

MADEIRA CITY COUNCIL
REGULAR MEETING MINUTES
SEPTEMBER 13, 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. Moeller asked to add Ord. No. 47-21 to Ordinance and Resolutions.
2. Mr. Moormann asked to add Emergency Orders under New Business.
3. Mr. Gehring asked to add a Joint Fire District Meeting and Mr. Moeller asked to add a Police Report under Committee and Official Reports.

B. Changes to the City Council Regular Meeting minutes from August 23, 2021:

None

C. Resolution No. 44-21: Authorizing the City Manager to Enter into an Agreement with Clean Harbors Environmental Services Inc.

Motion to accept the amended agenda; the August 23, 2021 minutes; and Res. No. 44-21: Authorizing the City Manager to Enter into an Agreement with Clean Harbors Environmental Services Inc. made by Mr. Hilberg, second by Ms. Theis. Motion passed by unanimous roll call vote.

V. MAYOR'S MOMENT

A. Public Comment Reminder

B. In the Community

1. Mayor Spencer led a moment of silence to recognize the impact of the events of September 11, 2001 had on all us. She also thanked the helpers that go to tragedy when it occurs to help and support others.

C. Special Recognition

1. Mayor Spencer recognized Alice Schneider on her 85th birthday. Ms. Schneider is a regular attendee at City Council meetings, and Mayor Spencer thanked her for taking the time to attend and for reminding everyone that there is so much to be happy for.

VI. NOTICES OF OTHER MEETINGS AND EVENTS

- Economic Development Committee September 16, 2021 at 1:00 p.m.
- Public Works Committee September 20, 2021 at 5:00 p.m.
- Senior Commission September 20, 2021 at 6:00 p.m.
- Planning Commission September 20, 2021 at 7:00 p.m.
- Inclusion Sub-Committee September 21, 2021 at 7:00 p.m.
- Budget and Finance Committee September 27, 2021 at 6:30 p.m.
- City Council September 27, 2021 at 7:30 p.m.

VII. INVITED GUESTS

None

VIII. COMMUNITY PARTICIPATION

A. Guests and Registered Visitors

1. Melissa Bishop, Manager of Madeira Farmer's Market, reported the Market has pivoted several times during the pandemic to serve its vendors and customers.
 - a. Since the planning for 2021 took place at the beginning of the year, when the pandemic outlook was uncertain, the market has remained at Silverwood Presbyterian, and it's now back to a traditional format with live music and an occasional food truck. At the church, there are fewer attendees, but vendor sales are higher than they were on Dawson.
 - b. The Farmer's Market has made the following changes: they have an app that allows customers to preorder items to compete with Kroger Click List; they have started a program for Seniors who qualify to get \$5 vouchers to use on food at the Market; and they hired an assistant manager.
 - c. One issue that will impact the future of the Market is Melissa Bishop is ready to retire as manager of the Market; the Assistant Manager and two board members are also ready to move on, so new leadership is needed. A second issue is that the funds from a nonprofit donor that have closed the funding gap in the Market's budget over the past years were meant to be temporary. The Market is able to sustain itself through October of this year, and the Board is willing to stay on through December.
 - d. Ms. Bishop offered ideas as to how the City could be involved in supporting the Market financially. Mayor Spencer suggested the topic be discussed at the upcoming Economic Development meeting.
 - e. Discussions between Ms. Bishop and Council included relocating to Dawson and the challenges to doing so; moving the Market date to a weekend; and moving to the redesigned McDonald Commons.
2. Ramzi Takieddine, 6866 Shawnee Run, said that since joining the Parks and Recreation Board he has seen how much time Council members give to the City, and he has admired how Council has been publically united in service to the City. He expressed concern that some of the national political divide is creeping into Council Chambers, and he asked that Council members and candidates keep the vitriol out of the election and remain united for the benefit of the City.

B. Correspondence

None

IX. COMMITTEE AND OFFICIAL REPORTS

A. Admin and Personnel meeting on August 31, 2021

1. Mr. Hilberg reported the Committee discussed volunteer identification at City events and have asked Staff to create a sign-in process where volunteers would sign a waiver that also includes the City's expectations of their duties and conduct. The Committee also asked Staff to research a supplier of T-shirts for volunteers at all events; the shirts would be handed out at the alcohol training class to ensure everyone pouring beer has been trained. When asked, Mr. Hilberg said the Committee did not discuss a wardrobe policy or what volunteers could not wear. He later clarified the process for the waiver would include a review by the Law and Safety Committee and Mr. Fox.
2. In discussion, Mayor Spencer said Chief Schaefer and Officer Stewart won her over to the idea of T-shirts because they stressed the importance of the visibility of the volunteers. Mr. Mueller asked for clarification on some aspects of the Committee discussion and asked them to consider what would be worn at winter events.

B. Public Works Committee meeting on August 31, 2021

1. Mr. Gehring reported the meeting was held to discuss the bids for the 2021 Street Program. The City received only one bid, and the bidder would not be able to do the work in 2021. The Committee will reject the bid and combine the 2021 and 2022 Street Programs into one bid to be completed in 2022. The Committee also learned that repairing the curbs on Willowhollow and Madeira Hills, rather than replacing them, would save \$339,000.
2. The Committee further discussed the role of contractor at risk for the McDonald Commons project and will prepare a draft request for qualifications to gauge interest from possible bidders.
3. Due to shortages of labor and materials, the pipe/sinkhole repair at McDonald Commons will be pushed to early next year. This job may be bid out with the piping of the creek as part of the park redesign.
4. Staff is collecting the budget numbers needed for the application for State capital funds for the McDonald Commons redesign.

C. Inclusion Committee meeting on September 2, 2021

1. Mayor Spencer reported fairly good traffic at the Committee's booth at the Street Dance. They talked about ordering a banner for future events. The Committee also discussed having a booth at the Bonfire event.
2. The Baseline subcommittee is working on a survey to assess attitudes and demographics that would be included in an upcoming newsletter. The Communications subcommittee is working on getting the word out about City volunteer opportunities.

D. Board of Zoning Appeals meeting on September 7, 2021

1. There were no questions on the actions as reported in the City Manager's Report.

E. Parks and Recreation Board meeting on September 8, 2021

1. Mr. Mueller reported the Board made two recommendations to Council regarding the 2022 Independence Day event. Because the 4th falls on a Monday, the Board recommended that the event take place on Saturday, July 2, 2022 and that it would follow the same schedule as the events in 2021. The second recommendation was to hire the Naked Karate Girls band again in 2022. Mr. Mueller said the band would cost \$7,500 for three hours; in the past, the bands for this event cost about \$2,500 for two hours.

2. Council discussed the recommendations and was in support of holding the event on Saturday. Regarding the band recommendation, opinions were split. Mr. Moormann asked if the objective was for the event to be a community celebration or to draw people from outside the community; if the intent were for a community celebration, then there would be no need to have the Naked Karate Girls. Mr. Mueller said he has been an advocate of getting the events closer to a break-even point, and hiring the Naked Karate Girls without finding other ways to save money would get them farther from that goal. Mr. Mueller said he would take the feedback on the band back to the Board.

F. Joint Fire District Board meeting on September 13, 2021

1. Mr. Gehring reported the Department has offered employment to six part-time employees, three of which have accepted and started their paperwork.
2. The Department recently responded to a glycol leak at the Indian Hill Middle School as a result of construction. The glycol washed into creeks and took a few days and a few different agencies to get cleaned up.
3. The new ambulance began service from the Madeira station at the beginning of September.
4. Uniformed firefighters will be going door-to-door in Madeira to offer free safety checks. The program will be announced through the Department's and the City's social media outlets.

G. Police Report

1. Chief Schaefer reported Federal indictments have issued for the suspects in the Madeira Beverage attempted robbery and murder. The suspects were apprehended within 30 days of the crime, and if adjudicated, could face the death penalty or life in prison.
2. The two suspects in the Madeira Spirits robbery have been identified and warrants have been issued for their arrest.
3. All three lieutenants have completed the FBI management training sessions.
4. Karen Kennedy has been hired as a crossing guard at the Madeira Elementary School.

X. ORDINANCES AND RESOLUTIONS

A. Ord. No. 21-07: Adopting New Zoning Map to Reflect District Name Changes as Adopted with Ordinance 21-01 Amending the Madeira Zoning Code of Ordinances Chapter 150—
First Reading

1. Mr. Fox asked that the ordinance be tabled until the September 27 meeting.

Motion to table Ord. No. 21-07: Adopting New Zoning Map to Reflect District Name Changes as Adopted with Ordinance 21-01 Amending the Madeira Zoning Code of Ordinances Chapter 150 made by Ms. Theis, second by Mr. Gehring. Motion passed by unanimous roll call vote.

B. Res. No. 45-21: Approving an Amended Policy Regarding Use of Credit Cards by Employees of the City of Madeira, Ohio

1. Mr. Moeller stated a credit card policy modeled after the State policy is required by the State Auditor's office. This legislation is to change the policy to conform to that requirement.

Motion to approve Res. No. 45-21: Approving an Amended Policy Regarding Use of Credit Cards by Employees of the City of Madeira, Ohio made by Mr. Gehring, second by Mr. Moormann. 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

C. Res. No. 46-21: Authorizing the City Manager to Enter into an Agreement with The Kleingers Group for Design Services Related to the Miami Avenue Traffic Calming Project

1. Mr. Moeller recommended approval of 50% through the design phase to show a good-faith effort to start the project when applying for funding.

Motion to approve Res. No. 46-21: Authorizing the City Manager to Enter into an Agreement with The Kleingers Group for Design Services Related to the Miami Avenue Traffic Calming Project made by Mr. Gehring, second by Mr. Hilberg.

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

D. Res. No. 47-21: Authorizing the City Manager to Execute a Grant Agreement with the Ohio Department of Natural Resources for McDonald Commons

1. Mr. Moeller said the legislation is required to accept the award from the State of Ohio capital appropriations from 2020. Mr. Moormann expressed his gratitude to Representative Miranda and Senator Blessing for their support of the project. Mayor Spencer added her gratitude to Planning Commission for their work.
2. Mr. Fox asked to review the agreement.

Motion to approve Res. No. 47-21: Authorizing the City Manager to Execute a Grant Agreement with the Ohio Department of Natural Resources for McDonald Commons subject to law director review made by Mr. Hilberg, second by Mr. Moormann. 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. Emergency Order

1. Based on Mr. Fox's email on how the State and Federal governments are interpreting states of emergency and emergency powers, Mr. Moormann suggested referring the status of the City's order to the Law and Public Safety Committee for review.

Motion to direct the issue of emergency measures to the Law and Public Safety Committee made by Ms. Theis, second by Mr. Moormann. Motion passed by unanimous roll call vote.

XII. OLD BUSINESS

None

XIII. EXECUTIVE SESSION

- A. Pending Litigation
- B. Real Estate
- C. Personnel

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. Henning. Motion passed by unanimous roll call vote at 9:18 p.m.

XIV. ADJOURNMENT

Motion made by Mr. Hilberg, second by Mr. Henning to adjourn Executive Session and return to regular session at 10:02 p.m. Motion passed by unanimous roll call vote.

Motion made by Ms. Theis, second by Mr. Gehring, to adjourn the meeting at 10:03 p.m. Motion passed by 6-0-1 roll call vote, with Mr. Hilberg absent.



Christine Doyle, Clerk of Council