

MADEIRA CITY COUNCIL
REGULAR MEETING MINUTES
AUGUST 24, 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 (arrived at 7:38 p.m.)
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. Mueller asked to move the two resolutions from consent to Ordinances and Resolutions and to add the Train Depot lease to Old Business.
- Mayor Spencer added Section 30.03 of the Madeira code regarding correspondence on the agenda to New Business.
- Mr. Gehring asked to add the City's Covid-19 policy to New Business.

2. Changes to the City Council Regular Meeting minutes from August 10, 2020:

- None

Motion to accept the amended agenda and the August 10, 2020 Regular Meeting minutes made by Mr. Moormann, second by Mr. Henning. Motion passed by unanimous roll call vote.

V. MAYOR'S MOMENT

1. Public Comment Reminder

2. In the Community

- Mayor Spencer noted that despite rumors, she is still the Mayor and plans to be through December 1, 2021.
- She asked that residents be aware that children will be walking and riding busses to school beginning August 25.

3. Special Recognition

- None

VI. NOTICES OF OTHER MEETINGS AND EVENTS

- Mayor's Court

August 26, 2020 at 6:30 p.m.

- Council Open Office Hours September 1, 2020, 9:00–10:00 a.m.
- Labor Day (City Offices Closed) September 7, 2020
- Board of Zoning Appeals September 8, 2020 at 7:00 p.m.
- Parks and Recreation Board September 9, 2020 at 7:00 p.m.
- City Council September 14, 2020 at 7:00 p.m.
- Council Open Office Hours September 26, 2020, 11:00 a.m.–noon

VII. COMMITTEE AND OFFICIAL REPORTS

1. Parks and Recreation Board meeting on August 12, 2020
 - Mr. Mueller reported the Board considered some of the remaining fall events and has recommended the cancellation of the Shakespeare in the Park, Madcap Puppet, and Bonfire on the Ballfield events.
 - The Board discussed the Costume Parade and Play Date and other possible events to celebrate Halloween. As Trick-or-Treating may be impacted due to Covid-19, Mr. Gehring and Mr. Moormann expressed interest in doing something as a community and suggested some options. Mr. Mueller said that while Trick-or-Treating does not typically fall under the Parks Board, the Board would likely be interested in working on an event, and he would bring the ideas discussed to them at their next meeting.
 - The Board met with Shawn Ford, an arborist, who was enthusiastic about working with the City as part of the Tree City USA application. He would be a resource for residents and could hold Q and A sessions, contribute to the website or newsletter, and help the City with pest infestations. Mr. Ford said he'd be willing to offer these services at little or no cost. The Board recommended employing Mr. Ford as City Arborist, passing the tree ordinance, and making the application to be a Tree City USA.
2. Planning Commission meeting on August 17, 2020
 - Mr. Moormann reported there were no applications on the agenda and no new business. They discussed a grant opportunity that could be used for storm water management. The Commission received an update on the public comment portion of the Miami Avenue Traffic Study. At the Council meeting, it was reported the City has received 90 comments in the first week of the public comment period.
 - The discussion on the Zoning Code was postponed due to Mr. Fox's absence.
3. Budget and Finance Committee meeting on August 24, 2020
 - Mr. Mueller reported the earnings revenue is down only 2% to 2019. Total general fund revenue is up over 2% over last year and close to on track for the budgeted increase. The Committee will continue to keep a close eye on the financials and has recommended the following steps to close the gap on any deficit to the 27% rainy day fund:
 - Leave the \$18,000 transfer to Parks and Rec in the General Fund to cover any shortfall at the end of the year.
 - Strike \$15,000 for the Council Chambers Audio/Visual Equipment from the budget since that will be paid for through the CARES fund.
 - Move McDonald Commons hard court paving, a cost of \$80,000, from 2021 to 2022.
 - The City secured a loan for Phase 1 and Phase 2 of the water pipe replacement at a very low rate interest. This will mean a smaller increase in the City's surcharge to Indian Hill water customers.

- The State of Ohio Auditor will announce the fiscal indicators on August 25. The Committee expects the City will receive one yellow score due to the condition of the City's capital assets.
- The Committee is preparing the annual report, which will include a video presentation to explain the new fiscal indicators.

4. Police Report

- Chief Schaefer reported the Ohio Collaborative has given the Department provisional certification on all applicable standards pending an on-site assessment on September 9.
- Chief Schaefer attended a videoconference titled Spotlight on Law Enforcement Anti-Bias Programs, which had the goal to increase awareness of law enforcement and criminal justice issues.
- The Department is ready for schools to start and will monitor start and end times, especially at the Elementary school due to road closures.
- A follow-up meeting with the audio/visual provider is scheduled for August 25. An onsite meeting with the telephone provider and IT consultant is scheduled to troubleshoot the throttling issue.

VIII. COMMUNITY PARTICIPATION

1. Guests and Registered Visitors

- None

2. Correspondence

- None

IX. ORDINANCES AND RESOLUTIONS

1. Ord. No. 20-09: Adopting a Public Tree Care Program—First Reading

- Mr. Moeller said this legislation does have force and effect of law and requires three readings of Council. When asked, Mr. Moeller said this is a departure from the existing code. The current code gives the homeowner the right to plant and remove trees in the public right-of-way. The proposed legislation would make trees in the public right-of-way the property of the City, and planting and removal would, therefore, require City input.
- Mr. Moeller confirmed a list of what would and would not be allowed to be planted in the right-of-way would be provided.

2. Res. No. 40-20: Authorizing the City Manager to Execute an Agreement with the Community Improvement Corporation of Greater Cincinnati (CIC)

- Mr. Moeller reported the Hamilton County Development Corporation (HCDC) presented information on their CIC to Council. Joining the CIC would allow the City to use the CIC as a pass-through for property acquisitions, and it would give the City access to development services when needed.
- When asked, Mr. Fox said the changes he made to the agreement and legislation were not yet approved by Hamilton County, but the changes should not be an issue as they were primarily to clarify the language.
- Mr. Moormann noted a CIC was contemplated in the Comprehensive Plan and can now be checked off the list. He sees the CIC as a valuable tool to have in the City's toolbox when

opportunities arise. Mayor Spencer agreed and said she supported joining this well-established and knowledgeable CIC at minimal cost.

Motion to approve Res. No. 40-20: Authorizing the City Manager to Execute an Agreement with the Community Improvement Corporation of Greater Cincinnati (CIC) made by Mr. Moormann, second by Mr. Hilberg. 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

3. Res. No. 41-20: Authorizing the City Manager to Apply for Level 2 Electric Vehicle Charging Station Grant through the Ohio EPA
 - Mr. Moormann recused himself of consideration of this item. Mr. Moeller said this legislation allows the City to apply for funding to locate Level 2 vehicle charging stations on City property. He said there would be no out-of-pocket cost for the City, as it was his understanding a private company would repair the chargers, and the stations would be metered, so the user pays for the electricity.
 - Mr. Mueller cautioned against putting a charger in the parks, as they are not open 24/7, and against putting chargers in premium parking spaces, because non-electric cars will park there and could result in nuisance calls to the Police.
 - He also said that, as an electric-car owner, he is not a fan of Level 2 chargers, as they are often poorly implemented. They take an hour to charge a vehicle for 30 miles, so they are most practical at hotels and restaurants that you'd stay at for several hours. He thought a Level 3 charger, which charges for 200–300 miles in less than 30 minutes, would be a better fit for the City. Mr. Gehring agreed this would draw travelers off the highway and into the business district.
 - Ms. Thompson said she would attend an upcoming webinar about the grant and ask if funds for Level 3 chargers are available.
 - Mayor Spencer tabled this resolution to take time to understand more about the grant and to consider the best options for the City.

4. Res. No. 38-20: Authorizing the City Manager to Enter into a Contract with Lebanon Ford for the Purchase of a 2021 Ford F-550 Cab and Chassis under the State Cooperative Purchasing Program
 - Mr. Moeller said the total cost of the truck and the upfitting would be just under \$63,000.
 - Mr. Mueller said he wanted to take a moment to enjoy this purchase and thanked the Administration and Service Department for stretching the life of the current truck to 16 years.
 - When asked, Mr. Moeller said this vehicle and the new pickup would be marked as past Service Department vehicles have been.

Motion to approve Res. No. 38-20: Authorizing the City Manager to Enter into a Contract with Lebanon Ford for the Purchase of a 2021 Ford F-550 Cab and

Chassis under the State Cooperative Purchasing Program made by Mr. Mueller, second by Mr. Hilberg. 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

5. Res. No. 39-20: Authorizing the City Manager to Contract with K.E. Rose Truck Equipment Company to Purchase Equipment for the 2021 Ford F-550 Cab and Chassis Dump Body and Hydraulics

Motion to approve Res. No. 39-20: Authorizing the City Manager to Contract with K.E. Rose Truck Equipment Company to Purchase Equipment for the 2021 Ford F-550 Cab and Chassis Dump Body and Hydraulics made by Mr. Mueller, second by Mr. Henning. 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

X. NEW BUSINESS

1. Shared Sidewalk Signage for Bikes/Pedestrians

- Mr. Moeller said that he and Chief Schaefer reviewed some designs and will be working with the sign supplier on signs that instruct bike riders on the sidewalk to yield to pedestrians. The signs would be placed at the beginning and end of the major streets that feed into the business district. Mayor Spencer suggested putting them by school bicycle racks as well. Mr. Mueller asked that the wording not imply bike riders needed to use the street in order to yield to pedestrians.

2. Correspondence on Agenda

- Mayor Spencer said she added this to the agenda because she has noticed inconsistency in what correspondence is listed. She noted Section 30.03 does not shed light on the intent of sharing correspondence and does not specify what should be included. She said that making a public records request for correspondence on a particular topic or for a certain time period is very easy to do.
- Council agreed to send the topic to the Law and Safety Committee. Mr. Fox noted that section of code was impacted by the legislation pertaining to Covid-19, but the policy question would be fine to send to a committee to consider.

XI. OLD BUSINESS

1. Covid-19 Policy

- Mr. Gehring said he reviewed the City's policy and commended Ms. Thompson and Mr. Moeller for their work. In addition to the current policy, he requested they consider requiring employees who are public facing and have tested positive for Covid-19 to provide a negative Covid test before returning to their public-facing duties. Ms. Thompson said the City currently follows all the recommendations of the Hamilton County Department of Public Health.
 - Council discussed Mr. Gehring's recommendation and implications from deviating from the Department of Public Health. Mr. Gehring said he was not looking for a formal motion but simply asked that the Administration consider the policy at their discretion.
2. Madeira NICE (Neighborhood Inclusion Committee for Equity)
- Mayor Spencer reported she made the changes that were requested and added under Objectives: Be a community-driven voice for opportunities to drive inclusive practices in Madeira.
 - Mr. Hilberg said Council should undertake the initiative, not a community-driven committee. He asked that the proposal be reviewed by the Law and Safety Committee.
 - In discussion, Mr. Mueller noted Council would have a hand in selecting the committee, as the Personnel Committee would select the members. He said the composition of the people in the City government does not reflect the composition of the population when he visits the schools. The committee would give voice to residents who are not represented in the City government. Mr. Moormann said the committee would allow other voices to be heard so Council is not an echo chamber of itself. He also agreed with Mr. Hilberg that it is important to underscore that this is an advisory committee. He said unanimous support of the initiative by Council would be important and vetting it through a Council committee may be needed to get everyone to that comfort level.
 - Mayor Spencer agreed to refer the initiative to the Law and Safety Committee to refine or define the way in which an advisory committee would operate. She said she believes the way she set up NICE would ensure Council is actively involved and able to react to suggestions brought forward where Council may have blind spots.
3. Train Depot Status
- Mr. Mueller asked for an update on the lease and said he wanted to keep the pressure on, as there are many other applicants, some of which are existing businesses. Mr. Moeller said a draft copy of the lease has been given to Mr. Fox to review. Mr. Moeller said he's expecting to know by early next week if the City and Mr. Redden could come to an agreement. If an agreement were not reached, the City would go to the Plan B proposals.

XII. EXECUTIVE SESSION

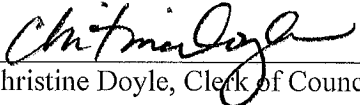
1. Pending Litigation

Motion to adjourn into Executive Session for the purpose of discussing disputes involving the City that are subject of pending, possible, or imminent court action or to discuss legal opinions of the Law Director on such matters that could reasonably involve future litigation made by Mr. Moormann, second by Mr. Hilberg. Motion passed by unanimous roll call vote at 9:34 p.m.

XIII. ADJOURNMENT

Motion made by Mr. Gehring, second by Mr. Henning, to adjourn Executive Session and return to regular session at 9:51 p.m. Motion passed by unanimous roll call vote.

Motion made by Mr. Gehring, second by Mr. Moormann, to adjourn the regular meeting at 9:55 p.m. Motion passed by unanimous roll call vote.



Christine Doyle, Clerk of Council