

Council Chambers

November 12, 2019 ~ 7:30pm

A) CALL TO ORDER

The Council for the City of Norwood met in regular session on the above date with Ms. Leslie Stevenson presiding as President Pro Tempore. The meeting opened with a prayer and the Pledge of Allegiance.

B) PRAYER

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

On roll call, the following members answered present: Mr. Bonsall, Mr. Clark, Mr. Thompson, Ms. Stevenson, Mrs. Hanrahan, Mr. Sanker, and Mr. Breadon.

E) AMENDMENT OF AGENDA

On a motion by Mr. Bonsall, seconded by Mrs. Hanrahan, it was moved to the agenda as follows: add an ordinance regarding pressure regulating valves, add a Finance, Budget, & Audit Committee report, and remove the veto override of the Greater Cincinnati Water Works resolution. All members present voted, "Yes."

F) MINUTES OF PREVIOUS MEETING

On a motion by Mr. Clark, seconded by Mr. Bonsall, it was moved to approve the minutes from the October 22, 2019 meeting, as if read. All members present voted, "Yes."

G) REQUEST TO ADDRESS COUNCIL ON AGENDA ITEMS

1) Susan Daniels

Re: US Playing Card Resolution

Ms. Daniels, of Maple Avenue, address Council regarding the resolution dealing with the demolition of the former US Playing Card buildings. Ms. Daniels is the vice-president of the Norwood Historical Society; she read the mission statement of the Norwood Historical Society. Ms. Daniels spoke about the numerous historical buildings that have already been demolished in the city of Norwood; the US Playing Card building was built by Samuel Hannaford and has been placed on the National Register of Historic Places. There are only three locations in Norwood appearing on the National Historic Register: Norwood City Hall, the Indian Mound, and the US Playing Card building. Ms. Daniels expressed her concern regarding the clocktower not being saved; Ms. Daniels challenged any buyer of Norwood's historic properties to keep the historic exterior of the buildings. Ms. Daniels would also like to see an ordinance protecting the historic nature of Norwood's downtown; Louisville's distillery district was referenced as an example. Ms. Daniels spoke of plans to develop a Norwood Healthy History Trail; US Playing Card building was to be included on this trail.

2) Nicholas Lingenfelter

Re: US Playing Card Resolution

Mr. Lingenfelter, Vice-President of Development with PLK Communities, addressed Council regarding the purchase of, and demolition of certain structures on the US Playing Card Company site. Mr. Lingenfelter identified PLK Communities as a local firm with over 4,700 apartments in Cincinnati; PLK Communities is a long-term holder of their properties. Mr. Lingenfelter shared a digital presentation on the property and several talking points, facts, and statistics; he has been working with the seller of the property since December 2015. The current property is in very rough shape; ceiling beams are snapping and there is virtually no copper wiring left in the buildings, resulting in an inability to heat the facility. Phase I of the project was going to cost around \$68 million to save the front buildings; they are trying to save the clocktower, which was added to the structure in 1922 and was not part of the original building. Mr. Lingenfelter is proposing a mixed-use development on the site; they are now proposing to save the clocktower, the smokestack, the 4-story factory building, and the original factory from 1903. Mr. Lingenfelter reviewed the numerous issues with historic tax credits and the impact of changes to tax law that took place in 2017; to utilize the new 20% tax credit, every building must be saved. It would potentially cost \$90 million just to save the first historic buildings.

Mr. Lingenfelter discussed the significant challenges with this property: asbestos, 14 EPA issues, and sprinklers. This will be the largest asbestos remediation project in the state of Ohio. It will cost \$2 million to remove asbestos from the structures; the boilers have asbestos between every brick. There is TCE (trichloroethylene) in the ground, which was a result of chemicals being spilled into the ground; multiple buildings now have vapor issues. Every floor would have to be taken apart and reconstructed. With freezing temperatures during the winter and a lack of heat in the structures, the sprinklers could burst. PLK Communities signed a contract with the current property owner on November 4, 2019; they are already working with O'Rourke on a demolition plan, which will include the EPA being on-site 1-2 days a week. Every building and underground

tunnel will be abated; the power plant structure will take around three months to complete remediation.

Mr. Lingenfelter provided a brief timeline of early milestones: within 60 days of closing, they will have signed contracts for demolition, remediation, and abatement. Within 90 days they are committed to start working on designated demolitions; the goal is to have the site cleared for EPA testing. The EPA will probably not sign-off until after 12-18 months. Mr. Lingenfelter identified some of the possibilities and uses for development on this site to include a senior living component, public parking, a dog park, 6-8 acres of available out lots, a public space, and a continuation of Park Avenue with the parks in the middle of the street, with one park containing the clocktower. There will be engagement with the community to identify the community's wants and needs of this development.

Mr. Sanker requested Acting Fire Chief McCabe and Mark Reeves with the Building Department to provide comment on the condition of the buildings. Acting Fire Chief McCabe stated there is a standing order to not enter the building unless necessary; there has been a fundamental decay of the buildings in the last five years. The current owners of the building have been taken to court multiple times; kids have made videotapes from inside the building, and vagrants have been caught living in the structures. The Fire Department has tried to actively engage the current owner. There has been a mandated 24-hour fire watch issued for the buildings; this means there must be someone physically on site watching the facility. There are concerns about respiratory exposure; the structures pose a life-safety issue. With the falling temperatures over the winter, there are concerns about pipe fractures with the sprinklers in the building, resulting in the water needing to be shut off. Mr. Reeves stated he participated in a walk-through of the building about a month ago; wooden structures are caving in on themselves and floors are buckled 12"-18" high. The building is unsecured and there is no maintenance. Mr. Reeves stated he would love to see the building saved but it is "past gone." Rodney Rogers, President of the Norwood Historical Society, raised the idea of preserving and using some of the old bricks; Mr. Lingenfelter replied by stating some bricks will be saved to help reconstruct part of the clocktower, but the goal is to get the buildings down. Mr. Breadon expressed concern regarding historical aspects of the building that can be saved; he also asked about the tunnels and asbestos. Mr. Lingenfelter stated there are asbestos-wrapped pipes in the tunnels and the material is loose. Mr. Breadon thanked those from the Norwood Historical Society who spoke on this topic. Mrs. Hanrahan thanked Acting Fire Chief McCabe and Mr. Reeves for their comments.

Mr. Bonsall asked about the rush to pass the resolution; Mr. Lingenfelter replied by saying if PLK is buying the property, the water will need to be shut off to avoid further damage and issues with the loose asbestos. Additionally, there is a growing liability of someone dying on the property, due to the ability to enter a non-secured building from multiple broken windows as entry points. Mr. Moore confirmed this resolution is rushed and understands it is a difficult decision to make; the PUD ordinance over this property has a unique clause with the intent at the time to save the buildings. PLK Communities has explained why partial demolition is needed and their timing; any development project going forward on this property will still go through the PUD process with hearings and opportunities for input. Mr. Sanker stated the current PUD process will still be in place, but this resolution will allow for partial demolition.

Ms. Stevenson asked for additional details pertaining to the EPA concerns; Mr. Lingenfelter reviewed the slides from the digital presentation that highlighted the EPA concerns. There are 14 unresolved environmental concerns noted by the EPA. Contracts are in place for demolition, with 12-18 months to address the EPA issues. Majority of the work regarding the demolition will be addressed in 60 days.

Mr. Clark asked about previous developers who have looked at this site; Mr. Lingenfelter replied by confirming within five years, five different developers have had contracts for the site and 15 developers decided they couldn't make it work.

Mr. Sanker asked about the urgency and need for all three readings tonight; Mr. Lingenfelter replied by stating their contract expires Monday and they are unable to move forward without it. If not approved tonight, the developer is walking away from the project; everything is dependent upon the vote tonight.

H) REPORTS OF STANDING COMMITTEES OF COUNCIL

1) Economic Development & Community Engagement: 11/7/2019 Re: Off Pike Market, Economic Development, & CRA Agreement with Ventura Commons LLC

On a motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to receive and file the report.

Ms. Stevenson mentioned the memorandum of understanding elements; she hopes to bring back a letter of intent to Council this year regarding Off Pike Market. The committee is also hoping to report out on the Negotiation Committee this year.

All members present voted, "Yes."

2) Finance, Budget, & Audit: 11/12/2019

On a motion by Mr. Clark, seconded by Mr. Sanker, it was moved to accept the report. All members present voted, "Yes."

D) SECOND/THIRD READING OF ORDINANCES/RESOLUTIONS

There were no second or third readings of ordinances or resolutions.

J) INTRODUCTORY READING OF ORDINANCES

1) ORDINANCE TO CHANGE APPROPRIATIONS FOR THE YEAR 2019, AND DECLARING AN EMERGENCY.

On a motion by Mr. Bonsall, seconded by Mr. Clark, it was moved to suspend the rules and hear all three readings of the ordinance. All members present voted, "Yes."

Mr. Bonsall stated most of these changes are due to TIF funds; additionally, the water fund was increased, and the sewer fund was decreased. There was also a change regarding a pass-through of funds for Forest Avenue, which fell into Fund 48. Mr. Thompson asked if \$2.4 million was removed from the sewer fund and only \$1.4 million was increased in the water fund, what happened to the rest of the money; Mr. Bonsall replied by saying Council gave permission by approving appropriations, which doesn't have to be increased to the full amount. The auditor did not recommend increasing the fund to the full amount. Mrs. Hanrahan asked if all of the money went into the water fund; Mr. Bonsall replied by stating the money was moved months ago and this ordinance is simply making the additional appropriations to pay water bills for the rest of the year.

On a motion by Mr. Bonsall, seconded by Mr. Clark, it was moved to pass the ordinance. All members present voted, "Yes."

2) ORDINANCE MAKING PERMANENT APPROPRIATIONS FOR THE EXPENDITURES OF THE CITY OF NORWOOD, OHIO FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

On a motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to hear the first reading of the ordinance.

Mr. Bonsall stated the 2020 permanent appropriations are reflected in the financial recovery plan that has already been approved; a new financial recovery plan needs to be approved in March 2020. Appropriations will then be updated to reflect the new financial recovery plan.

All members present voted, "Yes."

3) ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH VENTURA COMMONS LLC, AND DECLARING AN EMERGENCY.

On a motion by Mr. Sanker, seconded by Mrs. Hanrahan, it was moved to hear the first reading of the ordinance. Mr. Bonsall recommended hearing all three readings of the ordinance; the property owner is eager to get started on transforming the building. Mr. Sanker agreed to amend his motion to hear the first and second readings of the ordinance; Mrs. Hanrahan agreed to amend her second to the motion. Mr. Thompson voted, "No," and all other members present voted, "Yes."

On a motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to hear the third reading of the ordinance. There was procedural discussion regarding the possibility of hearing the third reading of the ordinance, the need to possibly amend the agenda for said reading, and the option to reconsider the third reading under Unfinished Business. Mr. Breadon stated having two readings will allow for other members of Council to present any questions they might have regarding the project. Mr. Bonsall withdrew his motion to hear the third reading; Mr. Thompson agreed to withdraw his second to that motion.

Ms. Stevenson confirmed that she did ask for questions and comments at the last meeting; she asked that anyone with additional questions contact her or the Law Department.

4) ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO SIGN "EXHIBIT 1," PRESSURE REGULATING VALVE MAINTENANCE AGREEMENT BETWEEN THE CITY OF NORWOOD AND THE CITY OF CINCINNATI TO MAINTAIN THE CITY OF NORWOOD WATER SYSTEM, AND DECLARING AN EMERGENCY.

On a motion by Mr. Bonsall, seconded by Mr. Sanker, it was moved to hear the first and second readings of the ordinance.

Mr. Bonsall asked about the need to have all three readings tonight; Mr. Moore replied by stating this was a result of the meeting that took place between the city of Norwood, Greater Cincinnati Water Works, and the Water Department, and he isn't aware of a rush to pass it tonight.

All members present voted, "Yes."

INTRODUCTORY READING OF RESOLUTIONS

1) RESOLUTION DETERMINING THAT DEMOLITION CAN GO FORWARD AT PARCEL 651-0019-0125 (FORMER UNITED STATES PLAYING CARD FACILITY), AND DECLARING AN EMERGENCY.

On a motion by Mr. Thompson, seconded by Mrs. Hanrahan, it was moved to suspend the rules and hear all three readings of the resolution. All members present voted, "Yes."

Mr. Thompson stated the property is "in a bad place." There was a concerted effort to save some of the structures on the property; Mr. Lingenfelter's presentation helped to explain the need and the urgency. Mr. Clark agrees, adding that it is unfortunate, but he is pleased to hear they are trying to keep some architectural pieces intact. Mrs. Hanrahan stated she agrees with Mr. Thompson and Mr. Clark, and she understands this needs to be done; she shared her concern about the historical value of saving what they can. Mr. Bonsall reminded Mr. Lingenfelter that Council will remember his commitment to working with the Norwood Historical Society and he is looking forward to hearing from him soon.

On a motion by Mr. Clark, seconded by Mr. Thompson, it was moved to pass the resolution. All members present voted, "Yes."

K) ADMINISTRATION REPORTS

There were no administration reports.

L) OTHER REQUESTS TO ADDRESS COUNCIL

There were no other requests to address Council.

M) UNFINISHED BUSINESS

Mr. Breadon stated Section Avenue looks nice and the resurfacing is complete; he thanked everyone who was involved in this project.

Mr. Sanker stated there are "no parking" signs posted along Highland Avenue; crews are working on the curbs and cut-ins.

N) NEW BUSINESS

Mr. Bonsall mentioned Wasson Way, and the recent ribbon cutting event for Phase II; it was very successful. School Outfitters provided a \$100,000 donation toward the project; it was great to see ideas and community members come together. The next part of Wasson Way will move in the other direction and will include Ault Park.

Ms. Stevenson stated a second meeting date for December will have to be identified; the fourth Tuesday in December is Christmas Eve. Mr. Bonsall stated there might not be a need to meet if appropriations are completed by the first meeting in December.

O) COMMUNICATIONS

1) Ohio Division of Liquor Control

Re: Liquor License Fees

On a motion by Mr. Breadon, seconded by Mr. Thompson, it was moved to receive and file the letter. All members present voted, "Yes."

2) Mayor Thomas F. Williams

Re: Mayor's Court Fines for October 2019

On a motion by Mr. Thompson, seconded by Mr. Breadon, it was moved to receive and file the letter. Mrs. Hanrahan thanked Mr. Conlon for adding the total number of tickets processed. All members present voted, "Yes."

3) OKI Regional Council of Governments

Re: Appointment to Board of Directors

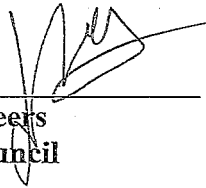
On a motion by Mr. Bonsall, seconded by Mr. Breadon, it was moved to receive and file the letter and place the matter on the January 1, 2020 agenda, and to forward the meeting schedule to the new Council members. All members present voted, "Yes."


P) EXCUSE ABSENT MEMBERS

On a motion by Mr. Breadon, seconded by Mrs. Hanrahan, it was moved to excuse Mrs. Laake's absence. All members present voted, "Yes."

Q) ADJOURNMENT

On a motion by Mr. Bonsall, seconded by Mr. Breadon, it was moved to adjourn. All members present voted, "Yes."


Joseph S. Geers
Clerk of Council


Donna M. Laake
President of Council