



# Council Chambers

## January 26, 2016

### 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, Mrs. Stickley, Mr. Blair, Mrs. Hanrahan, Mr. Sanker, and Mr. Mumper.

Mrs. Laake acknowledged John Humphries, who resides on Wesley Avenue, and is in attendance at the meeting to earn his communications badge for the Boy Scouts.

### E) AMENDMENT OF AGENDA

On a motion by Mr. Mumper, seconded by Mr. Sanker, it was moved to amend the agenda as follows: add the Finance Committee report, add the Law & Ordinance Committee report, add the communication from the Planning Commission regarding 4427 Floral Avenue and add the communication from the Planning Commission regarding 1926 Mills Avenue. All members present voted, "Yes".

### F) MINUTES OF PREVIOUS MEETING

On a motion from Mr. Clark, seconded by Mr. Bonsall, it was moved to accept the minutes of the January 12, 2016 meeting, as if read. All present voted, "Yes".

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

Jason Lane, of 4427 Floral Avenue, addressed Council regarding the property at 4427 Floral Avenue. Mr. Lane is the owner of the property. He currently has an offer from a business to purchase his property. The Planning Commission denied changing the zoning of the property from Residential to Commercial/Business. Mr. Lane stated the hours of business would be during the day; it will be a holistic care center.

### H) REPORTS OF STANDING COMMITTEES OF COUNCIL

1) Finance Committee: 1/25/2016 Re: 2016 Appropriations & Letter from Law Dept.  
On a motion from Mr. Mumper, seconded by Mrs. Stickley, it was moved to accept the committee report and place the letter from the Law Director on the agenda. All present voted, "Yes".

2) Law & Ordinance Committee: 1/26/2016 Re: 3 ft. Bike Lane  
Mr. Bonsall thanked the committee for taking up this matter and looking into the ordinance. On a motion from Mr. Clark, seconded by Mrs. Hanrahan, it was moved to accept the committee report. All present voted, "Yes".

### I) SECOND READING OF ORDINANCES

1) CREATING SECTION 759.06 IMPROPER SOLICITATION.  
On a motion from Mr. Clark, seconded by Mr. Blair, it was moved to have the second reading of the ordinance. All present voted, "Yes".

### J) INTRODUCTORY READINGS OF ORDINANCES

1) ORDINANCE TO CHANGE APPROPRIATIONS FOR THE YEAR 2016, AND DECLARING AN EMERGENCY  
On a motion from Mr. Sanker, seconded by Mr. Clark, it was moved to suspend the rules and hear all three readings of the resolution. All present voted, "Yes."  
On a motion from Mr. Mumper, seconded by Mrs. Hanrahan, it was moved to pass the resolution. All present voted, "Yes."

### INTRODUCTORY READINGS OF RESOLUTIONS

1) A RESOLUTION RECOMMENDING THAT THE CITY AUDITOR USE THE CASH BASIS ACCOUNTING METHOD FOR THE YEARS 2015 AND 2016 TO PROVIDE FOR THE ORDERLY PAYMENT OF EXPENSES AND DECLARING AN EMERGENCY.

On a motion from Mr. Sanker, seconded by Mr. Blair, it was moved to suspend the rules and hear all three readings of the resolution. All present voted, "Yes." Mr. Sanker stated that these procedures will allow and demand us to have regular meetings of financial officers to help prioritize the payment of expenses based upon the cash we have; the same procedures took place 4-5 years ago. This helped keep focus on who is paid and when, as well as awareness of the financial situation on a bi-weekly basis. Mr. Sanker asked Mr. Stith to provide more details. Mr. Stith added that bills are usually paid on an accrual basis. The third quarter bills are usually paid in the 1<sup>st</sup> quarter of the year; that is not the case, as there isn't enough in the general fund budget. The city is faced with a choice: pay things as they come in or cut \$1.7 million out of the general budget. When this was done in the past, it allowed the city to get caught up on bills and make a determination of payment schedules. The city has no cash left from last year, and in fact, owes money from last year. By paying the \$1.5 million bond payment, the city will have an extra \$1.2 million in the budget next year. On a motion from Mr. Mumper, seconded by Mr. Clark, it was moved to pass the resolution. All present voted, "Yes."

2) A RESOLUTION FORGIVING THE ADVANCE OF \$10,710.79 IN FUNDS FROM THE GENERAL FUND IN 2010 TO RECREATION FUND-20, AND DECLARING AN EMERGENCY.

On a motion from Mr. Sanker, seconded by Mr. Mumper, it was moved to suspend the rules and hear all three readings of the resolution. All present voted, "Yes."

Mr. Sanker stated that this matter was discussed at the Finance Committee Meeting. In 2010, the Recreation fund was almost depleted; money from the general fund was given on loan to the Recreation Department, with the expectation that grant money received would be given back to the general fund. The grant money was never received. This is the process necessary to forgive the debt owed from Recreation to the general fund. Mr. Stith added that money is given to the Recreation Department out of the general fund each year. When creating the certificate of resources, the Recreation always shows \$10,000 less. Passing this resolution cleans up the books and makes the debt go away from the Recreation line-item.

On a motion from Mr. Mumper, seconded by Mrs. Stickley, it was moved to pass the resolution. All present voted, "Yes."

3) A RESOLUTION APPROVING ENERGY SPECIAL IMPROVEMENT DISTRICT PETITION AND FORMING DISTRICT, AND DECLARING AN EMERGENCY.

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

Jeremy Fause, with the Greater Cincinnati Energy Alliance, was asked to speak. Mr. Fause is with a local non-profit that supports energy financing for infrastructure. Ohio Revised Code 1710 allows for commercial property owners to petition municipalities to create an energy special improvement district. He has worked with other communities on similar projects to set up this structure; this is a \$3 million project the property owner is looking to finance. Mr. Fause stated the city would take similar action on the creation of future requests, if approached by other property owners. This comes at no financial obligation to the city of Norwood. Mr. Bonsall asked Mr. Moore if there were any concerns with passing the resolution tonight. Mr. Moore stated there are no concerns.

On a motion from Mr. Mumper, seconded by Mr. Clark, it was moved to pass the resolution. All present voted, "Yes."

## K) ADMINISTRATION REPORTS

1) Letter from Jim Stith, Auditor Re: 2015 Auditor Year-End Report & Financial Issues

Mr. Stith stated 57 pages of the Auditor's Report is available at [www.NorwoodAuditor.com](http://www.NorwoodAuditor.com), and read the cover page. He also displayed various charts/graphs with detailed explanation. Some excerpts from Mr. Stith's report:

- "In 2015 the City's General Fund cash expenditures of \$20,400,628 outspent its revenues of \$20,047,441 with expenses marginally exceeding revenues by \$153,187 on a cash basis."
- "From 2008 to 2015 the decrease in intergovernmental revenue of (\$171,668) in Tangible Personal Property Tax, (\$479,318) in House Bill 66 reimbursement for TTP reduction, (\$233,229) in Inheritance Tax and (\$415,556) in Local Government Funds."
- "In 2013 the City implemented a local hotel tax which generated \$185,014 revenue in 2015."
- "The City began receiving funds from a federal SAFER grant in 2014 to compensate the hiring of 6 new firefighters which generated \$434,760 in 2015."
- "Overall the City's greatest expense was personnel-related expenditures at \$17,091,332 which is 76.4% of General Fund revenue with the largest departments being Police and Fire."
- "The greatest revenue source being local earnings and admission taxes at \$15,017,274, an increase of \$495,973 from 2014."

- “Overtime composed 3.9% of all General Fund personnel expenses totaling \$804,769, which is an increase of \$247,666 from 2014. The City’s largest two departments, Police and Fire, were the largest recipients of overtime.”
- “The 2015 total Health Care costs for the General Fund was \$3,144,053. The City spent or encumbered \$2,479,741 on health care and dental/optical benefits for its current employees and \$444,334 on retiree's health care with an additional \$219,978 for the C9 trust fund. This represented 17.2% of the total expenses.”
- “The City ended 2015 with total encumbrances of \$2,002,206 carrying significant financial obligations into 2016. This allowed the City to end with a positive cash balance but decreases the available resources for 2016. The outstanding encumbrances from 2015 are made up of a balance owed to the Police & Fire Pension Fund of \$993,178, the C9 Trust and Retirees Health Care \$444,670, 4th quarter Vehicle Fuel and Duke Energy \$58,411, State Examiner Fees for future audits \$7,170, other contractual \$117,393, materials and supplies \$72,409, and fixed expenses \$7,953. The amount owed to the Police and fire Pension Fund is due to a semi-annual payment and a double payment due at year end secondary to the pension fund changing from quarterly to monthly payments.”
- “Fully audited detailed information will be available in the 2015 GAAP Report which should be completed in the Spring of 2016.”

Mr. Stith stated that the State of Ohio decreased its budget by decreasing the money that comes back to communities; through various cuts at the state level, the city of Norwood has lost about \$800,000. Within the report available on-line, a detail of every fund is provided. Mr. Stith also added that about \$9 of every \$100 in property taxes actually goes to the city.

**L) OTHER REQUESTS TO ADDRESS COUNCIL**

1) Pastor Sonny James Re: Community

Mr. James reminded Council of his 13 point plan and stated he has 25 years experience dealing with these matters. He wants to celebrate justice and make it clear that he is not calling for a boycott of Norwood. Mr. James mentioned his “On the Rough Side” program; he encouraged Council to attend and address those in the program. He wants to see everyone work together in 2016. Mr. James also mentioned the possibility of seeing the Norwood Lateral renamed in honor of President Barack Obama.

**M) UNFINISHED BUSINESS**

The matter of the salary for the Assistant Law Director was discussed. Mr. Clark recommended Council member to approve the pay increase; he stated the savings would be worth it, based on Mr. Garry’s experience and knowledge. On a motion by Mr. Mumper, and seconded by Mrs. Hanrahan, it was moved to receive and file the letter from Mr. Moore recommending a pay increase for Mr. Garry, and to approve the pay increase. All present voted, “Yes.”

**N) NEW BUSINESS**

Mrs. Hanrahan asked for dates to be set for the city-wide yard sales; they will take place May 20-21 and September 9-10.

Mr. Bonsall mentioned the condition of the streets being an issue. He placed the matter of the condition of streets and a potential street levy into the Committee of the Whole. Mr. Bonsall also mentioned that Ohio Revised Code allows for opt-out electric aggregation programs; Norwood does not have such a program. He requested the matter be placed into Committee of the Whole for further study.

Mrs. Hanrahan mentioned an ongoing issue with mobile billboards; this has recently been an issue on Montgomery Road. The vehicle in question is not paying the meter and blocks visibility on Lawrence Avenue at Montgomery Road. She placed the matter into Law & Ordinance Committee, to look at the current sign ordinance. Mrs. Hanrahan also mentioned the fact that the codified ordinances haven’t been updated since 2011 and needs to be looked into. Mr. Sanker requested the Clerk of Council send a letter to the Law Director to look into the cost of updating the printed codified ordinances and on-line, and what we need to do to bring them up to date. Mr. Moore confirmed that the on-line version is out of date; it will take some time to make those updates.

Mr. Clark announced there will be a group meeting at the steps of City Hall, on February 6, at 1pm, to pray over the city of Norwood.

Mrs. Hanrahan referenced a letter she received in the mail regarding meters being inspected by Duke Energy. Southern Cross is the company inspecting the meters; resident can call 287-2588 to verify the person is an employee, if they are questioning the individual requesting access to their home. These inspections will take place between the months of February and May.

Mrs. Hanrahan announced there will be a Housing Committee meeting on February 4, at 6pm to discuss the renovation and updates to the Fun Factory.

Mrs. Laake announced there will be a Committee of the Whole meeting on February 16, at 6pm, to discuss the streets and electric aggregation.

Mrs. Laake also reminded Council members about the 8 mil levy expiring at the end of 2017. The earliest it can be placed on the ballot is this November; it is cheaper to place levies on the ballot during Presidential elections.

**O) COMMUNICATIONS**

1. Letter From Tim Garry, Assistant Law Director                      Re: Energy Special Improvement District  
Mr. Sanker requested to move this letter for consideration during the ordinance. He also asked Mr. Moore if this matter is time sensitive, because it does have an emergency clause. Mr. Moore stated the matter is time sensitive. This does not cost the city any money and will simply set up a board. This board, once set up, will cover any future proposals. On a motion by Mr. Sanker, seconded by Mr. Mumper, it was moved to receive and file the letter, as if read. All members present voted, "Yes".
  
2. Letter from Joseph C. Geers, Safety-Service Director      Re: Water rate increases  
Mr. Bonsall asked if it is justifiable to increase water bills by 6%, when Cincinnati is only raising the rates by 5%. Mr. Stith stated majority of the money in the water fund is used to purchase water from Cincinnati Water Works; the rest of the money gets the water from the edge of the city to houses and businesses. The additional expense helps to cover repairs, maintenance, personnel costs, operating expenses in the office, and on infrastructure. It is not unreasonable for the city to ask for a 6% increase. Mrs. Laake also added there is testing that goes on every day, week, and year; this is completed behind the scenes by Health Department personnel. On a motion by Mr. Sanker and seconded by Mr. Blair, it was moved to receive and file the letter and approve the increase. Mr. Bonsall voted, "No," all others present voted, "Yes." The motion passed with a 6-1 vote.
  
3. Letter from Norwood Planning Commission                      Re: 4427 Floral Avenue  
On a motion by Mr. Sanker and seconded by Mr. Mumper, it was moved to move this communication following Requests to Address Council, since Mr. Lane was present to address Council on this matter. All present voted, "Yes."  
On a motion by Mr. Sanker, and seconded by Mr. Clark, it was moved to receive and file the letter and schedule a public hearing for March 8, 2016. All present voted, "Yes."
  
4. Letter from Norwood Planning Commission                      Re: 1926 Mills Avenue  
On a motion by Mr. Clark, and seconded by Mrs. Stickley, it was moved to receive and file the letter and schedule a public hearing for March 8, 2016. All present voted, "Yes."

**P) EXCUSE ABSENT MEMBER/S**

There were no absent members.

**Q) ADJOURNMENT**

On a motion by Mr. Mumper, seconded by Mr. Clark, it was moved to adjourn. All present voted, "Yes".

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**Joseph S. Geers**  
**Clerk of Council**

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**Donna M. Laake**  
**President of Council**