

MADEIRA CITY COUNCIL  
REGULAR MEETING MINUTES  
JUNE 14, 2021

I. CALL TO ORDER

Mayor Spencer called the meeting to order at 7:34 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  
Doug Moormann  
Brian Mueller  
Traci Theis

Officials/Staff present:

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

Members absent:

Chris Hilberg

IV. ACCEPTANCE OF THE AGENDA AND MINUTES

A. Changes to the agenda:

None

B. Changes to the City Council Regular Meeting minutes from May 24, 2021:

1. Mr. Mueller asked that a change be made in the Sidewalks topic under New Business.

**Motion to accept the agenda and the amended May 24, 2021 minutes made by Ms. Theis, second by Mr. Henning. Motion passed by 6-0-1 roll call vote.**

V. MAYOR'S MOMENT

A. Public Comment Reminder

B. In the Community

1. Mayor Spencer recognized the one-year anniversary and grand opening of Purpose Pilates. In other business district news, Redden Fine Meats will be opening soon, the Cop has opened, and Girl's Night Out had record attendance.
2. She recognized all the 2021 graduates and their families who started this school year without knowing how it would pan out.
3. She congratulated Madeira High School student Yvonne Colson who won first in the discus event at the State Division 3 track and field meet.
4. Mayor Spencer noted this meeting was the first with the partitions removed and all the visitor chairs back in place, and she welcomed all the residents in attendance, including members of Boy Scout Troop 209.

C. Special Recognition

VI. NOTICES OF OTHER MEETINGS AND EVENTS

- Mayor's Court June 16, 2021 at 6:30 p.m.
- Shakespeare in the Park at McDonald Commons June 16, 2021 at 7:00 p.m.
- Pride Picnic at McDonald Commons June 20, 2021 at 3:00 p.m.
- Public Works Committee Meeting June 21, 2021 at 5:00 p.m.
- Planning Commission June 21, 2021 at 7:00 p.m.
- Budget and Finance Committee June 28, 2021 at 6:30 p.m.
- Council Meeting June 28, 2021 at 7:30 p.m.

VII. COMMITTEE AND OFFICIAL REPORTS

A. Public Works Committee meeting on May 26, 2021

1. Mr. Gehring reported the Committee met after the discussion at the May 24 Council meeting to review options for sidewalks on Osceola. The Committee and the City Engineer determined that the work currently scheduled for Osceola was complex enough and opted not to include sidewalks at this time. The City Engineer would, however, prepare a cost estimate for installing sidewalks to present to the residents of the street.

B. Inclusion Committee meeting on June 3, 2021

1. Mayor Spencer reported the Committee continued to plan the Pride Picnic. Attendees will be able to throw water balloons at Mayor Spencer, Vice Mayor Hilberg, and Chief Schaefer as part of a fundraiser for GLSEN, an organization that provides mental health services for LGBTQ youth.
2. The Committee continued their discussions on breaking into subcommittees.

C. Board of Zoning Appeals meeting on June 7, 2021

1. There were no questions on the results of the cases as provided in the City Manager's report.

D. Parks and Recreation Board meeting on June 9, 2021

1. Mr. Mueller reported the planning for the Independence Day event continued. Madeira City Schools have been named the Grand Marshall of the parade, and buses will be available to shuttle people from St. Gertrude to Dawson Road after the parade. HighGrain Brewing will be selling craft beers at McDonald Commons. An alternate viewing site for fireworks will be set up at St. Gertrude for those who prefer a less congested setting.

VIII. COMMUNITY PARTICIPATION

A. Guests and Registered Visitors

1. Barbara Holwadel, 6022 Cherokee Drive, spoke in favor of changing the gardening section of the zoning code to allow for commercial activity and asked Council their goal for suppressing gardening.
2. Doug Oppenheimer, 7431 Mar Del, urged Council to take action on amending the gardening section of the zoning code. If Council does not change the section of the code, he asked for an explanation as to why.

B. Correspondence

1. The Ohio Division of Liquor Control sent notification that Swing Line Grill applied for a liquor permit.

**Motion to not request a hearing on the Swing Line Grill liquor permit application made by Mr. Moormann, second by Ms. Theis. Motion passed by 6-0-1 roll call vote.**

IX. ORDINANCES AND RESOLUTIONS

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

1. After hearing the input at the public hearing, Mayor Spencer worked with Mr. Fox to suggest a clarification on the gardening section. It reads: “Gardening, hobby greenhouses, the raising of vegetables or fruits for the personal use, consumption, donation, or off-site sale by residents of the principal building or structure may be permitted, provided such accessory uses comply with other restrictions set forth in this Zoning Code and do not disturb the residential character of a dwelling nor cause deleterious effects on the enjoyment of other residential dwellings in the surrounding Residence District.” If Council wanted to make a change, they could amend the zoning code at this time or refer the matter to the Law and Safety Committee for consideration.
2. When asked, Mr. Moeller said the current language has probably been in place since 1971.
3. Mr. Moormann said the zoning code sets standards for the community, not for a single piece of property; the variance process is in place for exceptions to be made on a single piece of property. To his knowledge there have been no gardening variances requested. He also noted the zoning code change process has been underway for a long time, and it would have been helpful for this concern to have been brought to light earlier, so it could have been discussed by Planning Commission and Law and Safety. To the first point, Mayor Spencer responded she believes the section does apply to more than a single property, as gardening activities like shared gardens are taking place.
4. When asked, Mr. Fox said the section would not apply to schools. He said a similar approach to the deleterious effects was taken in the revised section on home offices
5. After discussion, Council opted to refer the matter to the Law and Safety Committee, who would then refer any changes to Planning Commission. It would then come back to Council for approval.
6. Mr. Fox presented a revision to Section 2 of the ordinance that reads: “Pursuant to Section 1 of Article XI of the Madeira Home Rule Charter, this Ordinance shall be in force and take effect following: (a) the formal enactment of a measure specifying the district boundary lines expressly set forth in Section 150.12 (B) of the attached Exhibit A, and (b) 45 days following publication of such formal enactment unless said period were to be suspended by the filing of a valid and sufficient referendum petition.”

**Motion to amend Section 2 of Ord. No. 21-01 made by Mr. Moormann, second by Ms. Theis. Motion passed by 6-0-1 roll call vote.**

**Motion to approve the amended Ord. No. 21-01: Amending the Madeira Code of Ordinances Chapter 150 Zoning Code made by Mr. Moormann, second by Ms. Theis. Motion passed by 6-0-1 roll call vote.**

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

- B. Ord. No. 21-02: Approving a Zoning Map Amendment for Lot Number 8 Treetop Lane from Residence B District to Residence A District—Second Reading
  - 1. Mr. Moeller said the advertisement for the public hearing did not go out in time for it to occur at the second reading. Council agreed to hold the public hearing before the third reading of the ordinance.
- 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—Second Reading
  - 1. There were no questions or comments from Council.
- D. Res. No. 30-21: Authorizing the City Manager to Submit an Application to the Southwest Ohio Regional Transit Authority Capital Improvement Funds for the Miami Avenue Traffic Calming Project
  - 1. There were no questions or comments from Council.

**Motion to approve Res. No. 30-21: Authorizing the City Manager to Submit an Application to the Southwest Ohio Regional Transit Authority Capital Improvement Funds for the Miami Avenue Traffic Calming Project made by Mr. Henning, second by Ms. Theis. Motion passed by 6-0-1 roll call vote.**

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

- E. Res. No. 31-21: Authorizing the City Manager to Enter into a Contract to Purchase Playground Equipment from Landscape Structures for Sellman Park
  - 1. Mr. Moeller offered his thanks to the Parks Board for their work on this project. He noted the grant used to partially fund this purchase requires that action be taken by the end of the month. He noted this legislation is for the structure only, and the installation would be bid out at a later date.

**Motion to approve Res. No. 31-21: Authorizing the City Manager to Enter into a Contract to Purchase Playground Equipment from Landscape Structures for Sellman Park made by Mr. Mueller, second by Mr. Henning. Motion passed by 6-0-1 roll call vote.**

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

X. NEW BUSINESS

A. July Meeting Schedule

1. Mayor Spencer proposed that the July 26 meeting be removed from the calendar for a summer break.

**Motion to remove the July 26 Council meeting from the calendar made by Mr. Henning, second by Mr. Gehring. Motion passed by 6-0-1 roll call vote.**

XI. OLD BUSINESS

None

XII. EXECUTIVE SESSION

- A. Pending Litigation
- B. Real Estate

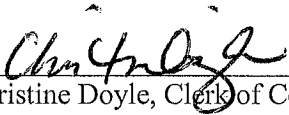
Mr. Fox removed Pending Litigation from Executive Session.

**Motion to adjourn into Executive Session for the purpose of discussing real estate made by Mr. Moormann, second by Ms. Theis. Motion passed by 6-0-1 roll call vote at 8:29 p.m.**

XIII. ADJOURNMENT

**Motion made by Mr. Gehring second by Mr. Moormann, to adjourn Executive Session and return to regular session at 8:41 p.m. Motion passed by unanimous roll call vote.**

**Motion made by Ms. Moormann, second by Mr. Gehring, to adjourn the meeting at 8:42 p.m. Motion passed by unanimous roll call vote.**

  
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Christine Doyle, Clerk of Council