



Council Chambers

July 9, 2019 ~ 7:30pm

A) CALL TO ORDER

The Council for the City of Norwood met in regular session on the above date with Mrs. Donna Laake presiding. The meeting opened with a prayer and the Pledge of Allegiance.

B) PRAYER

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

On roll call, the following members answered present: Mr. Bonsall, Mr. Clark, Mr. Thompson, Ms. Stevenson, Mrs. Hanrahan, and Mr. Breadon; Mr. Sanker was absent.

E) AMENDMENT OF AGENDA

On a motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to amend the agenda as follows: change the name on the first two communications from Mr. Stith to Mr. Molony, add a communication regarding June monthly financials, and add a communication regarding the 2018 post audit meeting.

Mrs. Laake acknowledged Mr. Sanker's arrival in Council Chambers.

All members present voted, "Yes."

F) MINUTES OF PREVIOUS MEETING

On a motion by Mr. Clark, seconded by Ms. Stevenson, it was moved to approve the minutes of the June 25, 2019 meeting, as if read. All members present voted, "Yes."

G) RECOGNITION OF SGT. MIKE BORCHERS AND HIS PARTNER AMOR

Chief Kramer stated Amor has been with the Norwood Police Department since 2012; the training did not stop with the K-9 Academy. Chief Kramer confirmed the Haverkamp Foundation was responsible for the purchase of Amor and the Roethlisberger Foundation paid for the cost of training. Chief Kramer also stated that Sgt. Matt Borchers is a dedicated K-9 officer and comes to events within Norwood and outside of Norwood when Amor's assistance is needed.

Sgt. Borchers thanked his wife for supporting him in this venture of being a K-9 officer. Amor is a nine-year-old German Shephard from Amsterdam; he has been on the road for seven years, which is typical for a police dog. Sgt. Borchers had to learn Dutch commands to instruct Amor. Amor is a dual purpose K-9; he is trained to find drugs and track individuals.

Mr. Sanker asked what Amor will do next; Sgt. Borchers replied by stating Amor will become a "normal house dog" and enjoy his retirement.

Mrs. Laake thanked Sgt. Borchers for his work with Amor; Sgt. Borchers and Amor then received a standing ovation by all in Council Chambers.

H) REQUEST TO ADDRESS COUNCIL ON AGENDA ITEMS

There were no requests to address Council on agenda items.

I) REPORTS OF STANDING COMMITTEES OF COUNCIL

There were no reports of standing committees of Council.

J) SECOND/THIRD READING OF ORDINANCES/RESOLUTIONS

1) AN ORDINANCE AMENDING SECTION 1305.05, "FEES," OF THE CODIFIED ORDINANCES OF THE CITY OF NORWOOD, OHIO, TO WAIVE CERTAIN FEES FOR HANDICAPPED ACCESSIBLE RAMPS.

On a motion by Mr. Thompson, seconded by Mrs. Hanrahan, it was moved to hear the second reading of the ordinance. All members present voted, "Yes."

K) INTRODUCTORY READING OF ORDINANCES/RESOLUTIONS

1) ORDINANCE CREATING AND ESTABLISHING THE NORWOOD AGENCY FUND 33 "EMPLOYEE FLEX SPENDING ACCOUNT", AND DECLARING AN EMERGENCY.

Mr. Stith stated the city has hired a third-party administrator to offer employees a flexible spending account (FSA); to manage the money, a fund must be created. The third party will send a bill monthly and the money is then transferred out of that fund. This is a voluntary election by employees to have funds deducted, pre-tax, and used for reimbursement for out of pocket medical expenses. Mr. Stith reviewed the previous practice for dental and optical plan expense reimbursement, which was eliminated due to it not being legal; this new FSA fund will meet IRS guidelines and regulations.

Ms. Stevenson asked about the usage related to cost and how the program was communicated to eligible employees; Mr. Stith replied by stating there were meetings held over a one-month period to discuss the matter with employees, during which letters and forms were distributed. Mr. Stith confirmed this plan will be administered by a third party and not by the Auditor's office; the fees are paid by the employees. Mr. Stith confirmed that a third party has been selected; he also acknowledged that this ordinance will simply create the fund as an accounting unit for the transfer of money and does not require approval or establishment of the program.

On a motion by Mr. Thompson, seconded by Mr. Clark, it was moved to suspend the rules and hear all three readings of the ordinance. All members present voted, "Yes."

On a motion by Mr. Clark, seconded by Ms. Stevenson, it was moved to pass the ordinance. All members present voted, "Yes."

2) RESOLUTION DECLARING THE NECESSITY FOR, AND AUTHORIZING THE TRANSFER OF, \$3,000,000.00 FROM THE SEWERAGE FUND (61) TO THE WATER FUND (50) OF THE CITY OF NORWOOD, AND DECLARING AN EMERGENCY.

Mr. Stith stated the Water Fund has been operating at a deficit since last year and is not sustainable at the current levels of water billing; the Sewer Fund has had a surplus for around five years. State Auditors analyzed the funds and made two suggestions: raise water rates or transfer the surplus amount from the Sewer Fund into the Water Fund. Mr. Stith confirmed that the management fees are only coming out of the Water Fund, and not the Sewer Fund; sewer bills from Cincinnati do not show a usage fee. This step will correct the deficit for a few years; once Council passes this resolution, the next step is to write a letter to the state, who must then authorize the movement of funds.

Mrs. Hanrahan asked if residents have been overcharged for sewage; Mr. Stith confirmed that the same question has been asked to the state, and they were unable to answer it based on the billing the city receives. Mrs. Laake noted that the initial audit looked at money for bills in both water and sewage; administrative fees were only charged to the Water Fund and not the Sewer Fund, which may account for some of the disparity in funds.

Mr. Thompson stated he understands the desire to do this but is concerned about the surplus; it doesn't feel right overcharging in one fund and using that to offset the undercharging in another fund. Mr. Thompson stated he is not comfortable approving this until he knows why one fund balance is higher and the research into this is complete. Mr. Breadon stated it makes sense to him why one fund would be depleted and not the other fund, due to the payment of repairs that are taking place.

Ms. Stevenson asked questions pertaining to contractual obligations and the ability to pay the current bill from the Water Fund; Mr. Stith replied by stating the Water Fund continues to have a negative balance even with the most recent rate increase. The initial concern involved the routing of funds; State Auditors confirmed the routing is being done correctly. The operating expenses for both funds are currently only coming from one fund; the best course of action is to transfer money, instead of raising water rates or additional fees. Mr. Stith stated it is reasonable to hear one reading tonight and to revisit the matter at a future meeting.

Mr. Thompson stated he agrees with having one reading; he would still like to see a better fix for this in the future. Mr. Thompson recommended looking at the expenses to fix sewer-related issues over the past five years; if there is a large discrepancy between what is spent to maintain sewers and this number, he finds a reason lacking to support the ongoing transfer of funds.

Mr. Bonsall stated he will vote for the first reading and also understands the concerns being raised. He has looked at the Water Fund going back three and a half years; this warrants further investigation. Mr. Bonsall is asking the Administration to look into this; the Service-Safety Director brought MSD in to look at the billing several years ago and was told the billing is being done the way Hamilton County Commissioners advised.

On a motion by Mr. Clark, seconded by Mr. Bonsall, it was moved to hear the first reading of the resolution.

All members present voted, "Yes."

M) ADMINISTRATION REPORTS

There were no administration reports.

N) OTHER REQUESTS TO ADDRESS COUNCIL

There were no other requests to address Council.

O) UNFINISHED BUSINESS

Mrs. Laake revisited the Safe Routes to School grant; residents around Norwood View were not happy about flashing lights not being installed. They have petitioned to utilize surplus grant funds to place the

flashing lights around Norwood View, and it was approved; the flashing lights will be installed in place of the signs that currently exist.

Mr. Thompson spoke about the topic of contract negotiations and the offer he discussed at the previous Council meeting; one side reached out to him with examples, but they were prior to his offer. No one has reached out to him to say they are attempting to negotiate contracts; Mr. Thompson stated it is possible that no one wants to negotiate at this point. Mr. Thompson stated his offer is a good-hearted effort to negotiate union contracts.

Mr. Sanker commended the Norwood Fireworks Committee for a job well done on the Fourth of July festivities and fireworks display.

Mr. Bonsall reminded everyone that at the last meeting a request was made to send a letter to Mayor Williams regarding a deadline for him to submit a draft revision of the Financial Recovery Plan to Council; Mrs. Laake and the Clerk of Council both confirmed that no response from Mayor Williams was received. Mr. Bonsall stated Council received a copy of a discussion draft plan from Mr. Stith. Mr. Stith confirmed that on July 15, Anna Mary Thomas will be present to work on a draft plan. Mr. Stith stated the spreadsheet he distributed to Council includes the projection for increases to staffing in the Police and Fire Departments; this meant the removal of many items from the Capital Improvement Plan. This is a tool for Council to utilize and not a recommendation; Council may make changes on the spreadsheet, which will then be reflected in the fund balance. Mr. Stith confirmed that the increased staffing levels will result in a negative general fund unencumbered balance of \$2,293,000 at the end of 2023. The old plan also did not account for projected increases for health insurance; it now reflects an increase of 15% for the years 2021- 2023. The projected figures for the Police and Fire include promotions, cost of living adjustment, benefit increase, but no raises. Future capital outlays have also been reduced to zero dollars. Mr. Stith stated the spreadsheet is a tool created by his office for members of Council to use; it is not a draft that was submitted or created by the Administration.

Mr. Thompson thanked Mr. Stith for putting the document together. Mr. Thompson asked the question of how Council will know when the city is finished with a Financial Recovery Plan, since the original plan was for five years; Mrs. Laake responded by saying it is completed when the city is in the black, has a plan to be in the black, has a Capital Improvement Plan, and updated policies and procedures. Mr. Thompson stated that up until this point, the Financial Recovery Plan was in the black at the end of five years and there was a Capital Improvement Plan for the city; increasing staffing levels above the original plan will eliminate the Capital Improvement Plan and will also now result in the city being \$2.2 million in debt. Mr. Thompson asked where the money is going to be cut, in addition to the Capital Improvement Plan; he is interested in seeing what other city services the Administration is going to cut. Mr. Thompson expressed his disappointment in Council not receiving what they had asked for from the Administration; the request was not unreasonable and there are now 31 days left to approve a viable plan. Mr. Thompson then read several items that are covered in the Capital Improvement Plan: new police cruisers, new fire truck, ambulance, and ladder truck, updated traffic and pedestrian signals, lights at Water Works baseball fields, updated playground equipment, stairs at Millcrest Park, and restrooms at Burwood Park.

Mr. Sanker stated the city has contracts that they are obligated to abide by; no one with the state can answer if the Financial Recovery Plan or the union contracts takes precedent over the other. Mr. Thompson stated if the city abides by the contracts, there is then no money to take care of the city; he wants the best funded Safety-Services Department the city can afford. The current contracts call for more than the city can afford; if the Administration decides to hire, city services will have to be cut. Mr. Thompson stated the issue of contracts and the Financial Recovery Plan is a State Supreme Court issue; it deals with two conflicting state laws and is a decision for the courts to make.

Mr. Clark asked if Mayor Williams is required to provide a plan to Council; Mrs. Laake replied by stating Council has to pass a plan before it can get to the Financial Planning and Supervision Commission. Mr. Clark asked a follow-up question pertaining to Council's ability to pass their own plan if one is not presented by Mayor Williams; Mrs. Laake replied by stating Mayor Williams may sign or veto the ordinance that approves the plan.

Mr. Bonsall stated Council has taken action that has put the city in a better place; there have been many attempts to get staffing levels out of contracts going back to the 1980's. Mr. Bonsall stated a plan was presented to Council by the Mayor, and it was approved by Council, and it contained staffing levels that the Mayor wanted as part of the plan; Council has not received any communication from Mayor Williams about the staffing changes. Mr. Bonsall stated he will be opposed to any plan that includes full contractual level staffing for 2020-2023; a plan has already been passed without full staffing for 2020-2023. Mrs. Laake stated those lower staffing numbers were in the plan because Council stated their intention was to reach those numbers through negotiations. Mr. Bonsall stated the staffing increase will add over \$1,500,000 in Police and Fire salaries in 2020 alone. Mr. Stith stated he asked April Davis about cutting future staffing levels; without a firm commitment from the city, changing the numbers is not reasonable and probably will not be approved by the Financial Planning and Supervision Commission. Mr. Bonsall

expressed his frustration in the feeling that the rules are always changing; a plan was already submitted and approved that has staffing levels at 49 this year and 45 in future years.

Mrs. Hanrahan asked what happens if Council gets the plan the day of the meeting and they vote against it; Mrs. Laake replied by stating Council has 45 days to pass a plan to present to the Financial Planning and Supervision Commission and if that doesn't happen, the city will automatically lose state and federal funds and expenditures beginning in September 2019 will be limited to 85% of what they were in September 2018.

Mr. Bonsall stated appropriations are only funding the staffing levels to 49 and then 45; he struggles with understanding the point of appropriations if the staffing levels go above what has been appropriated. Mr. Bonsall believes the problem with violating the Financial Recovery Plan was created when Mayor Williams changed the numbers that were originally submitted in the approved Financial Recovery Plan.

P) NEW BUSINESS

Mrs. Hanrahan asked for Mrs. Laake to read a letter from a resident, Dana Boll, regarding an event taking place on August 17, 2019, near School Outfitters on Regent Avenue. Mrs. Laake read the letter, thanked Ms. Boll, and acknowledged that Ms. Boll has been waiting a long time to see things develop with Keep Norwood Cool.

Mr. Thompson announced Valley Church's Party in the Park will take place July 13, 2019, from 6pm-8pm at Dorl Field; another event is scheduled for Hunter Park next week. Mr. Thompson thanked Valley Church for putting on these events for the community.

Ms. Stevenson announced there will not be a Ward 1 Community Council meeting in the month of July. There will be an Economic Development and Community Engagement Committee meeting August 1, 2019, beginning at 7pm in Council Chambers. At the meeting, HCDC will report on the Business Support Program and a grant application the city made regarding planning, as well as representatives from Paycor to discuss their upcoming hiring fair that will take place on August 20, 2019, from 4:30pm – 7pm.

Ms. Stevenson reminded everyone of Shakespeare in the Park at Upper Millcrest Park; this will take place on August 3, 2019, beginning at 7pm, and will be a presentation of Romeo and Juliet.

Mr. Bonsall announced "porch parties" that will take place the Friday, Saturday, and Sunday before the Norwood Day Parade; Norwood Block Captains have come up with the concept of people inviting neighbors onto their porch to chat, socialize, etc.. There is a cleanup of Montgomery Road that is scheduled to take place July 20, 2019, beginning at 8am; anyone interested should arrive at City Hall prior to 8am. July 20, 2019 is also the next Off Pike Market on Mills Avenue, near Victory Park; the market will take place from 10am – 2pm. Mr. Bonsall mentioned the events taking place during "Norwood Week," which include the Norwood Day Parade, Norwood Day at Old Coney, and the Holy Trinity Festival; these are all traditions that make the community strong.

Mrs. Laake mentioned the award and recognition ceremony that took place to honor Jerry "Red" Roettgers. Mr. Roettgers is a WWII veteran; he fought in France and was a POW. By order of the French President, Mr. Roettgers was awarded the French Legion of Honor Medal, which is France's highest distinction; the medal was presented to Mr. Roettgers by the Council General of France. Mr. Roettgers was provided a police escort from his home to the ceremony and he was saluted by Norwood Firemen as he arrived. Mrs. Laake stated a resolution will be presented to Mr. Roettgers at a future Council meeting.

Mr. Breadon thanked everyone who was involved with the Norwood Fireworks, including those who made donations toward the event; it was a successful event.

Mr. Bonsall asked about scheduling a Special Council Meeting to review a draft of the Financial Recovery Plan; Mrs. Laake announced the Special Council Meeting will take place July 30, 2019, at 7:30pm in Council Chambers, for the purpose of discussing or reviewing a potential draft of the Financial Recovery Plan.

Mr. Bonsall referred the matter of bee-keeping into the Law and Ordinance Committee.

Q) COMMUNICATIONS

- 1) Tim Molony, Treasurer Re: Bank Reconciliation for April 2019**
On a motion by Mr. Clark, seconded by Mr. Bonsall, it was moved to receive and file the report. All members present voted, "Yes."
- 2) Tim Molony, Treasurer Re: Bank Reconciliation for May 2019**
On a motion by Mr. Clark, seconded by Ms. Stevenson, it was moved to receive and file the letter. All members present voted, "Yes."
- 3) Mayor Thomas F. Williams Re: Mayor's Court Fines for June 2019**
On a motion by Mr. Clark, seconded by Mr. Bonsall, it was moved to receive and file the letter. All members present voted, "Yes."

4) Kelly Brown, Account Clerk Re: June Monthly Financials

On a motion by Ms. Stevenson, seconded by Mr. Breadon, it was moved to receive and file the letter. Mr. Clark thanked Mrs. Brown and the Auditor's office for preparing the monthly financial reports. All members present voted, "Yes."

5) Jim Stith, Auditor Re: 2018 Post Audit Meeting

On a motion by Mr. Thompson, seconded by Mr. Breadon, it was moved to receive and file the letter. Ms. Stevenson asked if this meeting is open to the public; Mr. Stith replied by confirming it is open the public and will take place in Council Chambers. They will go through the audit and any compliance issues; there was a blatant mistake last year and a lengthy process had to be followed to make the correction. All members present voted, "Yes."

R) EXCUSE ABSENT MEMBER/S

There were no absent members.

S) ADJOURNMENT

On a motion by Mr. Bonsall, seconded by Mr. Breadon, it was moved to adjourn. All members present voted, "Yes."



Joseph S. Geers
Clerk of Council



~~Donna M. Laake~~
President of Council Pro Tem