

**MINUTES OF THE COUNCIL
VILLAGE OF MARIEMONT, OHIO
REGULAR MEETING HELD IN COUNCIL CHAMBER
JANUARY 13, 2014**

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. Marsland, Mr. Miller, Ms. Palazzolo, Ms. Schwartz, Mr. Tinkham, and Mr. Wolter.

Mayor Policastro welcomed the new members of Council and said he thought they would be in for a fun year.

Mayor Policastro said Building Commissioner, Kirk Hodulik, completed his 180 day probationary period and it is recommended that he be made an Appointed Official. Mr. Miller moved, seconded by Mr. Wolter to make Mr. Hodulik the Appointed Building Commissioner. Mayor Policastro said Mr. Hodulik is doing a great job and puts in a lot of hours. On roll call; six ayes, no nays.

Ms. Palazzolo moved, seconded by Ms. Schwartz to approve the minutes as written for December 16, 2013. On roll call; six ayes, no nays.

The following communications were read by Mayor Policastro:

From Police Chief Hines: December 2013 Monthly Report. Mr. Wolter commented that the closure rate really indicates the effectiveness of the Police Department. This is one of the highest in the area. Solicitor McTigue said the Mariemont Police Department is outstanding and he often hears compliments in Mayor's Court on how nice and polite the officers are. Mr. Tinkham said the OVI's are way up. Chief Hines said getting back to full staff this past year helped contribute to that. The officer is assigned to permanent night shift and seems to be able to sniff out those who have been drinking and driving. We have a grant from the State of Ohio that funds the overtime car for the OVI enforcement. It actually costs the Village nothing. It is administered by Blue Ash Police Department and they send us a check on a monthly basis based on the paperwork we submit to them.

Chief Hines said he had been working on his annual report and he was reminded on how lucky we are to have such a dedicated group of professional individuals working and serving the residents of the Village. He wanted to publically thank them. Since assuming the administration duties for both the police and fire departments, he has asked and will continue to ask and expect, a lot of his employees. They always answer the call of anything that is asked of them and they are always willing to do whatever it takes to provide the very best service possible to our residents. They go above and beyond performing duties that may not always fall under the job description such as going to the store for an elderly person who cannot get out to go, shoveling snow for an elderly who is not capable, deicing and starting a car for an elderly resident who needs to get somewhere on a cold winter day. We have taken gas to a resident who ran out on her way home, in addition to removing bats/birds etc. from residences and businesses. The Fire Department performs building and yard maintenance, helps the Service Department plow snow, performing minor vehicle repairs etc. We say these things are part of the Mariemont way. He especially thanked Assistant Police Chief Messer and Assistant Fire Chief Feichtner for making his job that much easier to do. He feels that the Village has the best of the best in both the Police and Fire Departments and is honored to be their chief. He said he would be remiss if he did not also thank Mrs. Van Pelt, Mrs. Singleton and Mrs. Busam, Superintendent Scherpenberg and the Service Department and Building Commission Hodulik for their assistance. They are all a pleasure to work with and they are always there for us anytime we need anything.

From Assistant Fire Chief Feichtner: December 2013 Monthly Report. Mayor Policastro thanked the department for helping the Service Department plow the roads after the snowfall.

From Superintendent Scherpenberg: December 2013 Monthly Report/Annual Report. Mr. Wolter asked about the cost of leaf removal since we did not have the free service of the inmate program this year. Superintendent Scherpenberg said we spent \$12,000 on Minutemen. We are still saving money by not using part-time help that we used to. In 1998 when we had part-time help the yearly cost was \$103,781. By outsourcing the mowing and utilizing Minutemen the cost was \$54,292 which provided a savings to the Village of \$49,489. We also have a contract with Haffner's which allows us to dump brush and leaves free of charge in exchange for farming down on the lower 80 acres.

Mayor Policastro said Superintendent Scherpenberg got a heck of a deal from Natorp's. They had trees that were beginning to outgrow their pots. We got 15 free and paid \$50.00 each for 65 more for \$3500 total. Normally they charge \$200 each so it was a huge savings to the Village of approximately \$13,000. We can use that savings towards the update of the website.

From Building Commissioner Hodulik: December 2013 Monthly Report/Annual Report

From Tax Administrator Busam: December 2013 Monthly Report/Waste Collection Fee Report/Annual Report

From Stiney Vonderharr: e-mail dated Monday December 16, 2013 re: First Annual Economic Development Forum Invite

From Arlene Brill: Letter dated December 2, 2013 re: Garbage concerns

From Mayor Policastro: Letter dated December 17, 2013 re: Response to Ms. Arlene Brill

From Administration Department: Memo dated December 26, 2013 re: Recycling Cart Survey Results. Mayor Policastro referred the trash addendum to allow for curbside recycling to the Health and Recreation Committee. The large and small lidded recycling carts on wheels were displayed in the Council room. He has been talking with representatives from Rumpke. Most people want a recycling can with a lid and are willing to wheel it to the curb for no additional charge. It will definitely help with the rodent problem and it would save the Village \$15,000 annually. The residents will have the choice between the larger and smaller cart. If the Committee decides not to have curbside pickup it would cost the residence an additional \$25.00 per year in their annual trash fee and the Village will not see a \$15,000 savings.

From Premier Internet: Website Redesign Agreement. Mayor Policastro said he would like to move forward with the new website design. Premier Internet is located here in the Village and has been instrumental in updating our computers in the Administration Department. The website and computers were a real thorn in the side of our former Tax Administrator, Darlene Judd and was one of the reasons she retired. Mr. Wolter moved, seconded by Mr. Tinkham to approve the agreement. On roll call; six ayes, no nays. Solicitor McTigue said the deposit is quoted as \$3200 on the front page and \$3500 on the back page. Mrs. Van Pelt said she will contact them and ask for a corrected copy for the Mayor to sign.

From Michelle Balz: E-mail dated December 23, 2013 re: Residential Recycling Incentive. Mayor Policastro said we are the best recycling community under a population of 10,000 in Hamilton County. Rumpke indicated that with the larger recycling totes the numbers should go up because people will recycle more and of course we want to keep improving.

From Cincinnati Enquirer: Article regarding increase in Ohio minimum wage.

From Administration Department: MTD/YTD 4th Quarter Report

From Clerk/Treasurer Borgerding: December 2013 Monthly Report/Trend Reports

From Clerk/Treasurer Borgerding: 2013 Annual Report. Mayor Policastro said it is outstanding that we have a 1.4 million surplus. We brought in more money than we paid out last year and we balanced our annual budget. We know next year the Governor's cuts will kick in. We have been doing things and hopefully we can overcome the \$300,000 that the Village will no longer receive. The Waldorf School brought in 40 new jobs, the third condo will be going in (property tax is approximately \$30,000 per condo – when all four condominiums are complete it will be \$120,000), we combined the Police Chief and Fire Chief into one position saving over \$100,000 and the Fire Department only has one full-time employee who has done a great job assembling 35 part-time employees. We still always have four firemen on a shift. In speaking with Mr. Stelzer, former Finance Committee Chairman, we need to make up \$100,000 to balance the annual budget but we anticipate still ending the next two years with over a million dollars in the General Fund. He believes we are doing very well considering all that has happened over the past years. He is the Vice-President of the Hamilton County Municipal League and stated that they are working with the Ohio Municipal League to make our State Legislators know that we need some of our state funds back. He is hopeful that perhaps next year we might be able to get some of the money back. Clerk/Treasurer Borgerding said this is the fourth straight year of having a surplus at the end of the year meaning we spent less than we brought in. Hopefully we can continue that trend. It is going to be tough and we will have to tighten our belts.

From Engineer Ertel: 2014 Street Rehabilitation Project. Mayor Policastro referred the matter to the Public Works and Service Committee. He said Engineer Ertel does a great job getting grants and there are two areas that need repair (6500 Mariemont Avenue Pipe Repair and Beech Grove Manhole Replacement – Westbound Wooster Pike). One of the big construction jobs we are going to have this year is South Pocahontas. It has water problems which are affecting the sidewalks. We are going to start over on the street. We are in the second round of small government funds to get half of the cost of the project paid for with grant money. Engineer Ertel said he should hear by the first of May. Mayor Policastro said we want to get the bids out right away so we get better pricing and more competitive bids.

From Christopher Eldridge: Executive Summary/Resume (For Fiscal Officer Assistant). Mayor Policastro said Mr. Eldridge is a Village resident and is well qualified. Once we have the three readings and change the Ordinance we can get some help for Mr. Borgerding.

From Hamilton County Municipal League: January 2014 Meeting Notice. Mayor Policastro said if anyone wishes to attend to please let Mrs. Van Pelt know and she will RSVP. Mr. Wolter said he found this to be very helpful and informative when he was new to Council. He encouraged the new Council members to attend and meet other local Mayors, Council Members and Trustees.

Mr. Stan Bahler, 6965 Crystal Springs Road, was granted permission to address Council. He said he noticed the item on the agenda regarding the first reading of the Ordinance to merge the Clerk and the Treasurer

positions into one Fiscal Officer. He was formally both the Clerk and the Treasurer – performing both positions at one time. It can be done and it is being done right now very well by Mr. Borgerding. He wanted to know the reasoning behind why some of these changes are taking place and went to the Administration Office to get a committee report and found there was no committee report. The only time it was ever mentioned in Council was October 15, 2013 when a former Council Member questioned why there was not a person on the ballot for Treasurer. At that time the Mayor said the plan was to merge the two positions. The Council Member asked if there was going to be discussion because it would eliminate an elected position that is laid out in the ORC. The Mayor said the discussion would take place with the next Council. Here it is the first Council meeting and there is an Ordinance already prepared with everything decided. There has been no discussion. Maybe that is the way to go but personally he has his reasons for why it is not but this is not the way to do it. There should have been a committee meeting so people could state their views. The only reason given in the Ordinance is because it is hard to find someone to fill the position. He finds that very weak. It is not easy but it can be done. This is the wrong way to go about making such an important change and an Ordinance should not be brought in front of three new Council members for the first time. He is not even sure that the discussion ever took place with the previous Council because discussion did not occur in a Council meeting. If discussion existed, it was off the books. He thinks it is too important to be done in this manner. There is no rush – Mr. Borgerding is doing it now and is planning to continue to do so obviously. There is no need to rush it through without proper discussion. He urged Council to table the first reading and have open discussion and find out what the real reasons are that this is being done. Mayor Policastro said he has the greatest respect for Mr. Bahler but Council will have discussion at the second reading.

Mr. Wolter moved, seconded by Ms. Schwartz to nominate Mr. Miller as President Pro-Tem of Council. On roll call; six 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, 2014” had a first reading. Clerk Borgerding said this a formal procedure we have to go through that allows Council to authorize the Village to spend money and pay its bills. The figures are taken from the Budget Hearing held last summer that prepared the budget for 2014. Mr. Tinkham moved, seconded by Mr. Miller to suspend the rules to allow for the second and third reading. On roll call; six ayes, no nays. The Ordinance had a second and third reading. Mr. Marsland moved, seconded by Ms. Schwartz to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-1-14 was adopted.

Ms. Schwartz moved, seconded by Mr. Marsland to pay the bills as approved by the Mayor, Clerk and Finance Chairman. On roll call; six ayes, no nays.

The Mayor read the following miscellaneous announcements:

Village Offices will be closed Monday February 17, 2014 in Observation of Presidents’ Day.

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

Mayor Policastro referred the Codification of Ordinances to the Rules and Law Committee. Mayor Policastro said he and Mrs. Van Pelt will assist the Committee. Solicitor McTigue said he has worked on some of the criminal statutes which were not up to the Ohio Revised Code. He will forward the work to the Committee.

Mayor Policastro referred the Outsourcing of Mowing Contract Extension to the Public Works and Service Committee.

Council Committee assignments for 2014

Ms. Schwartz moved, seconded by Ms. Palazzolo to nominate Mr. Miller as the Council Member to the Planning Commission. On roll call; six ayes, no nays.

Assistant Fire Chief Feichtner explained that two Trustees were needed for the Volunteer Firemen’s Dependent Fund which the Village pays into per ORC. Should a firemen die or become disabled in the line of duty they or their family may be eligible for some sort of compensation. There are no meetings that take place unless the need should arise. Mr. Miller moved, seconded by Mr. Tinkham to appoint Mr. Tinkham and Ms. Palazzolo to the Volunteer Firemen’s Dependent Fund. On roll call; six ayes, no nays.

Mayor Policastro referred to the Committee of the Whole discussion of once per month Council meetings. For the first couple of months we should have two meetings per month but suggested during the summer months to only have meetings once per month.

Mayor Policastro referred to the Committee of the Whole the need to increase the number of ARB members to include the Mayor and the Council Chairman of the Economic Development and Zoning Committee. He said a few years ago he hired an inspector to go around and check for exterior violations and report back to the Building Commissioner so letters could be sent detailing the violations. There is too much to do for the Building Commissioner so Ms. Schwartz came up with the idea that members of the ARB could each take a street, including the Council Representative of the Historic District, and inspect the houses several times a year. The Administration office is working on a check off system that would be used. We have some really great landlords in the Village but some we need to stay on them or those important buildings will fall apart.

Resolutions:

“Resolution Adopting the Hamilton County Natural Hazard Mitigation Plan” had a second reading. Solicitor McTigue said it is an agreement that all municipalities in Hamilton County participate in. He has reviewed it and found it to be good for us from a legal standpoint and it is good for us from a practical standpoint. The previous Council was aware of it. Mr. Tinkham asked what the plan actually does. Solicitor McTigue said it puts in place procedures that need to be followed in the event of a natural disaster and keeps law in order. Mr. Wolter said FEMA wants communities to have in place a proactive plan if they are going to be a back-up. Assistant Fire Chief Feichtner said Hamilton County EMA received a federal grant from FEMA to put together this plan. Every community in Hamilton County has adopted this. Should a natural disaster occur the plan has been approved through FEMA so if it gets to the Federal level it will make getting Federal assistance and funding easier to obtain. He has a complete copy in his office should anyone wish to review it.

“Designating PNC Bank as Depository of Active and Interim Deposits of the Village of Mariemont, Beginning January 1, 2014 and Ending December 31, 2018; and To Declare Emergency” had a first reading. Mr. Wolter moved, seconded by Mr. Miller to suspend the rules to allow for the second and third reading. On roll call; six ayes, no nays. The Resolution had a second reading. Clerk Borgerding said we need to do this every five years. It is a formal procedure designating the bank we are going to utilize as our depository. The Resolution had a third reading. Mr. Marsland moved, seconded by Mr. Tinkham to adopt the Resolution. On roll call; six ayes, no nays. Mr. Wolter moved, seconded by Mr. Tinkham to invoke the emergency clause. On roll call; six ayes, no nays. Resolution NO. R-1-14 was adopted.

“To Appoint Paul Haffner as a Member of the Architectural Review Board for Calendar Years of 2014 and 2015” had a first reading.

“To Appoint Kirk Hodulik as Building Commissioner for the Calendar Years 2014 and 2015; To Set Compensation; and To Declare Emergency” had a first reading. Mr. Wolter moved, seconded by Mr. Miller to suspend the rules to allow for the second and third reading. On roll call; six ayes, no nays. The Resolution had a second and third reading. Mr. Tinkham moved, seconded by Mr. Marsland to adopt the Resolution. On roll call; six ayes, no nays. Ms. Schwartz moved, seconded by Mr. Marsland to invoke the emergency clause. On roll call; six ayes, no nays. Resolution No. R-2-14 was adopted.

Ordinances:

“To Accept Funds from the Hamilton County Stormwater District” had a first reading.

“Ordinance to Modify Section 90.01 (A)(1) of the Mariemont Code of Ordinance” (Leash Law) had a first reading.

“Ordinance to Abolish the Positions of Clerk and Treasurer and Enact a New Position of Village Fiscal Officer” had a first reading.

The meeting adjourned at 7:55 p.m.

Dan Policastro, Mayor

Anthony J. Borgerding, Clerk