

Madeira City Manager
Concealing “Interim City
Managers Reports” from
Madeira Residents for Nearly
Two Years. Refuses to Disclose
Recipients, Transmission Dates
and How Reports Were
Transmitted. Mayor, Vice
Mayor and Council Members
Part of Cover Up.

[Please Scroll Down.....](#)

Mr. Thomas Moeller
City Manager, City of Madeira

June 20, 2017

Mr. Moeller

Please reference section 149.43 Of the Ohio Revised Code titled "Availability of public records, for inspection and copying" regarding the following request.

- 1) Provide copies of all "Interim City Managers Reports" from January 1, 2017 thru June 20, 2017. Please include the name and title of all of those persons or organizations receiving the "Interim City Managers Reports", the date of transmission of the report and how the report was transmitted to each person.
- 2) Provide any correspondence sent to or received from Mr. Thomas Powers, John Johnson, or Jerry Johnson via email, letter, or any other written/printed or digital form of communication. Sent to or from includes any Madeira member of city council, city manager, assistant city manager, city law director, or any other person associated with the city of Madeira, including any person associated with the Graydon Law Firm. The subject matter should include any reference to the vacant B&B Mower property, the purchase or sale of the vacant property or any discussion of any pending legal action regarding the vacant B&B Mower property. This request for this information should commence, beginning January 1, 2017 ending June 20, 2017.

Thank you very much for your co-operation,



Douglas Oppenheimer

513-240-4348

consultdoug@cinci.rr.com

Print

Date: Monday, June 26, 2017 2:21 PM
From: Tom Moeller <TMoeller@madeiracity.com>
To: 'consultdoug (consultdoug@cinci.rr.com)' <consultdoug@cinci.rr.com>
Cc: Council <Council@madeiracity.com>, Lori Thompson <LThompson@madeiracity.com>, Debra L. Desgrange <DDesgrange@madeiracity.com>, Kathy Faris <KFaris@madeiracity.com>, 'bfox@graydon.com' <bfox@graydon.com>
Subject: Public Records Request

Doug:

I am in receipt of your Public Records Request of 6/26/17. I will have copies of those documents (City Manager Interim Reports from January 1, 2016 through December 31, 2016) printed for you. We will call you when those are available.

Regarding the additional information you have requested (as identified in your Public Records Requests dated 6/20/17 and 6/26/17):

Pursuant to R.C. 149.43 (A)(1), the General Assembly has defined a "public record" to mean "records kept by any public office." As it relates to the items requested by your message (and your underlying public records request), the City responds as follows:

* You requested "the name and title of all those persons or organizations receiving the Interim Reports." This request fails to identify "records" sought and/or seeks records for which the City is not the custodian. The City is under no obligation to produce reports for you or create documents not in existence at the time of your request.

* You requested "the date of transmission of the report." Again, this request fails to identify "records" sought; instead, the request pertains to the timing of when documents were sent. The City is under no obligation to produce reports for you or create documents not in existence at the time of the request.

* You requested "how the report was transmitted to each person." Again, this request fails to identify "records" sought; instead, the request pertains to the manner of how documents were sent. The City is under no obligation to produce reports for you or create documents not in existence at the time of the request.

To the extent there are "records" responsive to your request (electronic or otherwise), the City will provide you with access to those. However, the City will not expend its administrative resources to create new documents or reports for you. Call me if you have any questions.

Thomas W. Moeller
City Manager
City of Madeira, Ohio
7141 Miami Avenue
Madeira, Ohio 45243

Office (513) 561-7228
Fax (513) 272-4211

tmoeller@madeiracity.com

-----Original Message-----

From: consultdoug@cinci.rr.com<consultdoug@cinci.rr.com>
[consultdoug@cinci.rr.com]
Sent: Wednesday, June 21, 2017 4:29 PM
To: Debra L. Desgrange

Subject: Re: Copies of Interim City Manager Reports for 2017

Debra

Thank you for the information provided today regarding my current records request. The first paragraph reads, "Provide copies of all "Interim City Managers Reports" from January 1, 2017 thru June 20, 2017. Please include the name and title of all those persons or organizations receiving the "Interim Reports", the date of transmission of the report and how the report was transmitted to each person".

My request is incomplete, would appreciate names and dates as requested.

Thank You

Doug Oppenheimer

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