



**Norwood High School Gym**  
**2020 Sherman Ave**  
**Norwood, OH 45212**  
**March 24, 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**

All members in attendance except Mr. Gabbard.

**E) AMENDMENT OF AGENDA**

The President noted amendments needed to the agenda as follows: to allow Dr. Frank Perrino from the Health Department to provide an update at after item E, to add 3 ordinances to Item L -ORDINANCE TO CHANGE APPROPRIATIONS FOR THE YEAR 2020, AND DECLARING AN EMERGENCY, ORDINANCE EXTENDING THE FILING DATE OF ANNUAL RETURNS TO TAX YEAR 2019 REQUIRED UNDER THE NORWOOD TAX CODED, NORWOOD CODIFIED ORDINANCE SECTIONS 182.05(G), TO JULY 15, 2020 AND DECLARING AND EMERGENCY and ORDINANCE ADJUSTING CERTAIN SALARY RANGES. On motion by Mr. Breadon, seconded by Mr. Thompson, it was moved to amend the agenda as stated. Roll was called. All members voted yes. Motion passed.

**F) HEALTH DEPARTMENT UPDATE**

Doctor Perrino advised that the city is in the upswing of the crisis and he hopes we can flatten the curve with social distancing. The Health Department is encouraging and enforcing social distancing and closing of business. He noted that there are 564 confirmed cases in Ohio, spread over 49 counties. If the virus peaks quickly then the health system will get overwhelmed and won't be able to handle the cases. The whole point of distancing is to slow the spread and eventually stop the spread. The doctor wanted to clarify that there was a Facebook post saying that there was a confirmed case in Norwood but they are unaware of any confirmed cases. If you have any symptoms you should quarantine in place and go to the hospital if the symptoms get too bad. He noted that there aren't enough test kits to test everyone and they take 5-8 days for results. There are likely more that are infected than the 564 reported cases. There are no antibiotics. A few medicines are being used and studied on the sickest of patients. He reported that 25% of cases are in the hospital. 11% are in the ICU. 16% of cases are healthcare workers that are infected. Cases are being spread before the symptoms start. A common symptom is a fever. Cincinnati is still dealing with allergies and flu too. He went on that it is important to separate what kind of sicknesses people have. The Norwood Health Department has been asked to monitor some patients – patients under investigation – PUI. They have monitored a few but have not found any problems yet. They will be following people who do test as positive. We will see more sickness in this area. It is important to handwash and to wash down surfaces. The virus stays alive on paper for a day. We need to protect the elderly. Mr. Thompson asked when testing may be more available. Doctor Perrino hopes that next week they may get more but he is not sure when and how many. Residents can call the Norwood Health Department if they have questions about the information they are sending out. The number is 513-458-4600.

**G) MINUTES OF PREVIOUS MEETING**

1) February 25, 2020

On motion by Mr. DiNardo, seconded by Mr. Kelsch, it was moved to approve and file the minutes as read. Roll was called. All members voted yes. Motion passed.

2) March 5, 2020

On motion by Mr. DiNardo, seconded by Mr. Geraci, it was moved to approve and file the minutes as read. Roll was called. All members voted yes. Motion passed.

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

None

**I) REPORTS OF STANDING COMMITTEES OF COUNCIL**

Mr. DiNardo reported that the finance committee meeting scheduled for next day has been cancelled and will be rescheduled.

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

None

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

None

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

- 1) ORDINANCE AUTHORIZING THE MAYOR AND SAFETY-SERVICE DIRECTOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH LOCAL #914 AND OHIO COUNCIL 8 OF THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO, CONSISTENT WITH THE TERMS OF THE ATTACHED EXHIBIT A, FOR THE PERIOD FROM JANUARY 1, 2020 THROUGH DECEMBER 31, 2021, AND DECLARING AN EMERGENCY

Mr. Thompson asked to be told if each particular ordinance being considered tonight is needed for the financial recovery plan or FRP. On motion by Mr. Gabbard, seconded by Mr. Breadon, it was moved to suspend the rules and have all three readings of the ordinance. Mr. Thompson asked if this ordinance is necessary for FRP. The Auditor advised that this contract is in the new budget and asked if council has to approve the budget tonight. The Law Director said that council has 30 days to accept or reject it. The Mayor said that 30 days puts council past the date to get the FRP done in time. Mr. Thompson said that he is a fan of doing three separate readings when possible. Mr. DiNardo noted that at least the first two ordinances are needed and are a chance to put some long-standing matters to bed. Mr. Kelsch commended the Mayor and Auditor for their work. He also commended the municipal employees for their great work to the city. Mr. Gabbard asked for the mayor's notes on this ordinance. The Mayor said that the union was open to discussion and was willing to work with the city to get the matter completed in a timely manner. These numbers from the contract are in the FRP. Mr. Bonsall asked if both unions have voted and passed the first and second contracts. The Mayor said yes. Roll was called. All members voted yes. Motion passed. The Clerk did all three readings of the ordinance. On motion by Mr. DiNardo, seconded by Mr. Breadon, it was moved to pass this ordinance. Roll was called. All members voted yes. Motion passed.

- 2) ORDINANCE AUTHORIZING THE MAYOR AND SAFETY-SERVICE DIRECTOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH LOCAL #3278 AND OHIO COUNCIL 8 OF THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, CONSISTENT WITH THE TERMS OF THE ATTACHED EXHIBIT A, FOR THE PERIOD FROM JANUARY 1, 2020 THROUGH DECEMBER 31, 2021, AND DECLARING AN EMERGENCY

On motion by Mr. Geraci, seconded by Mr. DiNardo, it was moved to suspend the rules and have all three readings of the ordinance. Roll was called. All members voted yes. Motion passed. The Clerk did all three readings of the ordinance. On motion by Mr. Gabbard, seconded by Mr. Thompson, it was moved to pass the ordinance. Roll was called. All members voted yes. Motion passed.

- 3) ORDINANCE AUTHORIZING THE MAYOR OR SAFETY-SERVICE DIRECTOR TO ENTER INTO A LETTER AGREEMENT WITH THOMAS MCCABE TO SERVE AS FIRE CHIEF, CONSISTENT WITH THE TERMS OF THE ATTACHED EXHIBIT A, AND DECLARING AN EMERGENCY

Mr. Bonsall noted that we don't need to approve all ordinances today to get them included in the FRP. Mr. Gabbard asked for Mayor's thoughts. The Mayor said it is important that the chain of command needs to be clear cut due to the state of emergency we are in. Mr. McCabe will do a great job and making it official is important. Mr. DiNardo asked if there are any letter details the Mayor can comment on for the information of the city residents. Mayor noted that there is an incentive for the fire chief to run his department efficiently. The Fire Chief had to sign off on his responsibilities and what the expectations are for his job. Mr. DiNardo noted that the salary reflected those responsibilities. Mr. Bonsall said it was important to him that there is nothing in the contract with the fire chief that ties to

the contract with the union. There is no incentive or interest in the union contract. He thought the contract was fair. Mr. Breadon said that was a good point and that the speed with which it happened was great. He commended the Mayor and Auditor.

Roll was called. All members present voted yes. Motion passed. The Clerk did all three readings of the ordinance.

Mr. Gabbard thanked Chief McCabe for being the acting chief since the fall. It is important to make sure that all departments of the city are in order. Mr. Bonsall noted that Chief McCabe did a great job and is looking forward to working with him.

On motion by Mr. Gabbard, seconded by Mr. Bonsall, it was moved to pass the ordinance. Roll was called. All members voted yes. Motion passed.

4) ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT FOR THE EMERGENCY REPAIR OF THE STORM SEWER RUNNING NORTH TO SOUTH IN THE AREA SOUTH OF NORWOOD AVENUE AND NORTH OF STATE ROUTE 562 NEAR LINDEN AVENUE (BEHIND THE PET SPOT), WITHIN THE CITY OF NORWOOD, OHIO, AND DECLARING AN EMERGENCY

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. Thompson noted that council has discussed this matter before and that this needs to be taken care of expediently. Mr. Bonsall asked if council reviewed this contract and asked what the cost of the contract was. The Mayor said that this contract is 122K of budgeted money. Roll was called. All members voted yes. Motion passed. The Clerk did all three readings of the ordinance. On motion by Mr. DiNardo, seconded by Mr. Kelsch, it was moved to pass the ordinance. Roll was called. All members present voted yes. Motion passed.

5) ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT TO REPLACE THE ROOF SYSTEM OF THE NORWOOD MUNICIPAL BUILDING AT 4645 MONTGOMERY ROAD, AND DECLARING AN EMERGENCY

On motion by Mr. Thompson, seconded by Mr. Kelsch, it was moved to have the first reading of the ordinance. Mr. DiNardo asked if this ordinance is to get bids and enter into a contract. He also asked the Mayor to comment on the need for work to be done. The Mayor said that they are working on a bid package and this would allow them to go ahead and enter into a contract after they get bids. The roof has been leaking for a year doing lots of damage to the walls. The plaster is coming down. This is important and the hope is to make it happen quickly. The Law Director confirmed that the ordinance allows getting bids and entering into contract with lowest bidder. Mr. Kelsch asked if city is getting new bids or bid from same company that gave the 80k bid last year. The Mayor said that they are getting bids from new companies. The FRP includes 80k just in case but they hope it will be less. Mr. Kelsch rescinded his second to Mr. Thompson's motion. Mr. Bonsall asked if he could do that. The Law Director said he could. No one else would second Mr. Thompson's motion so it failed. Mr. DiNardo noted that in case we don't have some upcoming meetings that we should work on getting done what we can get done now. He is concerned that the earnings revenue may go down for next year due to the virus but notes that we can take a look at that when we work on the budget next year. Mr. Bonsall noted that we don't know where our lives will be in 3 weeks, when our next meeting is scheduled. He recommends that we finalize items that are urgent matters. He urged all three readings. Mr. Breadon remembers the roof being done previously and thinks that the city should look into any warranty. Mr. Thompson believes that the council should be careful about suspending the rules 11 times in one meeting. He said that we have three readings to give the public a chance to hear what council is discussing, comment, and have an opportunity for a referendum. Mr. Geraci says that the residents have spoken about this topic on many occasions and it is clear that they are in support of the repairs.

On motion by Mr. DiNardo, seconded by Mr. Kelsch, it was moved to suspend the rules and have all three readings of the ordinance. Roll was called. All members present voted yes. Motion passed. The Clerk did all three readings of the ordinance. On motion by Mr. Geraci, seconded by Mr. DiNardo, it was moved to pass the ordinance. Roll was called. All members present voted yes. Motion passed.

6) ORDINANCE APPROVING THE THIRD AMENDMENT TO THE DETAILED FINANCIAL PLAN FOR THE CITY OF NORWOOD, AND DECLARING AN EMERGENCY

On motion by Mr. DiNardo, seconded by Mr. Bonsall, it was moved to suspend the rules and have all three readings of the ordinance. Mr. Bonsall believes that the suspension of rules has been necessary in the consideration of the ordinances thus far. The emergency clause also allows an ordinance to take effect immediately so that means that this can be ready for the FRP commission meeting. He thinks

this ordinance puts us on a good path and it should be approved. Mr. DiNardo echoed Mr. Bonsall. He noted that residents have reached out to him and appeared to approve of the plan. Mr. Kelsch commended the people who worked hard on the FRP. Mr. Geraci would love to have separate readings on this one but recognizes the time constraint. Mr. Breadon noted that lots of time was put into the plan. Mr. Bonsall noted it was better to do all three readings at one time and not drag out extra meetings or do a reading before the plan was finalized. He asked the Auditor for his thoughts. The Auditor noted that page 20 is the real bottom line. He notes that the city will have a cushion at the end of the year to help with the economic woes we are currently experiencing. He is working on the 2021 plan now and it will have to be passed it by the 26<sup>th</sup> so it can go to the commission for approval. This plan was written completely by council and city offices. This is totally the city's plan. In the first plan the city had no input. For the second plan the city had a little input. This time we wrote the plan and then worked with the commission to make sure it met their guidelines. This is key to be able to get out of fiscal emergency. Breadon asked if mayor had any other thoughts. The Mayor said he totally echoed the Auditor. He said that the auditor did a ton of work along with the commission.

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

**7) ORDINANCE AUTHORIZING THE ADOPTION OF AN ALTERNATIVE METHOD OF APPORTIONING THE LOCAL GOVERNMENT FUND**

On motion by Mr. DiNardo, seconded by Mr. Bonsall, it was moved to have the first reading of this ordinance. Mr. Bonsall asked for thoughts from auditor. The Auditor says that this had to do with sales taxes. Every 8 years the state determines how much of that money the city is apportioned. The majority of the cities in an area must vote to allow the budget commission of Hamilton County to apportion the money. We must decide if we support that before 4/30. The exhibit to the ordinance shows how decision is made and what money the local cities got from the fund in the last few years. Mr. Geraci asked if the exhibit showed what was received each year or during the period of the last few years. The auditor advised that in his reports you can find what we have gotten yearly. You can track what was received each year by visiting the Auditor's website. Roll was called. All members voted yes. Motion passed. The Clerk did the first reading.

**8) ORDINANCE CONSENTING TO THE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) REGARDING THE UPGRADE OF THE TRAFFIC SIGNAL AT MONTGOMERY ROAD AT MILLS AVENUE BY INSTALLING AUDIBLE PEDESTRIAN BUTTONS, ETC. AND ACCEPTING MAINTENANCE OF THESE UPGRADES, AND DECLARING AN EMERGENCY**

Mr. Bonsall asked the mayor what makes this issue an emergency. Mayor stated that this has been done at one intersection already for a visually impaired resident. The city is responsible for maintenance of that system even though Ohio Department of Transportation (ODOT) did the original installation. This new one is needed for the same resident as he gets off the bus there and has had some near misses. The Mayor considers this to be an ordinance that puts us in good standing with ODOT. The city is currently working with ODOT on many projects which will help the city. On motion by Mr. Geraci, seconded by Mr. Thompson, it was moved to suspend the rules and have all three readings of the ordinance. Roll was called. All members present voted yes. Motion passed. The Clerk did all three readings.

On motion by Mr. Bonsall, seconded by Mr. Kelsch, it was moved to pass this ordinance. Mr. Bonsall suggested that it may be a good idea for ODOT to install a button to activate the sound so it only plays when necessary. Roll was called. All members present voted yes. Ordinance passed.

**9) ORDINANCE TO CHANGE APPROPRIATIONS FOR THE YEAR 2020, AND DECLARING AN EMERGENCY**

On motion by Mr. Bonsall, seconded by Mr. DiNardo, it was moved to suspend the rules and have all three readings. Mr. Bonsall suggested passing the ordinance since we may not be able to have more readings later if some members contract the virus. With this ordinance it allows the mayor to start hiring people like a full-time health commissioner as soon as the FRP is approved by the commission. Mr. Bonsall recommends that all three readings be done. Mr. DiNardo echoed Mr. Bonsall. Roll was called. All members present voted yes. Motion passed. The Clerk did all three readings. On motion by Mr. Geraci, seconded by Mr. DiNardo, it was moved to pass the ordinance. Roll was called. All members present voted yes. Ordinance passed.

**10) ORDINANCE EXTENDING THE FILING DATE OF ANNUAL RETURNS TO TAX YEAR 2019 REQUIRED UNDER THE NORWOOD TAX CODED, NORWOOD CODIFIED ORDINANCE SECTIONS 182.05(G), TO JULY 15, 2020 AND DECLARING AND EMERGENCY**

On motion by Mr. Bonsall, seconded by Mr. Breadon, it was moved to suspend the rules and have all three readings of the ordinance. Mr. Bonsall stated that the ordinance was requested by the city treasurer since the federal government has extended their tax return deadline date. The ordinance must be passed before 4/15 to avoid confusion for citizens and to make sure there are no late fees levied. Roll was called. All members present voted yes. Motion passed. The Clerk did all three readings. On motion by Mr. Geraci, seconded by Mr. Kelsch, it was moved to pass the ordinance. Roll was called. All members present voted yes. Ordinance passed.

#### **11) ORDINANCE ADJUSTING CERTAIN SALARY RANGES**

On motion by Mr. Kelsch, seconded by Mr. Geraci, it was moved to suspend the rules and have all three readings of the ordinance. Mr. Thompson asked if there had been any changes since the last discussion of the issue. The Mayor said yes, it take effect after the FRP has been approved by the commission. Roll was called. All members present, except Mr. Breadon, voted yes. Mr. Breadon voted no. The Clerk did all three readings. On motion by Mr. Kelsch, seconded by Mr. DiNardo. Mr. Bonsall noted that the numbers in the ordinance are included in the FRP. He went on to note that these positions haven't had raises since 2009. These are non-union employees. He supports the ordinance and is glad to finally be able to make a difference for these employees. Mr. Geraci says he has same objections to parts of the ordinance, but thinks that in order to get us moving as a city and getting us out of the hole we are in, this is important. He wants to make sure that people are put in place to do a better job in the future. Mr. Kelsch thinks that we will have a better Norwood by passing this. Roll was called all members present voted yes except for Mr. Breadon. Mr. Breadon voted no. Ordinance passed.

#### **M) ADMINISTRATION REPORTS**

None

#### **N) OTHER REQUESTS TO ADDRESS COUNCIL**

None

#### **O) UNFINISHED BUSINESS**

Mr. DiNardo asked about the Cappies topic since we may not meet again for a bit. Mr. Geraci noted that the owner of Cappie's hasn't reached out to him. Mr. Kelsch said that owner did reach out to him to go over some plans. Mr. Bonsall has been in contact with owner also. Mr. Bonsall thinks that the owner has made significant progress and he would be fine voting for the trex transfer today. He thinks it is time to move forward. Mr. Breadon agrees with Mr. Bonsall and has heard that the trex transfer is inevitable anyway. Mr. Breadon asked if we need to vote on it. He asked the Law Director what we would need to do. The Law Director said that someone would need to motion to approve the trex transfer. Mr. Kelsch doesn't want to vote tonight but allow the owner the opportunity to reach out to all members of council and fulfill the agreement that council has with him. Mr. DiNardo said he would be comfortable voting as well and suggested he reach out to the owner and give him a deadline of 4/15 to reach out to council members. Mr. Kelsch agreed with that.

Mr. Geraci asked the Mayor if there was progress on communication with Southern Ohio Regional Transit Authority (SORTA) about the Montgomery road property. The Mayor advised that they have contacted SORTA and await response.

Mr. Breadon made a motion to vote to allow the trex transfer. There was no second. Motion fails.

#### **P) NEW BUSINESS**

Mr. Gabbard thanked Norwood city schools for allowing us to meet in the gym. He also thanked Norwood Public TV, the Clerk and Assistant to Clerk for making the change happen. He thanked all city employees and departments for doing what is needed to keep city functioning. Mr. Gabbard has been laid off but understands that there are people who are worse off than him. Its times like this that make us understand how good we have it. Mr. Geraci thanked the mayor for ensuring that non-essential city employees are still getting a paycheck. Mr. Kelsch thanked the mayor for making sure that information is being disseminated. He has encouraged his ward to contact him if they need anything and encouraged other council members to do the same. Mr. Geraci publicly thanked public works for their work on the lateral.

Mr. Bonsall announced that the state highway clean up set for 4/4 won't be able to happen but they are looking at new dates in the fall.

Mr. Thompson recognized schools and school teachers for their work with the kids even though they are out. The schools are still providing meals and he feels lucky that our schools are able to do that.

Mr. DiNardo asked about how council will be moving forward with electronic instead of paper council packages. The Clerk indicated that packages will be emailed and we will have full packages available at meetings for anyone who asked but otherwise only copies of ordinances will be available in paper form at meetings. Bonsall suggested a use of a drop box. The Clerk doesn't think that drop box will work due to

storage constraints but possibly google docs so that old meeting materials can be available. The Clerk advised that the goal is still to have them available on the council website and the clerk's office is working with the web company to get that done.

On motion by Mr. Bonsall, seconded by Mr. DiNardo, it was motioned that the council give the mayor and president discretion to cancel council meetings in April. Mr. Geraci believes that council should continue to work to keep the business of the city moving. The President asked the Law Director. He doesn't think technically but if there is an agenda with nothing on it and no one appears then so be it. He noted that there is a public meeting at the second meeting in April to keep in mind. Mr. Bonsall said that meetings have been cancelled before and he thinks that our rules set up how often we meet, not the Ohio Revised Code. Council not required for city to function. The motion was amended to just the first meeting in April due to the public hearing. Mr. DiNardo confirmed that the motion was that the mayor or president had authority to cancel but not necessarily to cancel. Mr. Bonsall decided not to amend his motion. The Clerk noted that we can send out new notices for the public hearings. Mr. Bonsall withdrew his motion and Mr. DiNardo withdrew his also. On motion by Mr. Bonsall, seconded by Mr. DiNardo, it was motioned to cancel the first meeting in April with the understanding that the president/mayor or 3 council members can call a special meeting. Mr. Geraci doesn't think it is a good idea. Mr. Kelsch noted it is a precautionary measure. Roll was called. All members present except Mr. Geraci voted yes. Mr. Geraci voted no. Motion passed.

**Q) COMMUNICATIONS**

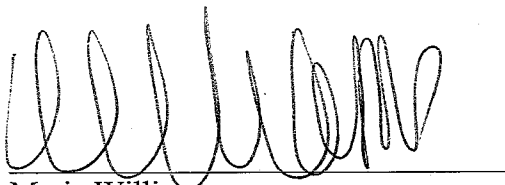
The Clerk read a letter from the Mayor about appointment of Clint Zimmerman as Superintendent of Public Works. On motion by Mr. Gabbard, seconded by Mr. Kelsch, it was moved to receive and file the letter and approve the appointment. Mr. Gabbard said that Mr. Zimmerman has done an amazing job and deserves the position. Mr. Kelsch agreed and thinks that the city is getting a good deal on salary. Mr. Bonsall noted that Mr. Zimmerman's experience is important and valuable to the city. Roll was called. All members present voted yes. Motion passed.

**R) EXCUSE ABSENT MEMBERS**

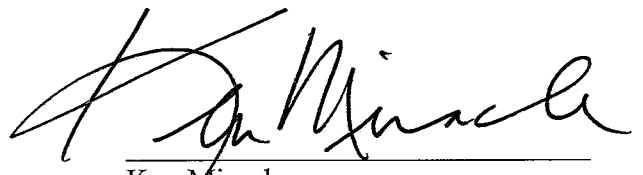
All members present

**S) ADJOURNMENT**

On motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to adjourn the meeting. Roll was called. All members present voted yes. Motion passed.



Maria Williams  
Clerk of Council



Ken Miracle  
President of Council