



## Council Chambers February 11, 2020 - 7:30 p.m.

### A) CALL TO ORDER

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.

### B) PRAYER

### C) 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.

### E) AMENDMENT OF AGENDA

The President noted that an amendment of the agenda is needed to move item M, Other Requests to Address Council, up so that it occurs right after item F, Minutes of Previous Meeting. On motion by Mr. Geraci, seconded by Mr. Breadon, it was moved to amend the agenda as stated by the President. The roll was called. All council members voted yes. The motion passed.

### F) MINUTES OF PREVIOUS MEETING

On motion by Mr. Gabbard, seconded by Mr. Breadon, it was moved to accept the minutes from the January 14, 2020 council meeting as read. The roll was called. All council members voted yes. The motion passed.

### G) OTHER REQUESTS TO ADDRESS COUNCIL

1) Donna Laake, former President of the Norwood City Council and Norwood resident, addressed the council to discuss the HGTV Hometown Takeover application video done with Tyler Meyer. Hometown Takeover is a television show on HGTV about a couple from Mississippi who try to fix up their hometown one house at a time. They are taking the show on the road and have invited people to apply for their hometown to be on the show. The town must have a population less than 40k, have a main road that goes through the town, and have old homes that need repair. She is on the board of Norwood Community Television to prepare the video and submit it. She read the paper application to council which noted that Norwood is home to hardworking middleclass people with a strong sense of community. She then played the video application. The video can be seen on YouTube. Ms. Laake gave thanks to Mr. Bonsall who helped her get releases from people in the video. Tyler Meyer did all the editing and added music. Ms. Laake stated that the video tells the great story of Norwood and that they can make edits to it if people need it to apply for grants.

2) Tom Jeffcott attorney for Mr. Benjamin Capodagli who is the owner of Cappy's in Norwood appeared to address the council. On motion by Mr. Gabbard, seconded by Mr. Bonsall, it was moved to allow these gentlemen more than 5 minutes to address council due questions to be asked. The roll was called. All members voted yes. Motion passed. Tom Jeffcott spoke first. He is an attorney who works with a number bars and restaurants and has been working with Mr. Capodagli for some years. Cappy's is located at 1919 Cleney. In august of last year he was in contact with the law department of Norwood regarding the transfer of a D1 liquor permit which would allow beer consumption on Cappy's premises via trex transfer. It was discussed in august with council. There was no vote on the matter but the council was split on the topic. Tom and Mr. Capodagli were not at the August meeting so they attended this meeting to answer any questions. Additionally, about 2 months ago Cappy's moved up on the State Liquor Board waiting list for an on premise wine permit. They are now in process for that permit. The city will be notified by the state. The division of liquor control has received objection from Norwood on the wine permit. No hearing has been set yet but the State Division will rule on the matter after the hearing.

Mr. Capodagli spoke next. He also owns Cappy's in Loveland. They started to transform Cappy's a few years ago and have brought in over 300 types of wine that a sommelier helped them put together. They got growlers set up a few years ago which is what made them want to do the beer license in Norwood like they do in Loveland. In Loveland they took over a small bait shop that was falling apart and made it into a landmark. He invited people to come out and see it. They have a great relationship with the city of Loveland. They won business of the year in 2018. They got a Community Advocate Award in 2019 due to community service. They started as a carryout and then grew from there based upon ability to do growlers and serve beer. He remarked that increased services, means more money which means he can do more. In Norwood they are working on cleaning up the building by working on the bathrooms and adding flowers on the outside. He has many more of improvement plans but needs more money to accomplish them. Understands that there are concerns since they are on a college campus. They are not trying to

be a bar. They close at 10 pm during the week and at 11 pm on weekends. They are known nationally and get lots of accolades. Serving drinks helps them to create feeling of community in the store.

Mr. DiNardo asked where the space would be added since there isn't much room outside. Mr. Capodagli said that everything would be inside. He has big ideas but goes about it in small steps. He has no investors and banks don't like to lend to liquor stores. In Loveland they started by serving drinks inside, then built patio as things went well. He envisions all indoors for Norwood at this point.

Mr. Geraci asked what the effect of the trex transfer would be on other Norwood businesses. Mr. Jeffcott said that per the current population there are 10 d1 and 10 d2 permits in Norwood. There are 11 issued d1s right now. Adding a trex permit will not devalue existing permits since the city can allow the permit and support the business. It doesn't mean that just anyone can trex in a permit. 5 d1 permits have been trexed in Norwood. It has been done 6 times with d2. The city hasn't seen major devaluing of a license with instance of 1 permit coming in.

Mr. Gabbard asked for explanation of what a d1 and d2 permit is. Mr. Jeffcott advised a d1 permit is on premise beer consumption permit. Cappy's has carryout permit and a d8 permit which allows for growlers and tastes. Mr. Capodagli is looking to now allow people to have a beer in Cappy's and socialize. D2 is on premise wine consumption. This also applies to cider.

Mr. Bonsall asked with trex what happens if owner no longer wants the permit. Mr. Jeffcott says that if the business is closed then the owner can transfer that permit to another location or cancel the permit all together. If transferred it is a normal trex transfer. Mr. Bonsall noted that a few years ago, there were some issues; back with the store was called Donna's. Mr. Capodagli noted that he owned the store back then. Mr. Bonsall asked what was being done to prevent such issues. Mr. Capodagli said he thinks the issue was due to the fact that they were a liquor store. That was the first time he was dealing with liquor. The problems were alleviated when the liquor left. Their customer base went down over 90% overnight. They weren't even doing samples back then. They can do 4 2 oz samples now. He encouraged people to come out to Cappy's both in Norwood and Loveland to see how they run their business. They are involved in fundraisers and he can get letters of recommendation from city officials in Loveland he thinks if he asks. These permits will allow him to make more money which provides him the ability to do more in the community and do more with the business.

Mr. Jeffcott was in contact with the Norwood Police in August who signed off on the trex transfer. That was why they didn't come to the meeting back then because they weren't expecting any concerns or issues with council. He doesn't think that the police chief's opinion has changed in the meantime.

Mr. Geraci asked how many new jobs Mr. Capodagli expected this to bring to Norwood. Mr. Capodagli said that they have been working on their wine game and they have been working with wine sommeliers on what to bring in and how to set it up. They will need to bring in at least one new employee in the short term and the rest will depend on how they grow from there. If things go well he anticipates perhaps 5-6 new jobs. Mr. Geraci asked if they outgrow that store front would he look to move into a bigger building. Mr. Capodagli said he hadn't thought of that. He owns the building. If the opportunity presented itself and it was affordable, perhaps. If it makes sense for his business. He doesn't like to rent property. Hadn't thought of it but not opposed to it.

Mr. Gabbard noted that he had reached out to Chief Kramer, Mark Reeves of building department and the law department. Kramer and Reeves said they had no objections. Mr. Gabbard asked the law department through chair asked if law department had any objections. The Law Director said he is unaware of any departmental objections over the last few years. He thinks that council had been nervous due to the nuisance filing but not aware of any issues in the last few years.

Mr. Breadon hopes Mr. Capodagli gets it and is successful. Mr. Capodagli thinks they can fit in to the redevelopment of the area

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

None

#### **D) REPORTS OF STANDING COMMITTEES OF COUNCIL**

1) LAW, ORDINANCE AND HUMAN RESOURCES COMMITTEE REPORT – The committee report was read by the committee chair. On motion by Mr. Gabbard, seconded by Mr. Thompson, it was moved to receive and file the report. The roll was called. All council members voted yes. The motion passed.

#### **J) THIRD READINGS OF ORDINANCES/RESOLUTIONS**

None

#### **K) SECOND READINGS OF ORDINANCES/RESOLUTIONS**

1) AN ORDINANCE REPEALING THE PROHIBITION AGAINST THE KEEPING OR HARBORING OF HONEY BEES AND THE DECLARATION THAT ANY BEEHIVE WITHIN THE CITY OF NORWOOD IS A PUBLIC NUISANCE, AND REGULATING THE KEEPING AND HARBORING OF HONEY BEES WITHIN THE CITY OF NORWOOD

On motion by Mr. Bonsall, seconded by Mr. Gabbard, it was moved to have the second reading of the ordinance. The roll was called. All council members voted yes. The motion passed. The Clerk of Council did the second reading of the ordinance.

**2) AN ORDINANCE AUTHORIZING A CONTRACT WITH HAMILTON COUNTY, OHIO TO PROVIDE ITS SERVICES IN DISPOSING OF CITY SURPLUS PERSONAL PROPERTY**

On motion by Mr. Thompson, seconded by Mr. DiNardo, it was moved to have the second reading of the ordinance. The roll was called. All council members voted yes. The motion passed. The Clerk of Council did the second reading of the ordinance.

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

**1) ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A WATER SYSTEM ANALYSIS AGREEMENT WITH THE CITY OF CINCINNATI, AND DECLARING AN EMERGENCY**

Mr. Breadon asked if there was a brief overview of the resolution for the council. The Mayor advised that back in September the council approved an ordinance to get this proposal. The proposal has an analysis of our water system, engineering study and a proposal for how to move forward. It has likely 8 months worth of work outlined which is necessary. Funds are coming out the water fund and will be paid in installments as work is done. The term of the agreement is 1 year.

Mr. Thompson asked if this is a time sensitive matter and if all three readings are needed. The Mayor recommended three readings so that the work can get started on it. Mr. DiNardo noted that this matter is truly an emergency and he supports having all three readings. Mr. Breadon asked about possible erosion on the hill where the water towers are located. The Mayor was unaware of that issue. Mr. Kelsch thinks this is an important step to correct our water system.

On motion by Mr. Thompson, seconded by Mr. DiNardo, it was moved to suspend the rules and have all three readings of the ordinance. Mr. Bonsall noted that there was a lot of money to be spending and it was unfortunate that there wasn't better management of the system in the past. He went further to note that the City of Cincinnati offered to send someone to Norwood to run our system for us. He asked if that was ever discussed as an option to the mayor through the chair. The Mayor states that the proposal notes what needs to be done should Cincinnati want to take over the Norwood water system. Mr. Geraci hopes that the proposal lays out good options and with a lot of information.

Mr. Gabbard asked several questions of the Mayor through the chair. He asked if the Mayor knew who works for the offered engineering firm. The Mayor said that we are leaning on the Cincinnati experience and knowledge to determine what company is the best to use. Mr. Gabbard suggested we do some research into the company. He asked if the city has the water fund all set up and prepared to move forward after the mistakes with the fund last year. The Mayor noted that our accounting system is not going to be reviewed. He notes that there is a lot of loss in our system due to issues with the pipes and water meters. Those things will be discussed. Mr. Gabbard asked if the increase in water rates has been communicated to the city and how this matter will be communicated to the city. The Mayor stated that the water rate increase is normally noted on the bill so he assumes that is how it is being communicated this time. He noted that this agreement is being communicated through the council meeting and that the documents are available for review at city hall. This kind of work is done through the normal course of business. Mr. Gabbard just wants to make sure that we as a city are ahead of the game when it comes to this work. He suggested that the city forms a water commission to include people from a variety of public offices and administration along with the public to over view this process and provide communication to the public. He does think that we are getting a good deal and that the proposal gives at least 10 scenarios. He also wants to make sure that public works and our committee are coordinating with the work being done.

Mr. Thompson spoke with Clint Zimmerman, the head of public works on this topic. This will provide the city with the information necessary to move forward on the water issues. He believes that this is the right thing to do.

The roll was called. All council members voted yes. The motion passed. The Clerk of Council did all three readings of the ordinance. On motion by Mr. Breadon, seconded by Mr. Thompson, it was moved to pass the ordinance. The roll was called. All council members voted yes. The motion passed.

**M) ADMINISTRATION REPORTS**

The Mayor reported on several items. He noted that the administration is currently working with the Financial Recovery Plan Planning Commission on the new budget and plan. He advised that the administration is close to having an agreement with the Fire Department and Police Department Unions. Hopes to be able to set a special session and an executive session to discuss the matter soon. The Mayor said that the administration has been meeting with the Ohio Department of Transportation in meetings facilitated by our local state representative Brigid Kelly. Because of these meetings, Norwood is going to have a light synch study done and a pedestrian safety study done both for free. The Mayor reported that the administration is meeting with Hamilton County Development and then also with the city insurance agencies to do a tune up of all insurance policies. His administration is working on cleaning up city hall and is preparing to dispose of surplus items. He noted that his administration has changed the phone system at city hall to ensure that phone calls to the city are being answered and to provide more customer service. They are working with a capstone project at UC to develop a new city website to be done at minimal expense to the city. The Administration is working on the new Facebook site. They are working on a plan to tune up the lateral; including getting the lighting reanimated which has a lot of challenges. The heads need to be replaced, the electric reviewed and possibly repaired. Looking at the number of light poles we have in the city, determining which are the city's responsibility and are working with duke to getting poles working as necessary. He endorses community groups that are working to better our city. He noted that there are citizens to be appointed to different

boards to be done later in the agenda. There are a number of boards made of citizens who want to make a positive effect on the city. He is thrilled with the job that the SSD and the Operative of the Water Department have done.

Mr. DiNardo thinks it is neat that the city is thinking outside of the box to get things done. He asked the mayor through the chair what kind and number of studies that ODOT will be doing. The Mayor indicated that there are different opportunities that ODOT has released this year that cities can take advantage of. He is not sure if these are normally available programs. Crash studies and pedestrian safety studies can be done using records. These are areas we can ask for information on and then ask for money to complete projects after the studies have been done.

Mr. Geraci noted that the new led lights are brighter on the light poles than the old lights. With the changes in construction there are some redundancies in lighting noted by the Mayor.

Mr. Bonsall asked when the Mayor planned on bringing the potential fire and police settlements to the council for review. The Mayor noted that there was a time to do that but it wasn't yet. They are keeping the council's approval in mind while negotiating though. Mr. Bonsall noted that the ORC allows an executive session to get the council's thoughts on the agreement. He encouraged that be done soon. Mr. Bonsall asked if the chair of the finance committee was involved with the recovery plan budget planning process. The Mayor said he is not. Mr. Bonsall encouraged the mayor to include either the chair of the finance committee or the auditor.

The Law Director noted that the insurance policies were discussed in the water proposal and the city is good on insurance coverage.

## **O) UNFINISHED BUSINESS**

1. The President noted that at the last meeting there was a request from the law department to appoint people to the CRA board. He noted that a few resumes had been received by him. Mr. Bonsall also received a resume. Mr. Bonsall noted that Mr. Ben Eilerman has been recommended for the CRA and had been recommended for it in the past. Mr. Eilerman is a developer and architect with experience working in Norwood. He noted that if someone isn't appointed at this meeting they can be appointed by the CRA commission directly.

Mr. Gabbard asked the Law Director to advise what the CRA is. He noted that this is a tax abatement program. If someone builds a new house or put a significant amount of work into their house they can apply for an abatement with the city. The CRA board will once a year review the current abatements and make sure they are still compliant.

Mr. Breadon asked for clarification as to whether the CRA approves the abatements or just confirms compliance. The Law Director noted that the CRA only confirms compliance. Mr. Breadon then asked about how the President got resumes for the positions. The President sent a resume directly to him and one had been sent to the mayor. They were then provided to the council members. Mr. Bonsall also sent the resume he got to the other council members.

On motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to appointment Mr. Eilerman to the CRA. The roll was called. Mr. Breadon and Mr. Geraci voted no. All other council members voted yes. Motion passed.

On motion by Mr. DiNardo, seconded by Mr. Geraci, it was moved to appoint Hilary Canan to the CRA. Roll was called. All members voted yes. Motion passed.

Mr. Bonsall asked that the Clerk of Council send a letter to the newly appointed members.

2. Mr. Kelsch said that Clint Zimmerman is getting quotes for the repairs that were requested and that the playground equipment is being installed. Mr. Bonsall asked for an update on the playground equipment. The installs start at Burwood Park and then will move on to Lower Millcrest. Mr. DiNardo noted that mulch will be in soon also. He noted that there has been a lot of talk around the draining issue in Burwood and that some meetings have happened to see what can be done about the matter by the city. Mr. Kelsch clarified that the new equipment at Lower Millcrest will be added behind the large enclosure.

Mr. Geraci asked the Clerk to send a letter to the administration regarding a plot of land behind 4216 Montgomery Road which is owned by SORTA to encourage some economic development. Clerk clarified with Mr. Geraci that he was asking to the administration to contact SORTA to see if they will sell the plot or work with the city to do something with that plot.

## **P) NEW BUSINESS**

Mr. Breadon asked to plan a streets committee meeting. It was scheduled at 2/18 at 6:30. An agenda will need to be provided to the secretary of the clerk of council. He recapped the items that have been placed in the committee so far: parking on Quatman, traffic on Wesley, Marion and Ash and discussion on a plan for further street repair.

Mr. Gabbard asked the Law Director what can be discussed by a committee. He replied that standing issues can be discussed in a committee but that anyone can refer items to committee during new business. Mr. Bonsall recommended changing rules of council if that is how the council wants to operate or seeing if there is clarification out there somewhere.

## **Q) COMMUNICATIONS**

1) Letter from Mayor Schneider

RE: Re-Appointment – Tax Board of Appeals

The clerk read a letter from the Mayor to John Hanrahan noting dates of appointment. On motion by Mr. Bonsall, seconded by Mr. Kelsch it was moved to receive and file the letter. Mr. Gabbard asked the Mayor to please note what makes this person a good fit for the position. Mr. Hanrahan has many years of experience working with the city and subject knowledge. The role was called. All members voted yes. Motion passed.

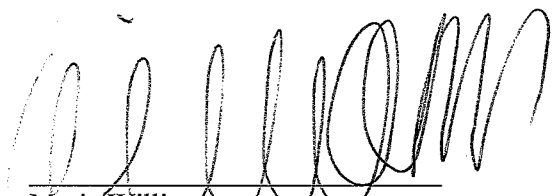
- 2) Letter from Mayor Schneider RE: Appointment – CRA Committee  
The clerk read a letter from the Mayor to Dan Galligan noting dates of appointment. On motion by Mr. Bonsall, seconded by Mr. Breadon, it was moved to receive and file the letter. Mr. Gabbard asked the Mayor to please note what makes this persona a good fit for the job. The role was called. All members voted yes. Motion passed.
- 3) Letter from Mayor Schneider RE: Appointment – Norwood Planning Commission  
The clerk read a letter from the Mayor to Jeannie Sickinger noting date of appointment. On motion by Mr. Breadon, seconded by Mr. DiNardo, it was moved that the letter is received and filed. Mr. Gabbard asked the Mayor to please note what makes this person a good fit for the job. She is a very involved individual and will be a bonus. The role was called. All members voted yes. Motion passed.
- 4) Letter from Mayor Schneider RE: Appointment – Norwood Board of Zoning Appeals  
The clerk read a letter from the Mayor to Mr. Andrew More noting dates of appointment. On motion by Mr. Breadon, seconded by Mr. Geraci, it was moved to receive and file this letter. Mr. Geraci asked the Mayor to elaborate on Mr. More. He noted that Mr. Moore digs into questions and does his research. Role was called. All members voted yes. The motion passed.
- 5) Letter from Mayor Schneider RE: Appointment – CRA Committee  
The Clerk read a letter from the Mayor to Deborah Karle noting dates of appointment. On motion by Mr. Bonsall, seconded by Mr. DiNardo it was moved to receive and file this letter. Mr. Geraci requested that the Mayor elaborate on Ms. Karle. He noted that she has a background on construction and willing to set up to help the City of Norwood. Mr. Bonsall praised the mayor for the variety in appointments. Mr. Breadon agrees with Mr. Bonsall and wanted to congratulate all of the new appointees. Roll was called. All members voted yes. Motion passed.
- 6) Letter from Auditor’s Office RE: January Monthly Financial Reports  
The clerk read the letter from the auditor’s office advising that the reports had been sent out. On motion by Mr. Gabbard, seconded by Mr. Geraci it was moved to receive and file this letter. Mr. DiNardo said that Mr. Stith did a good job at explaining the monthly reports. The roll was called. All members voted yes. The motion passed.
- 7) Letter from Mayor Schneider RE: Mayor’s Court Ticket Totals for January 2020  
The Clerk read the letter from the Mayor regarding the Mayor’s Court report for January 2020. On motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to receive and file the letter. Mr. Gabbard asked for the Mayor’s thoughts regarding this report. The Mayor noted that there will be a concentration on parking meters and parking meter enforcement. This helps business owners. Roll was called. All members voted yes. The motion passed.

**Q) EXCUSE ABSENT MEMBERS**

All members present.

**R) ADJOURNMENT**

On motion by Mr. Gabbard, seconded by Mr. Bonsall, it was moved to adjourn the meeting. The roll was called. All members voted yes. Motion passed.



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Maria Williams  
Clerk of Council



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Ken Miracle  
President of Council