

MADEIRA CITY COUNCIL
REGULAR MEETING MINUTES
MAY 24, 2021

I. CALL TO ORDER

Mayor Spencer called the meeting to order at 7:30 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Spencer led the Invocation and Pledge of Allegiance.

III. ROLL CALL

Members present:

Nancy Spencer, Mayor
Scott Gehring
Tom Henning
Chris Hilberg
Doug Moormann
Brian Mueller
Traci Theis

Officials/Staff present:

Brian Fox, Law Director
Tom Moeller, City Manager
Lori Thompson, Assistant City Manager
David Schaefer, Police Chief
C. Robert Paul, Treasurer
Kristie Lowndes, Asst. Treasurer
Christine Doyle, Clerk of Council

IV. ACCEPTANCE OF THE AGENDA AND MINUTES

A. Changes to the agenda:

1. Ms. Theis asked to add Traditions Community Room Opening to New Business.

B. Changes to the City Council Regular Meeting minutes from May 10, 2021:

None

C. Res. No. 27-21: Authorizing the City Manager to Contract with Arthur Rozzi Pyrotechnics, Maineville, Ohio to Provide the Fireworks Display for July 3, 2021

D. Res. No. 28-21: Creating SR-57 ARP Local Fiscal Recovery Fund

Motion to accept the amended agenda; the May 10, 2021 Regular Meeting minutes; Res. No. 27-21: Authorizing the City Manager to Contract with Arthur Rozzi Pyrotechnics, Maineville, Ohio to Provide the Fireworks Display for July 3, 2021; and Res. No. 28-21: Creating SR-57 ARP Local Fiscal Recovery Fund made by Mr. Gehring, second by Mr. Moormann. Motion passed by unanimous roll call vote.

V. MAYOR'S MOMENT

A. Public Comment Reminder

B. In the Community

1. As the school year winds down, Mayor Spencer thanked the teachers, school staff, bus drivers, cafeteria workers, and all the people who worked to make this school year possible.
2. On this First Responders Day in Ohio, she thanked the first responders in the City and area for keeping us safe every day.
3. In this Military Appreciation Month, she thanked all the veterans across the country who have given so much. She also recognized former Councilperson Matt Luther, who just returned home from an 8-month deployment.

C. Special Proclamation

Mayor Spencer read a proclamation recognizing June 2021 as Pride Month in the City of Madeira.

VI. NOTICES OF OTHER MEETINGS AND EVENTS

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| • Mayor's Court | May 26, 2021 at 6:30 p.m. |
| • Memorial Day Ceremony (McDonald Commons) | May 31, 2021 at 10:00 a.m. |
| • Inclusion Committee | June 3, 2021 at 7:00 p.m. |
| • Board of Zoning Appeals | June 7, 2021 at 7:00 p.m. |
| • Parks and Recreation Board | June 9, 2021 at 7:00 p.m. |
| • City Council | June 14, 2021 at 7:30 p.m. |

VII. COMMITTEE AND OFFICIAL REPORTS

- A. Law and Safety Committee meeting on May 11, 2021
1. Mr. Henning reported the Committee discussed the zoning code updates, which were discussed later in the meeting.
 2. The Committee will be bringing the native meadow ordinance to Council soon.
- B. Parks and Recreation Board meeting on May 12, 2021
1. Mr. Mueller reported the Memorial Day Ceremony will take place at McDonald Commons; the speaker will be resident and Army Captain Jason Cowden. Because the Ohio pandemic restrictions are still in effect, there will not be a march from the Middle School. The event will be videotaped and posted to social media for those who cannot attend.
 2. It was recently announced that the pandemic restrictions would be lifted June 2, so the Board will be meeting every Monday to plan the Independence Day festivities to take place on July 3 at McDonald Commons. The Madeira Mile, parade, and celebration will all take place one hour earlier than in the past. People will be able to enter the rear of McDonald Commons via Shawnee Lane. A portion of Dawson Road will be closed throughout the events.
- C. Public Works Committee meeting on May 17, 2021
1. Mr. Gehring reported the water main projects are moving smoothly. The top layer of asphalt for the Phase 1 streets will be put down starting the first week of June. On the Phase 2 streets, they will be checking the pressure and sanitizing the water lines soon, and the asphalt will be entirely complete within in the next 30 days.
 2. Bid documents are nearly complete for the 2021 Street Program, which will include paving and adding curbs to Osceola, Sanoma, and Rita. Work is scheduled to begin in mid July.
 3. The Miami Avenue Traffic project has made Congressperson Wenstrup's short list for possible Federal funds. The Committee is recommending the City engineers, Kleingers, start the engineering so work can begin as soon as funds are available.
 4. The McDonald Commons Park Master Plan is in a holding pattern for the stream analysis. It was recently determined that part of one creek is an intermittent stream and part of another is an ephemeral stream. The City will be meeting with consultants to determine if and how these streams could be piped.

- D. Senior Commission meeting on May 17, 2021
 - 1. Mr. Hilberg reported there was a discussion on the Senior Services listing the Commission is putting together of vendors for things seniors may need. The vendors would not be endorsed by the City but would be recommended by the Commission.
 - 2. The June 2 A to Z's to Sleep Health program will take place from 1:00–2:30 p.m. over Zoon with limited seating in Council Chambers. The August 4 Welcome to Medicare 2021 program will be held at the same time and in the same way. Both sessions will be recorded.
 - 3. The Commission is hoping to partner with the Fire Department for a program in October, which is fire prevention month.

- E. Planning Commission meeting on May 17, 2021
 - 1. Mr. Moormann reported the Stanley Homes request was tabled for more information from the applicant.
 - 2. In the Treetop Lane zoning change case, the builder and adjacent homeowner came to an agreement on the design of the home, so the builder is moving ahead with the zoning change. The Commission has recommended that Council approve the change.
 - 3. The Commission approved a request for a lot split on Arnett that would combine two nonconforming lots to create two slightly less nonconforming lots.
 - 4. The Commission discussed mixed-use buildings in the Residential Scale Overlay District. More information was requested for further discussion at the next meeting.

- F. Inclusion Committee meeting on May 20, 2021
 - 1. Mayor Spencer reported the Committee met to discuss ideas for the June 20 Pride Picnic at McDonald Commons; it will be held from 3:00–5:00 p.m. The Committee is looking into having music and snack trucks, and they are reaching out the Madeira High School Gay Straight Alliance about having a booth to hand out information.
 - 2. The Committee discussed reaching out to the business community about Pride Month and how businesses could show their support.
 - 3. Discussions on moving into subcommittees continued.

- G. Budget and Finance Committee meeting on May 24, 2021
 - 1. Mr. Mueller reported that in the monthly financials earnings tax receipts are up 18%, due in part to low receipts last year and earnings tax credit reductions, and the street repair fund revenue is down due to slow collections from the gasoline tax.
 - 2. The Administration has been attending conferences and meetings on the American Rescue Plan Act (ARPA) funds. It appears storm water sewers may qualify for funds, and waterlines will qualify, but the Committee may opt not to use the funds for this since only IHWW residents would benefit. Final guidance from the Federal government will come in July; the City has not yet received the funds.
 - 3. The local nonprofit grant program will not be rolled out until the guidance is final and the funds have been received. In the meantime, discussions continue on which nonprofits would qualify and what the application process would be. It has been determined that the City would need to monitor the spending and use of the granted funds and report back to the Treasury.
 - 4. The Committee has decided to calculate the new financial indicators twice per year: once after June 30 and once during budgeting, which takes place in November and December.

- H. Police Report
 - 1. Chief Schaefer reported the hiring process continues with all the command-level interviews taking place this week.

2. Officer Mike Miller attended De-Escalation Training; the majority of the officers have now attended this training. Officer Joe Freeman attended Practical Kinesics Interview and Interrogation training. All of the officers have received training on House Bill 1 that relates to handcuffing pregnant females.
3. St. Gertrude's is holding a 5K-walk fundraiser on June 19 at 9:00 a.m. The entire route is within Madeira and will take place on the sidewalks. Officers will facilitate crossing at larger intersections but won't stop traffic.
4. In the monthly report, the traffic details and directed patrols are up; during the pandemic the Department did only necessary enforcement to limit personal contact.
5. When asked, Chief Schaefer said the Police and Service Departments are able to build lightweight underground traps for coyotes. The traps wouldn't hurt pets or children, but once a coyote is trapped, it would be euthanized. Two residents who complained of coyotes were offered the trap but declined.
6. Chief Schaefer stressed that only people who live in or are going to an address within the closure are allowed to travel on the closed portion of Euclid Road. This is a safety issue for the workers who are not expecting vehicular or bicycle traffic on the road.

VIII. COMMUNITY PARTICIPATION

A. Guests and Registered Visitors

1. The following residents spoke in favor of installing sidewalks on Osceola: Jackie Koopman, 7246 Osceola; Justin Brinkman, 7313 Osceola; Colleen and Brian Sweeney, 7240 Osceola; Lauren Sullivan 7235 Osceola; Jane Butschie, 7301 Osceola; Cynthia and Tom Gernetzke, 7250 Osceola; Jennifer and Jayson Roland, 7328 Osceola; Liz and Gene Fugate, 7242 Osceola; Peter Schildknecht, 7233 Osceola; Jodi Yannucci, 7324 Osceola; Susan Kissel, 7213 Osceola. Safety concerns and the fact that Osceola is a thoroughfare to other streets were the main reasons cited for the sidewalks. The request was made that the City partner with residents on the cost of the sidewalks; they also asked that the City suspend paving the street until they can go through the petition process and a decision is made on adding sidewalks.
 - a. Council began discussing the process for sidewalk requests and the City's policy on sidewalks. That discussed was continued under New Business.
2. Doug Oppenheimer, 7431 MarDel, read the zoning code on gardening. He suggested changes that would allow gardens to be used for teaching and for providing food to people who don't live on the premises.

B. Correspondence None

IX. PUBLIC HEARING

- ##### A. Ord. No. 21-01: Amending the Madeira Code of Ordinances Chapter 150 Zoning Code
1. Mayor Spencer opened the public hearing at 9:05 p.m.
 2. Mr. Oppenheimer spoke again and reiterated his thoughts on the gardening section.

**Motion to close the public hearing made by Mr. Hilberg, second by Mr. Moormann.
Motion approved by unanimous roll call vote at 9:08 p.m.**

X. ORDINANCES AND RESOLUTIONS

- ##### A. Ord. No. 21-01: Amending the Madeira Code of Ordinances Chapter 150 Zoning Code— Second Reading

1. Mr. Fox read through the changes recommended by the Law and Safety Committee:
 - a. Amend Section 150.01: Definition of “Deck” revised such that all decks “shall no longer be larger than 25% of the footprint of the principal building or dwelling.”
 - b. Amend Section 150.01: Definition of “Lot Coverage” revised such that the phrase “excluding uncovered decks” is included.
 - c. Amend Section 150.30(B)(1)(e): Size limitations of decks – Added subsection (e) limiting decks to 25% of the footprint of the principal building or dwelling.
 - d. Amend Section 150.13(c)(2): Impervious Surface Calculation – add “uncovered decks” to list of items which are not to be included in the impervious surface calculation.
 - e. Amend Section 150.13(c)(3)(a): Res. Dist. – revise to “shall not exceed 50% of the total gross area of the underlying lot.”
 - f. Amend Section 150.31(A)(2): Revise to “No garage sale shall be permitted for more than two (2) consecutive days.”

Motion to approve the proposed changes to Ord. No. 21-01 made by Mr. Henning, second by Mr. Moormann. Motion approved by unanimous roll call vote.

- B. Ord. No. 21-02: Approving a Zoning Map Amendment for Lot Number 8 Treetop Lane from Residence B District to Residence A District—First Reading
 1. Mr. Moeller said neighboring residents would be notified that a public hearing would be held at the second reading of the legislation.
- C. Ord. No. 21-03: Accepting the Annexation of Property Containing 1.608 Acres More or Less from Columbia Township to the City of Madeira, Ohio—First Reading
 1. Mr. Moeller said the County Commission has released the property from Columbia Township; the Township did not express any objection to the annexation. The next step is for Council to approve the annexation.
 2. Mr. Moormann said the annexation is good for Madeira because the entire development would be within the purview of the Planning Commission
- D. Res. No. 29-21: Authorizing the City Manager to Execute an Agreement for the Purchase of Property for Public Right-of-Way for the Euclid Avenue Improvement Project
 1. Mr. Moeller shared with Council the purchase contract for the two parcels. The price of \$25,000 was confirmed by appraisal. The property would become new parcels of public right-of-way and would need to be recorded as such by Hamilton County.

Motion to approve Res. No. 29-21: Authorizing the City Manager to Execute an Agreement for the Purchase of Property for Public Right-of-Way for the Euclid Avenue Improvement Project made by Mr. Gehring, second by Ms. Theis. Motion passed by unanimous roll call vote.

Mayor Nancy Spencer	yes
Scott Gehring	yes
Tom Henning	yes
Chris Hilberg	yes
Doug Moormann	yes
Brian Mueller	yes
Traci Theis	yes

XI. NEW BUSINESS

A. Traditions Community Room

1. Ms. Theis reported the Traditions Community Room would reopen on June 2 for events that benefit the seniors of Madeira. All scheduling requests should go through Ms. Theis; her email is ttheis@madeiracity.com.

B. Sidewalks

1. Mr. Mueller said the City's policy on sidewalks had been inconsistent. For the streets on the 2005 Sidewalk Master Plan, the City has paid 50% of the cost of installing sidewalks. On Thomas, the City received a partial grant for the sidewalks and paid for the rest. Residents on other streets have been told the homeowners would need to pay the entire cost. Mr. Mueller suggested the City consider a second Sidewalk Master Plan for adding sidewalks to more streets.
2. Regarding sidewalks on Osceola, Mr. Mueller objected to statements made by Council members that there wasn't time to consider adding sidewalks during the upcoming street work and that installing sidewalks at the time of the street work would not save money.
3. Council discussed the current sidewalk policy and how best to address a possible change in policy. Several committee options were considered. Mr. Moeller confirmed the Public Works Committee at the time created the first Sidewalk Master Plan. Mr. Gehring suggested that the discussion include asking the City engineers to estimate costs for sidewalks on each individual street that does not have them.
4. Regarding Osceola, Mr. Moeller said he would talk to the City engineer about pulling Osceola from the upcoming program and getting a rough cost for sidewalks on the street. The Public Works Committee would also look into requesting an alternate street program bid that would include adding sidewalks to the street.

Motion for the Public Works Committee to take up a more detailed analysis of the planning and costs that could be involved should there be a change to the City's sidewalk planning policy made by Mayor Spencer, second by Ms. Theis. Motion passed by unanimous roll call vote.

XII. OLD BUSINESS

A. Business Incentive Program

1. Mr. Moeller said Gilson's requested the program be reinstated, as they are looking to replace their awning. In 2019, three Business Incentive grants were approved for a little less than \$10,000 of the \$20,000 budgeted for the program.
2. Council discussed reinstating the program using money from the Central Business District (CBD) fund and then replenishing the money with ARPA funds. Currently there is \$61,000 in the CBD fund. Mr. Gehring said now was not the time to restart the program and suggested waiting until the City could offer a more robust program with Federal funds.
3. Council agreed to have the Economic Development Committee consider if there were better ways to meet the needs of the business community through this type of program.

Motion to reinstate the Business Incentive Program with \$20,000 from the Central Business District fund made by Mr. Moormann, second by Mr. Hilberg. Motion passed by 6-1 roll call vote, with Mr. Gehring opposing.

XIII. EXECUTIVE SESSION

- A. Pending Litigation
- B. Real Estate


Mr. Fox removed Pending Litigation from Executive Session.

Motion to adjourn into Executive Session for the purpose of discussing real estate made by Mr. Moormann, second by Ms. Theis. Motion passed by unanimous roll call vote at 9:48 p.m.

XIV. ADJOURNMENT

Motion made by Mr. Gehring, second by Mr. Hilberg, to adjourn Executive Session and return to regular session at 10:08 p.m. Motion passed by unanimous roll call vote.

Motion made by Ms. Theis, second by Mr. Gehring, to adjourn the meeting at 10:09 p.m. Motion passed by unanimous roll call vote.



Christine Doyle, Clerk of Council