

July 8, 2017

Asked Why She lied When Signing a Copy of Ordinance Number 17-06, Christy Lowndes Answered, "He Is the City Manager". The Question was "What Authority Does the City Manager Have to Appoint an Acting Clerk?" Moeller had No Authority to Appoint an Acting Clerk. Moeller Instructed a Subordinate (Christy Lowndes) to Lie and assist Moeller in Committing Fraud, when Signing One Copy of Ordinance number 17-06. Moeller Further Perpetuated the Fraud When he delivered the Copy of Ordinance 17-06 to the Hamilton County Board of Elections signed by Lowndes. Moeller had an Employee (Unsuspecting?) at the Board of Elections, Time Stamp Two Copies of Ordinance 17-06, the First Copy was the Fraud Signed by Lowndes as the Acting Clerk,

and left at The Board of Elections, the Second Time Stamped Copy, not Signed by Lowndes was Brought Back to Madeira, Further perpetuating the Moeller Fraud. The email From Moeller, dated March 13, 2014, included With This Document Scan, Substantiates Accusations that Moeller Planned Every Aspect of the Fraud, Including Lying in the email Sent to Doug Oppenheimer on the Same Morning, after Perpetuating Fraud at The Hamilton County Board of Elections with Help Provided by Christy Lowndes. Apparently Moeller decided that having Two Copies of Ordinance 17-06 Time Stamped with the same 8:56 AM Time and Lying in an email would be Kept Secret, and it nearly worked.

Please Scroll Down.....

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tmoeller@madeiracity.com

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

From: consultdoug@cinci.rr.com [consultdoug@cinci.rr.com]

Sent: Monday, March 13, 2017 10:24 PM

To: Tom Moeller

Subject: Madeira

Tom

I would like to drop by City Hall tomorrow/today (Tuesday) and pick up a copy of ordinance number 17-06. At tonight's council meeting this ordinance was not listed on the agenda, can you account for that? I will also need a copy of the recording from tonight's meeting.

Thanks

Doug

Exhibit E  
page 1

Print

Date: Tuesday, March 14, 2017 10:06 AM  
From: Tom Moeller <TMoeller@madeiracity.com>  
To: consultdoug@cinci.rr.com <consultdoug@cinci.rr.com>  
Cc: Council <Council@madeiracity.com>, 'bfox@graydon.com' <bfox@graydon.com>  
Subject: RE: Madeira

Doug:

I have a copy of the legislation at the front desk. Please note that the Clerk of Council is out of town and has not signed it yet. She will return next week. The Board of Elections accepted the legislation approved last night so they can proceed with printing the ballot language. We will be providing a copy to the BOE with her signature when she returns on Monday. Call me to make an appointment if you would like me to be present when you come to the office. I will have a recording available as soon as possible.

You are correct; Ordinance 17-06 was not listed on the agenda published on Friday. It was on Friday, March 10, 2017, that we learned of the typographical error in Ordinance No. 17-03 when I was in the process of reviewing the proposed ballot language provided by the Board of Elections. After consulting with the BOE officials and Law Director Brian Fox, the BOE officials indicated we could amend the legislation and simply correct the typographical error. Unfortunately, we had to wait until early Monday morning to receive this approval as the BOE officials were checking with their legal counsel and the Ohio Secretary of State in the matter. Per the Madeira Code, the Law Director and/or City Manager may introduce legislation after the publication of the agenda if it is determined that it would be detrimental to the interests of the city not to permit the matter to be added to the agenda. Given the nature and timing of the matter, and that City Council had already voted to place these issues on the May 2nd ballot, Mr. Fox and I agreed it was in the best interests of the City to introduce the legislation as quickly as possible in advance of the March 13th meeting. The legislation was provided to City Council on Monday prior to the meeting. While we would all prefer to have as much advanced notice as possible on pending legislation, the need to meet the time deadlines of the Board of Elections in printing the ballots necessitated the expedited approval of this legislation. We simply could not wait until a special meeting was called. BOE officials were in agreement that approving the legislation on March 13th would allow the ballot printing process to move forward without further delay. While you may disagree with the timing of the ballot issues, I am certain you can agree that the City Council has an obligation to meet the deadlines prescribed by an agency such as the Board of Elections. Because 17-06 did nothing more than correct a typographical error from Ordinance 17-03, City Council took the most prudent action to move forward with their intent to have these Charter Amendments placed before our Madeira electors. Despite your opposition to the timing; I hope you will agree that the changes being proposed are in the best interests of our city and will make us more productive in addressing the needs of our residents.

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

Exhibit A  
page 1

HAMILTON COUNTY  
BOARD OF ELECTIONS  
ORDINANCE NO. 17-06

2017 MAR 14 AM 8:56

**ORDINANCE CORRECTING THE TYPOGRAPHICAL ERROR IN EXHIBIT C OF  
ORDINANCE 17-03, AND PROVIDING THE ELECTORS OF THE CITY OF  
MADEIRA WITH MORE CLARITY IN REVIEWING THE PROPOSED CHARTER  
AMENDMENTS IN CASE ELECTORS SOLELY RELIED UPON THE TITLES AND  
NOT THE AMENDED TEXT OF THE PROPOSED AMENDMENTS**

**WHEREAS**, the City of Madeira is a Chartered Municipality in the State of Ohio;

**WHEREAS**, City Council desires to adopt certain amendments to the Charter of the City of Madeira;

**WHEREAS**, Ordinance No. 17-03 was previously passed at the Special Meeting held on March 2, 2017;

**WHEREAS**, Ordinance No. 17-03 directed the Hamilton County Board of Elections to submit to the electors of the City of Madeira, at the May 2, 2017 Special Election, certain amendments to the City Charter;

**WHEREAS**, it was subsequently discovered that Ordinance No. 17-03 contained typographical errors in Exhibit C, which do not impact the substantive changes to the proposed Charter language;

**WHEREAS**, the City seeks to correct the following: (i) in Section 3 of Ordinance 17-03, only Article XI is referenced where provisions of notice are also identically modified in Article XII; and (ii) in Exhibit C to Ordinance 17-03, the title section for the second and third pages refers to Article XI where the provisions of notice are identically modified in Article XII, as well;

**WHEREAS**, Ordinance No. 17-03 does include the correct body of the text for Subsections 2(I) and 3(J) of Article XII, but referenced only Article XI as aforesaid;

**WHEREAS**, the City consulted with the Hamilton County Board of Elections to determine the proper manner to remedy the reference to only Article XI, especially where such reference does not affect the substantive changes to the proposed Charter language;

**WHEREAS**, the Hamilton County Board of Elections advised that the City could pass a resolution or ordinance to fix the reference to only Article XI by including the appropriate reference to Article XII in the title to those two pages of Exhibit C to Ordinance 17-03; and

**WHEREAS**, City Council desires to correct the reference to only Article XI in Exhibit C to Ordinance No. 17-03 in order to provide more clarity to the electors of the City of Madeira in considering and voting upon the Charter amendments contained therein.

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**NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

**Section 1.** Because Sections 2(I) and 3(J) are located in Article XII of the Charter of the City of Madeira, and not Article XI, the amendments to Articles XI and XII of the Charter of the City of Madeira, previously set forth in Ordinance No. 17-03, are restated in Exhibit C to this Ordinance, which is attached hereto and incorporated herein by reference.

**Section 2.** This Ordinance No. 17-06 serves only to correct the mistaken reference to only Article XI contained in Exhibit C to Ordinance No. 17-03, and makes no substantive revisions or changes to the amendments as set forth in Ordinance No. 17-03, passed by City Council on March 2, 2017.

**Section 3.** The City Clerk is hereby directed to certify a copy of this Ordinance to the Hamilton County Board of Elections, and the Clerk is directed to provide such documents in any form deemed appropriate by the Board of Elections, and to provide notice of the proposed Charter amendments to the electors of the City of Madeira, as required by law.

**Section 4.** This Ordinance No. 17-06 was drafted so that its Exhibit C could be substituted for Exhibit C to Ordinance 17-03 by the Hamilton County Board of Elections. Further, the City resolves that the description for Ordinance 17-03 should read as follows:

“Shall Article III. Council, Section 5 Removals and Vacancies; Article IV. Manager, Section I Appointment; Article V. Other Officials, Section I Clerk, Section 2, Treasurer, Section 3 Law Director, Section 4 Combination of Offices; Article XI. Ordinances and Resolutions, Section I Time and Taking Effect; Article XII. Initiative, Referendum, and Recall, Section 2(I) Initiative, Section 3(J) Referendum, of the Charter of the City of Madeira be amended for the purpose of removing unenforceable residency requirements, an outmoded provision of incompatibility and providing for a more convenient and cost-effective means for supplying notice to the public?”

**Section 5.** All formal action of this Council concerning and relating to the adoption of this Ordinance were adopted in an open regular meeting of this Council, and all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with the law.

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PASSED ON THE 13th DAY OF MARCH, 2017  
BY THE FOLLOWING 6-0-1 VOTE:

YEA:                      NAY:                      ABSTAIN:                      ABSENT:

Melisa Adrien  
Traci Theis  
Tom Ashmore  
Nancy Spencer  
Scott Gehring  
Mike Steur

Chris Hilberg

Melisa Adrien

Melisa Adrien, Mayor

\_\_\_\_\_  
Christine Doyle, Clerk of Council

**CERTIFICATE**

The undersigned, Clerk of Council of the City of Madeira, hereby certifies this to be a true and exact copy of Ordinance No. 17-06, adopted by the Council of the City of Madeira on March 13, 2017.

\_\_\_\_\_  
Acting Clerk of Council

**COPY**

Exhibit <sup>B</sup>  
page 1

HAMILTON COUNTY  
BOARD OF ELECTIONS

ORDINANCE NO. 17-06

2017 MAR 14 AM 8:56

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Tom Ashmore  
Nancy Spencer  
Scott Gehring  
Mike Steur

Chris Hilberg

Melisa Adrien

Melisa Adrien, Mayor

\_\_\_\_\_  
Christine Doyle, Clerk of Council

**CERTIFICATE**

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Kristie J Louendes  
Acting Clerk of Council