

**Village of Mariemont
Regular Council Meeting
February 24, 2020**

Mayor Brown called the meeting to order with the Pledge of Allegiance at 7:00 PM. Present were Mr. Bartlett, Mrs. Graves, Dr. Lewis, Ms. Palazzolo, Mrs. Rankin and Mr. Stelzer.

Mayor Brown welcomed Mr. Stelzer to the Village Council.

Mayor Brown introduced Karen Falter who is running for judge in the Hamilton County Court of Common Pleas. Ms. Falter said she is entering the race with 23 years combined courtroom experience on the bench as a magistrate and as a former assistant prosecuting attorney. She is vested in juvenile, criminal, civil and family law. She is a graduate of Mariemont High School and would be appreciative of support at the upcoming primary election.

Mayor Brown said Allison Uhrig has completed her probationary period. She graduated from Kent State University with a Bachelor of Science in Elementary Education. She has done a remarkable job filling the vacancy of Mrs. Singleton. Mr. Bartlett moved, seconded by Mrs. Rankin that Ms. Uhrig be moved to Regular Full-Time Employee status. On roll call; six ayes, no nays.

Mr. Bartlett moved, seconded by Mrs. Rankin to accept the minutes as written for the Council Meeting February 10, 2020, Special Council Meeting February 3, 2020 and the Budget Hearing February 10, 2020. On roll call; six ayes, no nays.

Mayor Brown read the following communications:

From Assistant Fiscal Officer Wendler: January 2020 Expense/Revenue Reports

From Acting Assistant Fire Chief Feichtner: January 2020 Monthly Report

From Building Administrator Keyes: January 2020 Monthly Report

From Solicitor McTigue: Email Dated February 20, 2020 re: Deed of Easement and License Agreement for Public Library Property. Solicitor McTigue said there is a water pit already on the property that needs to be moved. The Village has a reversionary interest in the property – meaning if the property is no longer being used for a public library it will be transferred back to the Village of Mariemont. Dr. Lewis said she believes the plan for the library is to be expanded. Solicitor McTigue said he has reviewed it along with the Village Engineer and both agree that this is appropriate. Mr. Stelzer suggested that language be added to indemnify the Village from the school due to the reversionary clause. Mrs. Rankin moved, seconded by Mr. Stelzer to approve the license agreement with the added indemnification clause language that the Solicitor will prepare. On roll call; six ayes, no nays.

Mr. Sam Pate, 3720 Petoskey Avenue, was granted permission to address Council. He and his family moved to Petoskey Avenue in 2016. He is a concerned and frustrated resident of his street. Along with many neighbors there is agreement that there is a traffic situation on their street which is concerning with the number of children on the street. It prompted an email to the former Mayor's office dated May 19, 2018 that led to a "traffic count" which counted a significant number of cars. The count was placed in his mail box with no follow-up. As time passed, the volume of cars grew as did his frustration. At the Annual Homecoming Block Party in 2019 cars barreled through the cones provided by Mariemont Police to gain access to the street while children played. His growing frustration led him to set up a meeting with a member of Council on November 1, 2019. At the meeting concerns for traffic and speed were discussed along with the street widening, which in his opinion, would only increase the traffic issue. Notes from that meeting assured him that that was not going to happen. He brought up the idea of speed humps and speed bumps and was told one is more preferred than the other. The Council member mentions concern for emergency vehicles and snow plows but understood that many streets in Hyde Park utilize speed humps and they have access to emergency vehicles and snow plows. That same Council person told him "do the right thing" while walking to his polling location. On February 18, 2020 he felt blindsided by the proposed project that, in his opinion, will do nothing to control the current traffic pattern on the street. In fact, he was told it was going to benefit the traffic that is turning onto Petoskey. He lost his cool at the meeting and apologized to Council and those there in attendance, specifically

the Village Engineer and representatives from Kleingers. He would like Council to consider changes to the upcoming project to the south side of Petoskey and put a priority on our children's safety over that of traffic and as your colleague said "do the right thing". He asked for a copy of the traffic calming report from 2011. Mrs. Graves said she received Mr. Pate's email the day before and she had a couple of questions for the Police Chief when he returns from vacation. She would respond to Mr. Pate after that.

Council discussion ensued. There has been discussion on a Village wide survey and the question of speed bumps/humps would be a good question to ask to see if they are doable. It needs to be addressed and investigated from a safety (police & fire) and maintenance standpoint.

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

Ms. Palazzolo moved, seconded by Mr. Bartlett to table the matter of Solar Panels under Rules and Law. On roll call; six ayes, no nays. Ms. Palazzolo said a group of people are interested in studying this and she wants to get their input. She hopes to readdress the issue over the summer.

Mrs. Graves moved, seconded by Dr. Lewis to accept the recommendation of the Public Works & Service Committee which met on February 20, 2020 at 5:15 PM to discuss the 2020 pool repairs request. In attendance were the Committee Chairperson Kelly Rankin, Committee Member Avia Graves, Council Member Joe Stelzer, Mayor Brown and resident Larry Wessel. The topic of discussion was the request of various pool repairs by Pool Manager Jordan Schad and Facilities Manager Ed Beck. Please see the attached quote from Shamrock for a list of repairs. Jordan and Ed have indicated these repairs must be done in order to open the pool for the 2020 season. There is an additional request for replacing 3 platforms for the swim teams at a cost of \$1200/each. The Committee recommends proceeding with the repair list from Shamrock. The Committee also recommends looking into alternatives for funding the replacement and/or the repair of the racing start platforms. The total cost for the project for Shamrock is \$23,379. These costs were appropriated for in the budget. The water heater will be paid for out of the Permanent Improvement Fund. On roll call; six ayes, no nays. It was discussed that it would be helpful to Council to have these requests in the fall instead of spring to allow time to research estimates. On roll call; six ayes, no nays.

Mrs. Rankin moved, seconded by Ms. Palazzolo to accept the recommendation of the Public Works & Service Committee which met on February 12, 2020 at 5:15 PM to discuss the 2020 Mowing Contract. In attendance were the Committee Chairperson Kelly Rankin, Committee Member Avia Graves, Maintenance Supervisor John Scherpenberg, Councilmember Marcy Lewis and Mayor Brown. The topic of discussion was whether to renew the contract with the current grass service, Grass Cor or put the contract out for bid. As per the contract, the Village has the option of extending the contract for three one additional year periods with the same terms with a 2 % increase. Mr. Scherpenberg has stated that he has been satisfied with the service provided by Grass Cor. The Committee recommends exercising the option to renew the contract with Grass Cor for the 2020 year. On roll call; six ayes, no nays.

Miscellaneous:

Outstanding Citizen Award Nominations are due to Mrs. Van Pelt by March 12, 2020.

Council agreed to the following Committee assignments for 2020:

| Committee Assignments 2020 | |
|----------------------------|------------------|
| Safety | |
| Chair | Avia Graves |
| Vice-Chair | Maggie Palazzolo |
| Member | Kelly Rankin |
| Finance | |
| Chair | Rob Bartlett |
| Vice-Chair | Kelly Rankin |
| Member | Joe Stelzer |

| Planning, Zoning and Economic Development | |
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| Chair | Marcy Lewis |
| Vice-Chair | Joe Stelzer |
| Member | Maggie Palazzolo |
| Rules & Law | |
| Chair | Maggie Palazzolo |
| Vice-Chair | Marcy Lewis |
| Member | Rob Bartlett |
| Health & Recreation | |
| Chair | Joe Stelzer |
| Vice-Chair | Avia Graves |
| Member | Marcy Lewis |
| Public Works | |
| Chair | Kelly Rankin |
| Vice-Chair | Rob Bartlett |
| Member | Avia Graves |

Resolutions:

“To Adopt Amended Article I, II, III and V Rules and Regulations for the Hamilton County Storm Water District” had a third reading. Mrs. Rankin moved, seconded by Mr. Bartlett to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-5-20 was adopted.

“To Authorize the Solicitation of Bids for 2020 Street Repairs; And To Declare Emergency” had a first reading. Mrs. Rankin moved, seconded by Ms. Palazzolo to suspend the rules to allow for the second and third readings. On roll call; six aye, no nays. The Resolution had a second reading. Council discussed the possibility of joining other local municipalities to get better pricing and questioned if the Resolution needed to be amended to include such language. It is a decision that should involve the Village Engineer. Mrs. Rankin said the scope of this project is to address the flooding and drainage issues on Petoskey. The safety issue is just as important but is not part of the grant project. That is what the grant application was written for. Mr. Stelzer said at the Committee meeting there was discussion about the width of the street. Mrs. Rankin said it has not been finalized yet and the Engineer is working on making a recommendation to Council. We are not approving a plan this evening – just authorizing the Village to go out to bid. Solicitor McTigue said it will still be a two-step process with the next step being a public meeting to make a recommendation to Council on the contractor and scope of work and whether or not it includes working with another municipality. The Resolution had a third reading. Mrs. Graves moved, seconded by Mr. Bartlett to adopt the Resolution. On roll call; six ayes, no nays. Mr. Bartlett moved, seconded by Mrs. Rankin to invoke the emergency clause. On roll call; six ayes, no nays. Resolution No. R-6-20 was adopted.

Ordinances:

“Ordinance Amending Chapter 151.025 Powers and Duties of the Architectural Review Board” had a third reading at the last Council meeting but was tabled. Mr. Bartlett moved, seconded by Ms. Palazzolo to un-table the Ordinance. On roll call; six ayes, no nays. Mr. Bartlett moved, seconded by Mrs. Rankin to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-6-20 was adopted.

“To Amend Section 151.024 of the Powers and Duties of the Planning Commission, of the Mariemont Code of Ordinances” had a third reading at the last Council meeting. Mr. Bartlett moved, seconded by Ms. Palazzolo to un-table the Ordinance. On roll call; six ayes, no nays. Mr. Bartlett moved, seconded by Mrs. Rankin to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-7-20 was adopted.

“Ordinance Adopting New Mariemont Municipal Code” had a third reading. Mrs. Rankin moved, seconded by Mr. Bartlett to adopt the Ordinance. On roll call; six ayes, no nays. Solicitor McTigue requested that the Permanent copy insert the word “Tax” in the title after Municipal. Ordinance No. O-8-20 was adopted.

“To Amend Section 32.05 of the Mariemont Code of Ordinances” (Council Compensation) had a second reading.

“To Amend Section 151.076 Park District of the Mariemont Code of Ordinances” had a third reading. Mr. Bartlett moved, seconded by Mrs. Rankin to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-9-20 was adopted.

“To Repeal Ordinance No. O-6-19 Pertaining to Maximum Rates for all Grades of Recreation Employees and to Enact New Legislation Pertaining to Maximum Pay Rates for All Grades of Recreation Employees” had a second reading.

“To Amend Ordinance O-5-19 of the Mariemont Code of Ordinances to Increase Payment for Employees” had a second reading. Mrs. Rankin asked that the Ordinance show the header minimum wage and maximum wage.

Mr. Bartlett agreed with the discussion Council had to move the timeline up for Permanent Improvement and asked that the department heads get requests by December so the meeting can be held earlier in the following year. It would also be helpful if the departments could supply a five year plan. Our expectations should be that we have enough time to gather two quotes on work/purchases.

Mr. Bartlett asked if there was going to be a Town Meeting or State of the Village address. Mayor Brown said he did meet with Mr. Luken of Town Meeting and Ms. Palazzolo of various groups that could be approached to see if they want to address the Village residents. Mr. Bartlett said with the off year election it would be a good year to try something different such as a State of the Village with multiple groups coming and giving updates on what they are doing. Council agreed it would be a good idea. Mr. Bartlett said he would reach out to Mr. Blevins who indicated he may be interested in helping coordinate such an event for early May 2020.

Mr. Stelzer said he has seen a lot of meeting minutes and he knows Mrs. Van Pelt spends a good deal of time preparing the minutes. Our Council meeting minutes are more of a transcript. He asked what the legal requirement for meeting minutes is. In the past there was a fair amount of distrust in the past between members of Council and the Mayor but he does not believe we need to worry about that now. He would like to streamline the process. He questioned if it needed to go to committee. The meetings are videotaped should someone want to go back and look for detail. Solicitor McTigue said he will prepare an opinion letter and does not believe it needs to go to a committee of Council. Minutes do not have to be a verbatim transcript of what takes place but they should be enough to let the public know of general topics discussed. Mrs. Graves said two years ago the topic came up and the minutes have been more streamlined since but also believes they could come down more. Council agreed going forward that Council minutes will be more of a summary format based upon the advice of the Solicitor. Mayor Brown referred to the Rules and Law Committee what format ARB and Planning Commission, Committee meetings etc. will be handled as they are not taped. An idea that was proposed was a podcast with the audio posted on the website.

Ms. Palazzolo asked Solicitor McTigue to include in the opinion letter the requirements for minutes for Council committee minutes.

Mr. Stelzer said he would like to explore the possibility of creating an Adult Recreation Association. The Village has an excellent Association for children but nothing formal except tennis. Between the Village and the School District we do have the infrastructure necessary to offer additional recreation amenities to citizens, such as: swimming, running, walking, bicycling, basketball, yoga, softball, soccer and volleyball. Mayor Brown referred the matter to the Health and Recreation Committee.

Mr. Stelzer said he is interested in a Healthy Living Initiative Program for the Village. He talked with several local doctors who are willing to help create and develop healthy practices we may be able to adopt through an advisory group. Mayor Brown referred the matter to the Health and Recreation Committee.

Mayor Brown referred to the Rules and Law Committee the wording concerns/clarifications Mr. Stelzer had with Chapter 151.025 Powers and Duties of the Architectural Review Board and with Section 151.024 of the Powers and Duties of the Planning Commission, of the Mariemont Code of Ordinances.

Mayor Brown said the Village is engaging with a piece of property on the tail end of Mariemont Avenue. He referred to the Planning and Zoning and Economic Development the potential for the sale of the paper street.

The meeting adjourned at 8:15 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer