

**Village of Mariemont
Regular Council Meeting
August 10, 2020**

Mayor Brown called the meeting to order at 6:37 PM. Present was Mr. Bartlett. Present virtually due to the COVID-19 pandemic were Dr. Lewis, Mrs. Rankin, Mr. Stelzer, Assistant Fire Chief Feichtner, Solicitor McTigue and Fiscal Officer Borgerding.

Mrs. Rankin moved, seconded by Dr. Lewis to excuse the absence of Mrs. Graves and Ms. Palazzolo. On roll call; four ayes, no nays.

Mr. Bartlett moved, seconded by Dr. Lewis to accept the minutes as written for the regular Council meeting July 27, 2020 and the Budget Hearing July 27, 2020. On roll call; four ayes, no nays.

Mayor Brown read the following communications:

From Police Chief Hines: July 2020 Monthly Report

From Assistant Fire Chief Feichtner: July 2020 Monthly Report

From Service Superintendent Scherpenberg: July 2020 Monthly report

From Tax Administrator Darrah: July 2020 Monthly Report. Mr. Bartlett said we are getting a clearer picture of the income side of the picture which is coming in lower. He believes Fiscal Officer Borgerding did a good job budgeting that for the 2021 budget. Fiscal Officer Borgerding said quarterly estimates should be going out in the mail soon and hopefully we see an increase in the next month or two. Mr. Stelzer asked if Fiscal Officer Borgerding could get an update on where we are with the 2019 tax returns.

From Pool Manager Schad: July 2020 Monthly Report

From Police Clerk Maupin: Mayor's Court Statement June 2020

From Assistant Fiscal Officer Wendler: Treasurer's Report July 2020/ Expense & Revenue Reports July 2020

Mayor Brown said there was an email from a resident with concerns regarding COVID -19 at Mercy St. Theresa. He forwarded to the Assistant Fire Chief for his response as we need to be very careful of HIPAA regulations and privacy. Mr. Rosenthal then reached out to Mr. Stelzer, as Chairman of Health and Recreation Committee.

Mayor Brown referenced an email exchange from resident Joel Rosenthal and Assistant Fire Chief Feichtner:

On Fri, Jul 31, 2020 at 10:59 AM

Mayor Brown,

I hope you and your family are staying well. I live on Bramble Hill Drive, just down from St. Theresa. My home office window faces the street and I recently noticed a significant increase in non-emergency ambulances going to/from St. Theresa. Normally, I notice 1-2 a week and in the last 7-10 days it has been 1-2 a day. This made me concerned that there was a COVID situation at the facility. When reviewing St. Theresa's website there is a special statement indicating a situation but there is no mention of numbers. <https://dvcr.com/locations/st-theresa/>

The State Department of Health website had indicated a week ago no new cases. However, in yesterday's update there were 7 new cases in the last week at St. Theresa (5 residents, 2 staff).

<https://coronavirus.ohio.gov/wps/portal/gov/covid-19/dashboards/long-term-care-facilities/cases>

It is my first wish for the health and swift recovery of these individuals. It is also my hope that this uptick does not turn into an outbreak as has happened at many long term facilities nationwide.

Beyond that, I have a few concerns related to the broader Mariemont community. Staff of the facility regularly walk on my street and other streets of the community on their way to and from work. Many of the staff wear masks on the street; however, many do not. Without the Mariemont community knowing that there is a situation, it is very likely that Mariemont citizens come into contact that is not socially distanced from these individuals without masks coming or going to a facility with active COVID cases -- such as on sidewalks passing by each other. Also, I have seen groups of children on bicycles and scooters playing in the lower parking lot of the St. Theresa which is also where staff members take their cigarette breaks. I think it is important for the Mariemont community to know that their children may be potentially put in contact with staff members smoking (obviously without masks) from an active COVID facility.

I would like to request that the village government inform and regularly update Mariemont citizens as to this COVID situation. This way citizens can be aware of any potential risks to themselves or their children.

Thank you.

Best regards,
Joel Rosenthal
6992 Bramble Hill Drive

On Tue, Aug 4, 2020 at 11:27 AM Tim Feichtner wrote:

Good Morning,

My name is Tim Feichtner, I am the Assistant Fire Chief for the Mariemont Fire Department. I spoke with Mayor Brown yesterday about your concerns and I wanted to take a moment to respond to you with the information we currently have.

I have been communicating with the Director of Mercy St. Theresa on a weekly basis. You are correct that there are confirmed cases of COVID at that facility. The number of cases fluctuates and is a mix of patients and staff members. I was told that the two staff members that were confirmed cases were vacationing out of town and had not returned to the facility since their return. The facility has created a wing of the facility that is specifically for quarantine. This area provides care for individuals who have recently returned to the facility from hospital care, new admissions and another area cares for confirmed cases of COVID. It has been explained to me that with these procedures, a limited number of individuals are assigned to these areas to limit exposure. This has helped prevent the spread of the illness. The increase of private ambulances may be due to the reopening of specialty care practices and elective procedures. Most of the residents are bed ridden and have to be transported on a stretcher.

I truly understand your concerns with the contact of citizens in public without wearing a mask. Unfortunately there are people in this world that do not feel this is a serious situation. Trying to have everyone understand the importance of prevention is critical and overwhelming for all. The concerns of children making contact with individuals from the nursing home is concerning. Ultimately these children are playing on private property and could be asked to leave by facility staff.

We are seeing an increase in cases in Hamilton County along with some in Mariemont and the east side of town. I hope this helps answer some of the questions you have. Please feel free to contact me should I be able to help with anything else.

Thank you,

--

Timothy J. Feichtner
Assistant Fire Chief
Mariemont Fire Department
O - 513-271-4089 Ext 215
C - 513-507-7656

From: Joel Rosenthal

Sent: Tuesday, August 4, 2020 5:35 PM

Subject: Re: Response to COVID Concerns in Mariemont

Assistant Chief Feichtner,

Thank you for your reply and information which I very much appreciate. Although this responds to me personally, this does not respond to my request to alert the citizens of Mariemont as to what is going on at St. Theresa. I believe very strongly that one of government's roles in the COVID-19 pandemic is to provide information to its citizens as to public health. The virus is not going to go away by itself and information is critically important. I again request the village government to alert the citizens of Mariemont as to this situation and then provide regular updates. Thank you again and I look forward to your reply.

Best regards,
Joel Rosenthal
6992 Bramble Hill Dr.

Mr. Stelzer said the code does not specifically address the pandemic's function. The term used is function not responsibility. The question is should one of the committees of Council look at the Covid-19 issue and follow-up. Usually, when something is referred to a committee it tends to follow the outline of functions and also to take advantage of whatever skillset we might have on Council at that point in time.

Mayor Brown said we have to walk a fine line with the privacy issues. It is possible to put in the Rules & Law Committee for review and construct what would the proper Village response be.

Solicitor McTigue said he has not seen the emails but it seems like a fairly general request. He said it probably as is simple as whatever the State tell us to do as far as Covid-19 preparedness is sufficient.

Mr. Bartlett said we should look to the Solicitor for advice rather than putting it into a committee. He suggested forwarding the emails to the Solicitor and have him give the Village an opinion. Council agreed that the Solicitor should provide the Village with directive should there be further action needed. Mrs. Rankin said we have been listening to the State, County Officials and the Board of Health. Mr. Stelzer said to date the Mayor has been the lead. Solicitor McTigue said the response to Mr. Rosenthal should come from the Mayor. Mayor Brown said he did respond initially saying he was having the Assistant Fire Chief respond due to the fact that he was in the best position to make the best response – and he believes he did so very well. The resident wants additional information and he is not certain that the Village is in a position to provide that information.

Mrs. Rankin moved, seconded by Mr. Bartlett to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. Mr. Stelzer asked if the tree removal/stump removal hit the top of the budget for the year. Mayor Brown said there is more of that coming but he believes the bulk of what has been done so far will probably represent what was to be done. Mr. Stelzer asked if the work was of monetary magnitude. Mayor Brown said he will check with Superintendent Scherpenberg. Mayor Brown also said there was a bill that caught us by surprise for the ladder truck. It needed \$15,000 in repair work. Assistant Fire Chief Feichtner said the springs on the rear of the truck had cracks in the area of the bolts that needed to be replaced. It is natural wear and tear on a truck of this age. On roll call; four ayes, no nays.

The Fiscal Officer certified that funds were in the treasury or in the process of collection for payment of the following bills:

Mrs. Rankin gave a verbal update on the Public Works and Service Committee which met to discuss the Right-of-Way Ordinance drafted by Frost Brown Todd. Right now the Committee feels the Marble Cliff Ordinance is the best template to use. The focus right now is the fee structure for gathering the annual fee for presence in the right-of-way. Village Engineer Ertel is going to have a conversation with the engineer from Marble Cliff to work out the best way to approach the fees and finalize our plan so we can get the ordinance prepared and submitted to PUCO to start the 45 day clock. She is hopeful to have the legislation ready for inclusion in the next Council packet.

Miscellaneous:

Labor Day Fireworks will be held at 9:00 p.m. on Sunday September 6, 2020 in Dogwood Park. Mayor Brown said he will present the Outstanding Citizen Award at that time. Mr. Stelzer asked how social distancing was going to be handled. He put a narrative in the Town Crier reminding residents to social distance and wear masks. Council had concern that it would not reach the residents in time as the publication would come out that same weekend. Due to the possibility of a large crowd, Council suggested putting notice on Nextdoor Mariemont and on the Village website and email list. Mr. Stelzer was concerned about the area being roped off and not enough room to socially distance. Mayor Brown said the street could be used for spill over for standing room. He is hopeful that everyone will act responsibly. Assistant Fire Chief Feichtner said what is roped off is what is needed between the fireworks and the crowd. Mr. Stelzer is concerned that it may be a logistical issue. Mayor Brown suggested looking at the southern side of the field for additional spectators. Mr. Feichtner said he will work with the fireworks coordinator and the Mayor to ensure we have proper distance.

Fiscal Officer Borgerding suggested buying extra masks and charging to the COVID-19 fund. Mayor Brown said that would be a good idea to have a couple of volunteers to have masks available to those who do not have one.

Village Offices will be closed Monday September 7, 2020 in observation of Labor Day.

Mayor Brown said as a follow-up to the conversation Council had at the last Council meeting regarding Waldorf School and outdoor classrooms with tents. Said tents will be put up and taken down every day. They want to use the pool parking lot for drop off which will not conflict with pool hours. The issue we have to decide is the port-a-let to be placed in Ann Buntin Becker Park by the garden area. Besides the concerns of locking it at night and securing it, there also has to be a place where children can wash their hands. He is not sure how they provide that with a port-a-let. Mr. Stelzer said the company that supplies the port-a-let can provide a portable hand washing station with soap and towels. The need for both would probably go into late fall. The responsibility to provide trash containers for the towels would go to Waldorf School.

Mr. Stelzer said as far as the South 80 the kids will be dropped off at the parking lot of the pool and then walk back to school at the end of the day for pick-up. They received permission to use the Little Miami Conservancy if they want to. Dr. Lewis asked if they will be using the pool facilities. Mr. Stelzer said they will not be able to use the pool because the umbrellas and chairs will be stored in that area. He does not know if they are looking into a port-a-let at the South 80.

Council agreed to allow the port-a-let at Ann Buntin Becker Park provided it is attached to the fence and securely locked at night. Dr. Lewis recommended putting notice on Nextdoor Mariemont and the website so residents know that the school has talked with the Mayor and Council is agreeable to doing this. She can see residents having concerns about this during COVID-19. Mr. Stelzer said we need to make sure they are going to sanitize the port-a-let on a daily basis.

Mayor Brown said Columbia Township has expressed an interest and desire to enter into discussions regarding fire protection. There are many ways and options that need to be explored. There have been several conversations between Mr. Bartlett, Chief Hines, Mr. Kubicki, Mayor Brown – and the problem has been there are too many cross current conversations going on. We need to have a centralized point of contact to talk about potential options and then give the details of any given option to Council. Mr. Bartlett agreed and said we should talk about what the process will look like. Clearly all of Council will weigh in on whatever options may be discussed. Mrs. Rankin recommended that it should be Mayor Brown. Council voted unanimously that the point person should be Mayor Brown. Mayor Brown said obviously Council will be involved in this whole process. Solicitor McTigue stressed that this is an issue that will require as much transparency as possible. Mr. Stelzer said we have to be very careful with communications of this type because of rumor mills – and we do not want that to happen

Mr. Bartlett asked that the 10-15 year forecast for the fire department be deleted from the Finance Committee. Mayor Brown approved the request.

The meeting adjourned at 7:16 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer