



**NORWOOD CITY COUNCIL**  
**Norwood High School Gym**  
**2020 Sherman Ave**  
**Norwood, OH 45212**  
**June 9, 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, Mr. Breadon. All council members present.

**E) AMENDMENT OF AGENDA**

The President noted amendments needed to the agenda as follows – The ordinance at L3 is being replaced with the correct copy of the ordinance; need to remove ordinance at L4 completely; need to change the date on ordinance at L5; adding the economic development committee report; adding to the communications section a letter from Mayor Schneider and a letter from the Auditor's office; adding a report from Police Chief Kramer as H, allowing a resident to address the counsel committee reports instead of at item Q3.

On motion by Mr. Breadon, seconded by Mr. Gabbard, it was moved to amend the agenda as stated. Roll was called. All members present voted yes. Motion passed.

**F) MINUTES OF PREVIOUS MEETING**

a. Minutes from the 4/28/2020 meeting.

On motion by Mr. Breadon, seconded by Mr. DiNardo, it was moved to approve and file the minutes from the 4/28/20 meeting. Roll was called. All members present voted yes. Motion passed.

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

Pastor Sonny James who lives at 1830 Hopkins Avenue addressed Council. He stated that it is one thing to say that things need to change but another to make everyone feel included. Many people are grieving and it is a people thing. He encouraged people not to leave out those who can tell you what it is like to feel alienated. He gave an example – when you are addressing a “black” issue and you see a room full of black persons and don’t talk to them, anything that you say feels disingenuous. He believes our community is moving in a good direction and pleased with changes being made but he sees the same arrogance. Be real about changing things don’t just talk about it. People are looking at council so he would like the council to be real and come together in love and transparency and say hello.

**H) REPORT FROM NORWOOD POLICE CHIEF KRAMER**

Chief Kramer addressed Council regarding the practices of the police in Norwood. He understands that the events in Minneapolis has precipitated this and doesn’t know any police officer that was not disgusted.

He described practices that the Norwood Police Department has for building relationships in the community – they do events like first responders night or shop with a cop.

He described the system for reviewing and coaching officers with checkered pasts. – they do. They have software program they have used since 2013 called guardian tracking. They enter all information on officer good and bad like use of force, tardiness, policy violations, at fault accidents. After a certain number there is flag. This is an early warning system so that they can review and determine if there is a problem or not with this officer.

He discussed the extent to which officers train on diversity and deescalation. Not all officers have been through deescalation training but some have. They have sent officers to verbal judo which is basically the same thing. They do training with their officers to help them go through scenarios to make sure they end peacefully. In 2018 there were 8 uses of force but more than 25K citizen encounters. **So far this year**

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there has been 5. The average is normally 12-15. OPADA gave diversity and inclusion training in 2018 and most officers went through that. Norwood complies with OPADA officer standards and do require training beyond even that.

Chief Kramer advised as to the body camera policy. if there are cameras available they have all patrol officers use them. There are generally not enough for detail officers. If there is an encounter with a citizen the camera should be on. Sometimes officers do forget and he doesn't want an officer to risk themselves to turn it on but they should be turning it on. Once detective or detective supervisor comes on scene they may ask for the camera to be turned off so they can discuss the matter. Random review of 3 hours of footage is done.. If it isn't flagged for use then it is deleted after 90 days. Officers can review the footage when they are doing their reports to help with their recollection. They have used it a number of times to resolve complaints.

If citizens want to help, he encourages them to get involved if they can. He understands it is hard and if you have time there is opportunity. He encouraged ride alongs. They do background check before but great to see what they do.

Mr. Bonsall asked about the racial makeup of police force and efforts to diversify. Chief Kramer noted that there are 40 white males, 5 white females, 1 asian and 1 hispanic. In past they have gone to predominately African American college career fairs. It hard to get good officers right now.

Mr. Bonsall then asked if officers are required to deescalate before using force? Chief advised that they train officers to use the least amount of force necessary. Once a person stops resisting then force stops.

Mr. Bonsall asked if Norwood prohibits officers from using chokeholds or strangling? Chief Kramer said that the policy does not specifically prohibit but it is not included in their training. They train not to put pressure on upper torso and not to put force on neck

Mr. Bonsall asked if Norwood requires officers to intervene and stop excessive force by another officer and to report. Chief advised that they do have a policy for officers to intercede to prevent excessive use of force and report to supervisor.

Mr. Bonsall asked if Norwood prohibits officers from shooting at moving vehicles. The Chief answered that they have policy regarding shooting at or from moving vehicle. Officers will only shoot if danger of not doing so is greater than doing it

Mr. Bonsall advised that he thinks that a policy to restrict choke holds could be helpful. Recommends that public safety committee discuss topic more.

Mr. Geraci advised that training regarding to choke hold, neck etc in Ohio goes into detail about no choke hold, stay away from neck and back. Ohio training also goes over force continuum. Mr. Geraci wants residents to know that these things are beaten into officers heads in the academy, i.e stay away from vital areas. Officers are trained probably the best in Ohio. We have the most strict hours and training requirements.

Mr. Gabbard commented that there is always room for improvement especially in the area of diversity. He hopes that we are making sure we are reaching out to different sections of the community. He then asked Chief Kramer if officers have an avenue to report any type of abuse without ramifications against themselves. Chief said officers are required to report. He doesn't believe that they would have a problem if an officer reported excessive force to supervisor. By reporting you are doing yourself and them a favor.

Mr. Gabbard also asked if Norwood has any type of avenue where officers can seek mental health help. Chief believes that insurance has mental health coverage. Additionally there is a public assistance employee program available at No charge.

Mr. Thompson asked Chief Kramer is the city needs to purchase more body cameras? The Chief said yes.

As for a choke hold policy, Mr. Thompson understands that police are trained not to use a choke hold but thinks we need to have a policy since it is important. He would like to diversity training be made mandatory. Chief said he spoke with the Mayor and the Mayor said he would like to see that happen.

Mr. Thompson asked if race is noted when arrests are made. Chief said yes. Mr. Thompson asked if they can get statistics based upon race. Chief is trying to get that. Thompson thinks we can use that information to see if there is an issue.

Mr. Geraci believes that there is a training and so the city doesn't need a policy to tell police that something is wrong.

Mr. Gabbard noted that making a policy on the matter makes it easier to dismiss a person and protect city from litigation. He asked chief if he would consider putting together such a policy. Chief said they spoke about it today. He is not opposed to it but wants to make sure officers can do what they need to go home at the end of the day.

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Mr. Kelsch asked if there are any plans to increase diversity in hiring is planned for the future? The Chief said not right now. They have plan they used in the past.

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

##### **1) Parks, Recreations & Public Spaces Committee Report**

Mr. Kelsch read the report. The committee heard from Donna Laake representing ASAP Norwood. They discussed an online survey for park design choices. The committee is doing a park audit completed by volunteers reviewing quality of the parks. Results will be compiled and parks ranked to make a priority list. They heard from John Moore about a pocket park and reviewed bids for city projects. Plans to dedicate a park to Lisa Tanner were presented. The committee got 1k from the Norwood Fire Department as a donation for the park. Mulch was delivered to parks for new equipment.

On motion by Mr. DiNardo, seconded by Mr. Thomspson, it was moved to receive and file the committee report. Roll was called. All members present voted yes. Motion passed.

##### **2) Economic Development Committee Report**

Report read by Mr. Gabbard. Murals were referred to committee. They heard from law department and residents and asked for an ordinance to be drafted to approve murals and then committee can reconvene to discuss further.

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

#### **J) COMMUNICATION FROM NORWOOD TOGETHER**

Mary C. Miller addressed council. She is from Norwood Together. She handed out description of the grant that Norwood Together helped to get approved for the city. One of the main goals for Norwood together was to write a plan for redevelopment of Montgomery road. The group met with the Mayor and representatives for Hamilton county. Due to Covid 19 the preapplication was skipped and the grant request went right to approved. The grant is for 30k. Money will go to Hamilton county and then the county will help Norwood Together to accomplish the plan. Norwood together wants a diverse destination city where everyone is welcome. They want to pull together stakeholders on Montgomery road from lateral to Dana Avenue. The Plan is to address that area. She went over 5 main goals. This needs to be finished by June of 21. Norwood Together is donating in kind contributions estimated at 10K.

Mr. Geraci asked if Norwood Together would be going through council for projects? He was concerned that public lands would be used for projects. Mary said that the plan belongs to city, they are just running it. There is memo of understanding that Norwood Together is working for city. They wrote grant but city previewed it. He asked why the plan was for the south end of Montgomery. Ms. Miller said that is where there is the most need, it is the most visible and it is an economic development area.

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.

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

None.

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

None.

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

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

On motion by Mr. DiNardo, seconded by Mr. Bonsall, it was moved to suspend the rules and do all three readings of the ordinance. Roll was called. All members present voted yes. Motion passed. Mr. DiNardo noted that the main thing being done with this ordinance is the movement of 90 k from recreation contractual services to repair or replace 24 year old ladder truck with catastrophic engine failure. If the old truck was fixed it would cost 50K, it would be out of service for 3 months, and still would have to retire at the end of the year. The second option is to purchase 10 year old truck for 80K from Cincinnati. The city is unlikely to use that money from recreation due to covid issues. Mr. Bonsall said that the changes make sense and will be voting yes.

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

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2) ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE OR THE MAYOR TO ENTER INTO A CONTRACT WITH THE CITY OF CINCINNATI TO PURCHASE A 2009 ROSENBAUER LADDER FIRE TRUCK AND DECLARING AN EMERGENCY

On motion by Mr. Bonsall, seconded by Mr. Breadon, it was moved to suspend the rules and have all three readings of the pass ordinance.

President of Council asked for Chief McCabe to speak. On May 22 ladder truck went out of service with catastrophic engine failure. The city got quotes and then he spoke to Safety Service Director. They believe that fixing the truck would be poor use of taxpayer's dollars. 25 years is the mandatory retirement age for fire trucks. This "new" truck is for sale because it doesn't fit into most of firehouses but it will serve our city's needs. It is a stop gap. We will recoup some money when we make a trade. The Trade-in value is between 30-40k at 2 year mark. With financial recovery plan there is a ladder truck included that city should get in 2022. The ladder will be tested before any money is exchanged. Mayor was helpful and got deal done quickly.

Mr. Geraci – asked for an independent look at pricing for a new truck. Due to budgetary concern city should open minds to see if there is something else that is out there that is as good of quality for cheap. Chief said that if he can guarantee that the trucks are replaced every 15 years then sure. Geraci is familiar with fire trucks and says he has to look at budget. He is asking for independent research and bids for new trucks that may be less. Chief said that in actively planning financial recovery plan that the money is there. His job is to make sure that the best truck is purchased to help the city.

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

3) ORDINANCE AUTHORIZING THE MAYOR AND SAFETY-SERVICE DIRECTOR TO SIGN AN ELECTRIC SERVICE AGREEMENT WITH DYNEGY ENERGY SERVICES (EAST) LLC TO PROVIDE RETAIL POWER TO THE CITY OF NORWOOD FROM JUNE 2020 TO JUNE 2023, AND DECLARING AN 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.

The Law Director introduced Rich Cerase from Energy Alliance, a Independent consultant selected by city of Norwood to negotiate rates to talk about this topic. The agreement is for a facilities and lighting agreement. The current one expired in May. They spoke with the assistant law director a few months ago. Negotiating rates was challenge with timing The rate is at 3.76 cents for all facilities. Rate extended through June. New price 4.12 cents to renew for all facilities and lighting district. Some accounts weren't on the original agreement and we weren't paying the lower rate before. The individual contract price is higher but there will actually be a savings since all facilities and lighting will be lower. The rate from Dynegy is 6.2% lower than duke rate.

Mr. Geraci asked to law department if the city reviewed any other proposals. Law director hired Energy Alliance to do the negotiations and represent the city.

Mr. Cerase spoke about the other ordinance. It is aggregation for eligible residents and small businesses. The rate is 5.39 currently. The program ends in august. In 2017 they got an additional 10 months at the end of the 3 years at 5.09. If the city went forward with the current contract then we would be choosing an agreement now and then again in 7 months. They went to Dynegy who offered from 8/20 to 6/22 a rate at 5.09. This brings the price down 5.6% and about it is 4% lower than Duke's rate. Letters will go out in June to residents and then people will have option to opt out. Window to opt out is or 21 days. No termination fees. Residents can come and go as they want if they call Dynegy. The comfort of aggregation is getting the lower price. If you want to opt in to renewable energy option, then it they can for 5.11 cents.

Mr. Bonsall asked why the city gets a lower rate? Mr. Cerase said that how city uses energy is different than how an individual will use it. Cost from the market is lower for the city. City also tends to stay flat. Not ups and downs. Bonsall asked that he thinks that energy alliance hasn't been great at getting reports on cost savings so those can be passed on to residents.

Mr. Kelsch asked why is it an opt out program instead of opt in? Mr. Cerase said you get a better price when you do these things in scale. To acquire customers it costs a lot of money. Mr. Bonsall understands this is complex but council chose the opt out to make sure people can save money.

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

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- 4) ORDINANCE AUTHORIZING THE MAYOR AND SAFETY-SERVICE DIRECTOR TO SIGN AN AMENDMENT WITH DYNEGY ENERGY SERVICES (EAST) LLC TO EXTEND THE GOVERNMENTAL ELECTRIC POWER AGGREGATION FROM JUNE 2021 TO JUNE 2022 FOR A "TRADITIONAL" ENERGY AGGREGATION PRODUCT NOT TO EXCEED THE PRICE OF 5.09¢ PER KILOWATT HOUR (kWh), AND AN ADDITIONAL CUSTOMER OPTION "RENEWABLE" ENERGY AGGREGATION PRODUCT NOT TO EXCEED THE PRICE OF 5.29¢ PER KILOWATT HOUR (kWh), AND DECLARING AN EMERGENCY

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

#### **N) ADMINISTRATION REPORTS**

The Mayor provided his report. He reviewed covid 19 numbers. He noted that the street sweeper has been out on the street. Policies and procedures are being worked on with the administration. Staffing is under budget and there are still some positions to be filled. The city newsletter went out and the new website goes live end of the month. The tree planting event had 50-55 trees go out in Norwood. He reminded residents not to forget about the census and ask your neighbors. Finally he said that the planning grant is the foundation for other grants the city will apply for.

Mr. Bonsall noted that there are damaged guard rails on lateral due to accidents. He asked the Mayor if the city is going after the insurance company to pay for the repair? Mayor said that the city will fix it and then invoice the insurance company. Bonsall noted that the way that health department is reporting covid numbers has changed and asked why. Mayor said he talked to Gina who saw no reason to put together the same information all the time. Based on that he thinks she made the change. More of matter of convenience and not necessity. Bonsall thinks report is more simple but that some residents have asked him for totals. He said that one resident told him that they called for the total number and the health department wouldn't give it to them. He recommends the addition of the total number at least as some people are interested in it.

Mr. Breadon asked if there is a pothole plan. He would like to see the city to get them before they are reported. The mayor said public works working on specification of pothole trailer. Hoping that is in place in the next month. They do hit reported pot holes first and then hit other areas. Will talk to them about a more systematic approach. See. Click. Fix has a function that will put in a work order to public works. A Citizen can take a picture and send it in on the app.

Mr. Thompson asked mayor about timing of Indian mound repaving. Mayor referred to Service Safety Director. Safety Service Director is currently waiting on the state to the fund the grant that was applied for and city received. Until they get the money they cant start. Don't want to pave too late in the season. That happened before and part of the paving came up. With covid the state budget is behind. They will get started once the money is funded and the engineer says that it is time to go. Some trees will need to come down. Residents have been notified. Mayor noted it will be fall at the earliest. The goal is still to make that happen this year still. Mr Thompson asked if the grant will carry on to next year if we aren't able to do it this year. Safety Service Director believes so.

Mr. Bonsall checked appropriations and said that there is money in the street fund. He asked what is being done to get more money to go along with it. Service Safety Director said that this time of year money for grants is tricky. Hoping to have more guidance when budget is reassessed in July since many projects are coming in close or over budget. Mayor said that they do have quotes for city municipal parking lots and health department. Some areas need work but are smaller projects and those are generally done along with bigger projects.

Mr. Bonsall said many residents say that streets are done right before elections and he doesn't want to rush to do streets before elections. There are lots of things being done but wants to make sure the city doesn't let up on the streets as that is a citizen concern.

Mr. Gabbard asked Service Safety Director if the city has checked with Duke to make sure they have no plans on pulling up the streets that we are planning on fixing. Service Safety Director agreed that has been an issue previously and said city will reach out but city wont give a guarantee most likely.

Mr, Kelsch asked if there is any Elm Avenue update. Mayor said it is at the same place. It is a challenge to get information from the municipal sewer department. City will be checking in on it though. Mr. Kelsch asked if the city has looked at grant or funding options for the Elm Ave sewer project. Mayor said no.

Mr. Bonsall asked for progress on water study project. Mayor said that if timeline remains the same then report should come out in late summer/early fall. There is a call with the EPA this week on actions they want completed.

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Mr. Gabbard asked if the city has considered diversity training in policies and procedures for all city employees? Mayor said no. Policies and procedures is such a big process. Putting together a training budget and process is down the road. He does think it is a good idea. The Law Director said there are provisions for anti discrimination and harassment issues. They are looking at legal requirements and what may get the city in trouble.

Mr. Gabbard said we appear to be at tail end of covid issues and asked when can council meet in chambers again? Mayor noted that we are still limited to 10 people and there are more than 10 people today.

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

Pastor Sonny James who lives at 1830 Hopkins Avenue. He was recently in contact with 14 people who asked what “we” are going to do. He said stay home. He told them to stay home and if they come to his neighborhood he will whoop their behind. The community needs opportunity to grow from our ghosts. City continues to propel personal agendas he said. He noted that the Safety Service Director acknowledged people who are here at the meeting tonight. If the same people get the attention and opportunity then people will be angry. Go to these meetings of community groups he suggested. There may be some poc but they tend to be politically inclined. He wants to see the city share economic inclusion. Thinks that there should be an all committee meeting and invite in people like him. African American business owners that deserve a seat at the table. Council is talking about important things but missing things behind the scenes. Lets talk about what is making people angry.

Mr Geraci noted that Norwood together only concentrates on south Norwood. That is the only group he hears about. Frustrating that there is this one singular group that gets everything. Mr. Geraci wants to know if there are other groups in Norwood that do similar things.

#### **P) UNFINISHED BUSINESS**

The President called a committee of the whole meeting at 7:30 on Thursday. Mr. Gabbard asked if the school board could sit down with us. President said that he spoke with Mr. Atwood and they can’t at this time.

Mr. Bonsall asked if there was any movement on Quatman Avenue street calming. Mr. Breadon said there are discussions but he can call another committee meeting if Bonsall wants to bring that up. Bonsall wants city to continue to move forward with street planning.

#### **Q) NEW BUSINESS**

Mr. Gabbard reminded council that when there is committee report they have to fill out the official form and read it to council as they are written. Thanked groups for getting grants for the community – ASAP Norwood, Elevations, Norwood Together, Keeping Norwood Cool. Gives recognition to elevations. They don’t get recognition but should and help all people. Invites pastor Sonny James to come to the committee of the whole to discuss inclusion. Suggests council reach out to other community leaders to do the same. Committee of the whole is the best avenue to do that.

Mr. Kelsch called a parks committee meeting on June 17<sup>th</sup> at 7:30.

Mr. Bonsall responded to criticisms of Norwood Together. He doesn’t know of any other groups that came forward with the proposal that they did. The group is open to everyone. Most of what they do is all over the city. His understanding is that the economic development area of Montgomery road encompasses all 4 wards. It is frustrating that a group is getting criticized for getting things done. He finds it demoralizing to that group.

#### **R) COMMUNICATIONS**

1. Letter from Mayor Schneider

RE: Mayor’s Court Fines

On motion by Mr. Kelsch, seconded by Mr. Breadon, it was moved to receive and file the letter. Roll was called. All members present voted yes. Motion passed.

2. Letter from Auditor’s Office

RE: Monthly Financial Report

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

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

All members present.

#### **T) ADJOURNMENT**

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

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