

**MINUTES OF THE COUNCIL
VILLAGE OF MARIEMONT, OHIO
REGULAR MEETING HELD IN COUNCIL CHAMBER
FEBRUARY 10, 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 introduced Ms. Ginny Corsini, Venue Magazine, Advertising Director. Venue Magazine showcases Greater Cincinnati's lifestyle and event guide. They would like to do a special section focusing on Mariemont in the April 2014 edition. The page count will depend on support from the community. The section will focus on the quality of life here in Mariemont, the restaurants, shops, schools and business opportunities. The print run is typically 11,500 with distribution to 17 zip codes predominately on the east side of Cincinnati. It is produced quarterly. The article would feature the Village past, present and future. She is working with Bob Flieschel on pictures. She does have a commitment from Rick Greiwe and several other local businesses as well. They have until the end of the month to try to get this all together. She has made contact with several businesses who have shown an interest in buying advertising and will continue to do so. They have a staff of professional writers and photographers who will put the stories and advertising together.

Mr. Wolter commented that the deadline in two weeks is a pretty tight schedule but it is a really exciting idea. Mayor Policastro said it would be good to help our merchants. Mr. Miller said perhaps the Village could pay for a page listing a directory of merchants. Solicitor McTigue said care has to be taken when spending public funds to advertise for private business. However, having a business directory would be acceptable. Mayor Policastro referred the matter to the Committee of the Whole which will meet on Monday February 24, 2014 at 5:30 p.m. to discuss the matter in more detail and whether the Village wants to have the article in the spring or fall publication.

Mr. Wolter moved, seconded by Mr. Tinkham to approve the minutes as written for January 27, 2014 and the Committee of the Whole meeting written for January 27, 2014. On roll call; five ayes, no nays. (Mr. Tinkham abstained due to absence)

The following communications were read by Mayor Policastro:

From Police Chief Hines: January 2014 Monthly Report/2013 Annual Report. Mr. Wolter asked if the cold weather caused some of the numbers on the monthly report to go down. Chief Hines said the cold weather months are typically slower. He commented that the annual report shows that for the third year in a row the theft reports were down for the year which was a departmental goal. He thanked his department for achieving the goal each year. He also thanked the Maintenance Department for the outstanding job they have done treating the roads over the past snow/ice storms. They have responded promptly when called out in the middle of the night and it sure helps the police department not to have to take as many auto accident reports. Mr. Tinkham commented that the Police Department did a nice job on their budget.

From Assistant Fire Chief Feichtner: January 2014 Monthly Report/2013 Annual Report. Mr. Miller asked if other departments have had a need of our service because of our fire truck. Assistant Fire Chief Feichtner said we respond by mutual aid which is normal assistance that we offer one another.

From Service Superintendent Scherpenberg: January 2014 Monthly Report. Mr. Wolter asked how the salt supply is holding up. Superintendent Scherpenberg said we are doing well. The department has been somewhat conservative and used the lowest settings on the trucks. ODOT is offering salt to communities at \$200 per ton with the stipulation that it has to be paid back next year. Presently he estimates we have 55 tons in storage with an additional 63 tons of salt on contract. Should it snow again the plan is to plow first and then treat with salt. The hills and school areas will remain priorities. Mr. Wolter asked if the storage facility offers ample storage. Superintendent Scherpenberg said it does.

From Building Commissioner Hodulik: January 2014 Monthly Report

From Tax Administrator Busam: January 2014 Monthly Report. Mrs. Busam said we are up 17.3%. Clerk Borgerding cautioned that it is not a trend.

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

Mr. Wolter moved, seconded by Ms. Schwartz to accept the recommendation of the Health and Recreation Committee which met February 3, 2014 to further discuss the possibility of converting the recycling service with Rumpke from the use of 18-gallon recycling bins collected from behind the house to 35-gallon or 65-gallon wheeled recycling carts with lids to be collected from the curb. In attendance were members of the Health and Recreation Committee, Mayor Policastro and Dean Ferrier of Rumpke. At the January 20, 2014 meeting on this issue concern was raised if the type of truck Rumpke would use to collect the carts from the curb would be too large to operate in the narrow lanes of the Historic District and/or other properties where recycling is collected from lanes rather than from the street. Mr. Ferrier presented the Committee with a comprehensive plan to provide service to those residences where recycling must be collected from the lanes that would allow those households to use the lidded recycling carts on wheels. He further assured the Committee the plan could be modified as needed once the program was put into place. Mayor Policastro stated special arrangements would be made through the Mariemont Civic Association for any senior citizen who cannot get the cart to the curb. It was decided that notification would be made to all residents as follows: (1) Information in the Mayor's Bulletin to be distributed in February (2) A letter from Rumpke mailed directly to residents, informing them to contact the Village office to request either a large or small container. (Those residents who do not respond will be provided with the smaller cart by default.) (3) The Village office will contact owners of apartment buildings with four or more units to ask what size and number of containers they would prefer. Rumpke could distribute the containers the third week in March and would return the following week to take away the 18-gallon bins. Therefore, the Committee recommends the Village convert to using wheeled recycling carts with lids to be collected from the curb. The Committee further recommends that any legislation that needs to be voted on to allow for this change be done as an emergency so that this change may go into effect as soon as possible. Ms. Schwartz thinks this will be a good move. We have two different cart sizes to choose from and it will save the Village approximately \$17,000 per year. Mr. Marsland asked what arrangements are going to be made for elderly residents. Mayor Policastro said to instruct residents to call the office and he will have it taken care of. Mr. Miller said most neighbors will help out if they are told of the difficulty of an elderly neighbor. Mr. Marsland said he was not sure if Rumpke was going to target residents who had difficulty or not. Mayor Policastro said he is sure they will help but he does not want to depend on them in case they have a replacement driver. Mrs. Van Pelt will forward a copy of the contract for the Solicitor to review to see if additional legislation is needed or if the addendum is sufficient. Mr. Miller suggested having the addendum amended to add wording should Rumpke lose the contract in the future that there would be no cost to the Village to remove the wheeled carts. Mayor Policastro said there are not any companies that want to bid our contract due to behind the house service. Rumpke has worked very hard with us to make this happen. On roll call; six ayes, no nays.

Mr. Miller moved, seconded by Ms. Palazzolo to accept the recommendation of the Committee of the Whole which met on Monday January 27, 2014 at 6:00 p.m. to discuss the possibility of having once per month Council meetings. Present were Council members, Joe Miller, Eric Marsland, Maggie Palazzolo, Mary Ann Schwartz and Dennis Wolter. Also present were Mayor Policastro, Administrative Assistant Joanee Van Pelt, Resident Stan Bahler and Lisa Wakeland of the Community Press. After discussion it was unanimously agreed to have twice per month Council meetings except for the summer months June, July and August. Council during those months will meet the second Monday of the month. It was also unanimously agreed that Council would meet once in December with the day to be determined at a later date. It is requested that the Solicitor prepare any necessary legislation. (Full minutes are available in the Administration Office). On roll call; six ayes, no nays.

Mr. Tinkham moved, seconded by Mr. Marsland to accept the recommendation of the Committee of the Whole which met on Monday January 27, 2014 at 6:00 p.m. to discuss the possibility of increasing the Architectural Review Board members from five to seven to include the current Mayor and the Council Chairman of the Economic Planning and Zoning Committee. Present were Council members Joe Miller, Eric Marsland, Maggie Palazzolo, Mary Ann Schwartz and Dennis Wolter. Also present were Mayor Policastro, Administrative Assistant Joanee Van Pelt, Resident Stan Bahler and Lisa Wakeland of the Community Press. After discussion it was unanimously agreed to increase the membership of the Architectural Review Board to include the Mayor and the Council Chairman of the Economic Planning and Zoning Committee. The increase in membership was to allow for needed inspections of the residences in the Historic District. It is requested that the Solicitor prepare any necessary legislation. (Full minutes are available in the Administration Office). 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.

Outstanding Citizen Award Applications are due to Mrs. Van Pelt by Thursday March 20, 2014

Play equipment at Ann Buntin Becker Park was referred to the Health and Recreation Committee

Resolutions:

“To Appoint Paul Haffner as a Member of the Architectural Review Board for Calendar Years of 2014 and 2015” had a third reading. Mr. Wolter moved, seconded by Mr. Miller to adopt the Resolution. On roll call; six ayes, no nays. Resolution No. R-5-14 was adopted.

“To Amend Resolution of Existing Pick-Up for the Mariemont, Ohio Fire Department” had a second reading.

“To Amend Resolution of Existing Pick-Up for the Mariemont, Ohio Police Department” had a second reading.

Ordinances:

“To Accept Funds from the Hamilton County Stormwater District” had a third reading. Mr. Marsland moved, seconded by Mr. Miller to adopt the Resolution. On roll call; six ayes, no nays. Ordinance No. O-2-14 was adopted.

“Ordinance to Modify Section 90.01 (A)(1) of the Mariemont Code of Ordinance” (Leash Law) had a third reading. Mr. Tinkham said the Ordinance reads that anytime a dog is not in an enclosed secure area on its owner's property, it shall be under positive leash control of the owner, keeper, or harbinger of the dog. He asked if that meant if you let your dog outside in your yard it must be on a leash? Solicitor McTigue said technically if you do not have a fence and you let the dog outside the dog must be on a leash. Mr. Tinkham said a lot of people let their dogs out in the back yard to do their business and then they are brought back in. A lot of people do not have their yards completely fenced. Solicitor McTigue said the legislation is all about enforcement. If the dog is let outside in the yard and there is no incident then everything is okay. It will become problematic if the dog hurts another person or animal. Mr. Miller said it is a rule of common sense. This legislation stemmed from those whose aggressive dogs should have been on a lease but were not. Solicitor McTigue said early on there was opposition by some Council members to this. At the time it did make a lot of sense because most communities have a leash law. Mr. Tinkham said there are going to be a lot of people technically violating this Ordinance. Mr. Wolter said if it really becomes a problem we can amend the Ordinance. Solicitor McTigue said once it is enacted he will see through Mayor's Court if we are getting an abnormal amount of violations. At that point it might be time to make a change. On roll call; five ayes, one nay (Mr. Tinkham dissented) Ordinance O-3-14 was adopted.

“Ordinance to Abolish the Positions of Clerk and Treasurer and Enact a New Position of Village Fiscal Officer” had a third reading. Mr. Miller moved, seconded by Mr. Wolter to adopt the Ordinance. On roll call; six ayes, no nays. Ordinance No. O-4-14 was adopted.

The meeting adjourned at 7:49 p.m.

Dan Policastro, Mayor

Anthony J. Borgerding, Clerk