Norwood City Council

Council Chambers | Norwood City Hall

4645 Montgomery Road | Norwood, Ohio 45212

December 10, 2024 | 7:30pm

A) CALL TO ORDER

The Council for the City of Norwood met in a regular session on the above date with Mr. Joseph Geers presiding. The meeting opened with a moment of reflection and the Pledge of Allegiance.

B) MOMENT OF REFLECTION

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

On roll call, the following members answered present: Mrs. Franzen Mrs. Hoover, Ms. Royse, Mrs. Bowling, Mrs. Winterbauer, Mr. Girton, and Mr. Breadon.

E) AMENDMENT OF AGENDA

On a motion made by Mrs. Hoover, seconded by Mrs. Franzen, it was moved to amend the agenda as follows: removal of the Finance Committee report and DEI Advisory report, addition of item two under Section L (Second Reading of Ordinances/Resolutions) regarding the Sherman Avenue Apartments, and addition of item seven under Section M (Introductory Reading of Ordinances/Resolutions) regarding the Elm Avenue Project.

Law Director Moore explained that there are two ordinances regarding Factory 52 on the agenda, one an introductory reading and the other a third reading of the original ordinance. Mr. Moore recommended that Council amend the agenda to add the third reading of the ordinance regarding the Factory 52 New Community Authority and explained that the introductory reading on the agenda contains several textual changes surrounding the board appointment process.

All members present voted "Yes". The motion passed.

F) MINUTES OF PREVIOUS MEETING

There were no minutes of the previous meeting.

G) SPECIAL PRESENTATIONS

1) Jennifer Vatter (JMA Engineering) and Ed Williams (TEC Engineering) Re: Plans for the Montgomer Road Pedestrian Safety Improvement Project

Mr. Williams presented an update on the Montgomery Road Pedestrian Safety Project, which stretches from Monro Avenue to Maple Avenue. The project will include improved shelters at bus stops, larger sidewalks, and additiona lighting and trees with receptacles. Underground electric will be implemented, and above ground poles removec Parking spots along Montgomery Road will also be created. Signal heads at intersections will be updated an realigned with lanes.

H) PUBLIC HEARINGS

There were no public hearings.

I) REQUEST TO ADDRESS COUNCIL

1) Marilyn Hanrahan Re: Public Hearing

Ms. Hanrahan lives at 2257 Monroe Ave. Ms. Hanrahan addressed Council regarding the inconvenient timing of the upcoming December public hearings being so close to Christmas.

2) Tram Nguyen Re: Buddhist Temple

Mr. Nguyen spoke as a representative of the Buddhist Temple located at 2701 Robertson Avenue. He spoke to the cultural impact of the Temple as a gathering place for members of the Buddhist community. He also raised concern about traffic, noise, and how the proposed construction by PLK would restrict access to the entrance to the Temple. Mr. Nguyen noted that this would be particularly concerning in potential emergency situations or for those with disabilities in need of the more accessible entrance.

3) **Wayne Allen Stanten III** **Re: Traffic Stop**
Mr. Stanten lives at 1632 SR 134. He addressed Council regarding a complaint he had filed against the Norwood Police Department in September 2024 and stated he was seeking accountability regarding police conduct during a traffic stop he was in.

4) **Sonny James** **Re: Community**
Mr. James lives at 4305 Ashland Avenue. He stated his support for Mr. Wayne Allen Stanten III, who addressed Council before Mr. James. Mr. James also addressed Council regarding the youth anti-crime and gun violence initiative he is a part of.

5) **Jim Favret** **Re: PLK and S. Robertson Ave.**
Mr. Favret lives at 4236 Forest Avenue. Mr. Favret addressed Council about PLK's upcoming development plans. He asked if revenue from the 2% retail fee could be split between the City of Norwood and PLK, if PLK had met green space and water run off requirements, if the S. Robertson PUD plot would be for residential use or if it would also be used for retail space, and if Beech Street could be made a one way street to improve traffic.

6) **Terri Meagher** **Re: PLK Development and Traffic Study**
Ms. Meagher lives at 4335 Beech Street. Ms. Meagher addressed Council regarding her concerns about inaccuracies in the traffic study conducted by PLK and safety issues surrounding Phase II development.

7) **Diane Farrell** **Re: PLK**
Ms. Farrell lives at 2749 Robertson Avenue. She addressed Council regarding her concerns about the impact that Factory 52 construction has had and will continue to have on the surrounding area and residents.

8) **Susan Knox** **Re: PLK**
Ms. Knox lives at 3908 Lindley Avenue. She expressed her opposition to the Factory 52 and referenced a statement that Factory 52 may not be sustainable if it is in need of a 2% fee. She also questioned if PLK had let the City know that an NCA was in its original plans when development began.

9) **Lynn Ellis** **Re: PLK**
Ms. Ellis lives at 4630 Baker Street. Ms. Ellis questioned how the NCA benefitted Norwood or realistically gave the City more control. She also questioned the financial viability of PLK.

10) **Marlyin Hanrahan** **Re: PLK**
Ms. Hanrahan lives at 2257 Monroe Avenue. Ms. Hanrahan questioned if the fee would be capped at 2% of each food and beverage sale as stated.

11) **Bryan Gfroerer** **Re: PLK**
Mr. Gfroerer lives at 2700 Ida Avenue. He stated that PLK should find a way to pay for their own costs rather than imposing a fee to do so, and that events put on at Factory 52 are paid for by vendors.

12) **Sonny James** **Re: PLK**
Bishop James lives at 4305 Ashland Avenue. He echoed the concerns of those who had previously spoen against Factory 52 and asked that Council listen to members of the community.

13) **William Lewis** **Re: Resolution Authorizing Disposal of Personal Property**
Mr. Lewis stated that his grandfather owned a gun shop in Norwood in the 1960s. Mr. Lewis stated that firearms are assets with financial value. He asked Council if they had considered the value of the firearms that the resolution would destroy.

J) REPORTS OF STANDING COMMITTEES OF COUNCIL

Finance, Budget, Audit & Claims Committee-11/12/2024
Removed during amendment of the agenda.

Housing, Health, Environment & Public Safety Committee-11/20/2024
On a motion made by Mrs. Hoover, seconded by Mrs. Franzen, it was moved to table the committee report until the next meeting. All members present voted "Yes." The motion passed.

DEI Advisory Board-11/21/2024
Removed during amendment of the agenda.

DEI Advisory Board-12/4/2024
On a motion made by Mrs. Hoover, seconded by Ms. Royse, it was moved to table the committee report until the next meeting. All members present voted "Yes." The motion passed.

Committee of the Whole-12/3/2024
On a motion made by Mrs. Bowling, seconded by Mr. Girton, it was moved to accept and file the committee report. Mrs. Hoover stated that the survey discussed during the Committee of the Whole meeting was phenomenal. All members present voted "Yes." The motion passed.

K) THIRD READING OF ORDINANCES/RESOLUTIONS

1) ORDINANCE AMENDING THE PROVISIONS AND FEE SCHEDULES UNDER CHAPTER 1305.05 OF THE NORWOOD CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY
On a motion made by Mrs. Winterbauer, seconded by Mr. Girton, it was moved to have the third reading. Mrs. Winterbauer invited Chief Building Official Mr. Ralph Wolfe to speak on the matter. Mr. Wolfe stated that fees were last raised in 2007 and that they are being raised by 4% in 2024 in order to avoid a financial deficit. Mr. Breadon asked if increases were made a few years ago. Mr. Bonsall replied that there had been discussions about doing so but no action had been taken. Mr. Breadon asked Mr. Moore if he should abstain from the vote. Mr. Moore stated that an abstention would not be necessary since the vote was for a general rule rather than a contract. All members present voted "Yes." The motion passed.

On a motion made by Mrs. Hoover, seconded by Mrs. Franzen, it was moved to pass the ordinance. Six of seven members present voted "Yes." Mr. Breadon voted "No." The motion passed.

2) A RESOLUTION ORGANIZING THE FACTORY 52 COMMUNITY AUTHORITY, ESTABLISHING THE BOUNDARIES OF THE AUTHORITY, APPOINTING MEMBERS OF THE BOARD OF TRUSTEES OF THE AUTHORITY, ESTABLISHING THE METHOD FOR SELECTING THE BOARD OF TRUSTEES OF THE AUTHORITY, ESTABLISHING THE METHODS FOR DISSOLUTION OF THE AUTHORITY, AND FIXING THE SURETY BOND AMOUNT FOR THE MEMBERS OF THE BOARD OF TRUSTEES
On a motion made by Mrs. Hoover, seconded by Ms. Royse, it was moved to have the third reading. Mrs. Hoover invited Nick Langenfelter from PLK to speak to the matter. Mr. Langenfelter provided an overview of the development plans. Mr. Breadon asked if members of the audience could ask further questions following Mr. Langenfelter's overview. President Geers allotted each member of the audience one minute each to make comments or ask questions. Law Director Moore confirmed that the President can open the floor and that Council can vote to override the decision if desired. Mrs. Franzen voiced her support for allowing audience members to speak. Those who spoke are listed under Request to Address Council in the minutes. Mrs. Franzen proposed that Council table the matter until the next meeting or for a special meeting. Mrs. Hoover and Mrs. Bowling noted that the matter at hand does not impact traffic or construction decisions. Ms. Royse noted that if PLK is not able to raise funds from the fee on food and beverage transactions they would do so another way such as credit card fees. Mrs. Bowling reiterated that the money will come from somewhere but that this method ensures transparency and a board that includes a majority of members of the community. Mrs. Franzen recommended having the third reading and then making a motion to table the ordinance. Law Director Moore noted that eventually four people will need to be nominated and added to the ordinance as well. Mrs. Bowling stated that she supports the idea to table the matter and make amendments.
Mrs. Hoover withdrew her original motion to have the third reading and amended her motion to instead remove the ordinance along with item M6 and send the ordinances to the Small Business and Economic Development Committee. Ms. Royse amended her second. Mr. Girton questioned whether this would do anything effective other than slow the process. Mrs. Franzen, Mrs. Hoover, Ms. Royse, and Mrs. Bowling voted "Yes." Mrs. Winterbauer, Mr. Girton, and Mr. Breadon voted "No." The motion passed.

On a motion made by Mrs. Bowling, seconded by Mrs. Franzen, it was moved to have a five-minute recess. All members present "Yes." The motion passed.

On a motion made by Mrs. Franzen, seconded by Mr. Girton, it was moved to reconsider the motion to send ordinances K2 and M6 to committee. Mrs. Franzen explained that her motion to reconsider was due to after a recess she felt her vote would not change with time and would rather not drag the matter out further. Mr. Moore said that Council could vote to put the ordinances in committee or table indefinitely. Mrs. Bowling stated she is interested in putting the items in committee in order to have more discussion with the community and make amendments. Mrs. Franzen, Mrs. Winterbauer, Mr. Girton, and Mr. Breadon voted "Yes". Mrs. Hoover, Ms. Royse, and Mrs. Bowling voted "No". The motion passed.

On a motion made by Mrs. Franzen, seconded by Mrs. Winterbauer, it was moved to table the matter to a time uncertain. Mrs. Franzen, Mrs. Winterbauer, Mr. Girton, and Mr. Breadon voted "Yes". Mrs. Hoover, Ms. Royse, and Mrs. Bowling voted "No". The motion passed.

L) SECOND READING OF ORDINANCES/RESOLUTIONS

1) A RESOLUTION AUTHORIZING DISPOSAL OF PERSONAL PROPERTY, AND DECLARING AN EMERGENCY

On a motion made by Mr. Girton, seconded by Mrs. Bowling, it was moved to have the second reading of the resolution. Mrs. Hoover clarified that the resolution states that resale value is for items less than or equal to $1,000. Mr. Breadon asked if officers can buy service weapons. Mr. Bonsall stated that officers can buy their own service weapon. All members present voted "Yes." The motion passed.

2) ORDINANCE APPROVING THE FINAL PLANNED UNIT DEVELOPMENT (PUD PLAN) FOR THE PROPERTY KNOWN AS 1631 SHERMAN AVENUE, HAMILTON COUNTY PARCEL NO. 651-0049-0073-00, A 108 UNIT APARTMENT DEVELOPMENT KNOWN AS THE SHERMAN AVENUE APARTMENTS

On a motion made by Mr. Girton, seconded by Mrs. Bowling, it was moved to have the second reading of the ordinance. Mrs. Hoover noted that the resolution specifies the resale value of the firearms to be destroyed must be less than $1,000. Mr. Breadon asked if officers can buy service weapons. Mr. Bonsall confirmed that officers can buy their service weapon. All members present voted "Yes." The motion passed.

On a motion made by Mrs. Bowling, seconded by Mr. Breadon, it was moved to pass the ordinance. All members present voted "Yes." The motion passed.

M) INTRODUCTORY READING OF ORDINANCES/RESOLUTIONS

1) ORDINANCE TO CHANGE APPROPRIATIONS FOR THE YEAR 2024, AND DECLARING AN EMERGENCY

On a motion made by Mrs. Franzen, seconded by Mr. Girton, it was moved to suspend the rules and have all three readings. All members present voted "Yes." The motion passed.

On a motion made by Mrs. Franzen, seconded by Mrs. Hoover, it was moved to pass the ordinance. All members present voted "Yes." The motion passed.

2) ORDINANCE RATIFYING THE BIDS RECEIVED AND AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT TO PROVIDE STORM SEWER AND WATER DETENTION ON ELM AVE AND DECLARING AN EMERGENCY

On a motion made by Ms. Royse, seconded by Mrs. Bowling, it was moved to suspend the rules and have all three readings. Ms. Royse invited Mr. Powers to speak on the matter. Mr. Powers stated the bids for the project came one million dollars over estimate, but the City was able to work with the County Board of Commissioners to receive the remaining funds. All members present voted "Yes." The motion passed.

On a motion made by Mrs. Bowling, seconded by Mr. Breadon, it was moved to pass the ordinance. All members present voted "Yes." The motion passed.

3) ORDINANCE SUPERSEDING ORDINANCE 51-2024, WHICH SUPERSEDED ORDINANCE 47-2024, WHICH AMENDED ORDINANCE 18-2009 IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE TO ESTABLISH A COMMUNITY REINVESTMENT AREA IN THE CITY OF NORWOOD, TO REVISE CERTAIN PROCEDURAL REQUIREMENTS AND REFLECT CHANGES IN STATE LAW, AND DECLARING AN EMERGENCY

On a motion made by Mrs. Franzen, seconded by Mrs. Hoover, it was moved to suspend the rules and have all three readings. Mrs. Winterbauer noted that purely residential properties do not need to go through committee to get a CRA. Mr. Moore clarified that this ordinance pertains to mixed use buildings. All members present voted "Yes." The motion passed.

On a motion made by Mrs. Franzen, seconded by Mrs. Hoover, it was moved to pass the ordinance. Six members present voted "Yes." Mr. Breadon voted "No." The motion passed.

4) ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT TO ACQUIRE EASEMENTS ON REAL ESTATE TO PROVIDE STORM SEWER AND WATER DETENTION ON ELM AVENUE, AND DECLARING AN EMERGENCY

On a motion made by Mrs. Winterbauer, seconded by Mrs. Bowling, it was moved to suspend the rules and have all three readings. All members present voted "Yes." The motion passed.

On a motion made by Mrs. Winterbauer, seconded by Mr. Girton, it was moved to pass the ordinance. Six members present voted "Yes." Mr. Breadon abstained. The motion passed.

5) RESOLUTION CREATING "ELM AVENUE FLOOD ELIMINATION PROJECT FUND" AND DECLARING AN EMERGENCY

On a motion made by Mrs. Franzen, seconded by Mrs. Hoover, it was moved to suspend the rules and have all three readings. All members present voted "Yes." The motion passed.

On a motion made by Mrs. Hoover, seconded by Mrs. Bowling, it was moved to pass the resolution. Six members present voted "Yes." Mr. Breadon abstained. The motion passed.

6) A RESOLUTION ORGANIZING THE FACTORY 52 COMMUNITY AUTHORITY, ESTABLISHING THE BOUNDARIES OF THE AUTHORITY, APPOINTING MEMBERS OF THE BOARD OF TRUSTEES OF THE AUTHORITY, ESTABLISHING THE METHOD FOR SELECTING THE BOARD OF TRUSTEES OF THE AUTHORITY, ESTABLISHING THE METHODS FOR DISSOLUTION OF THE AUTHORITY, AND FIXING THE SURETY BOND AMOUNT FOR THE MEMBERS OF THE BOARD OF TRUSTEES, AS AMENDED

On a motion made by Mrs. Franzen, seconded by Mrs. Winterbauer, it was moved to table the matter to a time uncertain. Mrs. Franzen, Mrs. Winterbauer, Mr. Girton, and Mr. Breadon voted "Yes". Mrs. Hoover, Ms. Royse, and Mrs. Bowling voted "No". The motion passed.

7) ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ENTER INTO A FIRST AMENDMENT GRANT AGREEMENT WITH HAMILTON COUNTY FOR A GRANT TO COMPLETE THE ELM AVENUE FLOOD ELIMINATION PROJECT AND DECLARING AN EMERGENCY

On a motion made by Ms. Royse, seconded by Mrs. Bowling, it was moved to suspend the rules and have all three readings. All members present voted "Yes." The motion passed.

On a motion made by Mrs. Winterbauer, seconded by Ms. Royse, it was moved to pass the ordinance. Six members present voted "Yes." Mr. Breadon abstained. The motion passed.

N) ADMINISTRATION REPORTS

Mayor Schneider was not able to attend the meeting.

James Bonsall, Norwood Treasurer, did not have a report at this time.

Ken Miracle, Norwood Auditor, did not have a report at this time.

Keith Moore, Norwood Law Director, stated that the Law Department is working on easements, resolutions, and ordinances.

O) UNFINISHED BUSINESS

Mrs. Hoover stated that a celebration for MLK Day will take place on January 12, 2025. Mrs. Bowling stated that extra leaf bags are available at the Health Department.

P) NEW BUSINESS

Mrs. Franzen commended the annual Christmas Town event and thanked the Norwood Recreation Department for putting on the Norwood Giving Tree. President Geers stated that he would like to place a matter regarding funding for Norwood Community Television in the Finance Committee and to place a housing concern from a resident in the Housing Committee.

Q) COMMUNICATIONS

1) **Letter from Mayor Schneider Re: Letter in Support**

On a motion made by Mrs. Franzen, seconded by Mrs. Bowling, it was moved to receive and file the letter as if read. All members present voted "Yes." The motion passed.

R) EXCUSE ABSENT MEMBERS

There were no absent members.

S) ADJOURNMENT

On a motion by Ms. Royse, seconded by Mrs. Bowling, it was moved to adjourn. All members present voted "Yes." The motion passed.

Natalie Assaf.
Clerk of Council

Joseph S. Geers
President of Council