brown commented that it seemed there was a fallout in the tax revenue. Ms. Busam said it appears people are waiting till the last minute to file and pay their taxes.

From Engineer Ertel: Memo Dated March 28, 2017 re: Additional Storm Water Detention Pipe Settle Road. Mayor Policastro said the engineers we hired have found more square footage to put the detention pipes in. We want to see if we get the grant monies May 11th. If we get the monies he believes we should do a little bit more as this may be the best chance we get. Mr. Hlad asked how much the grant was for. Engineer Ertel said it is \$99,999 with it being half a grant and half an interest free loan for twenty years. It will include the tie in to the sewer system. Mr. Wolter asked if there is any way to calculate the inches of rain per hour that this can mitigate over the way it is now by adding the \$55,000 of work. Engineer Ertel said yes it can be calculated. Mr. Wolter said that would be helpful in determining if we should proceed with the additional work.

From Arthur Webb: Letter Dated March 29, 2017 re: \$10,000 Donation Naming Council Chamber Edward E. Betz Jr. Council Chamber/E-mail re: Estate Taxes Paid. Mayor Policastro said when Mr. Betz died he paid approximately \$300,000 in Inheritance Tax to the Village.

Mr. Brown asked how we know that someone else out there that might have paid more money. Is there a process or should we have a process where this can be determined. Should we have criteria by which this would get decided?

Mr. Hlad said there could be an opportunity with the Municipal Building Addition to have naming rights with the Council Chambers and the artifacts area. It would raise revenue for the project. The process should be made public with defined parameters such as high bidder or first come (provided they meet the criteria).

Mr. Wolter said there is a lot of conversation to be had beyond money such as what they have contributed to the Village and our country. Someone who died in battle for our country is priceless. If a family does not have resources to endow to the Village but that person is prominently eligible for being honored there should be other criteria to do so.

Ms. Schwartz said this family has already made the offer to the Village and she feels if she was this family and the Village came back and said it was going to go through a process that could be time consuming she would withdraw the offer. Mr. Hlad said there is potential to offend other individuals/families that were not made aware that this was an option.

After discussion, Mr. Wolter moved to form a Committee to decide how to handle naming rights. There was no second to the motion. Mayor Policastro referred it to the Safety Committee for further review and discussion.

From Paul Allen: E-mail Dated March 28, 2017 re: Resignation from ARB. Mayor Policastro said he is moving out of the Village but should be here for a few more months.

From Mariemont Parks Advisory Board: Letter Dated April 4, 2017 re: Opposition of C.O.R.A. Use of Dogwood Park.

From Claire Kupferle: President MPF: Letter Dated April 7, 2017 re: Concerns with Extreme Bike Riding – Dogwood Park.

Mayor Policastro said after going through the Code book Whiskey Creek is a historic area with historic relics and Indian burial grounds. MSD hired Gray & Pape years ago when MSD was digging and repairing sewer pipes behind the swim pool. They found 16 bags of human bones behind the pool. The whole area is a mass burial area. He is and in the future will be very protective of the area. He got up at 5:00 am one morning with the Maintenance Department and in the dark returned the bones to the earth in the site behind the pool. According to the Mariemont Code of Ordinances the decision will be made by the Architectural Review Board not Council.

Mr. Jerry Vianello, 6570 Wooster Pike, was granted permission to address Council. He is glad that the baseball fields are being refurbished however he is concerned when he heard from a member of the Recreation Association that they are footing the entire bill. Mayor Policastro said that is not true. Mr. Vianello said he was told the project would cost \$10,000 and that they asked Council for funding and were denied. Mayor Policastro said the Village gave \$2,000. Mr. Vianello said historically it is Village property and if any other person raised funds it was split 50/50. Mayor Policastro said Council approved the \$2,000 in the Permanent Improvement Budget Hearing. He referred to it as “baseball dirt”. Ms. Palazzolo said she remembers the approval of the expenditure but she assumed that the money allocated would have covered 100% of what work was needed. Mayor Policastro said the Recreation just asked for a donation not a specified amount of money. He was not aware that the total project was \$10,000 – he thought it would be approximately \$4,500 which is what it was several years ago. We are a little over our Capital Budget for 2017 because of the important Settle Road Project so the \$2,000 was the best we could do.

Mr. Bob Van Stone, 4050 Lytle Woods Place, was granted permission to address Council. He distributed a handout to members of Council. He asked for Council to consider a clarification of the current ordinance permitting the growth of large expanses of tall grasses. He believes this is incompatible with Mary Emery’s English garden concept for Mariemont. This type of foliage is also a safety hazard for young neighborhood children due to the rodents and snakes living in the grass that can wander into surrounding yards. He referred to Section 93.055(B)(4) and does not believe the intent of the ordinance was to have wide expanses of stuff growing 3’-4’ high. He suggested that the ordinance needs clarification to permit the intended use of bushes, flowers and other ornamental plants in borders and isolated islands, but not in large expanses of lawn ground cover such as ‘ornamental grasses in excess of 12” in height at full maturity are only permitted in isolated islands, borders and may not exceed 10% of property lots’. Mayor Policastro referred the matter to the Health and Recreation Committee for further review and discussion.

Mr. Marsland moved, seconded by Mr. Brown to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. On roll call; six ayes, no nays.

Miscellaneous:

Village Offices will be closed Friday April 14, 2017 in observation of Good Friday

Discussion ensued regarding the number of times Council would meet during the summer months of June, July and August. Mr. Hlad said the Code of Ordinances already stipulates that Council meet the second Monday of June, the third Monday of July and the fourth Monday of August. Mr. Wolter said last summer there were issues that came up that needed more expedite resolution. He is in favor of continuing two meetings per month. Ms. Palazzolo said she did not remember how many but we did a lot of emergencies in the summer and the meetings in April and May because Council was not going to meet as often in the summer. Mr. Marsland moved, seconded by Ms. Palazzolo to change the Ordinance to reflect Council meetings will resume to twice per month. On roll call; six ayes, no nays.

Resolutions:

“A Resolution of the Village of Mariemont, Ohio Creating an Organization of Municipalities within the United States that have been Designed by Renowned City Planner John Nolen; and Providing an Effective Date” had a third reading. Mr. Wolter moved, seconded by Ms. Palazzolo to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-9-17 was adopted.

“Resolution Declaring the Necessity of Levying a Tax in Excess of the 10 Mill Limitation for Permanent Improvements and Requesting the County Auditor to Certify Matters in Connection Therewith” had a third reading. Mr. Marsland moved, seconded by Mr. Brown to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-10-17 was adopted.

“To Authorize the Designation of a Handicapped Parking Space in Front of 3912 Miami Road” had a first reading.

“To Appoint Brad Lockhart as a Member of the Architectural Review Board for the Calendar Years of 2016 & 2017” (To Fill the Unexpired Term of Paul Allen) had a first reading.

Ordinances:

“To Amend Section 78, Schedule I of the Mariemont Code of Ordinances to Include No Parking on Certain Streets Within the Village” (Cherry Lane) had a second reading.

“To Accept Bid of J.K. Meurer Corporation for the 2017 Street Rehabilitation Project; To Authorize Contract and To Declare Emergency” had a first reading. Ms. Palazzolo said regarding the street pad work on Murray Avenue would the funding for the project go through the Finance Committee. Mayor Policastro said no it has already been approved by the Public Works Committee. Mr. Wolter 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 reading. Mayor Policastro said this work includes all the work outlined in the Street Rehabilitation Bid including the parking pads on Murray Avenue. Engineer Ertel said what is in the contract is the asphalt topping coat for the parking pads. The location of the pads is yet to be determined. The excavation to add an additional change order to the contract which could come before Council or at least go to the Mayor for approval. The Ordinance had a third reading. Mr. Brown moved, seconded by Ms. Schwartz to adopt the Ordinance. On roll call; six ayes, no nay. Mr. Wolter moved, seconded by Ms. Hlad to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-6-17 was adopted.

“To Accept Bid of Mills Fence Co. and Harry Ewers and Sons, Inc. for Repair Work at Tennis Courts; and To Declare Emergency” had a first reading. Mr. Marsland moved, seconded Ms. Palazzolo to suspend the rules to allow for the second and third readings. On roll call; six ayes, no nays. The Ordinance had a second reading. Mr. Hlad said the reason for the emergency is because we need to coordinate the resurfacing company to do our project prior to the start of the upcoming ATP Tennis Championships. The Ordinance had a third reading. Ms. Schwartz moved, seconded by Mr. Brown to adopt the Ordinance. On roll call; six ayes, no nays. Mr. Hlad moved, seconded by Mr. Marsland to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-7-17 was adopted.

Mr. Wolter said he would like to give a small presentation at the next Council meeting regarding Lunken Airport. He does not feel the changes should impact the Village.

Mr. Wolter said there has been a lot of conversation regarding the bike trails. He thought the representative from CORA gave a good presentation. He thinks it is important to listen to all sides of the issue. There are people in the Village who really want bike trails. He personally is concerned about safety particularly with the topography. Blending bicyclists and people is a very precarious thing to do but we owe the Village a serious look at this. If we decide not to do bikes CORA may be able to provide us with some technology that will enhance the trails in the lower 80. He is not going to make a decision until we really look at this.

Mayor Policastro said the Army Corps of Engineers is controlling that area because it is a wetland and runs along a creek bed. We have to stop the bikes or risk getting fined. He does not want to feud with the Federal Government. They say walking and bike paths do not mix – as does our liability insurance carrier. Mayor Policastro gave background on how the Army Corps of Engineers became involved when we put up the gabion wall and scrapped the creek of all the trees. Someone alerted the Army Corps of Engineers who called and said to cease and desist. We need to do a plan on how to bring the vegetation back. When he spoke with them about a bike trail the representative said the Village needs to submit a plan which would need to be approved. Mr. Wolter said if we know when they are coming he would like to be notified. We are asked to make decisions with information that is sometimes sketchy.

Mr. Wolter said we need something in writing from the Army Corps of Engineers or documentation on what we can do in the area. Mr. Hlad agreed that it would be helpful to have something in writing as well.

Ms. Schwartz said CORA want us to sign a document giving up rights to the land. Mr. Wolter said we are nowhere near signing an agreement. We can talk to them without committing to signing anything.

Mayor Policastro said ARB will make the decision. ARB can approve or deny an application for an historic site. Council can override their decision with an affirmative vote of five out of the six Council members.

Engineer Ertel said he will obtain from the Army Corps of Engineers the compliance letter.

The meeting adjourned at 8:00 p.m.

Dan Policastro, Mayor

