



Norwood City Council
Council Chambers | Norwood City Hall
4645 Montgomery Road | Norwood, Ohio 45212
September 12, 2023 | 7:30pm

A) CALL TO ORDER

The Council for the City of Norwood met in regular session on the above date with Mr. Eric Thompson presiding as President Pro-Tem. The meeting opened with an invocation by Pastor Chuck Smith with The Valley Church, and the Pledge of Allegiance. Mr. Thompson requested everyone remain standing to observe a moment of silence to reflect on the events that happened on September 11th, 2001.

B) INVOCATION

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

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

E) AMENDMENT OF AGENDA

On a motion by Mrs. Franzen, seconded by Ms. Royse, it was moved to amend the agenda as follows: add a presentation by Bishop Sonny James, add a Streets Committee report, add a Parks Committee report, and add a communication from Mr. William Tepe. All members present voted, "Yes." The motion passed.

F) MINUTES OF PREVIOUS MEETING

1) August 22, 2023 – Regular Meeting

On a motion by Mr. Breadon, seconded by Mrs. Winterbauer, it was moved to accept the minutes from the August 22, 2023 meeting, as if read. All members present voted, "Yes." The motion passed.

G) SPECIAL PRESENTATIONS

1) Bishop Sonny James: March Honoring Fred Shuttlesworth

Mr. James announced a documentary about Fred Shuttlesworth, "A Fire You Can't Put Out," and shared the trailer for the film for all to view. Portions of the march that will be taking place at 6pm on October 14th, will be featured in the documentary. Mr. James thanked numerous city officials for their assistance. Mr. James stated this is not a protest march, but rather, a strategic march to celebrate the legacy of Fred Shuttlesworth and Dr. Martin Luther King, Jr.; all of the marchers will be vetted. Mr. James stated he is humbled by the community coming together for this event. Mr. James provided his contact information for anyone who has questions or would like to participate in the march; (513)487-8843 or pastorsonnyjames@gmail.com.

H) PUBLIC HEARINGS

There were no public hearings.

I) REQUEST TO ADDRESS COUNCIL

1) Bishop Sonny James Re: Community / March

Mr. James spoke about the march; there will not be any booths for business owners, but the march will be a great opportunity to advertise their business with business cards and t-shirts. Mr. James reminded everyone again that this is not a protest, it is a march and a celebration of how far people have come as a culture.

J) REPORTS OF STANDING COMMITTEES OF COUNCIL

1) Streets & Infrastructure: 08/30/2023

On a motion by Ms. Royse, seconded by Mrs. Hoover, it was moved to accept the committee report. All members present voted, "Yes." The motion passed.

2) Parks, Recreation, & Public Places: 08/10/2023

On a motion by Mr. Kelsch, seconded by Mrs. Winterbauer, it was moved to accept the committee report. All members present voted, "Yes." The motion passed.

K) THIRD READING OF ORDINANCES/RESOLUTIONS

There were no third readings of ordinances or resolutions.

L) SECOND READING OF ORDINANCES/RESOLUTIONS

There were no second readings of ordinances or resolutions.

M) INTRODUCTORY READING OF ORDINANCES/RESOLUTIONS

- 1) ORDINANCE AMENDING AND RENAMING NORWOOD CODIFIED ORDINANCE §521.12 "RUBBISH AND OUTDOOR FURNITURE RESTRICTION."

On a motion by Mrs. Hoover, seconded by Mrs. Franzen, it was moved to table the ordinance and place it in the Law Committee.

Mr. Kelsch stated he was contacted by a resident with a request for Council to engage in a debate at this meeting, so that the resident in attendance at the meeting could earn a communications merit badge; Mr. Kelsch chose this ordinance for the topic to debate. Mr. Kelsch asked why this ordinance was being tabled? Mrs. Hoover replied by stating she is not sure it cannot be legislated as written; there have been discussions with residents and various city departments about legislating what residents do in their front yards. If passed as-is, and Mrs. Hoover chose to host a tea party in her front yard, that would be deemed illegal; it would fall on the Building Department to then say a tea party is acceptable but a beer pong party is not. There were other scenarios that addressed the quality of the materials that were used for the tables in front yards; this ordinance might not be the correct tool to use to address these issues. Mrs. Hoover spoke with several individuals about this while attending First Responder Night. Mr. Kelsch thanked Mrs. Hoover for the in-depth response; he then asked Mr. Breadon for his opinion. Mr. Breadon stated government overreach should not happen, and that Mrs. Hoover provided a reasonable response. Mrs. Franzen stated the issue here is intent versus the letter of the law; trying to eliminate "trashy looking things" from front yards. She hopes to find a way for furniture in the front yard not to be an issue. Mr. Kelsch thanked those who shared an opinion on this matter.

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

- 2) ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT TO PROVIDE FOR CURB WORK AND THE INSTALLATION OF FOUR FLASHING CROSSWALK BEACONS ALONG MONTGOMERY ROAD, AND DECLARING AN EMERGENCY.

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

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

- 3) AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A FIRST AMENDMENT TO A PREVIOUSLY ADOPTED JOINT AGREEMENT WITH HAMILTON COUNTY REGARDING A GRANT FOR POLICIES AND PROCEDURES FOR THE CREATION, ADMINISTRATION, AND IMPLEMENTATION OF A STOREFRONT FAÇADE IMPROVEMENT PROGRAM.

On a motion by Mrs. Winterbauer, seconded by Mr. Breadon, it was moved to hear the first reading of the ordinance. All members present voted, "Yes." The motion passed.

- 4) AN ORDINANCE TO COMBAT DISCRIMINATION AND FOR THE GUARANTEE OF EQUALITY AND INCLUSION, AND AMENDING CHAPTER 557 OF THE NORWOOD CODIFIED ORDINANCES ENTITLED "FAIR HOUSING."

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

Mr. Thompson stated he brought this issue to Council and the Law Department. He asked Jen Scott, the Statewide Field Manager with Equality Ohio, to address Council on this ordinance. Ms. Scott stated Ohio is one of 27 states that do not have statewide protection for LGBTQ; once passed, Norwood will join 34 other communities in Ohio addressing housing discrimination and adding protections locally. Ms. Scott commends local leaders for their willingness to provide these protections and the support for their community. As currently written, this ordinance follows best practices.

Mr. Breadon voted, "No," all members present voted, "Yes." The motion passed.

- 5) RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

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

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

N) ADMINISTRATION REPORTS

Mayor Schneider reminded everyone of the International Art Show taking place this weekend, in combination with the Pike Street Market. There was a mural dedication at Rookwood; this mural is another Wasson Way beautification project. Mayor Schneider also commented on how great the flowers look at Wasson Way and Montgomery Road. Mayor Schneider mentioned the ordinance combatting discrimination and inclusion; Ohio Civil Rights were added in 1959. Ohio has ways to attack discrimination; it is a patchwork of effort and a challenge, as one piece of legislation does not address or fix the issue. Public Works is getting ready for leaf pick-up. Mayor Schneider spoke about a recent Board of Health meeting; they talked about new covid shots and flu shots. There was a Financial Supervision Commission meeting today; areas are being monitored and improved upon and city is on target to remain in the black for 2023.

Mr. Bonsall thanked the Finance Committee for hosting Republic Bank. Mr. Bonsall asked Mr. Moore about the need for an ordinance to move Norwood's banking relationship to Republic Bank; Mr. Moore replied by stating he is not aware of an ordinance being needed, but he will further investigate the matter. Mr. Bonsall stated earnings tax is ahead of where it was originally projected in the financial recovery plan; Norwood has a more evenly distributed earnings tax base.

O) UNFINISHED BUSINESS

Mrs. Hoover spoke about First Responder Night; there were many city and county agencies present at the event. It was a lovely evening and she is hoping the event will return next year.

Mrs. Hoover mentioned a neighborhood watch program; if anyone is interested, they can contact Mrs. Hoover at shoover@norwoodohio.gov.

Mrs. Hoover stated the Community Liaison program with the Norwood Police Department is gearing up; a Norwood Police Officer will be matched with a Ward Councilperson to work on issues in each specific ward.

Mrs. Hoover mentioned the 2nd annual Hispanic Heritage Festival taking place from 2pm-6pm at Victory Park; the event will include music, dancing, and food trucks.

Mrs. Hoover announced the Marsh Park daffodil bulb planting event that will take place from 9am-12pm on September 30th at Marsh Park; they are currently accepting bulb donations. There is a goal to plant 1,721 bulbs in the park; this represents the number of signatures on the petition that was presented to Council in 1922 to evict a black family from their home.

P) NEW BUSINESS

Mrs. Hoover announced a Housing Committee meeting at 6pm on September 26th. The topic of chickens was placed into the Housing Committee.

Mrs. Hoover announced a Law & Ordinance Committee meeting at 6pm on October 3rd.

Mr. Breadon asked about the ability to place things into committee; Mr. Thompson replied by confirming during New Business, items can simply be placed in committee, but outside of New Business, a motion would be needed. Mr. Breadon stated he would like to place the fair housing ordinance into the Law Committee; he would like to go over it, as there is a lot to it, and he didn't see much of it in committee. Mr. Moore stated that ordinance is not new business, as it had already been discussed by Council, but a motion could be made to place that ordinance back into committee.

On a motion by Mr. Breadon, seconded by Mr. Kelsch, it was moved to place the fair housing ordinance into the Law & Ordinance Committee.

Mrs. Hoover stated this has been talked about at several committee meetings and she is ready for it to move on; Mr. Kelsch stated taking a more extended look at it would be good. Mr. Thompson replied by stating they did take an extensive look at this; he sees no point for the ordinance to go back into Committee due to Council choosing not to engage with the process while the process was happening. Mr. Thompson confirmed that the ordinance has been in committee, it was reviewed by the Law Department, and it is now in front of Council; there were already multiple opportunities to ask questions. Mr. Breadon stated he has had several discussions with an attorney; Council has been sued on matters before and he is worried about possible litigation, as this is still in front of Supreme Courts, nationally. Mr. Breadon thinks there is a lot overreach in this ordinance that could cause future litigation.

Mr. Kelsch and Mr. Breadon voted, "Yes," all other members present voted, "No." The motion failed.

Q) COMMUNICATIONS

1) Ohio Division of Liquor Control Re: World Market LLC

On a motion by Mrs. Franzen, seconded by Mrs. Winterbauer, it was moved to receive and file the letter and approve the transfer. All members present voted, "Yes." The motion passed.

2) Ohio Division of Liquor Control Re: Family Dollar Stores of Ohio LLC

On a motion by Mrs. Franzen, seconded by Ms. Royse, it was moved to receive and file the letter and schedule a hearing because of issues with the location's address. All members present voted, "Yes." The motion passed.

3) Norwood Planning Commission Re: Proposed Ordinance Text Amendment to Part 11 of the Norwood Codified Ordinances

On a motion by Mrs. Winterbauer, seconded by Mrs. Hoover, it was moved to receive and file the letter and schedule a public hearing for 7:30pm on October 24, 2023. All members present voted, "Yes." The motion passed.

4) William R. Tepe, Jr. Re: Zoning Issue – 2523 Indian Mound Avenue

On a motion by Mr. Thompson, seconded by Mr. Kelsch, it was moved to receive and file the letter as if read. All members present voted, "Yes." The motion passed.

R) EXCUSE ABSENT MEMBERS

On a motion by Mrs. Franzen, seconded by Mrs. Hoover, it was moved to excuse the absent member (Mr. Miracle). All members present voted, "Yes." The motion passed.

S) ADJOURNMENT

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



Joseph S. Geers
Clerk of Council



Ken Miracle
President of Council