



Council Chambers

January 23, 2018

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

Mrs. Laake requested a moment of silence to acknowledge the passing former Fire Chief Curt Goodman. Chief Goodman was a friend to many in the city; she expressed our sympathy to Chief Goodman's family.

D) ROLL CALL

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

E) AMENDMENT OF AGENDA

On a motion by Mr. Sanker, seconded by Mrs. Hanrahan, it was moved to amend the agenda as follows: add a Finance, Audit, & Budget Committee report, add an ordinance regarding the Health United/XU Hub to immediately follow the public hearing, add a communication from the Safety-Service Director regarding 2018 Community Development Block Grant awards, and add a communication from Mayor Williams regarding a request to enter into executive session. All members present voted, "Yes".

F) MINUTES OF PREVIOUS MEETING

On a motion by Mr. Breadon, seconded by Ms. Stevenson, it was moved to accept the minutes of the January 9, 2018 meeting, as if read. All present voted, "Yes".

Mrs. Laake recognized members of Boy Scout Troop 9, who are attending the meeting to earn their Communication and Citizenship badge.

G) PUBLIC HEARING:

The Norwood City Council will hold a public hearing on January 23, 2018 at 7:30 p.m. in Council Chambers, 2nd floor of City Hall, 4645 Montgomery Rd Norwood, OH 45212, to consider Planning Commission's recommendation to approve MSA Sport, Christopher Bujnak, representing Xavier University request for approval of the Preliminary and Final Planned Unit Development (PUD) plan for the property known as 1723 Cleaney Avenue, Hamilton County parcel number 651-0054-0210-00 These items are available to view, during normal business hours, in the Norwood Building Dept. 1st Floor 4645 Montgomery Rd. Norwood, Oh 45212.

Mrs. Laake opened the Public Hearing by asking Chris Bujnak, who works with MSA Architects, to address Council on the development. Mr. Bujnak reviewed the development packet regarding the project with members of Council; a copy of the packet is also on file in the Clerk of Council's office. Mr. Bujnak stated this will be a state of the art building; it will include a recreation center and an academic center for health programs. Additionally, the development will house a primary healthcare clinic with Tri-Health; they will occupy a small portion of the first level. Mr. Bujnak reviewed the stat sheet, which includes: the number of parking spaces, building area-vs-green area, total height, 150,000 square feet, and the hours of operation. The packet also includes images of the project at different vantage points and elevations; a description of the plant and landscaping plans were also reviewed. This project will be close to the heart of Xavier University's campus. The development site will maintain the current slope; the plans were described in detail for each level of the building.

Ms. Stevenson thanked Mr. Bujnak for his presentation to Council. Ms. Stevenson asked if one of the current streets will be renamed "Musketeer Dive." Mr. Bujnak replied by saying it possibly could in the future; part of that street name already exists further west of the project. Ms. Stevenson asked how many employees will be coming to the Tri-Health side of the building; Bill Baker, also with MSA Architects, replied by stating the question is probably best answered by Xavier University, as to the exact number of employees with Tri-Health. There may be around 70 full-time staff/faculty housed at the development. Mr. Moore added that about ten years ago, a recreation center was discussed with the first PUD; during those discussions, the recreation center was not only for students, but was to also be open to local residents. Mr. Bujnak stated the recreation facility will support students; it replaces the O'Connor Center, which is the current recreation center. Mr. Bonsall asked about the sidewalk that is supposed to be closed during construction, detouring students to the other side of the street; Mr. Bujnak replied by saying there is

a fair amount of underground utilities behind the fence that will be under construction. Messer Construction is currently reviewing site logistic plans and will address pedestrian and vehicle traffic. Mr. Bonsall asked about on-site parking; Mr. Bujnak replied by stating he is unsure if parking is dedicated for one user, as most people will be traveling on foot from other parts of campus. Ms. Stevenson asked about traffic flow; Mr. Bujnak replied by stating Xavier University and Messer Construction are aware of the artery and the best timing windows for construction. Ms. Stevenson asked if updates would be provided; Mrs. Laake stated Mr. Reeves will be on-site and can be asked to provide updates. Ms. Stevenson stated she would like to hear feedback from residents who may not be aware of this development; she encourages continued outreach to non-property owners and other businesses in the area. Mr. Bujnak stated Xavier University is very cognizant of wanting to be a good neighbor. One of the Boy Scouts in the audience participated in the Public Hearing by asking if there were any plans to repurpose or demolish Xavier's current recreation center; Mr. Bujnak thanked him for the question and stated it will be turned into the home for all sports not in the Cintas Center. Mr. Baker closed by stating Norwood has been very forward thinking, and the Building Department and Planning Commission have been great to work with. No one else stepped forward to comment or ask questions of the Planning Commission's recommendation. The Public Hearing was then closed.

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

1) Finance, Budget, and Audit: 01/22/2018

Re: 2018 Finances

On a motion by Mr. Breadon, seconded by Mr. Bonsall, it was moved to accept the committee report.

J) SECOND/THIRD READING OF ORDINANCES/RESOLUTIONS

There were no second or third readings of ordinances or resolutions.

K) INTRODUCTORY READINGS OF ORDINANCES

1) ORDINANCE AMENDING THE NORWOOD TAX CODE, ORDINANCE 38-2015 TO COMPLY WITH STATE LAW, AND DECLARING AN EMERGENCY.

Mr. Sanker requested that Chuck Barlow, Norwood Tax Commissioner, address Council about the suggested changes. Mr. Barlow stated House Bill 49 changes some dates; fourth quarter filing dates and deadlines are changed. These changes also address net-profit losses, a few housekeeping items, and changes to several definitions. There are other changes that may be forthcoming, but are currently under litigation. Mr. Moore apologized for the size of the ordinance; the original version was 50 pages, but it was reduced to 37. Mr. Moore stated it was easier to amend the entire section as a clean copy. Mr. Bonsall asked why the ordinance has to be passed by January 31; Mr. Barlow stated this was determined by House Bill 49.

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

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

2) ORDINANCE AMENDING SECTION 505.071 OF THE CODIFIED ORDINANCES OF THE CITY OF NORWOOD, OHIO, ENTITLED "CRUELTY TO COMPANION ANIMALS."

On a motion by Mrs. Hanrahan, seconded by Mr. Breadon, it was moved to hear the first reading of the ordinance.

Mrs. Hanrahan stated this ordinance came before Council in 2017; the Housing, Health, & Recreation Committee met and discussed this ordinance. This is designed to protect animals; quite a bit of time was spent working on the ordinance. Ms. Stevenson asked if this was modeled after Cincinnati's ordinance; Mr. Moore stated the basic skeleton of the tethering portion was modeled after Cincinnati's version, but some other parts were added and changed.

All present voted, "Yes."

3) ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR THE PROPERTY KNOWN AS 1723 CLENEAY AVENUE, HAMILTON COUNTY PARCEL NUMBER 651-0054-0210-00, A 3.34 ACRE PUD FOR THE PROJECT KNOWN AS HEALTH UNITED BUILDING/XU HUB.

(considered immediately following the Public Hearing)

On a motion by Mr. Sanker, seconded by Ms. Stevenson, it was moved to hear the first reading of the ordinance.

Mrs. Laake thanked the Law Department for putting this ordinance together with little notice. Mr. Bonsall stated he was curious about only hearing one reading; Mr. Sanker stated there was no emergency clause and if there were any additional questions by residents, it provides several more weeks for them to ask. Mr. Bujnak stated they would like to begin moving dirt at the site as soon as

possible; he would prefer for it to not be extended by three more weeks, as it could be a bit of a burden. Mr. Moore stated the emergency clause isn't permitted for zoning; they may begin digging holes and moving dirt around before the PUD ordinance is put into effect. Mr. Bonsall stated he would like to hear all three readings to allow them to begin as soon as possible; this has already gone through the Planning Commission and the Public Hearing process. Mr. Sanker rescinded his motion to have the first reading and Ms. Stevenson agreed to withdraw her second to the motion. Ms. Stevenson stated she believes Xavier University does have a great relationship with the city, however, notices that go out for public hearings do not generally get the attention of residents. As the representative for Ward 1, Ms. Stevenson would like to see residents more informed; she asked about calling a special meeting to vote on remaining readings and moving forward if there are no issues with residents. Mrs. Hanrahan stated she agrees with Ms. Stevenson. Mrs. Laake explained the process for calling a special meeting. Mr. Thompson acknowledged having all three readings tonight might not allow residents to express feedback; he concurs with Ms. Stevenson about giving residents extra time but also is cognizant of the constraints the developers are up against. Mr. Moore stated if three readings are not going to be heard at the meeting tonight, then Council may want to consider having two readings.

On a motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to hear the first and second readings of the ordinance. All present voted, "Yes."

On a motion by Mr. Bonsall, seconded by Mr. Sanker, it was moved to schedule a special Council meeting for 6pm on January 30, for the purpose of considering the third reading of this ordinance. Ms. Stevenson abstained from voting, Mrs. Hanrahan voted, "No," and Mr. Bonsall, Mr. Thompson, Mr. Sanker, and Mr. Breadon voted, "Yes."

K) INTRODUCTORY READING OF RESOLUTIONS

- 1) A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE ADVANCE PAYMENTS OF TAXES PURSUANT TO OHIO REVISED CODE SECTION 321.34 AND DECLARING AN EMERGENCY.**

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

Mr. Bonsall stated the primary goal of this resolution is to allow the city to get property taxes early from the County Auditor. There is a bond payment due in the next couple of months; these funds are needed to make that payment.

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

- 2) RESOLUTION DECLARING INTENT TO SELL UNNEEDED, OBSOLETE OR UNFIT CITY PERSONAL PROPERTY BY INTERNET AUCTION DURING CALENDAR YEAR 2018, AND DECLARING AN EMERGENCY.**

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

Mr. Sanker asked if this includes items that were confiscated or used city property; Chief Kramer stated this should only include evidentiary items, which includes items seized or with unidentified owners. The auction will be listed at www.propertyroom.com; it is a public auction and the fees will be taken out of any profits. Ms. Stevenson asked about Exhibit-A in Section II and what it would cover; Mr. Moore stated he does not have the attachment, but it is usually the contract that covers fees, storage, clarifying liability, terms, advertising, etc.

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

L) ADMINISTRATION REPORTS

There were no administration reports.

M) OTHER REQUESTS TO ADDRESS COUNCIL

There were no other requests to address Council.

N) UNFINISHED BUSINESS

Mrs. Laake asked about scheduling a Committee of the Whole meeting with Chief Kramer for February 6. Mrs. Hanrahan would like to reconsider having this meeting and possibly have it with the administration only; this will allow the Mayor to explain to Council what each department does and what they expect of each department. Council needs to understand the boundaries of speaking to department heads who report under the Mayor. There was a memo sent to Council from Mayor Williams about filtering requests to speak with department heads through his office, prior to them speaking with members of Council. Mrs. Hanrahan believes these meetings can be beneficial, but she is unaware of the direction of these meetings; Mrs. Hanrahan mentioned possibly having members of Council rotate attending the Mayor's department head meetings. Mrs. Hanrahan requested the Clerk of Council to send a letter to the Mayor and Safety-Service Director, requesting they provide job descriptions of each city position and the position holder.

R) ADJOURNMENT

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

Joseph S. Geers
Clerk of Council

Donna M. Laake
President of Council