



Norwood City Council Council Chambers June 14, 2011

A) CALL TO ORDER

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

B) PRAYER

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

On roll call, all members were present.

E) AMENDMENT OF AGENDA

There were no amendments.

F) MINUTES OF PREVIOUS MEETING

On a motion by Mrs. Laake, seconded by Mr. Thornbury, it was moved to approve the minutes of the meetings from March 22, 2011, March 29, 2011, and April 12, 2011. Ms. Grote stated that there are a few typos that the clerk is aware of and will fix. All members present voted, "Yes."

G) REQUESTS TO ADDRESS COUNCIL ON AGENDA ITEMS

There were no requests.

H) REPORTS OF STANDING COMMITTEES OF COUNCIL

1. Committee Of The Whole Report RE: Residential Parking Permits

Mrs. Laake read the report regarding the discussion of residential parking permits. No change was recommended at this time and a request for an opinion from the Law Department regarding residential parking permits was made. On a motion by Mr. Mumper, seconded by Mr. Schneider, it was moved to accept the committee report. All members present voted, "Yes."

2. Committee Of The Whole Report RE: Early Retirement Incentive

Mrs. Laake read the report regarding the Early Retirement Incentive Plan. She asked for clarification from the Law Department on whether the city is obligated to participate in the plan, the issue of the lack of notice to employees and the lack of a letter to OPERS extending the plan. She stated that during the last committee meeting the committee requested that the Law Department address these issues at the June 14, 2011 council meeting. Mrs. Laake stated that a copy of the Early Retirement Incentive (ERI) was attached to the report. On a motion by Mrs. Laake, seconded by Mr. Schneider, it was moved to accept the committee report. Mrs. Laake said that she spoke with Mr. Kiser. He is absent tonight due to having his wisdom teeth removed. Mrs. Laake noted that the e-mails that were received from Chris Brown from the state are standing answers from PERS. It appears, by ordinance, that the appointed employees receive the same benefits as those in Local 3278 and in that contract the ERI is addressed. This is not offered through OPERS. She noted that an employee who retired in March and thought the ERI was in place has since found out that it was not renewed. Mrs. Laake said she explained the dilemma to OPERS that we might be required to pay by contract, but don't have one on file. Because of the length of time since the original plan has expired, OPERS thinks we need to adopt a new plan. It has to be in effect for minimum of one year, and it takes 60 days after passage to go into effect. Mrs. Laake said that she left a message for Mr. Stith that there was an outreach person at PERS to speak with. She has requested that the Auditor's office make the call as a fiscal officer needs to do it. Then, perhaps, he

can send an update to Council. On the motion to accept the committee report, all members present voted, "Yes."

J) ADMINISTRATION REPORTS

1. Mayor's Report

RE: Miscellaneous Business

The Mayor stated that he has a handout for Council. There is some information about the plans for the Montgomery Road overlay district. He has been discussing zoning for Montgomery Road. Chris Brown, Gerry Stoker, and Greg Orosz had been working to put something together. That Planning Commission will start work sessions in August to address the issue. At one of the meetings, it was said that someone who wants to open a business may not know what can be put in a nearby location. This has been needed for a long time and the process has begun.

The Mayor then requested that Mrs. Laake come to the front. He stated that he was at a social function on Saturday and he was discussing the drug issue. The city has a serious issue with drugs. There are complaints of drug dealing on the streets and prostitution. The Mayor said that the city started the KOPS program about one and a half years ago, with vacating properties and writing them up. He thinks we need another step up. Back in October, some property owners came to Mrs. Laake and the Mayor and they have met a few times. They are proposing a Good Landlord Program. The Mayor said that it is too in depth to cover all of it now, but essentially, we reward good landlords and don't do much for bad ones. When good landlords lose good tenants they lose money. A lot of them live here and care about the city. This program is modeled after one done in Ogden, Utah, with great success. We have three to four years to deal with this because it is getting worse. We don't want to punish good landlords; we want to work with them. We want to train landlords to do the smart thing-to rent property to good tenants. It will take some time to do it but we don't have a choice. He stated that he doesn't think we can continue the same way, and we need to adapt and change. The mayor said that we plan to have open discussions in the Committee Of The Whole to learn from everyone. Mrs. Laake stated that when she was approached by landlords and saw the program, she told those who came to her that we have to go to the Mayor so that all of us can work together. She noted that this is a whole different approach. Good landlords saw what was happening and it is their effort that brought this program to us. She hopes it will bring better tenants and better businesses. She stated that she became aware of one rental unit in town that in the last nine months has received 109 service calls. The city and its citizens pay for that. If landlords are not part of this program they will have to pay for the services. The Mayor stated that we're using the KOPS program, and have torn down houses that were blighted as soon as possible. He noted that he felt that bad properties are not allowed next to a public official. There are landlords with bad properties who have asked for help. When you have development in the city and the environment is bad, businesses don't stay. If you start controlling the issues, you will lower costs for enforcement. The Mayor said he felt that a lot of services go to people who don't work. It needs to be a combination of law enforcement, building code enforcement and cooperation with landlords. We feel we have a shot to make this city a better place to live. Mrs. Laake said that she talked to the people in Ogden, Utah and they said it was a good program. A landlord she spoke to there said that the program involved a lot of work at first but ultimately was good for rental rates and the quality of the tenants. The Mayor said that he thinks it has to be a mix of government and private sector. This is not going to be an overnight fix. He hopes the process will begin at the next Committee Of The Whole meeting. This way we can all get involved and address the issue. We have a lot of rental property that needs to be controlled and maybe this will help. Mr. Moore stated that he hasn't seen all the details but he thinks the best part is offering tools to landlords as how to do it best and avoid the issues. His experience is that before the KOPS program, we would work together to get something fixed, but the landlord would rent to a new person and the problems would start all over again. Mr. Moore asked if we know how long other cities have had this in place. Mrs. Laake stated that Utah program started in 2004 and they have a good track record. The Mayor stated that we have limited enforcement resources. We have experts in different areas to work together. Some landlords will want to be in the program and some will not. Mrs. Laake said that one of the people who did most of the work on this proposed program has a lease modeled after the Utah program. Their lease states that there will be a background check on prospective tenants and if there is a conviction while that person lives there, he or she will be evicted. She noted that the person would provide a copy of the lease prior

to signing it and most of the time people who couldn't comply wouldn't come back. She said that part of the program was if the landlord is part of the program, they will be expected to go to training with the police department. It is the landlords who have large investments who care about their properties. She's glad they brought the program forward. The Mayor stated that it will take some work, but he thinks we have to start the process. It will take administration, enforcement and private sector and he thinks it has to work.

Mrs. Laake stated that she saw the right turn only symbol painted on Norwood Avenue and thinks it has helped a lot.

L) OTHER REQUESTS TO ADDRESS COUNCIL

There were no requests.

M) UNFINISHED BUSINESS

There was none.

N) NEW BUSINESS

Mrs. Laake stated that she would like the Good Landlord Program placed in the Committee Of The Whole, with a meeting to take place on July 7 for the purpose of discussing the program.

Mr. Sanker stated that we have seen a lot of correspondence regarding the new chicken ordinance with issues pertaining to the licensing process. He thinks we should continue to watch it in the next few months. The Health Department is addressing some of the issues in July. We may want to take another look at it and remove the ordinance from the books.

O) COMMUNICATIONS

1. Letter from the Auditor **RE: 2012 Tax Budget**

On a motion by Mrs. Laake, seconded by Mr. Schneider, it was moved to receive and file the letter and to set the public hearing for June 28, 2011. Mrs. Laake asked Mr. Stith if he can address the issue of presenting a tax budget that is not balanced. Mr. Stith stated that he received an e-mail response from the county auditor. The statutes do not require it to be balanced. It is up to Council's discretion. The statutes do require that appropriations be less than or equal to the estimated revenue. The negative balance would then show the need for additional revenue and/or the need to cut expenditures. He noted that Council can pass the budget with a negative balance and we will either remedy it by increasing revenues or by decreasing appropriations. Mrs. Laake asked Mr. Stith if after we have the hearing and it is council's desire not to pass a budget with a negative balance, then do those changes take place prior to the July deadline. Mr. Stith stated that he believes he would have to have another public hearing. Mr. Moore asked if you have to keep adding hearings for changes and keep going. Mr. Stith stated that he would need to ask that question of the Law Department. Mrs. Laake asked Council members if there is a consensus to submit it as it is since, all things being equal, we will have a shortfall. She said she assumes Mr. Stith would like to know how Council feels about that. Mrs. Grote stated that after the public hearing, Council has to pass an ordinance or resolution to accompany the tax budget approving it. Council has final say on what is submitted. Mr. Mumper stated that he thinks we should submit it as unbalanced. He stated that he will not be here on the 28th to vote on it. Mr. Schneider stated that he agrees with Mr. Mumper. Mr. Thornbury also expressed agreement. On the motion to receive and file the letter and set a public hearing for June 28, 2011, all members present voted, "Yes."

2. Letter from Gerry Stoker **RE: Suggested Amendments for the Zoning Code**

Ms. Grote stated that in discussing this amendment with Mr. Stoker, he's asking for the hearing to take place in August. It would be her recommendation to have it on August 23, 2011 so there is time to review the zoning changes. On a motion by Mr. Moore, seconded by Mr. Mumper, it was moved to receive and file the letter and set the public hearing date for August 23, 2011. Mr. Moore stated that this covers some cleanup like transitional zones. It allows outdoor dining. Other issues are dealing with the Norwood zoning codes that have setback requirements. If you have a driveway, you can now park

in front or on the side. This allows a smaller set back on lots. It is also relaxing them for decks and porches. People can come and get copies of the specific language. On the motion to receive and file the letter and set the hearing date for August 23, 2011 all members present voted "Yes."

3. Letter from the Mayor RE: Mayors Court Fines

On a motion by Mr. Moore, seconded by Mrs. Laake, it was moved to receive and file the letter. All members present voted, "Yes."

4. Letter from Norwood Fireworks Committee RE: Fourth of July Fireworks

On a motion by Mr. Thornbury, seconded by Mr. Mumper, it was moved to receive and file the letter. All members present voted, "Yes."

P) EXCUSE ABSENT MEMBERS

There were no absent members.

Q) ADJOURNMENT

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

*Casey Brown **

Casey Brown
Clerk of Council

*Jane M. Grote **

Jane M. Grote
President of Council

*** Original copy was approved by council and signed by Ms. Brown and Ms. Grote during the regular Council Meeting held on July 12, 2011 and can be viewed at the Clerk of Council Office, 4645 Montgomery Rd, Room 205, Norwood, OH 45212**