



NORWOOD CITY COUNCIL

Norwood Community Center

September 8, 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.

E) AMENDMENT OF AGENDA

The President noted amendments needed to the agenda as follows: Adding a change to the standing rules of council as item G; swapping out Item K1 as a new intersection needed to be added to the ordinance; swapping out item K2; swapping out item K7, adding an ordinance as item K8; and moving item L1 to item P3. On motion by Mr. Geraci, seconded by Mr. Bonsall, it was moved to amend the agenda as the President stated and to remove item K2 as there are edits which need to be made. Roll was called. All members present voted yes. Motion passed.

F) MINUTES OF PREVIOUS MEETING

City Council Meeting Minutes from July 14, 2020 & July 28, 2020's Special Meeting. On Motion by Mr. Dinardo, seconded by Mr. Breadon, it was moved to receive and file these minutes as read. Roll was called. All members present voted yes. Motion passed.

G) Change to rules of council

On motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to change the standing rules of council as presented, to amend the agenda to have all requests to address council be heard under item H and to remove any later requests to address council items. Mr. Bonsall noted that the change was made so that all requests to address council to be at the front of the meeting. Roll was called. All members present voted yes. Motion passed.

H) REQUEST TO ADDRESS COUNCIL

1. Robin Cox who lives at 4211 Forest spoke regarding being pro-mural. She says that even the most residential of areas of Norwood are close to commercial areas. Empty corner stores are unlikely to be bought and used by large developers but if council allows the businesses to beautify the property, they might.
2. Elizabeth Hatchett who lives at 1757 Weyer Avenue spoke about the property that she and her husband have been renovating. She does care about her neighbor's concerns. She discussed a letter from a former council member that quoted a comment online about a "planned mural". She stated that there was no planned mural at the time that they advised their neighbors of their plans to improve the property. Their desire to live with their neighbors in peace is more important than any plans they have for the property. She only commented on facebook posts to clarify their intentions regarding a mural. They support the legalization of murals but no plans on doing one on their property if it is an issue with their neighbors. Asks for the rumors online to be stopped. She commented on the statements made by Mr. Geraci, Mr. Kelsch and Mr. Breadon at the last meeting saying that the comments by the first two were damaging and thanked the third.
3. Kate Hand who lives at 2269 Adams Avenue came to speak about approving the ordinance regarding murals on commercial buildings. Notes that she understands that council members work hard and love Norwood. Asks for them to be open to new ideas and policies. Sees it as their job to govern out of hope and trust of the residents and not fear. There is always the possibility of good things that they do coming to an end but they do them anyway out of love for Norwood. Passing the mural on commercial building would be a good step forward.
4. Jason Provins of 4113 Floral addressed the council to discuss murals. His wife suggested that a man's voice is needed on the mural issue. Originally he wasn't sure he was for murals but then

"Gem of the Highlands"

noted that art can make a difference and change an environment to make it positive. He mentioned New York playing classical music in high crime areas. Crime went down.

5. Amanda McLaughlin who lives at 1741 Mills Avenue spoke to note that she supports beautiful murals and finds them to be beneficial to the neighborhood
6. Diane Douglas who lives at 2314 Madison Avenue spoke to support murals in the city. Art adds vibrancy to a community and shows that people care. Believes that Norwood deserves good things.
7. Taylor Provins who lives at 4113 asks that council be thoughtful in their consideration of the mural issue.
8. Mr. Hof has a business and owns property in Norwood. He supports murals in general. He hoped to paint one on the wall of his building facing the post office in hopes of beautifying the wall.
9. Stacha Yundt who lives at 5143 Rolston spoke in support of Ordinance A (murals). She has lived in Norwood her entire life other than college. Art can beautify a neighborhood and really benefit. It can serve to tell history and honor our collective heritage. Seconds Ms. Hand that there is always a risk in doing new things but it is worth the risk. Ward 4 could really use a little color.
10. Juli Thompson lives at 4228 Ivanhoe Avenue and came to speak about murals. She has lived in Norwood for 17 years. She is an artist and supports murals. She is happy that Norwood is at this stage because she knows that change is hard. She values the idea of council listening to residents and what they say.
11. Hannah Roberts Gifford lives at 5106 Carhage Avenue and came to talk about murals and the nuisance ordinances. People argue about content of a mural saying that residents may not like the content of a residential mural. She gave a list of reasons why problematic content in a residential mural is very unlikely. Murals were not illegal until a few years ago and the rest of Cincinnati has a much more open ordinance regarding murals. Cincinnati has also seen a positive economic impact due to murals.
12. Vicki Garry of 2242 Cameron Avenue spoke regarding the mural ordinances. She supports ordinance A being passed but says that there are some things that should be changed before passing. The definition of a mural is defective. She thinks that the ordinance must be narrowly focused because it is affecting a first amendment right. City needs to look at safety and aesthetics.
13. Emily Franzen of 4207 Forest Avenue spoke in support of murals. Most people have discussed what she wanted to say and that it would be wasteful to have to paint over the basketball court mural.
14. Meg Albers of 1810 Hopkins spoke regarding comments made at the last meeting. She found comments insulting. They did another petition against murals and gave it Mr. Bonsall. He showed it to neighbors. She thinks it may be legal if a public records request was made but that it was unethical. She asked for Mr. Bonsall to prove that neighbors he showed the petition did a public records request. She has been called many names and by people who are in many special interest groups. The issue was made much bigger than it needed to be by the pro-muralists. Many people who don't want murals don't want to say anything due to the bullying people online.
15. Pastor Sonny James of 1830 Hopkins Avenue spoke about the community. It is nice to see a variety of voices on topics. He likes to see a community come together to advance a topic. At the last meeting Mr. Bonsall complained about him speaking for himself and a neighbor. No one stood up for him. He had an issue at a committee meeting but noted that the chair person spoke to him after and asked for suggestion on how to do better. Hopes that the residents can support each other and not just their own agendas.
16. Amy Wolfmarger of 5406 Carhage Avenue spoke regarding the nuisance ordinance. She asked that the nuisance ordinance not have all three readings in one meeting or have it passed as an emergency. Everyone will be affected by the ordinance which covers a lot and it will take time to get through. She believes it will backfire on tenants due to changes by landlords. She has questions regarding how the ordinance will be applied. She has specific questions about cannabis and how it will relate to the application of the ordinance. Too many unknowns that are up for interpretation that can lead to disaster.
17. Alana Johnson lives at 3747 Elsmere Avenue and came to speak about murals and neighbors. She did the first mural in Norwood on Jefferson. The property was sold with the mural on it. She has had many neighbors and there were lots of things they had on their properties that she didn't like but she loved the neighbors. She thinks the issue is one of community and not the murals. She welcomes new ideas and all people.

1) **REPORTS OF STANDING COMMITTEES OF COUNCIL**

- 1) Finance, Budget & Audit Committee Report
Mr. DiNardo read the report. The committee did the budget review, heard a comment from a resident regarding economic inclusion and reviewed a suggestion to do the budget. On motion by Mr. Breadon,

seconded by Mr. Bonsall, it was moved to receive and file the report. Roll was called. All members present voted yes. Motion passed.

2) Committee of the Whole Report

President gave the report. Committee reviewed the personnel policy manual and how it would affect benefits of city employees. Consensus was to have 2 ordinances written – 1 for policy and 1 for grandfathering in certain employees. On motion by Mr. DiNardo, seconded by Mr. Thompson, it was moved to receive and file the report. Roll was called. All members present voted yes. Motion passed.

3) Economic Development Committee Report- 8.20.20

Mr. Gabbard gave the report. PLK gave a presentation regarding development. On motion by Mr. DiNardo, seconded by Mr. Thompson, it was moved to receive and file the report. Roll was called. All members present voted yes. Motion passed.

4) Economic Development Committee Report – 9.2.20.

Mr. Gabbard gave report 9/2/20 meeting. Murals referred. Committee sending 2 ordinances to law department to be drafted regarding murals. On motion by Mr. Thompson, seconded by Mr. DiNardo, it was moved to receive and file the report. Roll was called. All members present voted yes. Motion passed. Mr. Thompson noted he signed the wrong report. He wasn't at the 8/20 meeting. Bonsall moved to receive as amended. Seconded by Mr. Thompson. Roll was called. All members present voted yes. Motion passed.

5) Housing, Health & Public Safety Committee Report

Mr. Geraci gave report for the committee to whom was referred chronic nuisance ordinance. Final draft discussed and to be sent out to council and law/department after much public input. On motion by Mr. Bonsall, seconded by Mr. DiNardo, it was moved to receive and file the report. Roll was called. All members present voted yes. Motion passed.

J) THIRD READING OF ORDINANCES/RESOLUTION

None

K) SECOND READING OF ORDINANCES/RESOLUTIONS

1) 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 second reading of the resolution. Roll was called. All members present voted yes. Motion passed. The Clerk did the second reading.

L) INTRODUCTORY READINGS OF ORDINANCES/RESOLUTIONS

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

Mr. Bonsall asked if it was an emergency and asked for clarification from administration. Mayor said it is and necessary for a blind resident. One has been done at a different intersection but these two should be done quickly to make sure to keep citizens safe. There is also a monitor to increase the volume of the sound when the traffic is loud only. On motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to suspended 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. Gabbard, seconded by Mr. Breadon, it was moved to pass the ordinance. Roll was called. All members present voted yes. Motion passed.

2) ORDINANCE ENACTING NEW CHAPTER 567 OF THE NORWOOD CODIFIED ORDINANCES ENTITLED "CHRONIC NUISANCES" AND DECLARING AN EMERGENCY

Removed from the Agenda

3) ORDINANCE ESTABLISHING THE NORWOOD ARTS BOARD

On motion by Mr. Gabbard, seconded by Mr. Breadon, it was moved refer ordinances at L3, L4 and L5 into the economic development committee for further review. Mr. Bonsall asked if there was something that council can do today so that the council can make some headway on the issue. The Law Director noted that there are some issues with the ordinances that should be reviewed. Mr. Geraci believes that council should take its time on this issue especially when other ordinances have been discussed much more deeply before being introduced to council. Roll was called. All members voted yes. Motion passed.

4) ORDINANCE AMENDING CHAPTER 1321 OF THE NORWOOD CODIFIED ORDINANCES TO ALLOW MURALS IN CERTAIN AREAS OF THE CITY OF NORWOOD (A)

Referred to committee

5) ORDINANCE AMENDING CHAPTER 1321 OF THE NORWOOD CODIFIED ORDINANCES TO ALLOW MURALS IN CERTAIN AREAS OF THE CITY OF NORWOOD (B)

Referred to committee

6) ORDINANCE AMENDING DESIGNATED LOCATIONS WITHIN THE CITY OF NORWOOD FOR THE POSTING OF ORDINANCES, RESOLUTIONS, STATEMENTS, ORDERS, PROCLAMATIONS, NOTICES AND REPORTS REQUIRED BY LAW, AND DELCARING AN EMERGENCY

On motion by Mr. Thompson, seconded by Mr. DiNardo, it was moved to suspend the rules, have all three readings and do the first reading in its entirety. Mr. Thompson stated that he was glad that digital options are being added as it is easier for our residents. Roll was called. All members present voted yes. Motion passed. The Clerk did all three readings. On motion by Mr. Thompson, seconded by Mr. DiNardo, it was moved to pass the ordinance. Roll was called. All members present voted yes. Motion passed.

7) ORDINANCE ADOPTING THE PERSONNEL POLICY AND PROCEDURE MANUAL OF THE CITY OF NORWOOD, OHIO AND DECLARING AN EMERGENCY

On motion by Mr. DiNardo, seconded by Mr. Kelsch, it was moved to suspend the rules and have all three readings of the ordinance. Mr. Bonsall noted that he had pointed out typographical errors in the manual and he asked if those were corrected. The Mayor said that yes those would be done which is allowed for in the policy. Mr. Bonsall asked if council would be approving all changes to the policies. The Mayor said only if there was a large budgetary concern but minor policy changes are not going to be brought to council. Mr. Bonsall asked why then they have to approve the policy manual as an ordinance at all. The Law Director said that parts of the policy have the force of law so then the council needs to approve the manual. Administrative items won't need to come to council unless administration decided to bring it for some reason. Mr. Bonsall thinks that the manual needs more consideration. Roll was called. All members present except for Mr. Geraci, seconded by Mr. DiNardo, it was moved to pass the ordinance. Roll was called. All members present except for Mr. Bonsall voted yes. Motion passed.

8) ORDINANCE MAKING A SPECIAL EXCEPTION FOR ALL FULL-TIME UNCLASSIFIED APPOINTED EMPLOYEES WITH MORE THAN FOUR YEARS OF CONTINUOUS SERVICE TO THE CITY OF NORWOOD, FOR UNUSED SICK LEAVE BENEFITS

On motion by Mr. DiNardo, seconded by Mr. Gabbard, it was moved to suspend the rules and have all three readings of the ordinance. Mr. DiNardo noted that the city worked with the attorneys to put together an HR policy manual. Some changes made would affect some people negatively. This was discussed at the committee of the whole and there were 4 people whom the council wanted to be fair to regarding these changes. They were advised by the lawyers that this should be done as a separate ordinance to address the fairness for 4 employees. Voting on vacation and some other benefits council felt would be best served as grandfathering in for those folks. Mr. Thompson asked if this ordinance only covers unused sick leave. He thought that the ordinance was supposed to protect a wider range of benefits. The Law Director said that there were differing ideas of what the ordinance was supposed to say but thinks that this ordinance is acceptable and covers what was being requested by the council through the committee of the whole meeting and supported by the administration. Mr. Thompson asked if the 4 people affected are ok with it. The Law Director said that Mr. Garry is ok and he believes the others are too. Mr. Geraci thought that there was only one person affected. Mr. Gabbard noted that the Mayor suggested that this policy change be spread to anyone with more than 4 years of service. That makes it 4 people. Mr. Bonsall says he thinks it is more than 4 people but that doesn't really matter since the rule is 4 years. Roll was called. All members present except for Mr. Geraci and Mr. Breadon voted yes. Motion failed.

On motion by Mr. Bonsall, seconded by Ms. Thompson, it was moved to have the first reading of the ordinance. Mr. Bonsall noted that we can do the first reading or they can ask for the law department to take off the emergency clause since at least 6 people need to vote yes to get it passed. Roll was called. All members except for Mr. Geraci and Mr. Breadon voted yes. Motion passed. The Clerk did the first reading.

M) ADMINISTRATION REPORTS

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Mayor gave his report. There are street bids out to get projects done in spring time. The city got money for Montgomery road improvements through grants. About 100K. The city should be able to make changes to improve road and it would be nice to do before winter sets in. The Police station has been painted and they have gotten good feedback. Software upgrades are being done in the water department.

Mayor Schneider read the Proclamation "Prostate Cancer Awareness and Education Month" here instead of in the communications. Mr. Bonsall asked for him to finish it in entirety so that council can receive and file. On motion by Mr. DiNardo, seconded by Mr. Breadon, it was moved to accept and file the letter with the Mayor's proclamation. Roll was called. All members present voted yes. Motion passed.

N) UNFINISHED BUSINESS

O) NEW BUSINESS

Mr. Gabbard noted that Ken Black from Adspouse was in the audience to give a presentation. Mr. Black addressed council. Adspouse does the bus advertising for TANK Cincinnati. He has digital and static signs that could be put where there is a high density of traffic. Once signs are paid for then the city gets 50% of income. They can be used for communication with the public also. They have LED and solar signs that are back lit and the size of bus shelter. They pay for signs and installation (about 1 million). They believe that there would be about half a million of revenue a year meaning that after about 2 years the city would get about a quarter of a million. Mr. DiNardo asked about the sales projections to see if they were done in similar kinds of neighborhoods. Mr. Black said that they look at about 60% sell through rate based upon their experiences in other cities. Mr. Thompson asked if there were some photos that could be sent. Mr. Black said he could send his presentation. Mr. Gabbard said he would like to place Adspouse into economic development.

Mr. Gabbard asked for ordinances L3, L4 and L5 to be put into the economic development committee.

Mr. Gabbard called an economic development meeting for 9/15 at 7:30 at the community center.

Mr. Kelsch asked to move the parks and recreation committee meeting to 9/15 at 6:30 at community center.

Mr. Breadon stated that there were 2 tragic deaths in Norwood. He encouraged people to reach out if they need help. He knows that there are community members that want to help the child who is now without parents.

Another committee of the whole meeting will be scheduled in early October but no date yet per the president. He is going to invite Pastor Sonny James to explain his 13 point plan to see if there can be any action items out of that.

Mr. Gabbard encouraged Mr. Breadon to do a streets and infrastructure meeting re: traffic calming.

P) COMMUNICATIONS

1. Letter from the Mayor

RE: Mayor's Court Fines

The Clerk read the letter from the Mayor regarding the Mayor's Court fines. On motion by Mr. Bonsall seconded by Mr. Thompson, it was moved to receive and file the letter. Roll was called. All members present voted yes. Motion passed.

2. Letter from the Auditor's office

RE: August Monthly Financial Report

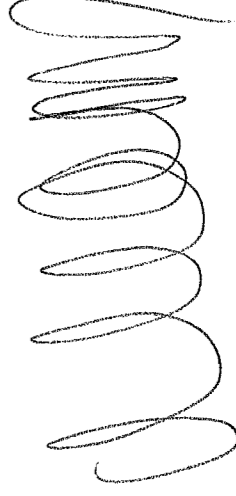
The Clerk read the letter from the Auditor regarding the monthly financial reports. On motion by Mr. Bonsall seconded by Mr. Thompson, it was moved to receive and file the letter. Roll was called. All members present voted yes. Motion passed.

Q) EXCUSE ABSENT MEMBER/S

None

R) ADJOURNMENT

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



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