

MADEIRA CITY COUNCIL
REGULAR MEETING MINUTES
MAY 11, 2020

I. CALL TO ORDER

The meeting was called to order by Mayor Spencer at 7:35 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation and Pledge of Allegiance were led by Mayor Spencer.

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, Tax Commissioner
Christine Doyle, Clerk of Council

IV. ACCEPTANCE OF THE AGENDA AND MINUTES

1. Changes to the agenda:

- Mr. Hilberg asked to add Large Item Pickup and Shred Day to New Business.
- Mr. Mueller asked to move Res. No. 26-20 to Ordinances and Resolutions.
- Mr. Gehring asked to add a Fire Board report under Committee and Official Reports and a discussion about facemasks to New Business.
- Mr. Mueller asked to add a Budget and Finance meeting on May 26 at 6:30 p.m. to Notices of Other Meetings and Events.

2. Changes to the City Council Regular Meeting minutes from April 27, 2020:

- None

3. Res. No. 27-20: Authorizing the City Manager to Apply for, Accept, and Enter into a Cooperative Agreement for Planning and Design of Madeira Water Main Replacement Project Phase 1 and Phase 2 Between the City of Madeira, Ohio, and the Ohio Water Development Authority

4. Res. No. 28-20: Amending the Annual Appropriation Resolution No. 46-19 Providing for Funds for Current Expenditures for the Year Ending December 31, 2020 and Amending the Certificate of Estimated Resources

Motion to accept the amended agenda; the April 27, 2020 Meeting minutes; Res. No. 27-20: Authorizing the City Manager to Apply for, Accept, and Enter into a Cooperative Agreement for Planning and Design of Madeira Water Main Replacement Project Phase 1 and Phase 2 Between the City of Madeira, Ohio, and the Ohio Water Development Authority; and Res. No. 28-20: Amending the Annual Appropriation Resolution No. 46-19 Providing for Funds for Current Expenditures for the Year Ending December 31, 2020 and Amending the Certificate of Estimated Resources made by Mr. Gehring, second by Mr. Hilberg. Motion passed by unanimous roll call vote.

V. MAYOR'S MOMENT

1. Public Comment Reminder
2. In the Community and Special Recognition
 - Mayor Spencer recognized all the students making transitions: the preschoolers moving to kindergarten, the fourth graders moving to middle school, the eighth graders moving to high school, and the college student graduating in unprecedented times. She especially wanted to acknowledge the high school seniors who are moving from being students with their families to the next step. To all the graduates, she said the community is with you and to know you've got this.

VI. NOTICES OF OTHER MEETINGS AND EVENTS

- Parks and Recreation Board May 13, 2020 at 7:00 p.m.
- Planning Commission and City Council Joint Session May 18, 2020 at 7:00 p.m.
- Memorial Day Observed (City offices closed) May 25, 2020
- Budget and Finance Committee May 26, 2020 at 6:30 p.m.
- City Council May 26, 2020 at 7:30 p.m.

VII. COMMITTEE AND OFFICIAL REPORTS

1. Board of Zoning Appeals meeting on May 4, 2020
 - Mr. Moeller reported there were three hearings on the agenda. The first was for a variance for a privacy fence in the side yard at 7616 Miami; it was approved. The second was for a lot split to create two non-conforming lots at 6610 Kenwood; it was denied. The third was for a front yard setback variance to locate an air conditioning unit on the corner of Thomas and Rathon; it was approved.
2. Budget and Finance Committee meeting on May 7, 2020
 - Mr. Mueller reported the Committee met to stay on top of the COVID-19 circumstances. The Committee won't know where the budget will end up until August when the tax returns have been processed.
 - The Traditions TIF one-year note comes due in August, and the Administration is recommending another one-year renewal to pay off more principal and allow time to see what the TIF revenue will be.
 - Budget changes that have been made are eliminating the Business Incentive Program, delaying the replacement of the McDonald Commons hard courts, and the postponement of repaving Madeira Hills Drive to 2022.
 - Potential budget changes include delaying the replacement of the Municipal Building Plaza, pulling funds from the Central Business District fund, and the addition of potential COVID-19 funding. The Budget and Finance Committee also continues to recommend that the cell tower lease renewal be approved.
3. Fire Board meeting on May 11, 2020
 - Mr. Gehring reported Chief Oughterson said the department is stocked on PPE, and the firefighters are maintaining social distancing. They have had interaction with COVID-19 positive patients, and those firefighters have been tested and are negative so far.
 - The Department is concerned about how a shortage of funds in the two cities may trickle down to them. They plan to look into how a 10% reduction from each city would impact

them. They are temporarily postponing capital purchases until the financial situation is clearer. In discussion of an ambulance purchase, Ms. Theis asked if equipping it with specific ventilation and other features would make it eligible for COVID-19 funds; Mr. Gehring said he would discuss with Chief Oughterson.

- The Department is working on a new website that they hope to roll out in the near future.

VIII. COMMUNITY PARTICIPATION

1. Guests and Registered Visitors

- None

2. Correspondence

- None

IX. ORDINANCES AND RESOLUTIONS

1. Res. No. 29-20: Authorizing the City Manger to Execute an Agreement with American Tower for the Renewal of the Lease Agreement for the Cell Tower located at 7451 Dawson Road

- Mr. Moeller stated there are still a number of items that need to be addressed in the revised agreement with American Tower. He said Council could approve the legislation pending final changes made by himself and Mr. Fox or the legislation could be tabled.
- Mr. Fox said the first amendment to the original agreement is missing and there's some work to do on the legal terms. If the legislation were tabled, it would come back with a redline version and perhaps even a negotiated agreement. The contract would be for a lump sum of \$1.2 million for a perpetual easement or escalating monthly payments and a bonus payment of \$100,000 that would extend the term of the agreement from 2028 to 2058.
- Mr. Moeller clarified the tower does not support 5G installation. The City does have zoning control over cell towers, and towers are allowed only in areas zoned for manufacturing. Any new tower would have to go through Planning Commission and would require a notification and review process for the antennae; a technical consultant would be hired to determine that the antennae is operating with the least amount of radiation. A tower would also be subject to setback requirements based on height.

Motion to table Res. No. 29-20: Authorizing the City Manger to Execute an Agreement with American Tower for the Renewal of the Lease Agreement for the Cell Tower located at 7451 Dawson Road made by Mr. Hilberg, second by Ms. Theis. Motion passed by unanimous roll call vote.

2. Res. No. 26-20: Authorizing the City Manager to Execute an Agreement with GCWW for Pavement Restoration for Kenview Drive

- Mr. Moeller stated Greater Cincinnati Water Works (GCWW) is planning to replace a water main on Kenview as part of their capital maintenance program. GCWW asked the City for approval to do this, and the City's concern is that if it's not done now it may not be scheduled for quite some time. After their work is complete, GCWW would restore the pavement so it was usable, or the City could repave the street and GCWW would pay the City the approximately \$30,000 they would have spent restoring the pavement. The paving would take place in 2021; Kenview was last paved 17 years ago, and the

pavement is in good shape. The cost of repaving would be \$239,000, less the \$30,000. Moving Kenview up in the paving schedule would delay the repaving of Madeira Hills Drive from 2021 to 2022.

- Mr. Mueller said he has received feedback from residents disappointed that Madeira Hills Drive would be delayed, as that street would then have had to wait 26 years ago between pavings and is already in rough shape. He said if Kenview were not repaved in 2021, there would be enough in the street budget to pave Madeira Hills and still have padding left for a reduction in gasoline tax. He said there would be a cost to paving the street too early and suggested moving it up in the schedule only if necessary after GCWW's restoration work. He noted, too, that Kenview ends in a cul-de-sac, and Madeira Hills is a through street with almost twice as many homes.
- Mr. Gehring said that given Issue 16 did not pass and a potentially dire budget situation in the future, it would be hard to pass up \$30,000 toward the street paving program. Mr. Moormann and Ms. Theis agreed. When asked, Mr. Moeller said the Public Works Department could do a little remedial pavement repair on Madeira Hills to help extend the pavement to 2022.
- Mayor Spencer confirmed with Mr. Moeller that there is time to make this decision. She said Issue 16 not passing suggests voters were not supportive of a 17-year paving schedule and perhaps the schedule for Kenview shouldn't change. Council agreed to refer the issue to the Public Works Committee to look at the whole paving schedule and see if there were flexibility elsewhere.

Motion to table Res. No. 26-20: Authorizing the City Manager to Execute an Agreement with GCWW for Pavement Restoration for Kenview Drive made by Mr. Mueller, second by Ms. Theis. Motion passed by unanimous roll call vote.

X. NEW BUSINESS

1. Large Item Pickup and Shred Day

- Mr. Moeller reported he was in discussions with Republic about scheduling Large Item Pickup. Ideally it would be three consecutive weekends in June.
- The shredding company was not yet scheduling events, but when they start scheduling again, he would look into possibly piggybacking it with Large Item Pickup.

2. Facemasks

- Mr. Gehring suggested that, if the July 4th festivities were cancelled, the money that would have been spent on candy could be used to provide facemasks to residents who don't have access to them. He said Level 3 surgical masks could be purchased for \$0.30 to \$0.80 each, and he would be willing to donate a dispenser for them.
- Council discussed where and how to dispense the masks and considered whether giving them away on City property would qualify the purchase for COVID-19 reimbursement funds. Council agreed to refer the matter to Senior Commission for a recommendation on logical distribution sites.

XI. OLD BUSINESS

1. Solicitation

- Ms. Theis said a solicitor came to her home, and she asked if any solicitation permits had been granted; Mr. Moeller was not aware of any. Mr. Moormann said the State

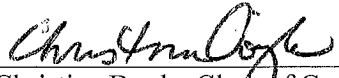
recommends that solicitation start May 12, and the guidance is for them to wear facemasks.

XII. EXECUTIVE SESSION

- None

XIII. ADJOURNMENT

Motion made by Mr. Moormann, second by Mr. Hilberg, to adjourn the regular meeting at 8:35 p.m. Motion passed by unanimous roll call vote.



Christine Doyle, Clerk of Council