

**Village of Mariemont
Regular Council Meeting
October 26, 2020**

Mayor Brown called the meeting to order at 6:34 PM. Present virtually due to the COVID-19 pandemic were Mr. Bartlett, Mrs. Graves, Dr. Lewis, Ms. Palazzolo, Mrs. Rankin, Mr. Stelzer, Fiscal Officer Borgerding, Solicitor McTigue and Village Engineer Chris Ertel.

Mrs. Rankin moved, seconded by Mr. Bartlett to accept the minutes as written for the regular Council meeting October 12, 2020. On roll call; six ayes, no nays.

Mayor Brown read the following communications:

From Fiscal Officer Borgerding: 2020 3rd Quarter Financial Reports. Mayor Brown commented that he really liked the new format of the reports. Mr. Stelzer said he sent last week the monthly comparisons of monthly expenses and revenues and asked the department heads to respond back to him so he can project the last three months of the year.

From Assistant Fire Chief Feichtner: September 2020 Monthly Report. Mayor Brown said Assistant Fire Chief Feichtner was able to purchase expensive fire breathing apparatus with FEMA monies. The Village was going to be compelled to purchase these but with the grant it saved the Village approximately \$115,000. He congratulated Assistant Fire Chief Feichtner for good work on behalf of the Village.

Due to COVID-19 pandemic Permission to Address Council was also done via Zoom.

Ms. Monica Hurley, 3859 Homewood Road, was granted permission to address Council. She presented the following:

Dear Mr. Mayor and At Large Council Representatives,

My husband, Brian, and I have lived at 3859 Homewood for 40+ years. We have been through fluctuating parking concerns for years, but never has such an unfair amendment been proposed.

The proposed parking fee is inequitable and exorbitant. It takes advantage of a relatively small number of us residents to raise money that would not benefit us or other residents, but landlords of rental properties.

The proposed fee does not apply to the 12 streets that are exempted from getting stickers. Our overnight parking issues are similar to theirs, so either we should be exempted too or they should not.

It also doesn't recognize that a small number of people have no alternative to parking on the street overnight. The \$100 parking permit would not be a choice for several residents like us, but a necessity.

The fee mainly targets two streets in the Village. The majority of stickers, about 66%, are issued for Homewood and Settle. It is unfair to raise money for the entire Village using the parking predicament of these two streets, along with a few others.

If this is a way to raise revenue, as it appears to be, it should benefit residents. The only consistent way to apply that approach is to charge a reasonable fee to residents of all streets for overnight parking. That is more in line with cities that require fees for parking.

We object to and oppose the proposed parking fee amendment to Mariemont Ordinance Chapter 79.

Thank you for listening to our concerns. It is right to table the proposal, update or remove the ordinance's exemption, and assess the overnight parking issue for all streets in Mariemont to fairly reflect the current needs and necessities of the residents.

She asked why 12 streets are exempt and they can park overnight yet she has the same situation which makes parking in the driveway impossible, not just a hardship or an inconvenience. The exempt streets impossibility is also her impossibility. Second question she wanted to know the names of the streets that have resident issued stickers and the number given for each street and also how many cars per household with stickers.

Police Chief Hines said he is aware of the Hurley's situation with their garage and noted that there are several on the street in the same situation. Basically the garages are unusable due to the size. The department has issued overnight parking stickers for that reason. The streets that were determined to be exempt were decided in 1967 when the Ordinance was enacted.

Mrs. Rankin said the information Mrs. Hurley is requesting is not readily available. Chief Hines said it would get the information regarding how many stickers are issued street by street. He said the stickers are not going to be issued, no matter the cost, just for the sake of convenience. There are many residents who request stickers but complaints are received that in fact those residents do have ample parking. The idea behind charging for the stickers was to discourage those who ask for them that really don't need them.

Ms. Suzy Weinland, 3812 Indianview, was granted permission to address Council. She presented the following:

Dear Mayor Brown, Council Members and Chief Hines:

We, the following residents of Indianview Avenue, are writing to share our feedback and suggestions on the proposed "all Village" enforcement of the 1967 Parking Code, § 76.03, as well as the discussion to charge residents a fee for permits.

First: Code §76.03 is antiquated. Suzy Weinland spoke with Chief Hines, Mayor Brown and Councilman Rob Bartlett, and there is nobody around today who can explain why it was put in place, or why it is stated as it is. The code has been enforced on an "as needed" basis for several decades, with officers working with residents as complaints come up. We see no reason to enforce such a code Village-wide or require permits on a daily basis on streets where there are no problems and no resident complaints, such as Indianview Ave. (or the majority of streets in the Village).

Second: In 1967, most residents had one car. Today, most have two or more, due to two-income households and teen drivers. If residents are able to park an extra car or two on the street, without it prohibiting safety vehicles getting down the street, and without causing inconvenience to neighbors, we see no issue with continuing to allow that on those streets. Regardless of whether someone has a driveway or garage, some drives are too short or only one car width. Some garages can barely fit today's sized cars. Having to shuffle cars in the early morning hours for school, work, in bad weather, is time-consuming and a huge disruption to schedules. Additionally, having to secure a permit each time guests are going to park on the street overnight is a nuisance to residents, especially if they aren't sure until that night.

Third: Residents on streets without parking complaints/issues should not be penalized because a few streets with problems DO need regulations. Indianview does not have a daily problem, and residents seem to notify one another if they have overnight guests who will park on the street. For streets with ongoing, year-over-year parking complaints and issues, where there is only street parking available, where very narrow streets cause traffic flow and safety vehicle access issues, where parking on only one side is permitted, where neighbors are not being considerate in how many cars or in what capacity they park in front of someone else's house, and where large trucks and business vehicles block or partially block traffic flow and/or driveways, there should be a new code put into effect based on discussion and agreement among those street's residents, the Police Dept. and the Village. Trying for decades to figure out how to make the existing code work on problematic streets has not worked. It is time for new ideas and regulations that addresses the current-day issues.

Fourth: The majority of us do not agree with potentially charging residents up to \$100 per car for parking permits. We all disagree with the intent to use part or all of those fees for a "matching grant" to help pay the Village's portion of parking pads behind rented townhomes off Murray/Plainville/Old Town Square area. Funding for such parking spaces should be the responsibility of the landlords and tenants (perhaps through a HOA/renter's association) and is NOT the responsibility of those of us who chose to purchase homes and pay mortgages and higher tax rates in other areas of the Village.

Fifth: It was suggested by either the Chief or Council during recent parking discussions, that requiring Village-wide permits would allow night time patrol officers to quickly assess whether a vehicle belonged to a Mariemont resident or could potentially be an outsider canvassing cars or residences. Firstly, Suzy Weinland's discussion with Chief Hines came to the conclusion that most delinquents enter the Village on bike or on foot, not by car. Secondly, our small patrol force already has various night time safety and security duties that keep them busy, and to suggest they would have time to bike or drive every street, every night, several times to "keep check" on who is entering our Village is not feasible.

Sixth: We'd like to provide a few suggestions for consideration to help those on streets with parking issues. Of course it is ultimately up to residents on those streets to get involved and find answers. These are merely suggestions:

- Paint small, white parking "marks" on the curb on the side where parking is allowed – large enough to be seen yet not so large that they detract from the beauty of our community. Having spaces pre-marked can help maximize the number of spaces, assure that people park in such a way as too not block what could be another parking spot, and prevent parked cars from partially blocking a driveway.

- Talk to each homeowner to find out who needs a space and "assign" them – maybe with numbers on each space? Intersperse “assigned” spaces with un-numbered “guest” spaces to be used as needed by homeowners’ guests for no more than 24 hours unless a “temporary guest permit” is acquired through the police dept.

- Continue to provide free parking permits to those deemed eligible for an assigned spot. Make the permits "hangers" rather than stickers, so they hang from the rear-view mirror and could be switched from car to car based on necessity. Make them colored, changing the color yearly (so they cannot be "collected" and used simultaneously on several cars, which has been an issue on Homewood).

We, the residents of Indianview Avenue, ask our Mariemont Village Council, Police Department, and our Mayor to please heavily consider our feedback and suggestions, and to work with residents whose streets have ongoing parking issues, to come to a fair and agreeable resolution for all.

Thank you.

Sincerely,
Indianview Residents

Suzy & Matt Weinland, 3812

Holly & John Reavill, 3828

Erik & Lisa Vanags, 3757

Malia & Mark Ridge, 3744

Chris & Sheri Kirby, 3748

Kevin Chang, 3824

Betsy & Mark Campbell, 3724

Suzy Carney, 3715

Chris Savaiano & Lauren Lacy, 3821

Susan Fraley, 3816

Tracy & Mark Glassmeyer, 3837

Jennifer & Greg Jones, 3747

Susan & Joel Eberlein, 3836

Chelsey & Chris Murphy, 3825

Mark Amann, 7000 Wooster Pike (NE corner of Indianview) Cathy Holley & Andrew Seeger, 6988 Crystal Spring (SW corner of Indianview)

Al & Beth Weiner, 3740 Indianview

Ms. Susan Brabenec, 6636 Elm Street, was granted permission to address Council. She thanked Council for implementing video implementation for resident participation. She presented the following:

Mayor Brown and Mariemont Village Council:

I am opposed to the proposed parking fee, the Amendment to Ordinance Chapter 79, and my opposition to a parking “incentive program” that encourages and pays landlords to pave over private green space.

1. Council should reject the proposed amendment because it inequitably impacts an unrepresented portion of the Village.

In his letter published this week on Nextdoor, Mr. Bartlett refers to the equitable nature of the parking rule's enforcement, citing the roughly equal split between the parking warnings issued on both sides of Wooster Pike.

The issue, however, is not equitable enforcement, but rather the inequitable impact of parking sticker fees. The impact is greater on the north side of Wooster Pike due to higher population density and fewer available spaces on or off the street. This is exemplified in the current sticker program where 2/3 of the stickers were issued to residents of 2 streets in the village, both on the north side of Wooster.

Significantly, those two streets – Homewood and Settle – are a part of a district which last had a District Representative in Troy Hawkins in 2018. No Council member currently lives within or near the district where 66% of parking sticker needs are concentrated and where the parking fee will have its greatest impact on residents.

I have been told that the “At-large” council replaced district representation. The “At-large” representation structure is ineffective as it does not provide adequate voice to large sections of the Village population. The proposed parking fee derives directly from this culture and structure.

Given the ongoing nature of the proposed fee, its disproportionate impact on select streets, and the absence of district representation, the proposed amendment should be rejected.

2. Any parking “incentive program” created by the Village should not grant money to landlords to pave-over private space to make “parking pads.”

A “parking incentive program,” to be partially funded by the revenue from the parking sticker fee, has been proposed by Council and Mayor Brown. In that program, as it has been described to me, landlords could apply for and receive grants to pave-over private space on their property to create “parking pads” for tenants.

While I applaud efforts to creatively solve parking problems within the Village, the Village should not be encouraging, much less paying, landlords to pave-over private space along Village residential areas. The argument for adding fees to the parking sticker program is to increase Village revenue, per Mr. Bartlett. Taking funds from that increased revenue and giving it to landlords, who typically do not reside in the Village, and often create resistance to Village improvements such as the recent school levies, is both wrong and severely misguided.

Private space that is not already paved is often “green space.” Much of Mariemont's charm derives from green space, trees, and yards. Paying private landlords to create more concrete or black-top is inconsistent with maintaining Mariemont's charm, especially within the Historic District. Do we really want to “pave paradise and put up a parking lot”? I, and my family, do not want this for our Village.

Mr. Stelzer said in response to the request for more time to speak that Council needs to stick to the three minute rule just as we would with in person meetings. He believes Council needs to do more homework on the parking issue. He would like to see a holistic review of the process. He referenced the parking study done by Columbia Township as a tool we can use to look at the framework they applied. There are differences in opinions on this matter and one item no one has addressed is the aesthetic effect of parking on the street. Some do not want parking on the street at all – which may not be unreasonable. An email received by a resident on Indianview had a strong opinion that cars do not need to be parked on the street and the fee for parking on the street should be \$500.00 per car.

Mr. Bartlett said there was a Special Meeting of Council on June 25, 2019 to talk about parking on Homewood with Settle Road residents attending as well. It was discussed to have Homewood Road become one of the exception streets for overnight parking, then anyone can park in the street and then it becomes harder for people who need street parking to find a space. It was decided after that meeting to leave it as is. We did not address charges for stickers because we were not facing the financial situation that we are now. It is hard to create a rule that applies to everyone and is fair. There are some streets that have more challenges than others.

Mayor Brown said it should go back to the Finance Committee for re-examination and do further homework. Mr. Bartlett said he no – he was not doing the homework. This subject is already in public works – the topic of a comprehensive parking assessment of the Village. We have tabled the fee discussion. Mrs. Rankin said for clarification she believes Mayor Brown was suggesting that the Finance Committee reexamine the fee for overnight parking. Mr. Bartlett suggested taking the overnight fee and incentive program off until the Public Works & Service Committee has made their recommendation. Council was in agreement to remove the incentive program for parking on private parking from the agenda. Mrs. Rankin said she will plan to hold a meeting within the next 30 days.

Mr. Bartlett moved, seconded by Mrs. Rankin to pay the bills as approved by the Mayor, Fiscal Officer and Chairman of the Finance Committee. Ms. Palazzolo said Ms. Wendler sent an email regarding interest in a Share Point site. Her belief is the Share Point site is a terrible idea for a place that has Sunshine Laws. Unless it is just a platform on which the website is built on we should not be paying for a Share Point site to be put up. Mayor Brown said he will find out if it is priced as a package. If it is something priced out then we should not be paying for something we do not want. Mr. Stelzer said he agreed with Ms. Palazzolo. Unless Council goes through Share Point training to understand what can and cannot be put out there it would be a waste of time. Ms. Palazzolo asked with the tree removals were there any trees planted. Dr. Lewis said there were Maple Trees planted on Maple Street and Oak Street last week. She also believes some of the Cherry Trees that died were replaced. On roll call; six ayes, no nays.

Dr. Lewis moved, seconded by Ms. Palazzolo to accept the recommendation of the Public Works and Service Committee which met on Tuesday October 20, 2020 at 4:45 PM to discuss the bids received for the collection of waste and recycling for the Village. In attendance were the Committee Chairperson Kelly Rankin, Committee Member Rob Bartlett, Committee Member Avia Graves and Mayor Brown. The topic of discussion was the bids received for waste collection service for calendar year 2021. Rumpke was the single provider to submit a bid. Attached is the bid submitted by Rumpke for the options requested to be bid on. The goal of the meeting was to recommend the option best suited for the needs of the Village of Mariemont. As per the attached, the key difference in the bids is the option to move solid waste collection to the curb and eliminate rear of the house pickup. The cost savings for this option would be \$42,750.00. Also note that the curbside pickup option requires the contractor to provide the waste cans (in addition to the recycling cans currently provided). This will allow for better aesthetics since all the receptacles will look alike and eliminate a hodge podge look that may result if residents provide their own can. In order to be fiscally responsible to the Village, the Committee recommends the Village accept bid for option #2 and enter into a contract with Rumpke for such service. Mrs. Rankin said for those that already have a compatible 65 gallon Rumpke container they will not get another one. Mayor Brown said for those residents who are not physically able to wheel the can to the curb he is hopeful that neighbors can step up or the Boy Scouts can help or high school students who need community service points. Ms. Palazzolo asked if this will set the Village up in the future for more competitive bidding. Mrs. Rankin said the bid request was presented as an and/or so it did give other companies the opportunity to bid. Republic declined to provide a bid as they did not think they would be able to be competitive at this time. She explained that it is a one year contract with the option to renew. On roll call; six ayes, no nays. Solicitor McTigue will prepare the necessary legislation.

Mr. Stelzer asked if this information can be sent to residents so we are not waiting until the 3rd reading and then have resident opposition. He suggested communicating this sooner than later that a change is being proposed. It was discussed to put the information on the website and NextDoor Mariemont. Mrs. Rankin said she does not like using NextDoor Mariemont as a platform for the Village. She urged residents to sign-up on the website to get Village emails and information. The official means of getting information from the Village is via the website. Mr. Stelzer said one of the complaints about the parking fee was that people did not know about it until the Town Crier came out.

Council discussed various ways to get information out to the residents including information. The solution Mr. Bartlett feels is to get residents to sign up for the email notification from the website. People have to register in order to have the information sent to them. The office personnel are driving people to the website to sign-up for the information for the primary meaning of reaching out to the community. Council discussed a flyer drop. It is too late to get the information in the November Town Crier but it could be inserted into the December Town Crier. Both should encourage people to sign up on the email list. Ms. Weinland said she would need the flyer for the November Town Crier addition by Wednesday November 4, 2020. The deadline for December would be December 2, 2020. There will not be a January 2021 issue. Ms. Palazzolo said residents should be notified with a flyer after the contract is signed and before the first pickup. She suggested signs at the east and west entrance to the Village announcing the change. Mr. Stelzer suggested a flyer on top of the can when they are delivered. Mrs. Rankin said Dean Ferrier from Rumpke said in the meeting that Rumpke will notify the residents. Mr. Stelzer said Council should be on the same page by next meeting on what the communication should say and

what the implementation is going to be. Mr. Bartlett and other members of Council agreed that residents should hear about it from the Village first.

Mayor Brown referred to Rules and Law Committee the matter of email protection and retention policies.

Miscellaneous:

Beggar's Night will be Saturday October 31, 2020 from 6:00-8:00 p.m. Mr. Bartlett suggested putting the information on the website in the box on the main page along with the hours.

Leaf Collection begins Monday October 26, 2020 and will end the week of December 14, 2020. Due to COVID-19 we will not be hiring temporary help so the process will be slower than in previous years.

Village Offices will be closed Thursday and Friday November 26 and 27, 2020 in observation of Thanksgiving.

The Permanent Improvement Meeting will be Monday December 21, 2020 at 5:30 p.m. Fiscal Officer Borgerding asked Mrs. Van Pelt to send Department Heads to have their requests to him by early December along with their 5 year projections.

The Council meeting in December will be Monday December 21, 2020 at 6:30 p.m.

Resolutions:

“To Reappoint Peter Wren as a Member of the Architectural Review Board for the Calendar Years of 2021 & 2022” had a second reading.

“To Reappoint Eric Marsland as a Member of the Parks Advisory Board for the Calendar Year of 2021” had a second reading.

“To Reappoint Dave Wuertemberger as a Member of the Parks Advisory Board for the Calendar Year of 2021” had a second reading.

“To Reappoint Ruth Varner as a Member of the Parks Advisory Board for the Calendar Year of 2021” had a second reading.

“To Reappoint Carrie Gray as a Member of the Parks Advisory Board for the Calendar Year of 2021” had a second reading.

“To Reappoint Mary Tensing as a Member of the Parks Advisory Board for the Calendar Years of 2021 and 2022” had a second reading.

“To Reappoint Steve Spooner as a Member of the South 80 Trails, Gardens and Park Advisory Board for the Calendar Year 2021” had a first reading.

“To Reappoint Andrew Seeger as a Member of the South 80 Trails, Gardens and Park Advisory Board for the Calendar Year 2021” had a first reading.

“To Reappoint Jason Brownknight as a Member of the South 80 Trails, Gardens and Park Advisory Board for the Calendar Year 2021” had a first reading.

“To Reappoint Chris White as a Member of the South 80 Trails, Gardens and Park Advisory Board for the Calendar Year 2021” had a first reading. Mr. Stelzer said Mr. White does not live in the Village anymore. Mr. Spooner advises that John Morgan and John Fakes be appointed to the board. There was question on how many may be appointed to the board. Mrs. Van Pelt said she will look it up and let Council know.

“To Reappoint Mark Glassmeyer as a Member of the South 80 Trails, Gardens and Park Advisory Board for the Calendar Year 2021” had a first reading.

Ordinances:

“An Ordinance Enacting Chapter 56 of the Codified Ordinances of the Village of Mariemont, Entitled Comprehensive Right of Way Administration” had a third reading. Mrs. Rankin moved, seconded by Mr. Bartlett to adopt the Ordinance. Mr. Bartlett asked if the Village will start implementing collecting money at the start of the year. Engineer Ertel said he will be asking the utility companies for their length of utility in the Village. The cost will be determined by the linear feet. Mayor Brown said no application has been made to date on the 5G request. On roll call; six ayes, no nays. Ordinance No. O-20-20 was adopted.

“To Amend Section 151.025(A)(1)(a) of the Mariemont Code of Ordinances, Powers and Duties of the Architectural Review Board and to Declare Emergency” had a first reading. Ms. Palazzolo moved, seconded by Dr. Lewis to remove the emergency clause as it was deemed not necessary. Mr. Bartlett agreed but he finds it concerning that it was not included on the agenda for the last meeting even though it was submitted in plenty of time. Mayor Brown said there was a lot of back and forth on this since early June and he was trying to ascertain some questions before it was brought forward. Mr. Bartlett said it would have been best to let Council know. Mr. Stelzer asked for clarification on what is being changed. Ms. Palazzolo said she will send him the highlighted copy. On roll call; six ayes, no nays.

“Ordinance Amending Chapter 31.077 of the Mariemont Code of Ordinance Regarding Building Commissioner” had a first reading.

“To Amend Mariemont Code Chapter 79, Schedule I (B)(1), No Parking of the Mariemont Code of Ordinances to Update Current Requirements for Parking on Wooster Pike” had a first reading.

“Ordinance Amending Chapter 32.13 Rule 19 of the Mariemont Code of Ordinances” had a first reading.

“Ordinance Amending Section 32.13 Rules of Council (Z) Rule 25 of the Mariemont Code of Ordinances” had a first reading.

“Ordinance Removing Chapter 31.078 from the Mariemont Code of Ordinances Regarding Dog and Cat Wardens” had a first reading.

“Ordinance Amending Chapter 90.01(A)(1)(b) of the Mariemont Code of Ordinances Regarding Dogs or Other Animals Running at Large; Dangerous or Vicious Dogs” had a first reading.

“Ordinance Amending Section 32.13 Rules of Council (GG) of the Mariemont Code of Ordinances had a first reading.

“Repealing No. O-14-16 of the Mariemont Code of Ordinances” had a first reading. Mr. Bartlett said the report indicated that this was not recommended at this time as it was still in Economic Planning & Development Committee. Mr. Bartlett moved, seconded by Dr. Lewis to remove the Ordinance from the agenda. On roll call; six ayes, no nays.

“Ordinance Amending Section 91.36 of the Mariemont Code of Ordinances” had a first reading.

“To Amend Section 151.26(A)(6) of the Mariemont Code of Ordinances, Signs within Residential District” had a first reading.

“To Amend Section 70.30 of the Mariemont Code of Ordinances Regarding Obeying Traffic-Control Devices” had a first reading.

The meeting adjourned at 8:04 p.m.

William A. Brown, Mayor

Anthony J. Borgerding, Fiscal Officer