



COUNCIL CHAMBERS

JANUARY 14, 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 (NEWLY ELECTED MEMBERS)

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. AMEND THE AGENDA

The President noted amendments needed to the agenda as follows: to change item F to add the approval of the minutes from December 10, 2019 meeting and to remove the approval of the minutes from the January 1, 2019 meeting; to correct the numbering in item J to J1, J2, J3, J4 and J5. On motion by Mr. Thompson, seconded by Mr. Breadon it was moved to amend the agenda as stated by President of Council. No discussion. The roll was called. All council members voted yes. The motion passed.

F. MINUTES OF PREVIOUS MEETING

Called out of order. Is discussed at the end of new business below.

G. REQUEST TO ADDRESS COUNCIL ON AGENDA ITEMS

1. Jennifer Pence who lives at 1940 Elm Avenue addressed the council on agenda items. She presented photos of flooding on Elm Avenue to the council members. Jennifer has lived in Norwood for 41 years, most of the time on Elm. Her parents purchased their home near the corner of Franklin and Elm in 1977. As a little kid she was afraid of thunderstorms because of the possibility of flooding in her backyard and basement. She has seen countless cars get stranded in flood waters and have seen the manhole covers pop open due to the force of the water coming up from underneath and noted that it is a miracle no child has fallen into the manholes. It was during the 2001 flood that her parent's basement filled to the rafters for the first time. In 2016 her parents' home flooded again and this time there was also 2 inches of sewer water on their first floor. Walls had to be cut into to avoid mold, the carpet had to be ripped up and kitchen was a total loss. The furnace, washer, dryer and hot water heater were also total losses. She lived across the street at the time and her parents were in their 80s. They had to be piggybacked out of their home once the rain let up. Due to the extensive damage her parents moved in with her and lived there for 2 years while they waited on MSD to settle the claim. Residents of Elm deal with issues whenever it rains a little harder than normal and it is due to issues in the sewer. This last July 17th, 10 days after Jennifer's mother died, they dealt with another flood. No damage in the basement that time but on July 30th she had to rush home from work because friends called to tell her there was water coming in the house. She had to wade through waist high water to get to the house. The new water heater was ruined. The past Saturday she waited at home with her father waiting on rain that ended up not coming. It is awful to worry every time rain is mentioned. She asked city council to help so that they don't have to go through this any longer.
2. Robin Childers who lives at 1946 Elm Avenue then addressed the council. She has lived there since about 2005. She lost her husband 5 days after the 2016 flood because he was out trying to help clean up. She is reminded of what she lost every time it rains. They were never reimbursed by MSD because the claim was lost. Robin has a minivan in front of her home that no longer runs because of the flood of 2016. She keeps it because of insurance purposes. She videos each flood to laugh at it to keep from crying. She showed a picture of her porch that has issues due to the 2016 flood. She asked the council for help so that they no longer have to live this way. The feces water is unhealthy. Crossing the street during floods is difficult and something needs to be done.

3. Darrel Harden has a business address of 1936 Elm Avenue which is at the intersection of Elm and Franklin. They have been in the building for 23 years. They lost all contents of the business due to the first serious flood in 2001. Luckily the items were covered by insurance, so they were replaced – all except for the computers since they had been sitting on the floor. The city supplied a dumpster which everyone in the neighborhood used to put destroyed items. It has flooded many times since then. The next one that caused significant damage was the one in August 2016. MSD provided help, as well as some firefighter families. The floors had to be pulled out and part of the walls needed to be cut out. They also lost 4 vehicles in that flood which hindered their ability to do business. MSD said they would give the money to fix the floor and walls, but the MSD agreement states that they would no longer accept file claims from Darrel's business. This is crazy since it floods every year. Since the subfloor in his business is raised, floods cause water to fill up under the floor. This is destroying the foundation of his building. Darrel gave money to an attorney who never did anything. The second attorney they engaged said that MSD wanted an engineer report. The attorney reported that no engineer will do it since they don't want to deal with MSD. The attorney said that MSD is mandated by the federal government to solve problems, so all litigation has to go through federal court and that is a difficult. The business is 38 years old. Darrel Harden is 68, his wife is 68 and they want to retire. They could do that today, sell the business and building and pay bills, but the building on Elm is unsellable due to the flooding issues. It is very distressing, and he isn't sure what he can do at this point. The last flood took up the patches upon other patches in the street. The holes are now big enough to fit a car into. It must be the worst street in Norwood other than Montgomery. Darrell doesn't know what the solution is but is asking for help.
4. Pastor Sunny James who lives at 1830 Hopkins Avenue was next to speak. He expressed condolences to the people experiencing the flood issues. He thinks that the city needs to address infrastructure issues from the top down. He hopes that the city will pay special concern to the people who put their lives on the line and keep our community safe. He has gone out to 8 calls in the last year where firefighters also appeared in the middle of the night. The Pastor was called a few years back to a fire on Sherman Avenue. There were people jumping out of windows and firefighters were there on ladders despite the intense heat. He asks that council put the issues of the firefighters and police at the top of the agenda. Not doing so will compromise the community. Pastor asks to keep them in the council member's prayers and for police and fire to keep the council in their prayers. He asks the council to compensate them adequately and fairly, according to standards of the industry.

H. REPORTS OF STANDING COMMITTEES OF COUNCIL

Finance Audit & Budget Committee – Committee chair Eric DiNardo noted that the committee met. He noted that the law director and assistant law director addressed the committee regarding pending claims against the city. They are generally for reimbursement due to pothole damage to cars. Mr. DiNardo remarked that the committee notes that there is no process to handle the claims. He discussed possible options for a process but advised that the committee will be working on creating a process which balances the time and attention which is warranted based upon the potential liability. Mr. DiNardo noted that the Auditor gave a 2019 year in review.

The committee reviewed the two salary range ordinances which were introduced at the 1/1/20 special meeting. They decided on a few changes to the ordinances which are being introduced at this meeting. They streamlined ordinance A to concentrate on the Safety Service Director position and the new administrative positions. For ordinance B they reviewed the metrics of each change. Specifically, they looked at the variance between the current salary and the lowest proposed one; the non-salary cost impacts; the legal requirements for a job; and the value proposition. They estimate a net cost of 257K. The committee is concerned about how these changes fit in with the Financial Recovery Plan. The Finance committee will be doing a line by line review of all items that come to them to assist the council in making determination.

Mr. DiNardo noted that he has been made aware of a concern from the public regarding a certain "look" of the council members. He noted that the finance committee will give tools to review issues in a calculating manner. He noted that there are open positions that may be filled in a manner to address the issue.

On motion by Mr. Bonsall, seconded by Mr. Gabbard it was moved to accept the report of the finance committee.

The roll was called. All council members voted yes.

Mr. Breadon confirmed with Mr. DiNardo that the numbers provided in the report represent per year figures. Mr. DiNardo noted that he found all committee members to be very collaborative and helpful which bodes well for the future. Further he noted that an email was received about 4:30 this afternoon from the Financial Recovery Plan Planning Commission (hereinafter FRPPC) which notes that the changes identified in the ordinances would be, for the most part, outside of the approved plan. Mr. DiNardo suggested three options – 1. Changing the ordinances to go into effect on 4/1 which allows a new financial recovery plan (hereinafter FRP) be submitted with the salary changes in it. 2. Knowingly being in violation of FRP and move forward with the ordinances as written. 3. Select a few critical positions and move forward with salary range change on those positions out of compliance with the FRP. Mr. Geraci suggested amending the effective date on the ordinances to 4/1 which he doesn't think will interfere with the hiring that the Mayor wishes to do. Mr. Kelsch asked which positions would be in violation of the FRP. Mr. DiNardo offered a copy of the committee report and suggested it would be each position with a negative number but states that it is an oversimplification and additional math would be needed. He noted that in the meeting Mr. Moore suggested that spreading the negative amount over the year would help keep the city in compliance with the FRP. Mr. DiNardo went on further to say that he believes that the email from the FRP commission indicates that it would be a blanket violation of the plan if any salary range changes are made. Mr. Geraci asked about positions on the report with a slash through them. Mr. DiNardo noted that those are positions with no salary changes being suggested.

Mr. Gabbard asked for the Mayor's thoughts through the President. The Mayor noted that while on the campaign trail people said that things need to be done in the city. He said that there was money in the capital improvement budget that was not spent because there was no one on staff to run the projects. He noted that council is now hesitating to act, and it is causing issues with hiring, for example, a safety service director. He indicated that people do not want to come to work for half of what they could get elsewhere when there has been a history of issues between the position and city council. He won't be able to hire an administrator for half of the standard pay with the expectation that they might get more money a few months later. He must put together the FRP and budget to present to the committee. He will put it together in a way that will take everything into consideration and keep the city in compliance with the plan. When he met with FRPPC he assured them that he would work with them. He believes that the email sent from them is an attempt by the advisors to control council. He noted again that he needs staff to get the things done that were promised on the campaign trail, to take action now and he needs council's help to do it. He recommends passing the ordinances and he will work with the FRPPC to put together a budget and FRP. He wants the city to be out of fiscal emergency by 2021.

Mr. Thompson posed a question to the Law Director through the President asking what the penalty is for violating the FRP. Mr. Moore noted that a percentage of our money can be taken, and the city wouldn't be able to use it. In theory, taking an action against the FRP is a crime but he isn't sure how that would play out since he hasn't seen the email from the FRPPC and he doesn't know what the concerns are specifically. Mr. Moore said it is not a good thing to violate the FRP and that there are serious consequences. Mr. Thompson noted that there is a process to be followed that has worked for the city in the past and that the way to get out of fiscal emergency is to not violate the FRP in the first few months of the Mayor's tenure. He notes that he is stickler, especially on matters of great financial interest, for having the various readings of ordinances done in the proper course so that public has the chance to hear them, review them and address council if they wish. He does support what the Mayor is hoping to do, notes that it is the council that passes the FRP but he appreciates the Mayor being willing to "fight the battle" with the FRPPC.

Mr. Breadon asked what the difference in pay for the Safety Service Director (hereinafter SSD) position would be with the new ordinance.

Mr. Geraci asked the Mayor through the President if the council amended the ordinances to take effect in April, how that affect the hiring he hoped to do. Mayor Schneider doubted anyone would come in for a lower pay for a few months. He also noted that the chief building official is a contract person right now who has a certification that he agreed to use for Norwood for a few months. This certification is needed to keep a building dept open. The city needs a health commissioner also but hasn't had one in years. He also noted that the interim manager of public works is holding our water certification which is legally required. The Mayor thought we had 30 days to get the certification but we only had 3 days, so they got it done. There are a ton of positions that are necessary by law that he has interim people in because he thought he would be able to get the necessary salary increases to hire people permanently. He noted it

takes time to do the hiring process which can take some time. So even if the ordinances get passed, it will take a good 2 months to get someone hired therefore any new hires won't even start until April anyway. Mayor Schneider questioned whether we are in violation of the FRP since the person won't start until most likely April anyway.

Returning to Mr. Breadon's question, Mr. DiNardo believes it is about \$34,840 incremental increase in costs for the SSD position if Ordinance A is passed. Mr. Breadon asked what the new low end of the pay scale was and Mr. DiNardo noted it was \$90,640K. Mr. Breadon asked about what was paid previously to the SSD. \$74,683 is what Mr. DiNardo believes was paid previously. Mr. Breadon noted that the new administration came to the council with request for salary adjustments for people under the Mayor's control. Council came back with raises against the board. He wanted to know who is taking credit for that. Mr. Breadon personally wanted to see 3 ordinances which took the SSD position and put it into its own ordinance. Mr. Gabbard noted that the discussion should be held when the ordinances were discussed and not with the committee report. Mr. Breadon said his request in the committee meeting was ignored which makes it a part of the committee meeting discussion.

Mr. Bonsall said doesn't think that the council should be demonized for taking it slow. He noted that the second ordinance was his suggestion to make sure that the positions appointed in the other departments also received salary range increases. He notes that of 255K increase that is represented by ordinance B, about 9K is for people who have been in their positions without rate increases for some time. It was even included as a requirement in the ordinance that those people not get raises until 4/1. This would mean that the raises could be included in the FRP and if some reason they couldn't be included in the FRP then the matter could be reviewed again. Mr. Bonsall stated that if there is no movement tonight on the ordinances, it won't be because of the extra positions included in ordinance B but rather because of the FRPPC saying that the changes will violate the FRP. He agrees with the Mayor that if they are out of compliance at the 1/22 meeting then they will be told to redo the plan which they need to do anyway. He gives deference to the Mayor since Mayor will have to do the budget and will be going to bat with the FRP. He can't imagine getting good employees in these positions at the current low pay scales. He hopes that people will be as bi partisan as possible to get things done when they vote on the ordinances.

Roll was called on the pending motion to accept report. All council members present voted yes. The motion passed.

I. SECOND READINGS OF ORDINANCES/RESOLUTIONS

There were no second readings.

J. INTRODUCTORY READINGS OF ORDINANCES/RESOLUTIONS

a. ORDINANCE ADJUSTING CERTAIN SALARY RANGES AND AMENDED ORDINANCES NO. 73-1999, 7-2007, AND 33-2009, AND DECLARING AN EMERGENCY (A)

Mr. Bonsall asked for clarification as to which ordinance was A and which was B. It was noted that the short one is A.

On motion by Mr. Geraci, seconded by Mr. Kelsch it was moved to have all three readings of the ordinance.

Mr. DiNardo noted that the next FRP meeting is 1/22 and on the day after the FRPPC will come out with a recommendation. Then the administration will work on budget and a new plan. Mr. DiNardo posed the question that what if there were 2 readings tonight, then council could gather more intel from FRP (what penalty would be for being out of compliance etc.) on 1/22 and then make final decision at the next council meeting. Mr. Gabbard agreed with having the initial readings at this meeting and agreed with Mayor that the council needs to be aggressive. Mr. Geraci noted that he may have been too aggressive with a motion for 3 readings as he agrees with Mr. Gabbard and Mr. DiNardo.

Mr. Bonsall stated he was still inclined to vote for all 3 readings on this ordinance as he believes these positions are needed for the city to operate correctly. Mr. Kelsch agreed with having all three readings to allow Mayor to move forward with hiring and to let people know that council is serious in moving forward. Mr. DiNardo voiced his concern that the council doesn't know what being out of compliance will mean at the 1/22 meeting with the FRPPC and indicated that he didn't think waiting 2 weeks would be a problem. Mr. Thompson said that the council should follow the process by having 2 readings at this meeting and then the last reading would be at the next meeting.

Mr. Breadon apologized if it seemed like he was personally attacking anyone and advised that he is enjoying the conversation.

Mr. DiNardo notes that 2 weeks to get educated regarding the right way to deal with the FRP is low risk. Mr. Bonsall said that the city has been out of compliance before. He said that the FRPPC will tell the council to change it and then council will decide whether they will change it or not. He thinks the penalty is that 10% of spending is cut from the previous year. Or it could be 15%. If the Mayor is willing to take risk when it is unlikely to cause a penalty, Mr. Bonsall announced that he is ok with it. Mr. Breadon concurred with Mr. Bonsall. Mr. Gabbard noted that he would feel better if council could get the FRPPC's thoughts on the ordinance before moving forward. Doesn't think that being aggressive at the first encounter with the FRP committee is the right move

The roll was call on the pending motion to have all three readings of the ordinance. All members present voted. Four council members voted yes, Mr. Bonsall, Mr. Geraci, Mr. Kelsch and Mr. Breadon. Three council members present voted no, Mr. Gabbard, Mr. DiNardo and Mr. Thompson. The motion failed.

On motion by Mr. Thompson, seconded by Mr. DiNardo it was moved to have the first 2 readings of the ordinance. The roll was called. All council members voted yes. The motion passed. The Clerk did the first 2 readings of the ordinance.

b. ORDINANCE ADJUSTING CERTAIN SALARY RANGES AND AMENDED ORDINANCES NO. 73-1999, 7-2007, AND 33-2009, AND DECLARING AN EMERGENCY (B)

On motion by Mr. Thompson, seconded by Mr. DiNardo it was moved to have the first 2 readings of the ordinance. The roll was called. Mr. Breadon voted no. All other council members voted yes. The motion passed. The Clerk did the first 2 readings of the ordinance.

Mr. Thompson thanked the finance committee for their hard work. He was happy to see that they had addressed some of his concerns in the new ordinances. Mr. Bonsall expressed concern because the ordinance says that salaried employees are paid monthly. He indicated that he feels for people who are relying on biweekly paychecks but only get paid monthly. He noted that all union employees get paid biweekly, so the city is already doing a biweekly payroll

The Clerk did 2 readings of the ordinance.

c. AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH MEDICOUNT MANAGEMENT, INC. FOR THE CONTINUATION OF EMS BILLING SERVICES FOR THE NORWOOD FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

On motion by Mr. Kelsch, seconded by Mr. DiNardo it was moved to have the first reading of the ordinance. Mr. Kelsch thanked residents of Elm for sharing their stories and wants to give other residents the opportunity to come out and share their stories too. The President noted Mr. Kelsch was talking about the next ordinance. Mr. Kelsch rescinded the motion. DiNardo rescinded second.

On motion by Mr. Geraci, seconded by Mr. Kelsch it was moved to have all three readings of the ordinance.

Mr. Gabbard asked if Assistant Chief McCabe would speak to the counsel to provide information regarding the ordinance. Assistant McCabe noted that this is a service agreement which should have been completed in about August of last year. Medicount has been the primary billing vendor for almost 20 years and have done a remarkable job per the chief. He advised that the law department did review contract and advised it was fine. Medicount is currently performing without the contract. Chief McCabe advised that our city, like most municipalities in our area, use this company to bill insurance companies for ems services. They soft bill Norwood residents once and will soft bill non-residents three times before writing off the debt. He pointed out that in this contract there has been a small rate increase from 6.25% to 6.5%. This money comes off the top of collected funds before coming in to Norwood. He noted that last year they billed just under 600k in ems billings.

Mr. Breadon asked if this was a renewal of our prior contract and Chief McCabe said it was. The Chief clarified that the rate went up .25% from 6.5 to 6.75. He reported that Medicount is the largest third-party biller in the area. The City of Cincinnati bills internally. Because Norwood deals with a high volume of Medicaid and Medicare clients there are a number federal requirements which apply and it is critical to have a biller that understands those requirements. Chief McCabe stated that it is not feasible for Norwood Fire to do the billing internally. He went on further to note that the rate charged by Medicount

used to be 10%, that this was the first increase in several years and that all municipalities were hit with the same increase.

Mr. Breadon noted that the contract says that there must be one administrative contact and one clinical representative from fire department. He asked who the contact was. Assistant Chief McCabe said it used to be the previous chief and that it is typically a chief duty. Since the chief retired, he tag teams the responsibility with the staff captain. Mr. Breadon asked what Chief McCabe thought about it being referred to the finance committee for a closer review. Chief McCabe said it was council's preference but that the contract really should have been signed last year. He said that Medicount has done a great job and that he is happy to answer more questions or come to other meetings to provide information as necessary.

Mr. Kelsch indicated that the contract appears standard and noted that the increase is minimal. Kelsch doesn't see point in holding it up. Chief McCabe assured council that no matter if the ordinance was passed this evening or not, the billing practice would continue.

Mr. Bonsall indicated he had reached out to Chief McCabe previously regarding the ordinance. He wasn't sure we would be writing off non-resident accounts given the high quality of service that our firefighters provide. Chief McCabe responded with some figures. Last year he noted that they charged 1.8 million for ems runs. Then health insurance adjustments occurred approximately in the amount of 900k. Since Medicount got back about 600k back, they only had to write off about 289k. Chief McCabe noted that Loveland, Symmes and Forest Park are the only local municipalities that hard bill. He is concerned about hard billing because then perhaps a person is paying a bill instead of getting a medication or paying other necessary bills. Mr. Breadon asked for clarification regarding hard/soft billing and noted that the contract discusses automatic phone calls. The Chief clarified that hard billing means it goes into collections if the bill is not paid and then we get a reduced return. Soft billing is writing off the bill after there are three automated phone calls. Medicount only has two clients that hard bill. He advised that if council wants to change to hard billing, all we must do is call Medicount to request the change. He indicated that he would argue against it but it easy to do if deemed necessary.

Mr. Breadon suggested that the council have two readings of the ordinance and then discuss contract in the finance committee. Mr. DiNardo suggested passing the ordinance and then reviewing the hard billing vs. soft billing issue further in finance committee. Mr. Geraci commented that he has seen both hard and soft in his career in law enforcement and went on to states he has seen people have to choose between paying for an ambulance and paying bills. Mr. Gabbard suggested moving forward with all three readings and then referring further questions into committee in new business since the city is behind in getting the contract signed. Mr. Breadon didn't have an issue with that.

The roll was called on the pending motion to have all three readings of the ordinance. All council members voted yes. The motion passed. The Clerk did the all three readings of the ordinance.

On motion by Mr. Bonsall, seconded by Mr. Breadon it was moved to pass the ordinance. The roll was called. All council members voted yes. The motion passed.

- d. AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH A QUALIFIED ENGINEERING FIRM TO COMPLETE A STUDY OF ELM AVENUE STORM SEWER SYSTEM, DESIGN AN IMPROVEMENT PLAN, AND HELP THE CITY IDENTIFY FUNDING SOURCES TO MAKE IMMEDIATE NEEDED IMPROVEMENTS, AND LONG-TERM SOLUTIONS, TO THE STORMWATER ISSUES IN THE AREA.

On motion by Mr. Kelsch, seconded by Mr. Thompson it was moved to have the first reading of the ordinance.

Mr. Kelsch thanked the residents for sharing their stories and wants to allow other residents opportunity to do the same. He noted that he wants residents to know that council is doing something about the flooding issue. Mr. Geraci said that he doesn't think that there is a need to hear from other residents.

Mr. Bonsall questioned Mayor through President whether passing the ordinance now would mean that the process would get started faster. Mayor indicated that the process would get started asap either way. He is going to start discussions with engineering firm the city has been doing work with on issues immediately after the first reading. He noted that the FRPPC would likely say that the city doesn't have money to do this when we do. He stated that the email from the FRPPC was a hinderance and not a help which is not right. They should be helping us and not holding us back. This process will take months to

find a real solution which is unlikely to be easy. Mr. Bonsall noted that this issue has been a priority for some time, that it is an emergency and necessitates suspending the rules to help our citizens.

Mr. DiNardo noted that we can pass this ordinance without being out of compliance with FRP and asked if there is an estimate on how much it would cost. Mr. Kelsch noted he wasn't sure but that this ordinance only approves up to 20K. Mr. Gabbard notes this is top priority. He thinks about Elm whenever he hears about heavy rains. He went on further to say that the email from FRPPC doesn't mention the Elm ordinance as putting us out of compliance. He encouraged Mr. Kelsch to change his motion to be for all three readings. Mr. Breadon agreed that this is top priority and suggested that the council do one or two readings then take the matter to the meeting with the FRPPC on 1/22 for review. The final reading would be done then at the next council meeting which wouldn't slow down the process of getting matter reviewed. Mr. Bonsall noted that the 20k is only for an engineering review to see what the issue is, but he expects the actual resolution to be much more than that. He would like a cost estimate of a resolution prior to new FRP so that the project to resolve the issue can be included in the plan. It is hard to amend the plan later, Mr. Bonsall stated, and he thinks we need all three readings. Mr. Geraci also thinks that pending motion should be amended to all three readings. Mr. Bonsall noted that residents can comment on any issue at any time as they are always welcome.

Mr. Kelsch wanted more residents to be heard on the topic but is excited by the support of council. He then amended his pending motion to include all three readings of the ordinance. Mr. Thompson amended his second. Roll was called. All present council members voted yes. The motion passed. The Clerk did all three readings of the ordinance.

On motion by Mr. Breadon, seconded by Mr. Kelsch, it was moved to pass the ordinance. The roll was called. All council members voted yes. The motion passed.

- e. ORDINANCE AUTHORIZING THE MAYOR OR SAFETY-SERVICE DIRECTOR TO ENROLL THE CITY OF NORWOOD IN THE HAMILTON COUNTY PURCHASING-MASTER BID SERVICE PROGRAM.

On motion by Mr. Gabbard, seconded by Mr. Breadon, it was moved have 1 reading of the ordinance

Mr. Gabbard noted that he and the Mayor attended a seminar in December where this program was discussed. It costs \$500 is buy in and he estimates that there are 11 other local communities that are members. The program allows joint buying. In street salt savings alone, we could save about 30K. Membership allows Norwood access to a website to be able to auction off items that are not needed. This helps to make money. Mr. Gabbard asked the Mayor for his thoughts through President. The Mayor said that city is member of similar state program which we use to purchase vehicles. This is more of a local program. The Mayor noted, for example, this last year the city paid \$95 a ton for salt but with this service we could get it for \$75 a ton. This is a potential savings of 35K which could be used to fund a police cruiser. The Mayor advised that the city has a ton of surplus equipment and supplies that can be properly disposed of through this program.

Mr. Geraci suggested that the council have 3 readings. He has seen at least one community benefit from this program. Mr. Gabbard doesn't think that we need to pass everything as emergency and wanted to stick with one reading.

Roll taken on the pending motion. All council members in attendance voted yes. The motion passed. The Clerk did first reading of the ordinance.

K. ADMINISTRATION REPORTS

There were no administration reports.

L. OTHER REQUESTS TO ADDRESS COUNCIL

- a. Emily Franzen who lives at 4207 forest Avenue addressed the council. She has been working with Mr. Bonsall and another beekeeper on an ordinance to amend an existing ordinance which prohibits beekeeping in Norwood. Even though Norwood doesn't allow beekeeping, Cincinnati does. She advised the council that bees fly 3-5 miles from their hive so any bees being kept around Norwood are already in Norwood. This means that changing the ordinance won't change in the city. Emily advised that honeybees have been domesticated for thousands of years. The ordinance they are suggesting has simple and common-sense guidelines like not putting a hive by a sidewalk and getting

permission from your neighbors. The suggested new ordinance is also one that the Ohio State Beekeeper's Association promotes for cities the size of ours. Mr. Bonsall has ordinance written out and has submitted it to the law department who reviewed and made some amendments. They are hoping to get it to committee and approved within a few months. She and her husband have two hives on Xavier campus. Mr. Bonsall noted that Emily Franzen has had open houses so people can come check out the hives. He went on to note that he will be bringing up the ordinance in new business. He thanked Emily for coming. Mr. Breadon noted he wants to purchase Norwood honey. She said they have Norwood adjacent honey.

- b. Pastor Sunny James spoke again. He lives at 1830 Hopkins Avenue. He reported that 4 years ago in an election process he took a group of folks and marched the streets of Norwood in bipartisan unison. This is what the vision was. He wanted to say to the new Mayor "my man." He said that we can't move forward if we stay in the boxes that kept us bound. Freedom happens when someone dares to think different. 4 years ago, the Pastor sent out a 13 point plan to the city and this is what it should look like. It's ok to disagree but respect each other in the process. He said that that his "bark" has been about. He is not disappointed and wants to applaud council. The Pastor wanted to publicly commend Mr. Bonsall for speaking what is true in a non-partisan way. He apologized if he may have offended anyone in the community. He only wants a diverse community that gives all children an equal chance to pursue their dreams. The Pastor is willing to be of assistance to anyone and can be reached at 513-487-8843 or at pastorsunnyjames@gmail.com. He is going to send his 13-point plan and hopes council will look at it.

M. UNFINISHED BUSINESS

There was none.

N. NEW BUSINESS

Mr. Bonsall thanked Emily Franzen for speaking about bees. Norwood is self-sufficient city and he thinks Norwood crops should be able to rely on Norwood bees to pollinate them. He spoke with Mr. Geraci and is hoping to get a housing committee meeting set so they can review the bee ordinance. He will send it out to council as soon as it is finalized for review.

Mr. Gabbard appreciated Pastor James' comments. He is thrilled that there is a council that can work together and can respectfully agree to disagree at times. Mr. Gabbard believes that all council members and elected officials at the council meeting have the city's best interest at heart. He recognizes that the Mayor may be frustrated but Mr. Gabbard appreciates his efforts and passion. He asked the Mayor through the President about the state of the new gym floor in the community center. He understands that the grain is going the wrong way. He asked if the Mayor knew who was in charge of supervising the work going on at the community center and making sure it was done properly. The Mayor noted that he stopped by the day before but that the floor was closed up and polyed so he couldn't review it. Mayor Schneider says that ultimately it is the administration's responsibility to make sure work is done right before payment made. He noted that the SSD will review to make sure it was done right.

Mr. Gabbard noted that a friend of his in Norwood has been posting on social media that he is painting the interior of the fire department. Mr. Gabbard asked the Mayor through the President why someone in house wasn't doing it. The Mayor indicated that he wasn't sure that there was someone at public works who was good at interior painting. He also noted there is a lot of painting needed around town.

Mr. Gabbard asked to place into committee of the whole traffic around the schools. He asked to invite the school board, school principals and officer Murphy from the police department to attend the meeting. He has had a lot of people complain to him about pick up and drop off at the elementary schools particularly. Officer Murphy told Mr. Gabbard that the last school superintendent had been working on it but nothing implemented. He wants to build bridge to the school board and start with this traffic topic.

Mr. Gabbard asked to place into the economic development committee the topic of murals. Prior councilmember Stevenson had been trying to get discussion moving on that. He is hoping that the committee can do some research on that topic.

Mr. Geraci asked the housing committee members to set up a meeting. A meeting was scheduled on 1/24 6:30.

Mr. Breadon thanked Mr. Gabbard for bringing up school traffic issues. He worked with Norwood view last year to set up traffic guidelines for the school and he is hoping to work with Mr. Gabbard on the issue

Mr. Breadon noted that the police department hired new officers that week. They are Robert Town, Max Murphy, Joe Burly and Jimmy Strunk. He asked the council to congratulate them, welcome them and wish them well.

Mr. Breadon asked to refer into the finance committee the Medicount contract to be reviewed further. He has a few concerns.

Mr. Breadon announced that on 1/9 he attended his first OKI Regional Government meeting. He said that Tom Carol, the city manager of Silverton gave a neat presentation re: economic development including zoning being changed to multi use zoning. He hopes to bring some back more information from these meetings and to share with council in future meetings. He thanked the council for the appointment to OKI.

Mr. Geraci asked to set up a law and ordinance committee meeting on 1/30 at 6:30 pm to introduce an ordinance for street repair and repaving which would hold the utility company liable for cuts they put in the street. That date and time was acceptable to the other council members.

Mr. Gabbard announce that on the new gym floor (covered with a tarp) there will be a 80s themed adult prom on 1/25 from 7-11 at community center in the gym. You can wear a 80s outfit. The proceeds benefit the Lisa Tanner scholarship fund. She was a Norwood alumni and teacher at view who passed away a few years ago from breast cancer.

Ms. Bonsall heard that residents are concerned with the quality of the paving on Section Avenue. That job was the first time that the city used money from the street fund with no other money. He wanted to know where the specifications for the work came from, if the work was up to those specifications and if not, what is going to be done about it. Mr. Bonsall would like to see things fixed before paying the contractor.

Mr. Bonsall asked about approving minutes as listed in item F of the agenda as it was missed. Mr. Gabbard told the President that he did a great job at his first meeting and that if missing an item is the worst that happens then we are in good shape.

Mr. Kelsch asked to schedule a parks and recreation meeting on 1/27 at 6:30. That time and date worked for all of the committee members.

The President then went back to item F on the Agenda. On motion by Mr. Breadon, seconded by Mr. Geraci, it was moved to accept the minutes as written. The roll was called. All council members voted yes. The motion passed.

O. COMMUNICATIONS

- a. Letter from City Auditor Re: December 2019 Financial Report

The council received communication from the city auditor's office that the December monthly financial reports were emailed to the members on 1/6. The auditor's office asked for updated email addresses for anyone who didn't get it. On motion by Mr. Bonsall, seconded by Mr. Geraci, it was moved to receive and file the letter. Mr. Bonsall advised that when he started as financial chair two years ago, they started sending out the reports monthly to the council members. FRPPC suggested that the council members affirm at each meeting that they received the report so that it is in the record. The auditor's sends the letter each month to accomplish this. The Roll was called on the pending motion. All parties voted yes. The motion passed.

- b. Mayor Schneider Re: Mayor's Court Fines for December 2019

The council received communication from the Mayor's office with the December 2019 Mayor's Court report. On motion by Mr. Breadon, seconded by Mr. Thompson, it was moved to receive and file the letter. The Role was called. All council members voted yes. The motion passed.

c. Letter from Law Department Re: Law Director's 2019 Annual Report

The council received communication from the law department with law director's annual report as required by the Ohio revised code reporting to council the activities of the law director during the year. On motion by Mr. Gabbard, seconded by Mr. Kelsch, it was moved to receive and file the letter and to give law director time to make oral comments on the report. The Roll was called. All council members voted yes. The motion passed.

The Law Director noted that the report is to discuss the bulk of the items that passed through the law department. He was very happy about the sale of the city owned property. This came up his first week as law director during a meeting with building department. Some tenants wanted to fix up a home, building department was going to declare it a nuisance and tear it down. Turns out that the city owned the house. It went up for tax foreclosure. The people who were living there had been making "mortgage" payments to an out of state couple and got scammed. The Law Director said that yearly he would get a pile of property tax bills for city owned property and would be asked which ones were getting paid. He wanted to know why all of them wouldn't be paid. He requested exemptions from the county for the taxes owed but was told he couldn't do that until the old taxes were paid off. It took 2 years to pay those off so they could get exemptions and then do something with the properties. He was able to them get exemptions filed and get refunds for 3 years of tax payments. At that point the city was able to auction the properties off. The city got 250 and some thousand plus the 3k refund. In total it was a 4-year process.

Further the Law Director thanked Tim Gary and TA Brown. He said that they are overqualified and work hard. He also wanted to provide some context for FRP conversation. When in a FRP the city has to put together a 5-year budget. The way that the city's budge normally works we can amend budget at a meeting. But when in a FRP the council can't just ament the budget. They cannot spend any more then what is listed in that key in the budget. If you want to do that you have to pass a new plan. The Mayor makes a plan, the Council approves the plan and then it is sent to the FRPPC who may or may not allow it. This is why it took so long to pay off back taxes. It took 2 months to issue a 5k check to get the process of exemptions started. The Law Director advised that the better communication with the state auditor's office we have as a council, the better. It is a difficult process but we must deal with it. That is what is difficult about being law director and not a council member; he can't always raise his hand and talk. He went on to state that the law department represents the city as whole, not individual council members. It doesn't matter if they agree with the policy. Their job is to get it put together and help get it passed without anyone getting in trouble. It is not his job to have an opinion. He asked that if anyone sees him doing that, we should call him on it.

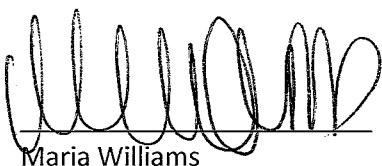
Mr. Bonsall encouraged everyone to read the report especially regarding the Virgil case. In 1987-1988 city was missing some liability insurance and the current law department is spending time litigating this case. Mr. Bonsall asked the Law Director if there was a conclusion to the case. He said no. He thinks there will be 3-4 more depositions. Plaintiffs now want to depose one the prosecutors from Newport who went in front the grand jury. The Prosecutor filed motion to suppress the subpoena and the Magistrate has now taken that under advisement. The Law Director hopes that discovery should be finished in the spring and they can file a summary judgment motion. He thinks that the case should be dismissed. Norwood got dragged in due to notes of a meeting between Cincinnati, Newport and Norwood because there were similar stabbings about the same time.

P. EXCUSE ABSENT MEMBERS

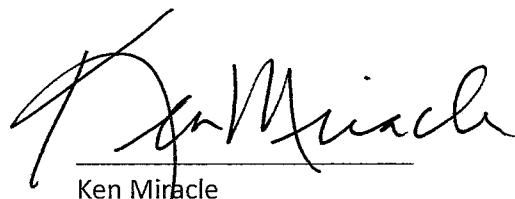
All council members present.

Q. ADJOURNMENT

One motion by Mr. Gabbard, seconded by Mr. Geraci, it was moved to adjourn the meeting. Roll was called. All council members voted yes. Motion passed.



Maria Williams
Clerk of Council



Ken Miracle
President of Council