



# NORWOOD CITY COUNCIL MINUTES

## Norwood Community Center

August 25, 2020

7:30 p.m.

### A) CALL TO ORDER

### B) PRAYER

### C) PLEDGE OF ALLEGIANCE

The Council for the City of Norwood met in regular session on the above date with Mr. Ken Miracle Presiding as President. The meeting opened with a prayer and the Pledge of Allegiance.

### D) ROLL CALL

On the roll call, the following members answered present: Mr. Bonsall, Mr. Gabbard, Mr. Geraci, Mr. Kelsch, Mr. DiNardo, Mr. Thompson and Mr. Breadon. All council members were present. The Clerk of Council was not present so Mr. Breadon acted as clerk pro tem.

### E) AMENDMENT OF AGENDA

The President noted amendments needed to the agenda as follows: add presentation of a reward to Morgan Dawe after item F and add a letter from the treasurer to communications. On motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to amend the agenda as stated. Roll was called. All members present voted yes. Motion passed.

### F) MINUTES OF PREVIOUS MEETING

June 23, 2020

On motion by Mr. DiNardo, seconded by Mr. Thompson, it was moved to receive the minutes. Roll was called. All members present voted yes. Motion passed.

### G) AWARD PRESENTATION

Presentation of OKI award to Morgan Dawes. Mr. Breadon reported that Morgan had been recognized for cleaning up her neighborhood and received OKI's Public Service Recognition award. Normally there is a ceremony in May but it was cancelled due to Covid. The Mayor presented the award. He noted it was a big deal because this OKI covers the entire Tri-State area.

### H) REQUEST TO ADDRESS COUNCIL ON AGENDA ITEMS

Tim Garry the assistant Law Director addressed the council. As a city employee he wanted to discuss the personnel and procedure manual. He thinks it is a good idea. It was drafted by a law firm and considered by the administration. He noted that it is required for the city to get out of fiscal emergency. He does not think that there is any reason to rush the ordinance and that it should be reviewed carefully in committee because the ordinance changes the terms of employment for unclassified appointed employees. If the ordinance is passed, several of the appointees will lose thousands. Mr. Garry stated that he is willing to speak at a committee meeting.

Pastor Sonny James who lives at 1830 Hopkins Avenue spoke next. He noted that many people work hard on ordinances but he wants to encourage council to take a serious look at what is going on around the nation. There are decisions being made that are not fair across the board and people like him are prevented from getting benefit. He hopes that future appointments are considered carefully and believes that some future appointments should look like him.

### I) PLK- information about PUD Amendment

Mr. Lingenfelter who is the Vice President of PLK development appeared and showed a slide show to council with a draft plan for development. PLK is a Cincinnati based company and is an apartment owner. Peter Klekamp is the founder of the company and began by buying an apartment building in Norwood so he is familiar with the city. Ms. Reynolds from PLK also spoke. She discussed their attempts at

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community engagement and how PLK is incorporating the community feedback. Mr. Lingenfelter went over the slide show and provided information about the plans and phases. He also discussed economic impact. Ms. Reynolds closed by discussing what the city can do to support the project.

Mr. Bonsall asked about a retail in a specific spot. PLK advised that they would built that to suit at a later date. He also suggested that they work with the Clerk's office to get the public hearing set as soon as possible once they are ready. PLK advised their plan is to go to the planning commission in November. Mr. Bonsall noted that family orientated places seem to really draw people in at Summit park and hoped thia this development had some similar draws.

**J) REPORTS OF STANDING COMMITTEES OF COUNCIL**

1) Housing, Health and Public Safety Committee Report

Mr. Geraci advised that he was unable to provide the report at this point as it was not ready yet. He advised he would give the report at the next meeting.

2) Economic Development Committee Report

Mr. Gabbard apologized that he forgot the report at home and that he would give it at the next meeting.

**K) THIRD READING OF ORDINANCES/RESOLUTION**

None

**L) SECOND READING OF ORDINANCES/RESOLUTIONS**

None

**M) INTRODUCTORY READINGS OF ORDINANCES/RESOLUTIONS**

1. ORDINANCE ADOPTING THE PERSONNEL POLICY AND PROCEDURE MANUAL OF THE CITY OF NORWOOD, OHIO

On motion by Mr. Breadon, seconded by Mr. Geraci, it was moved to have the first and second reading of the ordinance. Mr. Gabbard asked if the current appointed employees can be grandfathered in as keeping their current benefits and have new employees be under the new policies. The Mayor noted that there are 10 people who would be affected and these people were historically getting the same benefits as the union employees. He also noted that though they may be adversely affected by this section of the manual, they are getting positive benefits in other areas so he is not in support of grandfathering in these employees. Mr. Gabbard noted that these appointed positions may not have accepted the positions had they known that they would be losing money. The Mayor is unaware of where the money is actually being lost from and he would like the manual be approved by council by the second meeting of September. The manual provides good information to help managers and employees of the city. He wants the matter to be reported out at the financial recovery commission meeting. Mr. Bonsall believes that more time is needed for council to review the manual and thinks that it should be reviewed in a committee of the whole meeting. There are long term employees that have gone hears without raises and now they are faced with losing some benefits. He noted that the city doesn't get out of fiscal emergency until the city goes a full year with all funds in the positive so he doesn't see a rush. Mr. Thompson agreed with Mr. Bonsall.

The Mayor noted that he reviewed the manual with an eye to what happens in the private sector and in comparison to what other city employees are getting. Mr. Thompson noted he was uncomfortable taking away benefits from an employee without the employee having some kind of input. Mr. Breadon believes it is council's duty to move forward with two readings and that if people don't like the document, they do have the opportunity to vote no on the document. Mr. DiNardo suggested a committee of the whole meeting happening before the next meeting to allow time to review the document and not hold up the process. Mr. Bonsall believes that there should be three separate readings and copies given to employees also. Roll was called. All members except Mr. Geraci and Mr. Breadon voted no. Motion did not pass.

On motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to refer the ordinance to the committee of the whole. Roll was called. All members except for Mr. Geraci and Mr. Breadon voted yes. Motion passed.

2. RESOLUTION DECLARING INTENT TO SELL UNNEEDED OR SURPLUS FIREARMS AND RELATED EQUIPMENT, BY INTERNET AUCTION DURING CALENDAR YEAR 2020, AND DECLARING AN EMERGENCY

On motion by Mr. Thompson, seconded by Mr. DiNardo, it was moved to have the first reading of the resolution. Mr. DiNardo said he motioned only for the first reading because he was unsure whether there was a rush to the resolution.

Roll was called. All members present voted yes. Motion passed. The Clerk pro tem did the first reading.

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3. ORDINANCE PROMOTING THE "CITY WIDE STREET SALE" SEPTEMBER 4<sup>TH</sup> AND 5<sup>TH</sup> 2020, AND ABATING ALL PERMIT FEES ASSOCIATED WITH THE SALE AND DECLARING AN EMERGENCY

On motion by Mr. Breadon, seconded by Mr. Kelsch, it was moved to have all three readings. Mr. Bonsall explained the yard sale permit process in the city and noted that this is a bi annual event when you can get a free permit. Mr. Thompson noted that he would be voting no due to the number of active Covid cases in the city. Roll was called. All members present except for Mr. Thompson voted yes. Motion passed. The clerk pro tem did three readings. On motion by Mr. Bonsall, seconded by Mr. Geraci, it was moved to pass the ordinance. Mr. Bonsall noted that the ordinance still asks for people to follow social distancing guidelines. Roll was called. All members present voted yes except for Mr. Thompson. Motion passed.

**N) ADMINISTRATION REPORTS**

Mayor Schneider noted that the auxillary officers will be delivering council packets to council members. Several parking lots are being worked on. The water department issue has been resolved he believes. The city is moving forward with road projects. Public works is working on the lateral and taking steps to prevent vegetation growth. The city will determine soon whether they will keep the pool open longer.

Keith Moore- Law Director. PLK is requesting that the bonds for the PLK project be issued by the Port Authority instead of Norwood. The approvals would still go through the council. He has no objection but wanted to see if council did. Port Authority would be doing the paperwork and be the issuer instead of Norwood.

He discussed the possibility of refinancing some existing TIF bonds from other projects. This would free up some of the property tax payments for the city to use then for public infrastructure at those projects. Three companies have reached out to him and he wasn't sure which to invite to come speak to council or a committee. The Port Authority, the current Bond issuer and an attorney. Mr. Bonsall asked if the Law Director thought that the Port Authority had as much experience with the bonds. Mr. Bonsall thought it may be better to deepen our relationship with the Port Authority. On motion by Mr. Bonsall, seconded by Mr. DiNardo, it was moved to refer the issue to the finance committee. Roll was called. All members present voted yes. Motion passed.

**O) OTHER REQUESTS TO ADDRESS COUNCIL**

On motion by Mr. Breadon, seconded by Mr. Kelsch, it was moved to allow Pastor Sonny James to address council on behalf of Ms. Angel since she had to leave the meeting due to a family emergency. Roll was called. All members present voted yes. Motion passed.

Pastor Sonny James of 1830 Hopkins Avenue. He addressed council in Ms. Angel's place. She came to the last meeting to address issues with a neighbor's property. He promised at that meeting that he would have his contractors at the home the next day and he was happy to report that is what happened. He thanked Mr. Breadon for bringing a resident's issue to everyone's attention. They helped Ms. Angel's neighbor, Ms. Angel herself and another neighbor also. He was blessed to help and make new friends that he may not have made before. He wishes to serve others and challenges others to do the same.

Pastor Sonny James then spoke on his own behalf. He addressed residents regarding systemic racism. He has discouraged people from coming to Norwood to protest. He spoke with the Mayor about jobs and was told to contact the Health Department about an RN job. He was referred back to the Mayor and then found out that it was not an RN job but rather the Health Commissioner job. He is concerned that injustices aren't being addressed at council.

**P) UNFINISHED BUSINESS**

None

**Q) NEW BUSINESS**

Mr. Breadon noted that there had been some complaints of vagrancy, beggars, trash and nuisance properties on Worth Avenue. They are aware and things are being reviewed to see what can be done.

Mr. Gabbard called an economic development meeting on 9/3 at 7:30.

Mr. Bonsall referred to law and ordinance committee a change to the standing rules of council regarding addressing council.

Mr. Breadon has been contacted by a neighbor on Carter Avenue who is not happy because she feels she has been railroaded. He wanted her to know that her issues have not gone unnoticed. Mr. DiNardo asked for more details. Mr. Breadon invited the resident to come to council but she did not. He does not want to claim that any council member acted inappropriately but that is how the resident feels and he wants her to feel comfortable to come and address her concerns.

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Mr. Geraci noted that he was contacted by residents who felt that their concerns were not handled appropriately by that council member and were not notified of the zoning meeting. Mr. DiNardo requested that council members be more direct so that if there is an action to be taken that council can do something. Mr. Geraci was contacted by residents saying that they weren't notified of a board of zoning appeals meeting and then given a hard time when they contacted the building department.

Mr. Bonsall gave some history to the topic stating that he was contacted about the mural issue and that he was given a petition. He contacted the person who was requesting the change. He noted that he sent it to the rest of council and that it was public record. He said that there are rumors and innuendo about the issue and about him. He noted that there was a conditional change of use approve and not a zoning change. He agreed that there wasn't proper notice. Mr. Kelsch noted that as council members are to represent all residents no matter if they agree or not. He feels that providing the petition to the requestor was a serious error in judgment as it opened up the petition signors to being contacted and some times harassed. He doesn't believe that all residents have been heard on the issue. Mr. Geraci agreed with Mr. Kelsch and noted that the petition wasn't presented to council the proper way to create a public record. Mr. Bonsall said he emailed the other council members about the petition within 15 minutes of receiving it. He also read the email dated June 23, 2020. Mr. Breadon went on to advise that the resident is upset as to how the issue was handled, that her letter was not read at the BZA meeting and that a 40 year resident was told to move if he didn't like it. He noted that it was not his issue but rather the resident's. The resident feels that the decision was predetermined and he doesn't want residents to think that. Mr. Thompson thinks that there is some confusion because the petition was about murals and not the conditional use change. He noted that just because someone doesn't get their way, doesn't mean they aren't being listened to or represented. They try to find the happy middle as often has possible. He went further to note that council does want the residents to be informed and engaged. Mr. Kelsch noted that the residents are not confused but rather are mad over both issues.

The President set a date and time for a committee of the whole meeting.

## **R) COMMUNICATIONS**

### **1. Letter from the Treasurer**

### **Re: June & July Reports**

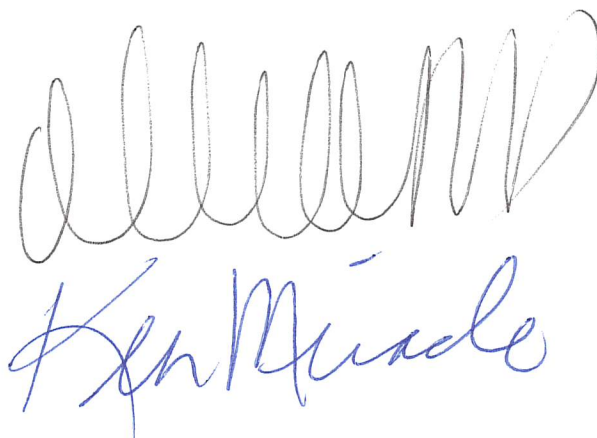
The Clerk pro tem read the letter. On motion by Mr. Thompson, seconded by Mr. DiNardo it was moved to receive and file the letter. Roll was called. All members present voted yes. Motion passed.

## **S) EXCUSE ABSENT MEMBER/S**

None

## **T) ADJOURNMENT**

On motion by Mr. Geraci, seconded by Mr. Kelsch, it was moved to adjourn. Roll was called. All members present voted yes. Motion passed.

A handwritten signature in blue ink, appearing to read "Ken Miracle". The signature is written in a cursive style with a large, stylized initial "K".

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