

**VILLAGE OF MARIEMONT  
REGULAR COUNCIL MEETING HELD IN COUNCIL CHAMBERS  
JANUARY 8, 2018**

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: Mrs. Graves, Mr. Hawkins, Mr. Marsland, Ms. Palazzolo, Ms. Schwartz and Mr. Wolter.

Mayor Policastro welcomed the new Council members.

Mr. Wolter said he has two inclusions/additions that were left out of the minutes of December 18, 2017. When Council was discussing how the decision was made regarding the hillside on Mariemont Avenue. After the part where it was said that Council was not given specific information and before he said Council made a mistake, he also said that before the Mayor left town the Mayor gave Mr. Wolter implicit directions to get this passed in the Committee. He said it is important that it be put in the minutes. In addition, after the sentence "Mr. Wolter asked why someone could not have given him this information prior to the meeting" when the minutes miraculously showed up at the meeting, he said he made two requests to the office. He said he asked Mrs. Van Pelt to go back to 2012 and if there is anything in the records of Committee minutes or Committee reports involving the Luken project as he could not find them in his records. He said she called back and said no. He went home and looked again through his records and still could not find it. He went back and asked Mrs. Singleton to look a couple days later and she could not find it either. The fact that he made the statement that he tried to get the minutes from the Village and was unable to do so is important to this conversation. Ms. Schwartz said here we go again. Mr. Wolter said no we are not going again – this is serious. Ms. Schwartz said she saw the look that Mr. Wolter gave her because she is going to speak. You did it all of last year and you are going to start again. She asked if Mr. Wolter watched the tape or listened to the audio or is this what he thinks he said. Mr. Wolter said this is what he knows he said because he was here and he wanted to say that to clarify the fact that he was making a diligent effort to find some documents that he misplaced. He sent the Mayor the day after the Committee meeting a copy of the Committee minutes along with the report. He wrote to the Mayor that if there were any changes to call and let him know and he will correct it. He did not hear anything back from the Mayor. Unfortunately it was filed incorrectly with his Airmo business records. Once he got the document from Mrs. Van Pelt he was able to back track it and find it in his records. He forgot about the meeting as had the other two Committee members. He was trying to clarify the fact that he was trying to get information because there was some recollection, being faint, that we were involved in this and he did not know exactly what we had done two years earlier. Ms. Schwartz said she does not have any problem changing the minutes to correct but she would like the audio to be reviewed. Mrs. Van Pelt asked if he wants the minutes to be amended to say "Mr. Wolter called the Village Office and they were unable to locate the records at that time". Ms. Schwartz clarified that the audio/ICRC video be watched/listened to in order to verify that it was actually said in the meeting before the minutes are changed. Mr. Wolter agreed. Solicitor McTigue said we need a motion and a second to table the minutes until Mrs. Van Pelt can review the audio tape. Mr. Wolter moved to table the minutes. Mayor Policastro said he has a problem with the first point Mr. Wolter raised in that the Mayor gave explicit demand/instructions to get this passed. Mr. Wolter said the Mayor instructed him to pass this because the Mayor said it is important because the hill is slipping. Mayor Policastro asked if Mr. Wolter had this written anywhere or was this in his mind. Mr. Wolter said he was pretty careful remembering this part of it. Mayor Policastro said Engineer Ertel called him about this. Mr. Wolter, Engineer Ertel and Mayor Policastro wanted to meet down there before the Mayor was leaving on vacation. He had to have a cortisone shot in his knee. He said he cannot do this. He remembered talking with Mr. Wolter and saying this is your baby – I am out of here in a few days. You have to do what you have to do on this thing. Solicitor McTigue said we do not need to re-discuss what was said way back when. All you need to do is have Mrs. Van Pelt reviewed the tape to see if Mr. Wolter said that the Mayor gave implicit instructions to get the Committee report passed. If it was said it will go in the minutes. Mayor Policastro said he can rebuttal because it is not true. Solicitor McTigue said Mr. Wolter says he indicated at the last meeting that he tried to find the report, on his own and through the office. If he said it then it goes in the minutes. Mayor Policastro asked Mr. Wolter if he said at the last meeting that the Mayor gave explicit instructions to pass this. Mr. Wolter said the Mayor instructed him on the phone that he had to go out of town and this needed to get passed. Mayor Policastro said he never said that. Mr. Wolter said he is not trying to cause trouble he is just trying to clarify the record. If it is on record we will get it. He asked Mr. Marsland if he remembered this. Mr. Marsland said to the best of his knowledge he thinks it was said. Mayor Policastro said he did not say it and that is the point he is making. Mr. Wolter said it was a phone call between himself and the Mayor.

Mr. Marsland moved, seconded by Mr. Wolter to accept the minutes as written for the Committee of the Whole from December 11, 2017. On roll call; four ayes, two abstentions (Mrs. Graves and Mr. Hawkins).

Mr. Wolter moved, seconded by Ms. Schwartz to table the minutes from December 18, 2017. On roll call; six ayes, no nays.

Mayor Policastro read the following communications:

From Police Chief Hines: December 2017 Monthly Report

From Assistant Fire Chief Kiefer: December 2017 Monthly Report

From Service Superintendent Scherpenberg: December 2017 Monthly Report/2017 Yearly Report. Mr. Marsland asked if we have an idea going forward, from Davey Tree or our Arborist, what trees will be in need of coming down this year. Service Superintendent said there is not a master list yet. He said basically how they work the tree issue is if a homeowner calls in the spring and says they believe something is going on with their tree they will go and inspect it. From those they make a priority list versus what can be held off for a little bit. The past year was a bit heavy with Oak and Maple trees dying out. We have to mindful of liability issues.

From Building Administrator Keyes: December 2017 Monthly Report

From Tax Administrator Busam: December 2017 Monthly Report/2017 Yearly Report

From Engineer Ertel: E-mail Dated December 21, 2017 re: Murray Avenue Bike Trail ODNr Clean Ohio Trails Fund Grant (Between Settle Road and Plainville Road). Mayor Policastro referred the matter to the Health and Recreation Committee. Engineer Ertel said he researched the grant. It is not something he can apply for himself. It is due February 1, 2018. Choice One did a similar grant application for us in 2014. The cost is \$1,300. We will need to pass a Resolution at the next Council meeting on an emergency basis. In 2014 we received a grant from Transportational Alternatives (TA) which we applied for through Caroline Duffy's firm. We short listed a list of consultants to design the work. The design came back at \$80,000 that the Village had to pay 100% of. In addition, there was a construction cost that the Village would pay at a matching cost. The trails were estimated to be \$450,000. Everything would be split 75%/25% between the Village and the ODNr grant. Mayor Policastro asked if there were any other grants to help match. The TA grant comes available every four years and will be available in April but it does come with more strings attached. Mr. Hawkins said the TA grant would go in April but we would not get the funding until three years later. Engineer Ertel said Interactive for Health may have grant opportunities. Mr. Wolter asked if this grant was for the design. Engineer Ertel said this is the application to apply for funding. It is 86 pages. Mr. Hawkins said the intent is to use the grant money for the section of Settle Road to Plainville. Mayor Policastro said we have many projects on the books for Permanent Improvements for this year. Engineer Ertel said we would not find out if we got the grant until July. You have fifteen months to build after the Village receives funding. Solicitor McTigue cautioned to make sure the Committee is aware of any deed restrictions should grant money be accepted. Mr. Hawkins said it would need to remain a trail for fifteen years. Solicitor McTigue said after reading the e-mail from Engineer Ertel he was under the impression it was forever.

From Assistant Fiscal Officer Wendler: Fiscal Officer's December 2017 Monthly Report. Mayor Policastro said we did unbelievably well last year with the General Fund. It is the 17<sup>th</sup> year in a row that we ended with over a million dollars balance in the General Fund. Fiscal Officer Borgerding said he budgets conservatively on the income tax revenues. He usually budgets 1%-2% and it was up 6% this year. Mayor Policastro said he did not think we would end with a million dollar balance. Fiscal Officer Borgerding said he was too was worried that we would not.

From Police Clerk Maupin: Mayor's Court Statement December 2017

Mr. Wolter moved, seconded by Ms. Palazzolo to elect Mr. Marsland as President Pro-Tem of Council. On roll call; six ayes, no nays.

Mr. Mike Smythe, 3607 Flintpoint Way, was granted permission to address Council. He said the Department Heads have done an extremely awesome job in the Village. He appreciates the help when a tree branch fell on his car. He does have a couple concerns. Nelson Peltz is now on the board with Proctor & Gamble. It was just announced that Macy's downtown is closing. General Electric is under hijack with Nelson Peltz's partner GE Aviation. There are numerous people in the Village that work for those three multinational companies. The Villager is closing. Last week the Eastgate Brew and View announced they were closing. It is under the same ownership that owns the Mariemont Theatre. He distributed handouts to members of Council. We would like to talk about supporting our businesses. It was announced today that the Mariemont Inn was awarded Trivago.com's list of 12 Midwestern hotels. It is the only Ohio hotel to be included on the list. He would like to see an olive branch reached out to the Spinnenweber Family. He said Mr. Wolter is a very successful businessman and suggested he use his abilities to bring the businesses together. We have other big things coming at us with other boards and levies. Council has done a nice job frugally keeping taxes down. He is concerned about the theatre and about our businesses. It is a shame that the Villager is closing. Mayor Policastro said he understands that the Mariemont Theatre is doing very well.

Fiscal Officer Borgerding said before we can spend money we first have to appropriate money to allow us to spend money throughout the year. It pretty much matches what was budgeted in July 2017 at the Budget Hearing. Based on his review of how 2017 ended and our expectations for 2018 we believes we are in good shape. At the end of the year we will have to make some minor adjustments just as we always do. Ms. Palazzolo asked if we were to hire an Arborist as we had years ago or increase the number of trees planted how it would impact this document. Fiscal Officer Borgerding we could go ahead and spend the funds and at the end of the year he would look to see if we are over budget on any line item and make any necessary changes to the Supplemental Appropriation Ordinance at the end of the year. Mr. Marsland moved, seconded by Ms. Palazzolo to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-1-18 was adopted.

Ms. Schwartz moved, seconded by Mrs. Graves to pay the bills as approved by the Fiscal Officer, Mayor and Chairman of the Finance Committee. On roll call; six ayes, no nays.

Mayor Policastro briefly went over the Committee assignments. Ms. Palazzolo said she is working with Mrs. Van Pelt on getting the wording in order to change the Ordinance referencing the Village Square and the Historic District. Mrs. Schwartz said she will pass onto Mr. Hawkins the information regarding the large expanses of tall grasses. She said she is going to get with Mr. Brown to go over the CRA application for 3876 Belmont Avenue. Mayor Policastro said the street lights on Cambridge and the Safe Ways to School grant for historic lighting along sidewalks dovetail together in the Public Works Committee. He asked Engineer Ertel how long we have before we can apply for the grant. Engineer Ertel said the Safe Ways to School Grant should come up with the Transportational Alternatives funding in April. We will need to change the school travel plans to make sure that the roads that are included match as a requirement to apply. We will need a Committee report and a Resolution to apply for funding. Mr. Wolter said he has tried unsuccessfully to coordinate a time to meet on Cambridge. He has gone to that street twice and other streets and it is no better or worse lit than the majority of the streets in the Village. He would not know how we address that issue as to why that one street would be a prioritized unless it really is a safe ways to school heavily used route. We need to figure out what to do with all the lighting in the Village. Engineer Ertel said we would start with a determination of what the school travel plan route is. Mayor Policastro said for the sake of the grant we put in all and see what they accept. We could then tell the resident on Cambridge that they did or did not accept it. The last plan was put together in 2010.

Mr. Wolter gave a brief verbal update. He met twice with the Building Administrator regarding the building fees and has put together some notes and put together a report. They plan to meet one more time. After that he will plan a Public Works and Service Committee meeting to discuss. He just received the four outsourcing of mowing bids. He is going to call

together a meeting as soon as possible. He is also working with the Village Engineer to put together the information needed for the 2018 Street Rehabilitation Project.

Ms. Palazzolo said she is working with the Solicitor and the Police Chief on changes to the noise ordinance.

Ms. Schwartz moved, seconded by Ms. Palazzolo to accept the recommendations of the Safety Committee which met on Thursday November 2, 2017 at 5:30 to discuss parking on Cherry Lane during morning school hours. Present at the meeting were Committee Member Bill Brown, Mayor Dan Policastro, Police/Fire Chief Rick Hines and resident Troy Hawkins. The Safety Committee recommends to Council that Cherry Lane be designated a "No Parking Zone" from the hours of 7:00 a.m. to 9:00 a.m. on school days. This report was initially tabled at the November 13, 2017 Council meeting. Two of the members are no longer on Council. Mrs. Graves said she did some research and talked with members of Council and approximately ten residents. She received positive feedback regarding implementing this issue. Mr. Wolter asked who the normal parkers are in that area. Mrs. Graves said along West Street it is typically contractors doing work on the condos. On roll call; six ayes, no nays.

Ms. Palazzolo moved, seconded by Mr. Wolter to accept the recommendation of the Safety Committee which met on Thursday November 2, 2017 at 5:30 to discuss parking on West Street during morning school hours. Present at the meeting were Committee Member Bill Brown, Mayor Dan Policastro, Police/Fire Chief Rick Hines and resident Troy Hawkins. The Safety Committee recommends to Council that West Street between Thorndike and Madisonville Road be designated a "No Parking Zone" from the hours of 7:00 a.m. to 9:00 a.m. on school days. This report was initially tabled at the November 13, 2017 Council meeting. Two of the members are no longer on Council. On roll call; six ayes, no nays.

Mayor Policastro read the following miscellaneous announcements:

Mr. Marsland moved, seconded by Mr. Hawkins to appoint Ms. Schwartz and Ms. Palazzolo to the Volunteer Firemen's Dependents Board. On roll call; six ayes, no nays.

#### 2018 Council Committee Assignments

Mayor Policastro said traditionally and historically the Chariman of the Planning and Zoning Committee is nominated as a member of the Planning Commission. Mr. Marsland moved, seconded by Mrs. Graves to nominate Ms. Schwartz to the Planning Commission. On roll call; six ayes, no nays.

Mayor Policastro referred the Salary Ordinance (Full-Time, Part-Time and Appointed Officials) to the Finance Committee.

#### Resolutions:

"Resolution Authorizing Village of Mariemont to Enter Into Contract with GSI and To Declare Emergency" Mr. Marsland moved, seconded by Mr. Wolter to suspend the rules to allow for the second and third readings. Mrs. Graves verified that this was for the work to be done on the hillside on Mariemont Avenue. On roll call; four ayes, two abstentions (Mrs. Graves and Mr. Hawkins). The Resolution had a second and third reading. Ms. Schwartz moved, seconded by Mr. Marsland to adopt the Resolution. On roll call; four ayes, two abstentions (Mrs. Graves and Mr. Hawkins). Ms. Schwartz moved, seconded by Mr. Wolter to invoke the emergency clause. On roll call; four ayes, two abstentions (Mrs. Graves and Mr. Hawkins). Resolution No. R-1-18 was adopted.

#### Ordinances:

"To Add to Section 151.26 Signs Within residential Districts, A provision to Require Address Numbers of Properties with Rear Access Alleys" had a third reading. Ms. Palazzolo moved, seconded by Mr. Marsland to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-2-18 was adopted.

"Ordinance Amending Code Section 151.060(C)(b)(1) To Establish the Requirement of Prior Approval for Deviation of Dish Placement and To Establish a Plan To Provide Information as To Proper Requirements for Installing Dish-Type Antennas" had a first reading.

"To Amend Section 78, Section I of the Mariemont Code of Ordinances to Include No Parking on Certain Streets Within the Village to Declare an Emergency" (Cherry Lane) had a first reading. Ms. Palazzolo moved, seconded by Mr. Hawkins to suspend the rules to allow for the second and third readings. It was clarified that this Ordinance will affect all of Cherry Lane. On roll call; six ayes, no nays. The Ordinance had a second and third reading. Ms. Palazzolo moved, seconded by Mr. Hawkins to adopt the Ordinance. On roll call; six ayes, no nays. Mr. Marsland moved, seconded by Mr. Wolter to invoke the emergency clause. Mrs. Graves asked the reason for the emergency. Solicitor McTigue said due to safety concerns it was thought best to get this in place before winter term begins. On roll call; six ayes, no nays. Ordinance No. O-3-18 was adopted.

"To Amend Section 78, Section I of the Mariemont Code of Ordinances to Include No Parking on Certain Streets Within the Village to Declare an Emergency" (West Street) had a first reading. Ms. Palazzolo moved, seconded by Mr. Hawkins 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. Ms. Palazzolo moved, seconded by Mr. Hawkins to adopt the Ordinance. On roll call; six ayes, no nays. Mr. Marsland moved, seconded by Mr. Wolter to invoke the emergency clause. On roll call; six ayes, no nays. Ordinance No. O-4-18 was adopted.

Ms. Palazzolo said an ongoing issue was brought to her attention by some moms in the Village. On Miami Road south of Wooster Pike there is a crosswalk where they are building the new condominiums. There is concern that when crossing you do not have a full view of the street. Mrs. Graves said there is also another concern on Miami at the bottom of the hill by General Short Park. There is not a crosswalk but appears there is an area to put one in. Mayor Policastro referred both to the Safety Committee. Mayor Policastro said this summer we are going to finish off the sidewalk and have the sidewalk go around the back of the park. He thought there was a cross walk. Superintendent Scherpenberg said we have the ramp but not the lines.

Mayor Policastro said Dr. Tankersley wrote a book about Dr. Charles Lewis Metz who had numerous artifacts from the Village. His grandson is going to donate all the artifacts for our Native American Cultural Center. Karen Sullivan, who was instrumental helping us stop the Eastern Corridor from going through the Village, has experience with museums and she is going to help. He is going to name Bill Brown as the Native American Center Project Facilitator. He has agreed to do this pro bono. He asked the Solicitor to prepare a Resolution. The paperwork the State requires is unbelievable. He is going to put in the Mayor's Bulletin if anyone has museum experience (pro bono) to let him know. He is also going to reach out to Janet Setchell.

Mr. Marsland said when he started on Council it would have been easier if there had been a meeting to get a grasp on some of the larger issues facing the Village. It was agreed that a strategic planning meeting would be beneficial. Mayor Policastro referred the matter to the Committee of the Whole. Mayor Policastro said the State of Ohio offers classes for newly elected officials. Mr. Wolter suggested each member of Council bring to the meeting three important issues. We should have more future vision of what we want to accomplish as a group. Fiscal Officer Borgerding said he would be happy to sit down and go over the numbers so everyone has a picture of where our money comes from and where it goes.

Fiscal Officer Borgerding reminded the Department Heads to prepare their departmental needs for the Permanent Improvement meeting and give them to Mrs. Van Pelt. Mayor Policastro said our Permanent Improvement budget is half shot with the work on the hillside on Mariemont Avenue. We are trying to get a grant for Madisonville Road. It is adjacent to where the kids go to school – we want that road in good shape. Engineer Ertel estimates the work will cost \$250,000 from the square to Plainville Road. We will find out early May if we got the grant. In February we will have the opportunity to make a stronger grant application. Mayor Policastro said on Homewood Road we need to figure out where to run pipes underground and put catch basins. Hopefully, we do not have to repave the road. The estimate on the work for Homewood is \$150,000. Between the three projects we are close to \$600,000. Engineer Ertel said he has the cost estimate from Choice One Engineering for the work plan on Homewood Road. The survey cost is \$6,820 to determine drainage issues. Mr. Wolter said we need that information to solve the drainage problem. It was agreed by Council to proceed with the work. Mr. Hawkins said Settle was repaved after the work. Engineer Ertel said it is not planned, right now, to repave Homewood. Mayor Policastro said we repaved Homewood and put new curbs in approximately eight years ago. Mr. Hawkins was concerned about the street condition after the work. Engineer Ertel we will have to have more information before we can have a conversation regarding paving. If it is just the catch basin pipe work we should be able to get by without having to repave. If it has to be repaved it may have to wait until next year. Mayor Policastro asked if there would be any grants available. Engineer Ertel said Homewood would not qualify for a Municipal Road Fund grant because it does not connect two municipalities. Mr. Wolter said it would be helpful to get Council together informally to walk the street. It is a big project. Solicitor McTigue said due to Sunshine Law it would need to be publicized.

Mr. Hawkins said he is concerned about the safety of the six way intersection. Mayor Policastro said it actually is five and half way intersection. He asked if the road resurfacing gives any opportunity to address that. Engineer Ertel said we would have to find out what we wanted to do. He would have to add more pavement, curbs etc. He might have to check the grant to see what is allowed such as a cul-de-sac. Mayor Policastro said half of that intersection does not belong to the Village. Ms. Palazzolo said we should do a study feasibility to look at how to make it safer. Perhaps we need to partner up with Columbia Township and talk about what they think makes sense and what they feel is the problem. There could be grant opportunities for two municipalities to partner together that share an area that is really unsafe. Mr. Wolter said this was a collateral issue when the roundabout was heavily discussed several years ago. There was concerns from the fire department regarding that and making it a cul-de-sac. It is a tough problem that we have spent a good deal of time on it but at some point we are going to have to deal with it. Mayor Policastro said they wanted to build 150 apartments on the other side. That's where they were going to get the money from the state to put in the roundabout so they could buy all the property around the intersection. It would have added at least two hundred more cars in the morning past our elementary school on Plainville Road when our children would be walking to school. He believes Homewood is more of a priority because he was there when the residents were flooded out.

The meeting adjourned at 8:15 p.m.

---

Dan Policastro, Mayor

---

Anthony Borgerding, Fiscal Officer