

MADEIRA CITY COUNCIL
REGULAR MEETING MINUTES
AUGUST 23, 2021

I. CALL TO ORDER

Mayor Spencer called the meeting to order at 7:31 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. Mr. Gehring asked that discussion of the Woodsway Development be added under Old Business.
2. Mayor Spencer, citing the recent FDA approval of the Pfizer vaccine for people aged 16 and over; the Ohio Department of Health director's indication that the vaccine is safe for children aged 12–15 to receive under an emergency use authorization; and recent administrative actions undertaken to protect the health of children and families within the Madeira community, made the motion to table indefinitely Ordinance No. 21-07. Motion seconded by Mr. Moormann.
 - a. Mr. Moormann confirmed that tabling indefinitely would mean that Council has no intention of bringing the ordinance up for further consideration.

Motion to table indefinitely Ordinance No. 21-07: An Ordinance Mandating Face Coverings Be Worn Indoors by Anyone Accessing Public Buildings within the City of Madeira, Ohio 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

B. Changes to the City Council Regular Meeting minutes from August 9, 2021:
None

C. Resolution No. 41-21: Authorizing the City Manager to Increase the Pay Rate of School Crossing Guards and Amending Section 1 of Ordinance No. 08-37

- D. Resolution No. 42-21: Authorizing the City Manager to Contract with The Kleingers Group To Provide Professional Services Regarding Storm Water Drainage on Mar Del Drive
- E. Resolution No. 43-21: Authorizing the City Manager to Contract with Forever Lawn for the Purchase of Synthetic Turf for the Sellman Park Playground through the Helping Governments Across the Country Buy Cooperative Purchasing Program

Motion to accept the amended agenda; the August 9, 2021 minutes; Res. No. 41-21: Authorizing the City Manager to Increase the Pay Rate of School Crossing Guards and Amending Section 1 of Ordinance No. 08-37; Res. No. 42-21: Authorizing the City Manager to Contract with The Kleingers Group To Provide Professional Services Regarding Storm Water Drainage on Mar Del Drive; Res. No. 43-21: Authorizing the City Manager to Contract with Forever Lawn for the Purchase of Synthetic Turf for the Sellman Park Playground through the Helping Governments Across the Country Buy Cooperative Purchasing Program made by Ms. Theis, second by Mr. Gehring. Motion passed by unanimous roll call vote.

V. MAYOR'S MOMENT

- A. Public Comment Reminder
- B. In the Community
 - 1. Mayor Spencer recognized the employees at RSW who spent a recent day mulching and painting at Sellman Park. She thanked them for their continued investment in the community.
- C. Special Recognition
 - 1. Chief Schaefer introduced new officer Cameron Stewart and said he looked forward to the new insight and personality he'll bring to the Department. Officer Stewart earned a Bachelor of Science Degree in Criminal Justice from Bowling State University and has nearly five years experience with the Ohio State Patrol. Mayor Spencer administered the oath of office to Officer Stewart.

VI. NOTICES OF OTHER MEETINGS AND EVENTS

- Inclusion Committee September 2, 2021 at 7:00 p.m.
- Labor Day—City Offices Closed September 6, 2021
- Board of Zoning Appeals September 7, 2021 at 7:00 p.m.
- Mayor's Court September 8, 2021 at 6:30 p.m.
- Parks and Recreation Board September 8, 2021 at 7:00 p.m.
- City Council September 13, 2021 at 7:30 p.m.

VII. INVITED GUESTS

None

VIII. COMMUNITY PARTICIPATION

- A. Guests and Registered Visitors

1. Leslie Guzman, 6576 Carriage Hill Court; Kevin and Kelli Crapsey; and Julie Tissot were registered to address Council but were not in attendance during this portion of the meeting.
2. Brad Vitucci, 7471 South Mingo, voiced his support for the decisions made by the Madeira City Schools and thanked Council for tabling Ordinance 21-04.
3. Chris Davidson, 8148 Maxfield, asked for clarification on why the ordinance was tabled; Mayor Spencer reiterated her statement from earlier in the meeting.
4. Alicia Camper, 5572 Mapleridge, opposed negating the decision of the School Board and the potential charges stated in Ordinance 21-04; she thanked Council for indefinitely tabling it.
5. Gena Bailey, 7517 South Mingo, asked for clarification on Madeira's State of Emergency. Mr. Fox said the State of Emergency includes special provisions that allow a City to bypass certain things; he said there was no horizon date for the current State of Emergency. When asked about ending the State of Emergency, Mayor Spencer said for her it was linked to vaccine eligibility for all residents but that might differ for other Council members. She said it might be an item for Council to consider in a future meeting.
6. Gabriella Gugino, 7129 Maple, asked how Council could say that anyone not eligible for the vaccine had to wear a mask; Mayor Spencer said that was not the case.

B. Correspondence

1. The City received emails opposing the mask ordinance from Caroline DiMauro, 6549 Madeira Hills, and Stephanie Connors, 6597 Madeira Hills.

IX. COMMITTEE AND OFFICIAL REPORTS

A. Parks and Recreation Board meeting on August 11, 2021

1. Mr. Mueller reported the Street Dance occurred successfully to the average visitor. There were behind-the-scenes failures on the part of Cincinnati Circus, who was hired to run the event to allow Board members more time to focus on goal setting. Cincinnati Circus did not provide the stage, as contracted, or provide enough staff to run the event. In addition, 4 or 5 vendors pulled out for various reasons, including labor shortages.
2. Mr. Mueller thanked the Parks Board members who, in attendance with their families, stepped up to staff the bounce house among other things.
3. The Board will be meeting on September 8 to discuss lessons learned from the event.

B. Public Works Committee meeting on August 16, 2021

1. Mr. Gehring reported the bids for the 2021 Street Program would be opened tomorrow and paving would take place yet this year.
2. The Committee discussed the feedback from the Street Dance on the McDonald Commons Master Plan. Public feedback continues to be collected. The Committee also discussed hiring a construction manager at risk, who would work with the engineer at the beginning of construction and deliver the project for a guaranteed maximum price. Staff was asked to research this concept for further discussion.
3. The City Engineer is preparing bid documents for replacement and repair of the McDonald Commons pipe and sinkhole. There's no firm time frame for repairs because of a shortage of materials, but the park will be open for fall sports.
4. The City is working with the contractor of the Phase 1 water main project to correct the pitch of the pavement in places on Juler and Thomas to ensure proper water drainage. The Phase 2 water main project should be completed for paving to start in late September.
5. The Committee will review contracts for citywide street sweeping to help maintain the roads.

6. The Committee discussed hiring a landscape architect for branding and streetscaping at the new Euclid/Camargo intersection.
 7. When asked, Mr. Moeller said he believes the City could use ARPA funds to repair the McDonald Commons water pipe. The City is also planning to apply for infrastructure money from the state and will be engaging Senators Blessing and Miranda in that effort.
- C. Planning Commission meeting on August 16, 2021
1. Mr. Moormann reported Planning Commission approved the final plat for the Windwood subdivision for 9 single-family home lots.
 2. The Commission discussed mixed use in the Residential Scale Business District at the request of two property owners in that area. Staff will be providing additional information for discussion at the next meeting.
 3. Mr. Moormann said the State Capital Bill would provide funding for projects again in 2022, and he suggested getting in front of local legislators to solicit support before the bill is announced.
 4. As a result of public concern about the Woodsway development, the Commission discussed what could be done protect trees on private and public property. The Commission asked Staff to research what other like cities have done to conserve trees.
 - a. In response to Mr. Gehring's questions on the topic, Mr. Moeller said the developers have submitted a geotechnical plan for approval and still need to apply for a grading and excavation permit. The City Engineer issues these permits, and either the Engineer or Building Department would issue all remaining permits. When asked, Mr. Moormann said all Planning Commission could do at the time was to ask the developer to preserve as many trees as they could. The developer chose not to do so. Mr. Moormann said the experience has identified an issue, and the Commission is taking steps to address it. Mr. Gehring asked Mr. Fox if the City could have made preserving a percentage of trees a requirement for approving the annexation of a portion of that property; Mr. Fox said he was unsure.

X. ORDINANCES AND RESOLUTIONS

- A. Ord. No. 21-07: An Ordinance Mandating Face Coverings Be Worn Indoors by Anyone Accessing Public Buildings within the City of Madeira, Ohio—First Reading

Tabled indefinitely earlier in the meeting.

XI. NEW BUSINESS

- A. Dress Code for City Volunteers at City Events
1. Ms. Theis shared an experience she had at a City-sponsored booth at the Street Dance with an unidentified member of the Parks and Rec Board. She suggested the Admin and Personnel Committee review the idea of City volunteers wearing t-shirts or something to identify themselves at events for the benefit of attendees and the Police and Service Departments.
 2. Council discussed requiring t-shirts and suggested other identification options, including buttons or stickers. They discussed who would wear the identification, perhaps including Council members.
 3. Mr. Hilberg said he would welcome the discussion on the Admin and Personnel Committee. Mr. Mueller asked that the Committee do a deep dive so no unintended circumstances arise, like questions of free speech.

4. Mr. Moormann said the issue is also one of appropriateness. He cited a Council candidate wearing a campaign shirt in a City booth and suggested also specifying what a volunteer can't wear when in a City booth.

XII. OLD BUSINESS

None

XIII. EXECUTIVE SESSION

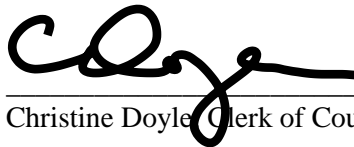
- A. Pending Litigation
- B. Real Estate

Motion to adjourn into Executive Session to confer with legal counsel regarding disputes involving the City of Madeira that are subject to pending, possible, or imminent court action, and to discuss legal opinions of the Law Director on such matters that could reasonably involve future litigation; to consider the purchase of property for public purposes, or to consider the sale of property given that premature disclosure of such information would give an unfair competitive or bargaining advantage to a person whose personal or private interests are adverse to the general public's interest; and for the purpose of seeking and receiving advice from legal counsel made by Ms. Theis, second by Mr. Hilberg. Motion passed by unanimous roll call vote at 8:43 p.m.

XIV. ADJOURNMENT

Motion made by Ms. Theis, second by Mr. Henning to adjourn Executive Session and return to regular session at 9:10 p.m. Motion passed by unanimous roll call vote.

Motion made by Ms. Theis, second by Mr. Hilberg, to adjourn the meeting at 9:11 p.m. Motion passed by unanimous voice vote.



Christine Doyle Clerk of Council