

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

Mayor Brown called the meeting to order at 6:36 PM. Present was Mr. Bartlett. Present virtually due to the COVID-19 pandemic were Dr. Lewis, Mrs. Rankin, Mr. Stelzer, Village Engineer Ertel, Solicitor McTigue and Fiscal Officer Borgerding.

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

Mrs. Rankin moved, seconded by Dr. Lewis to accept the minutes as written for the regular Council meeting August 10, 2020. On roll call; four ayes, no nays.

Mayor Brown said at the Council meeting July 27, 2020 he wanted to mention a slight miscue on his part. He referenced a phone call/conversation with Louise Schomburg referencing Waldorf School desire to erect tents and what impact they may have on the grounds. He misquoted Ms. Schomburg as agreeing with the Mayor that the impact would be minimal. She did not agree with Mayor Brown and basically she does not have any comment one way or another on the impact.

Mayor Brown read the following communications:

From Joe Stelzer: Email dated August 21, 2020 re: Pool Commission Meeting Summary (Unofficial Minutes)/Update on Pool and Anticipated Process for Upcoming Months. Mr. Stelzer said we are trying to get the pool reorganized. In the past the Pool Commission was prevented from performing the duties that were specified in the Code of Ordinances. Lorne Hlad will be working on bylaws and the Commission will be submitting meeting minutes so Council is kept updated. It is something all of our boards are doing. We are now aware that the pool was mismanaged for many years. It was not mismanaged by the Pool Managers because they were prevented from doing their job by the former Mayor who did not provide the pool with adequate financial resources to properly maintain the pool. COVID-19 presented additional challenges operating the pool this year which we got through pretty well. Hamilton County Public Health said Mariemont Pool was one of the few pools that they did not get a complaint about failing to follow guidelines. He gave kudos to Manager Schad and the whole pool staff. Over the next few months we are going to be gathering information and start to address the years of neglect. This year the pool was leaking water. This week there will be a full assessment of the integrity of the systems. Many systems may be past their prime. The Pool Commission is looking for guidance from Council. He asked Council to think about what level of financial results they expect from the pool as the Pool Commission is looking for that feedback. There is a lot of work ahead and some tough decisions. There has been some conversation about a possible tax levy in 2021 but it is something we need to do a lot of homework before we get to that point. Part of that is making a fair and critical assessment about where the Village stands right now. He indicated that all the members wished to be reappointed to their terms.

Mr. Bartlett thanked Mr. Stelzer for the update and he appreciates being kept in the loop. He also said it was a good job to restructure and re-focus the Pool Commission to ask the right questions and make the tough decisions. He believes that is the right direction.

Mayor Brown reminded residents to submit by email questions or concerns that they wished to be addressed by Council as we are meeting remotely during the pandemic.

Mr. Bartlett moved, seconded by Mrs. Rankin to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. Mr. Bartlett clarified that a separate account was set up for the costs for the CARES Act funding. Fiscal Officer Borgerding said yes that the appropriate costs will be moved to that specific account. Some of those costs should start to appear on the August report. Mr. Bartlett reminded Council that we have until late October to commit the money and mid-December to utilize the funds. Whatever is left over must be returned. Ohio Municipal League indicated that there is another \$175 million that the state legislation vote on to release to local municipalities. We may be getting more access to funding. Fiscal Officer Borgerding said BWC is looking to make another distribution to employers who paid premiums – which could potentially be another \$50,000. Mr. Bartlett said if the Village may get additional funding it was mentioned by Eli Wendler, Village IT point person, that there may be IT projects as that was one of the CARES Act

funding the Village can spend the money on if it helps maintain distancing. She had ideas of things Council could look at that were part of the long term plan. He recommends Council direct Mrs. Wendler to go ahead and to develop what that plan might be and what we can get done this year to allow for more distancing. Fiscal Officer Borgerding said some of the expenses that have already been incurred they have talked about moving into the CARES Act Account. Mayor Brown said he had a lengthy conversation with Mrs. Wendler regarding this already and she has already made contact with Spectrum/Cincinnati Bell and Intrust. He believes this is a great use for the money. Fiscal Officer Borgerding is the point person on this project. Mr. Stelzer suggested having our plan together by the end of September. Mr. Bartlett said sooner would be even better. On roll call; four ayes, no nays.

Mr. Bartlett moved, seconded by Mrs. Rankin to accept the recommendation of the Finance Committee which met on Wednesday, August 19, 2020 at 3:00 pm in Council Chambers to discuss the possibility of charging for overnight parking stickers. Present at the meeting were Finance Committee Chair Rob Bartlett, Finance Committee Members Joe Stelzer and Kelly Rankin, Mayor Bill Brown and Chief Hines. Section 79 (B) of the code book states that parking is not allowed on the streets of Mariemont between 1:00am and 6:00am. However, exceptions are available for those who live on certain streets in the village, and also for those who do not have enough room in their garage and/or driveway to accommodate all of their cars. The latter group is required to get an exception from the police and an overnight sticker to put on their car. The exception process is carried out annually, with a new colored sticker issued on January 1 every year. Chief Hines estimates that we are currently handing out 70-90 stickers a year. We currently do not charge for the stickers and they cost us roughly \$150 a year. The purpose of having the stickers is to ensure that cars that are parked on the street truly belong to residents who live there and they do not belong to someone who is possibly casing the neighborhood. Also, keeping the streets clear makes it easier for the police to monitor what is going on at night and keep our neighborhoods safe. The Finance Committee is proposing that beginning in 2021, we charge \$100 for each sticker. Searching online, we found that annual overnight parking fees range from \$40 to \$150, with the mean of \$100. Requiring a payment also helps to ensure that those people who request a sticker truly need it. Finally, if in the future, Council decides to create a program to incent people to create more off-street parking, this money could be used to help fund that effort. On roll call; four ayes, no nays. Solicitor McTigue will prepare the necessary legislation. Mr. Stelzer asked if during the reading of the legislation it was asked to change the rate, can the Ordinance be amended or does it have to go back to Committee. Solicitor McTigue said the legislation could be amended with a vote of Council.

Mr. Bartlett moved, seconded by Mrs. Rankin to accept the recommendation of the Public Works & Service Committee which met on August 6, 2020 at 4:00 p.m. to discuss the draft of the Right-of-Way Ordinance. In attendance was Committee Chairperson Kelly Rankin, Committee Member Rob Bartlett, Village Engineer Chris Ertel, Maintenance Supervisor John Scherpenberg and Mayor Brown. The topic of discussion was the changes to the Marble Cliff, Ohio Ordinance provided to Council as an example of a Right-of-Way document Frost Brown Todd has already implemented for Marble Cliff. The goal of the meeting was to recommend changes/updates to the document to develop a proposed Ordinance suitable for the needs of the Village of Mariemont. Regarding the timeline for the project, Ohio law provides that at least 45 days prior to the date of enactment of a public way ordinance by a municipal corporation, the municipal corporation shall file with the Public Utilities Commission of Ohio (PUCO) a notice that the ordinance is being considered. R.C. 4939.05(E). PUCO has a form for municipalities to complete, and PUCO posts the notice so that utilities and other interested stakeholders can participate in public meetings and discussions regarding potential regulations. The Village would need to alert PUCO at least 45 days before the 3rd reading and potential approval of the ordinance. The Committee recommends having this draft written by Frost Brown Todd for the purpose of filing with PUCO and enacting for the Village of Mariemont. Mr. Bartlett said for clarity Council is not voting on the ordinance but to have Frost Brown Todd finalize the legislation and submit the ordinance to PUCO. On roll call; four ayes, no nays.

Miscellaneous:

Labor Day Fireworks will be held at 9:00 p.m. on Sunday September 6, 2020 in Dogwood Park. After speaking with Assistant Fire Chief Feichtner we will be able to move the line back somewhat to create more space to maintain safe distancing. He strongly encouraged all who wish to attend to wear a mask. If there is overflow there will be standing room on Pleasant Street. He reminded residents that there is still time to send donations for the event.

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

Mayor Brown said he and Mr. Stelzer have had productive talks regarding reinvigorating the Murray Path Project. Mr. Stelzer said fundraising efforts went into hibernation with the pandemic. It just was not the time to ask people for

donations for a path project. Several residents have approached him to put a reemphasis on fundraising and he anticipates it to start in the next week or two. Presently they have raised \$29,000 privately and the Trustees of Columbia Township still appear to be 100% behind the project with a proposed donation of \$75,000. With that commitment we have enough to build the project. We do not have enough to do all the landscaping at this point. We have identified two more potential pockets of grants that we are going to file for. The \$270,000 ODR grant is still good. We still need to sign a contract and then have 15 months to complete the project. If we do not finalize we would be penalized in future grant funding. We should get it under contract so we can begin on the construction documents. We are waiting on one donation that should arrive by November so they hope to be at \$150,000 by the end of the year. Village Engineer Ertel estimates the construction documents should take 6-8 weeks. Mr. Bartlett asked how much more is needed to be spent on the construction documents. Mayor Brown said approximately \$20,000. Mr. Stelzer said while we may have the money to go ahead with the project the landscaping will have to wait. We will have to remediate the soil due to the abuse it took during the Duke Energy pole project.

Mayor Brown brought to the attention of Council that Eric Marsland and the scouts will be setting up a course throughout the Village comprising of stakes in the ground to teach them how to orientate themselves and follow paths.

Resolutions:

“To Establish Court Costs as Authorized by Section 33.05 of the Code of Ordinances of the Village of Mariemont” had a first reading.

Mr. Bartlett said Mr. Stelzer had previously provided Council with a written update on the status of the assignments in his Committee. He suggested that each Councilmember do the same, whether written or verbally, on a quarterly basis. It is important to keep each other updated and in the loop on matters they are working on. The first update would be at the first meeting in October.

The meeting adjourned at 7:16 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer