

## **Committee of the Whole**

**June 27, 2016**

**6:00 p.m.**

Council members in attendance: Barry Porter – Mayor, Pamela Kamm, Al Delgado, Jim O'Reilly, Keith Desserich, Jennifer Eismeier, and Jenni McCauley

Staff members in attendance: Lynn Tetley – City Manager, Terry Huxel – Public Works Director, Megan Statt Blake – Assistant Community Development Director, Rusty Herzog – Chief of Police, and Emily Supinger – City Solicitor

Others present: John Goedde – JMA Consultants and Community Garden Members

### Hike Bike Trail Update

Ms. Tetley provided Council with an update on the Hike Bike Trail extension. The City received the Notice to Proceed from the Ohio Department of Natural Resources on May 24, 2016, which allowed the City to engage the engineer in formal design of the Hike Bike Trail. Mr. Huxel provided an overview of the trail layout and how it will result in the complete and permanent disruption of the Community Gardens. This disruption is due to the necessary fill in that area to achieve the elevation necessary to maintain less than a 5% grade on the trail. Ultimately, the garden area will be covered by ten to fifteen feet of fill material. Mr. Goedde provided a copy of the plan with the trail alignment and a cross section of the trail elevation. Ms. Tetley provided a history of planning and design for this trail. In January 2002, City Council adopted the report from the Greenways Task Force that outlined the proposed configuration of the hike bike trail in Wyoming. A portion of the adopted plan states the trail would enter the garden area in the southeast corner and then the elevation change would be spread over 200 feet of fill. The new trail configuration (due to the inability to enter the north section of Oak Park due to the former landfill and the EPA Rule 13 regulations) now has the trail entering the southern border of the garden area, but does not change the necessary fill requirement to achieve the needed grade. At this point, City staff is operating under existing authority from City Council to complete this project, will result in the trail being completed by August 2017. No further action from City Council is required at tonight's meeting to move forward with the trail, as designed on the draft construction plans. Several member of the Community Garden were in attendance to voice their displeasure in the communication of this plan with the community. The gardeners feel as though this information was not appropriately developed or shared over the course of the years of planning. The City previously evaluated existing vacant property in the City to determine suitability for a dog park and that same consideration can be applied to evaluation of an alternate location of the gardens. This exhaustive review by the Recreation Commission of a possible dog park location determined that an alternate location does not exist in Wyoming. Gardeners in attendance requested evaluating alternate locations within the community for garden plots and Council directed staff to evaluate alternatives. Mayor Porter stated he would establish a Task Force to review alternate locations and provide a recommendation on the matter to City Council.

### Medical Marijuana Legislation

Ms. Supinger provided an update on the recently adopted medical marijuana in Ohio. This will eliminate criminal penalties for those found in possession of marijuana when it has been "prescribed" by a medical provider. The purpose of the discussion is how this legislation could impact Wyoming. This legislation specifically allows municipalities to prohibit or regulate the location of activities associated with the cultivation or dispensing of medical marijuana. Ms. Supinger recommended the City prohibit these uses

within the City or at the very minimum, regulate it. Any zoning changes made now could be reevaluated later on. It was further recommended this matter be referred to the Planning Commission for review and for a formal recommendation on the matter. The law will go into effect in September 2016 and the evaluation should occur prior to that date. City Council could also consider a moratorium on the matter to allow more time for review. The matter was referred to Planning Commission.

### Miscellaneous

Ms. Eismeier mentioned the new house on Grove that is being built that required BZA approval. The concerns associated with this are in regard to the design of the home, relative to the existing homes in the area, namely the presence of the garage in the front of the home. While this configuration of the home is allowable by City code, it seems this is a topic City Council should review and discuss as this design being replicated throughout the community could be a detriment of the character of the neighborhood. Ms. Eismeier suggested the code be reviewed to provide for regulations of new construction design based upon the general design characteristics within the existing neighborhood. Ms. Supinger will review the matter to see if this is something that a City can regulate. That information will be provided to City Council to then determine next steps. There was discussion as to whether strengthened guidelines be added to the existing Historic Preservation Guidelines.

Ms. McCauley reported there will be a Historic House Tour in spring of 2017.

Mr. O'Reilly reminded everyone of the joint First Suburbs and Hamilton County Municipal League on Wednesday to discuss funding opportunities for local governments.

Mr. O'Reilly also prepared a memo regarding the proposed Duke pipeline, which does not affect Wyoming, which he will be sharing with members of City Council.

Mr. Desserich suggested when we have residents attending Committee of the Whole meetings; it might make sense to explain the process of the meetings in the beginning to avoid resident frustration.

### Adjourn

A motion was made by Ms. Kamm to adjourn the meeting at 7:40 p.m., seconded by Mr. O'Reilly. All ayes by roll call.

Approved:

Barry Porter, Mayor