

**VILLAGE OF MARIEMONT
REGULAR COUNCIL MEETING HELD IN COUNCIL CHAMBERS
JANUARY 14, 2019**

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, Mrs. Graves, Ms. Palazzolo, Mrs. Rankin and Ms. Schwartz.

Mayor Policastro asked for a moment of silence for fallen Police Officer Dale Woods.

Mayor Policastro read a letter from Mr. Bartlett requesting his absence be excused. Mrs. Rankin moved, seconded by Ms. Schwartz to excuse the absence of Mr. Bartlett. On roll call; five ayes, no nays.

Mr. Brown moved, seconded by Mrs. Rankin to accept the minutes as written for the Council meeting December 17, 2018. On roll call; five ayes, no nays.

Mayor Policastro read the following communications:

From Police Chief Hines: December 2018 Monthly Report. Mr. Brown commended Chief Hines and his department on the giving program they provided over the holidays. Chief Hines said the program could not happen without the generosity of local businesses and our officers. We helped several families that were in need. While at Walmart he observed people going through the checkout lanes and saw one family that looked to be fumbling through their money to see if they had enough. At that time he stepped up and paid for their purchase which they were very grateful for. It was very rewarding and it feels good to give back.

From Assistant Fire Chief Kiefer: December 2018 Monthly Report

From Service Superintendent Scherpenberg: December 2018 Monthly Report/2018 Annual Report

From Building Administrator Keyes: December 2018 Monthly Report

From Tax Administrator Busam: December 2018 Monthly Report/2018 Annual Report

From Lisa Wharton: Email Dated January 2, 2019 re: Various Village Issues

From Assistant Fiscal Officer Wendler: Treasurer's December 2018 Monthly Report. Mayor Policastro said it is the 18th year in a row that the Village has ended the year with one million in the General Fund.

From Louise Schomburg: Petition Signatures for The Green Space Between Rembold and Hiawatha Avenues be Designated as the "Interurban trolley Line Park". Ms. Schomburg was granted permission to address Council. She said the Parks Advisory Board met and discussed that this area is used by children to play and that there is not a "park" in that region of the Village. The Board also want to preserve the area so it stays an area for children to play as part of the vision of Mary Emery. Looking back at the history of Mariemont the Trolley Turn Around was extended from what is the park area now across Miami Road and go down the stretch of land between Rembold and Hiawatha eventually following the river out past Milford to Batavia. It was the way of transportation between downtown and Mariemont greatly enhancing the Village's development. It also served as a way for people who lived in the Village to get downtown to work. The Board suggests naming the area the "Interurban Trolley Line Park". Mayor Policastro referred to the Health and Recreation Committee the naming of the area as it is already park land.

From Solicitor McTigue: Letter Dated January 9, 2019 re: Demand for Injunctive Relief Filed on Behalf of Rob Bartlett.

From Fiscal Officer Borgerding: Actual vs. Budget Year End December 31, 2018/Annual fiscal Officer's Report 2018. Fiscal Officer Borgerding said the report shows he overestimated on the earnings tax. The impact of

the new tax law change had a bigger impact than originally anticipated. That was the big difference on the receipts. On the expenses, as mentioned in a past meeting there was an extra payroll and in addition the Village paid Workers' Comp premium making two payments in 2018. Those combined contributed to the majority of the overage in expenses. Mr. Brown said on page 9 of the Annual Fiscal Report there is significant difference between 2017 and 2018 in the summary of fund analysis. Fiscal Officer Borgerding said the biggest difference is in the Capital Improvement Fund. It is due to the receipts we brought in for the loan for the Municipal Building Addition at the end of 2017 (\$850,000). We brought in \$400,000 but paid back \$223,000 to the State of Ohio. He stated page 7 shows better detail of what the receipts and expenses were. Mr. Brown said we did end up getting the money from the State as predicted. Assistant Fiscal Officer Wendler said 2018 was closed with the funds deposited. Mr. Brown said we have now received the entire \$400,000 and have completed all of the requirements. Fiscal Officer Borgerding said we will repay the balance (approximately \$460,000) over five years. Mr. Brown said the cabinets are finished but the finishes still need to be applied. He is hopeful to have them within two weeks. He also talked with Dr. Tankersley about the arrangements to get the artifacts from Dr. Metz's grandson. There are certain difficulties to be worked out. It is not something that can go by common carrier and if need be he will personally travel to Minneapolis to pick them up. Mayor Policastro said he is hoping to have the ribbon cutting in the spring.

Memo from Mayor Policastro: Dated January 8, 2019 re: Response to Letter from Stephanie Scott, Keating, Muething & Klekamp. Mayor Policastro said this is purely on the defense. He is not going to go on the offense, get in the gutter and argue, fight and fuss. Council has the ordinances that show that the Mayor has the right to do what he did.

Mr. Jerry Vianello, 6570 Wooster Pike, was granted permission to address Council. He said he wished Mr. Bartlett was here this evening but he can watch the video on ICRC and it will not change what he would say. He understands that Mr. Bartlett wishes to be considered for President Pro Tem of Council. He believes that Mr. Bartlett lacks the necessary experience to do the job. He would think that members of Council would look at someone whose first instinct is to contact an attorney, intimidate, threaten to sue, file for injunction relief or pursue further legal action as their first course of business versus someone on Council that is supposed to be able to reason and talk through issues. This is concerning to him. An additional concern to the behavior he just spoke about continues to cost the taxpayers. Mr. Bartlett insists that he is a taxpayer that needs to be represented, but so is he and a lot of other people. This behavior continues to cost taxpayers money and cost this Council time. If you look at the mistakes that Mr. Bartlett's counsel has made by not looking into the facts but just accepting his particular version of the facts and writing a letter that accuses the Mayor of doing illegal things. He is not sure we want someone's judgement in that case trying to tell us what type of Solicitor the Village should have. The Village has a good Solicitor. If that is any indication of what is going on Council needs to look within their hearts and ask if this is what this is really all about. His advice would be to take all of this into consideration before voting for President Pro Tem of Council. He is concerned that Council as a group continues to not listen to the will of the citizens...not just him talking because a lot of people are afraid to get up and say what is on their mind and in their heart – but he is not. He asked Council to look within themselves when weighing this decision. Mr. Bartlett is not right the choice.

Mr. Brown moved, seconded by Ms. Schwartz to nominate Mrs. Rankin as President Pro Tem of Council.

Ms. Palazzolo moved, seconded by Mrs. Graves to table the election of President Pro Tem of Council until all members of Council are present. Ms. Schwartz said Mr. Bartlett wrote a letter knowing he would not be present and did not ask for the matter to wait. Ms. Palazzolo said Mrs. Graves will not be present at the next meeting so it would be tabled until the February 11, 2019 meeting. Mrs. Graves said her reasoning is that it sounds like a couple of people are interested and put their hat in the ring and no offense to Mrs. Rankin or Mr. Bartlett but she feels he should be here to say why he should be nominated and a chance for all of Council to have discussion. Mr. Brown said Ms. Palazzolo was made President Pro Tem when Council was down two Council people.

Solicitor McTigue said the motion to table takes precedence over the motion to nominate Mrs. Rankin. On roll call to table the motion: Two ayes, three nays (Mr. Brown, Mrs. Rankin and Ms. Schwartz). Motion failed.

On roll call to elect Mrs. Rankin as President Pro Tem of Council: five ayes, no nays.

“An Ordinance To Make Appropriations for Current Expenses and Other Expenditures of the Village of Mariemont, State of Ohio, During the Fiscal Year Ending December 31, 2019” had a first reading. Fiscal Officer

Borgerding said in order to pay the bills for the Village of Mariemont Council has to first appropriate the funds. This budget pretty much mirrors the budget that Council passed in July 2018 for calendar year 2019. He increased the General Fund by \$30,000 based on what happened in 2018. Ms. Palazzolo said she asks every year and each year forgets if this needs to be done on an emergency due to a filing date. Fiscal Officer Borgerding and Mayor Policastro said no it does not need to be passed on an emergency basis. Mr. Brown moved, seconded by Mrs. Rankin to adopt the Ordinance. On roll call; five ayes, no nays. Ordinance No. O-1-19 was adopted.

Ms. Schwartz moved, seconded by Mr. Brown to pay the bills as approved by the Fiscal Officer, Mayor, and Chairman of the Finance Committee. On roll call: five ayes, no nays.

Mayor Policastro read the following miscellaneous announcements:

The Permanent Improvement Fund meeting will be Monday February 11, 2019 at 6:00 pm.

Mrs. Rankin moved, seconded by Ms. Schwartz to appoint Mr. Brown as Council representative on the Planning Commission. Ms. Palazzolo asked how many members of Council are on Planning Commission. Ms. Schwartz responded one member. Ms. Graves said she thought the member was the Chair of the Economic Planning and Development Committee. Ms. Schwartz said in the past it usually has been. She believes Mr. Brown would do a great job. She will still remain on the ARB. Ms. Palazzolo said she believes in our Code Book it states the Chariman of the Planning & Economic Development is appointed to the Planning Commission. Mayor Policastro said that is wrong – the Chairman of Planning & Zoning is appointed to the ARB. Ms. Graves asked if there was any disadvantage if the Chairman of that Committee is not appointed. The answer was no. Mrs. Graves asked Ms. Schwartz if she wanted to be on the Planning Commission. Ms. Schwartz said she is on ARB and is still recovering from surgery. She will take it back next year if Council does not mind not following precedent this year. On roll call; five ayes, no nays.

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

The applications for Outstanding Citizen of the Year are to be turned in to Mrs. Van Pelt by Thursday March 13, 2019.

Resolutions:

“To Appoint Becky Moore as a Member of the Pool Commission to Fill the Unexpired Term of Wes Iredale for the Calendar Year 2019” had a first reading.

Mrs. Graves said she got an email from a resident concerned about the allowed parking on the west side of Pocahontas in front of the high school. Apparently a student was home from college and parked on Pocahontas which caused a strain on the high school traffic. She asked that the matter be referred to the Safety Committee. Chief Hines agreed that it should be reviewed as it does cause problems in the morning and afternoon dismissal.

The meeting adjourned at 7:40 p.m.

Dan Policastro, Mayor

Anthony Borgerding, Fiscal Officer

