



Council Chambers

March 10, 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

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: To add to Item H Reports of Standing committees of Council a report from the Finance Committee meeting on 3/7/20 and a report from the Committee of the Whole Meeting on 3/9/20; also to add to Item P a letter from Norwood Safety Service Director. On motion by Mr. Breadon, seconded by Mr. DiNardo it was moved to accept the amendments as stated. Roll was called. All members voted yes. Motion passed.

F) MINUTES OF PREVIOUS MEETING

1) February 11, 2020

On motion by Mr. Breadon, seconded by Ms. Geraci, it was moved to accept the minutes from the February 11, 2020 meeting as read. Roll was called. All members voted yes. Motion passed.

G) REQUEST TO ADDRESS COUNCIL ON AGENDA ITEMS

None

H) REPORTS OF STANDING COMMITTEES OF COUNCIL

1) FINANCE, BUDGET, AND AUDIT COMMITTEE REPORT

- a. Meeting on 2/24. Mr. DiNardo noted that at this meeting they discussed revenue estimates and guidance on city operations. Mr. Molony attended as a guest speaker. He helped to explain 2019 figures in review specifically the earnings taxes. Project revenue for the next 5 years was discussed. The committee discussed the Regional Income Tax Agency and how it may affect the city if hired to pursue taxes. The Committee also discussed the 2020 FRP process and timing. They also reviewed open claims against the city. They reviewed 3 claims specifically with Assistant Law Director Tim Gary. Further they are considering another process to handle these claims which will act also as a tracking system. The Committee will also follow up on best practices for reviewing financial reports based upon the new software that the Auditor's office is installing.
- b. Meeting on 3/7. The Committee met to review the draft financial recovery plan. Council President and the City Auditor were also in attendance at that meeting. The Auditor provided a detailed walk through of the draft 2020 and 2021 Financial Recovery Plan. They were told that though it was a draft there should not be materially different between that plan and the plan being reviewed at the 3/10 council meeting. They also discussed long and short-term perspective on getting the city out of fiscal emergency. In the committee there was general support for the draft plan. The committee discussed the appropriations changes that will be required due to the financial recovery plan, the ordinances needed and the timeline to get that done. They discussed the ordinance regarding salary and new positions and when that ordinance could be voted on by the council as a whole. There are two appropriations changes that are on the council meeting agenda for 3/10/20.

On motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to receive and file these two committee reports. Roll was called. All members voted yes. Motion passed.

2) ECONOMIC DEVELOPMENT COMMITTEE REPORT

Meeting on 3/3. The Economic Development Committee discussed murals, and building fees. The committee heard from residents in favor of having murals and will seek direction from the Law Department on how to move forward on that topic. The committee heard from Mark Reeves from the Norwood Building department about building and design reviews. He advised that any new development that is a PUD will come before the committee for review. Mark also brought a current and proposed fee increase list to the committee. He gave a copy to the acting building commissioner for his comments also. On motion by Mr. Thompson, seconded by Mr. DiNardo, it was moved to receive and file the committee report. Roll was called. All members voted yes. Motion passed.

3) COMMITTEE OF THE WHOLE

Meeting on 3/9. The Committee discussed Cappy's license, the Auditor of State Report on Accounting methods and electronic delivery of meeting materials. The committee provided expectations to Cappy's to return to council on before the April 14 council meeting to report on progress. The President provided an update to the council regarding his conversation with the state Auditor's office regarding the report. There are 34 deficiencies that are identified. All items must be corrected and submitted to their office for approval. This is a requirement for getting out of fiscal emergency. President is going to reach out to those who are responsible for correction of these items and will be keeping a spreadsheet to track the completion of these items. He will report to council as to progress on a monthly basis. The committee also determined that they are open to electronic methods of delivery of meeting materials and provided suggestions on moving to a paperless system. The Clerk of Council will continue to email packages to all council members and will provide paper packages to those members who request it. On motion by Mr. Geraci, seconded by Mr. Kelsch, it was moved to receive and file the report of the committee. Roll was called. All members voted yes. Motion passed.

I) THIRD READINGS OF ORDINANCES/RESOLUTIONS

None

J) SECOND READING OF ORDINANCES/RESOLUTIONS

None

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

2) ORDINANCE CONSENTING TO THE PROJECT ID NO. 109334, BRIDGE INSPECTION MAINTENANCE SERVICES, AS DESCRIBED IN THE ATTACHED CONSULTANT'S SCOPE OF SERVICES TASK ORDER CONTRACT (EXHIBIT A). AND DECLARING AND EMERGENCY

On motion by Mr. Geraci, seconded by Mr. Breadon, it was moved to have all three readings of the ordinance. Mr. Breadon asked the Mayor to give a brief overview of the ordinance. The Mayor noted that this is a free service that is an inspection on the city bridges. Mr. Geraci asked the mayor through the chair whether this means that the inspections will be done this year. The Mayor indicated that it should be done consistently. Roll was called. All members voted yes. Motion passed. Clerk of Council did all three readings. On motion by Mr. Breadon, seconded by Mr. DiNardo, it was moved to pass the ordinance. Roll was called. All members voted yes. Motion passed.

3) ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE REPAIR OF THE STORM SEWER RUNNING NORTH TO SOUTH IN THE AREA SOUTH OF NORWOOD AVENUE AND NORTH OF STATE ROUTE 562 NEAR LINDEN AVENUE AND THE PETSPOT, WITHIN THE CITY OF NORWOOD, OHIO, AND DECLARING AN EMERGENCY.

On motion by Mr. DiNardo, seconded by Mr. Kelsch, it was moved to have all three readings. Mr. Thompson asked if the Mayor could provide some background information regarding the urgency of this matter. The Mayor noted that this is a stormwater transfer line that connects those running down Linden connecting to those that cross the lateral. There is a separation on one of the connections of the lines that needs to be repaired. It is an extensive repair that is undermining the foundation of the PetSpot building. ODOT noticed it and then advised the city that it needed to be taken care of. Roll was called. All members present voted yes. Motion passed. The Clerk did all three readings. On

motion by Mr. DiNardo, seconded by Mr. Breadon, it was moved to pass the ordinance. Mr. Geraci asked the Mayor how this issue was different than the one on Elm Avenue. The Mayor noted that the Elm Avenue issue is a problem due to too much water. If this issue wasn't located where it is, it wouldn't be as expensive and the city would have taken care of it without bringing it to council. Roll was called. All members present voted yes. The ordinance passed.

L) ADMINISTRATION REPORTS

The Mayor reported about the Financial Recovery Plan and noted that it is moving forward. He said that the Unions have been working with the city and he is confident that the city will meet the target date. There is draft information to be reviewed. He has had good meetings with police and fire unions. He praised the employees that are doing extraordinary work and he specifically mentioned the K-9 unit. The Mayor applauded the Public Works Department. The Safety Service Director has been working with Duke energy to make progress and noted that there are some street lights that are now working that have been out for years. He discussed engineering work being done including the lateral and the City Hall roof. The city just got some funding for street repairs. He is looking forward to the street assessment to determine what streets need the most work. In working with the Health Department, they are in communication with the State Health Department to stay in touch and informed. The takeaway is that people need to wash their hands. Mr. DiNardo asked about the negotiations with the Unions and what the Mayor could share. The mayor said that there are upcoming meetings and he expects them to go well.

M) OTHER REQUESTS TO ADDRESS COUNCIL

Dana Boll who lives at 3947 Elsmere addressed the council. She congratulated the members of council. She appeared to discuss the tree give away. The program is funded through the Duke Energy foundation. The grant gives trees to Cincinnati, Hamilton and Norwood. Arbor Day then creates an impact statement regarding water run off and means lowering of temperature. This sets the city up for later grants. The city gets 52 trees in different varieties and sizes. These are free to our citizens from Duke and will help to lower energy use in the summer. You can sign up at arborday.com/takingroot. Ms. Boll has been working with them since 2016 and due to her group Keeping Norwood Cool she has had an ongoing relationship with them. She noted that some neighbors are signing up for trees together. Duke and Taking Root consider this their project and she is just coordinating it for them. The formation of the pick up is still taking place. The concentration right now is the sign up. Mr. Thompson asked if there was any kind of placement criteria. Ms. Boll replied that there is a suggestion on the website as to where placement is ideal and notes that the trees are for private property. Many times these projects are for public areas. Mr. DiNardo confirmed that the sign up is done through the website. She confirmed and stated that Mr. Breadon has offered to be a Field Marshall and has trucks to help with delivery. Mr. Breadon thanked her for her involvement and said he and Ms. Boll would help if someone wants to sign up but has trouble doing so.

Tom Perry who lives at 3843 Forest Avenue addressed the council. He is a masters of public administration student at Northern Kentucky University who has lived in Norwood since 1998. He wanted to discuss analytics in government to help the council make tough decisions. He used a slideshow and introduced Cleargov which is a website that helps citizens learn how their tax dollars are used in the community and compare that with other communities. It is also there to help communities decide on how to use their money. He reviewed the information from 2018 for Norwood and how it compares to surrounding communities. He specifically looked at how much money is being used for fire, police and public works comparing it to similar communities. He proposed that before negotiating union contracts that analytical review be done comparing Norwood to other communities. Mr. Thompson asked for the website address. The website is cleargov.com. Mr. DiNardo asked Mr. Perry for some personal background information. Mr. Perry said that he does not work with or for cleargov.com. He wants to be an economic development director for a city.

Amanda Sinclair who lives at 2200 Hudson Avenue addressed the council. She has lived there about a year and before that lived on Quatman Avenue for 20 years. She wanted to talk about the number of outdoor cats in the neighborhood and specifically at her next door neighbor's home. The neighbor has 8 or 9 that she feeds on a regular basis. She thinks that the neighbor cares about the cats but this number of cats has negative effects on the neighborhood including poop and puke in the yard and on the sidewalk. Her child can't run freely in the yard because of the poop. She has called the city and the SPCA but there appears to be no one to help. She wanted to bring the situation to the council's attention to see if the city can discuss some positive solutions that is respectful of all citizens. Mr. Geraci noted that he has a similar situation at his home that has been lessened over the years due to coyotes. He thinks the best option may be for someone to take the cats and spay or neuter them. He suggested that if some resident has a solution he would love to hear it. Mr. DiNardo advised that he suggested to Ms. Sinclair to come to the council. He asked the council if the issue should be referred to a committee to see if council wants to tackle it. Mr. Bonsall stated that you can use a "have a heart" trap and take it to the SPCA who will spay or neuter it and

then bring the cat back. He had a similar issue at his home and looked forward to a discussion on the topic. Mr. Breadon asked if Ms. Sinclair had spoken to the Health Department. She said that she had but that there was nothing in place currently to deal with this. She just hopes that if someone is going to take on feeding the cats that they would take responsibility for the cats beyond that.

N) UNFINISHED BUSINESS

Mr. Geraci asked the Mayor if there was an update regarding the show that is behind 4216 Montgomery Road. He asked if there had been a response from SORTA. The Mayor indicated that he was unaware of a letter being sent to them. Mr. Geraci asked for the Clerk to send a letter to the Mayor and the Safety Service Director to ask them to send a letter to SORTA regarding the property. Mr. Kelsch asked Mr. Gabbard if any movement had been made on the mural issue. Mr. Gabbard said not as of yet. Mr. Bonsall asked Mr. Gabbard when the committee would meet again to discuss the issue. Mr. Gabbard said it would be a few weeks since he will be having shoulder surgery. The President add that the PUD change request public meeting notices were sent out and that the hearing would be during the April 14th meeting.

O) NEW BUSINESS

Mr. Bonsall noted that at the committee of the whole meeting that the D2 on site consumption of wine license for Cappy's was discussed. He noted that the previous counsel requested that the Clerk object to the license and the Law Director follow up for a hearing. He said at the meeting the night before that it was noted that any objection would likely not get anywhere so he suggested that the city no longer waste any time objecting to the license. He asked for the Law Director's feedback on the matter. The Law Director said that the law department can still object if the council wants but that any objection would likely be unsuccessful. He also noted that on the objection form, the city can ask for a local hearing. Mr. Gabbard said that Chief Kramer was in attendance and asked for him to share about the number of calls to Cappy's as some background. Chief Kramer addressed the council said he had numbers written up and that he would send them to the council members. He calculated the number of calls from 1/1/14 to 6/1/14 which is when they started an investigation in conjunction with the prosecutor's office. There were 170 calls in that time. Of those calls, 130 calls were business checks which is something that they do for many businesses (checking the doors to make sure no one has broken in) traffic stops (the store used as a landmark), alarms or auto accidents. There was one call in 2015 which was a citation for serving a minor and then 2 others that were warrant service on Cappy's employees that had nothing to do with their employment. When the prosecutors asked the Norwood police to assist them with the Cappy's investigation they agreed in exchange for the prosecutors helping with the Norwood police investigation of Sherman Market. These two investigations ran simultaneously. Sgt. Lewis said that none of the wrong doing involved Cappy's employees. They put an informant outside of Cappy's to investigate drug buys. There were 2 incidents which was the basis of the nuisance suit. He noted that the owner's of Cappy's were cooperative and had nothing to do with the incidents. Additionally there were no incidents after that. Mr. Breadon confirmed with the Chief that there was only 1 sale to minor incidents. The Chief said he could only find one in their system going back to 2014. Mr. Breadon also confirmed with the Chief that none of the infractions involved a Cappy's employee. Mr. Kelsch asked the Chief if any employee reported possible drug activity. The Chief said he didn't investigate it that far. Mr. Breadon asked if the police department had any objections to the license. Chief Kramer noted that when there is a question about licenses he checks with the head of investigations for an opinion. There were no objections. He was contacted by Mr. DeLuca who voiced his objections. Chief Kramer also checked with the prosecutor's office and they didn't have any objections either. Mr. Bonsall noted that there are two items in question, the trex transfer and the license granting. On motion by Mr. Bonsall, seconded by Mr. Breadon, it was moved for the Law Director to withdraw the city's objection to the D2 wine permit. Mr. Kelsch asked why this wasn't brought up the night before. Mr. Bonsall said it wasn't on the agenda the night before. Mr. Geraci agreed that it was a waste of time to continue to object. Roll was called. All members present voted yes. Motion passed.

Mr. Breadon asked whether based upon what the council just heard from the Chief changed anyone's mind about the objection to the trex transfer. Mr. Geraci said absolutely not since the major issue from the night before was aesthetics. He still wants to see a change to the outside of business. Mr. Bonsall noted that he had spoken with the applicant today regarding the items discussed at the meeting the night before. Mr. Geraci's concern is that bettering the aesthetics means to him that the owner is interested in bettering Norwood. Mr. Bonsall expects for the applicant to reach out to Mr. Geraci.

P) COMMUNICATIONS

1) Letter from State of Ohio Division of Liquor Control RE: Licensing Fee Distributed

The Clerk described the letter and the amount of fees distributed as noted in the letter. She noted that it is merely notification to the city regarding the funds distributed. On motion by Mr.

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

- 2) Letter from SSD John Murphy RE: Amendment to Ordinance No. 909.06

The Clerk read the letter to council regarding the change to the fee schedule in the city building department. On motion by Mr. Geraci, seconded by Mr. Kelsch, it was moved to receive and file the letter. The Law Director noted that the law department has drafted an ordinance and there should be an ordinance on the agenda at the next meeting. The Mayor cautioned against changing only one fee at a time. He thought that the letter from was more of an informative letter so council can review all fees and do an encompassing ordinance for all changes that are needed. Mr. DiNardo said that an amended fee schedule had been reviewed so he thought that perhaps this issue was separate from what they had already seen. Roll was called. All members present voted yes. The motion passed.

- 3) Letter from Auditor's Office RE: February Monthly Financial Report

The Clerk read the letter. On motion by Mr. Thompson, seconded by Mr. Geraci, it was moved to receive and file the letter. Roll was called. All members present voted yes. Motion passed.

- 4) Letter from Mayor Schneider RE: Mayor's Court Fines for February 2020

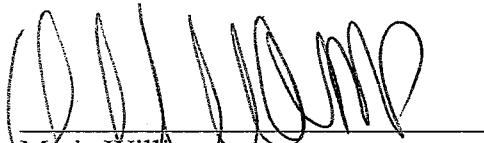
The Clerk read the letter. On motion by Mr. Breadon, seconded by Mr. Mr. DiNardo, it was moved to receive and file the letter. Roll was called. All members present voted yes. Motion passed.

Q) EXCUSE ABSENT MEMBERS

All members present.

R) ADJOURNMENT

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



Maria Williams
Clerk of Council



Ken Miracle
President of Council