

VILLAGE OF GLENDALE
80 E. Sharon Road
Glendale, OH 45246

Minutes – Regular Council Meeting June 28, 2021

Attendees:

Don Lofty	Mayor	Present
Mike Besl	Council	Present
Alan Hoeweler	Council	Present
Marilyn Duke	Council	Present
Nancy Macenko	Council	Present
Geoff Base-Smith	Council	Present
Will Kreidler	Council	Present
Mike Beaugrand	Treasurer	Present
Becky Terrell	Clerk	Present
David Lumsden	Village Administrator	Present
Sgt. Keist	Glendale Police Sergeant	Present
Kevin Hardwick	Fire Chief	Present
Kathy Ryan	Solicitor	Present

I. Call to Order, Establishment of Quorum, and Approval of Agenda

Call to Order: Mayor Lofty called the Council to order at 7:05 pm and welcomed all in attendance to the last “hybrid” (in person and video) Council meeting. All requirements to hold the meeting via video meet the Ohio Open Meetings act as amended by House Bill 197. Mayor Lofty led all assembled in the Pledge of Allegiance. Mayor Lofty noted that meetings will be held in person following 1 July.

Quorum: Mayor Lofty declared a Quorum of the Council present and Clerk Terrell confirmed the presence of a Quorum.

Approval of Agenda: Mayor Lofty presented the Council Agenda with no changes.

II. Minutes from the Council's 7 June Regular Council Meeting

Motion to approve the minutes of the 7 June Regular Council Meeting was made by Mr. Besl and seconded by Mr. Hoeweler. Ms. Duke requested verbiage changes in the section regarding the Community Fund and has forwarded requested changes to Clerk Terrell via email. Motion to accept amendment by Mr. Besl. Unanimous voice vote for amendment. The motion passed via unanimous Council voice vote.

III. Public Presentations / Public Comment:

1. **Mr. Bill Parrish, resident.** Mr. Parrish asked if he can yield his time to Mr. Ron Visscher and Mayor Lofty stated that time cannot be yielded in Public Presentations. Ms. Duke asked why Mr. Parrish is unable to address Council directly and Mr. Parrish noted he was advised not to address Council directly.
2. **Mr. Kevin Parrish, resident.** Mr. Parrish expressed concerns regarding change in Council guidelines, the CIC creation and public records management.
3. **Mr. Ron Visscher, resident.** He expressed concern about the Planning Commission process for gathering information regarding the conditional use application and provided a presentation regarding his thoughts. Mr. Besl motioned to allow Mr. Visscher 2-3 minutes to complete the presentation. Ms. Duke seconded the motion and the motion carried via unanimous Council voice-vote. Mr. Visscher completed his presentation.
4. **Ms. Dianna Toran, resident.** Ms. Toran discussed the petition circulated regarding the proposed Eckstein Building action.
5. **Ms. Erica Renner**, not a Glendale resident. Her husband is Verden family member and has toured the facility. She is appalled at the home's condition while windows and materials of other houses are being dictated by the Village.
6. **Ms. Kelly Bishop-Fulton, resident.** Moved to Glendale for the multi-cultural and historic opportunity. She expressed concern with the apparent changing rules.
7. **Ms. Renee Hargrove, resident.** Stated she had made a cash offer for the property and wants to keep this as an inclusive school.

8. **Ms. Betsy Jones, resident.** She stated that the effect on the neighborhood is evident in the attendance and speakers, so it appears that it was not considered.
9. **Ms. Melissa Smith, resident.** Eckstein and the home are central to the Village history and should be preserved.
10. **Ms. Patricia Miller, resident.** Expressed concern about the Eckstein review but was required to conform to historic standards while she built and feels there are different standards.
11. **Ms. Brenda Daniels, resident.** She is 3rd generation in the same home and her family attended Eckstein and stated that Eckstein and the church were the lifeline for the African-American Village residents.
12. **Ms. Michelle Parrish, resident.** She asked that Eckstein remain and to continue in Community service and stated that she grew up in Glendale as did her family.

Mayor Lofty clarified the process and stated that the Planning Commission approved the conditional use of the property but no changes to the existing structures, which is a separate review process. Any building changes are part of the appropriateness review which is the second phase.

Ms. Duke asked if the comments will be carried forward into the Public Hearing when Council considers the Resolution that will be put forward by the Planning Commission. Solicitor Ryan stated that all comments during the Public Comment section are part of the public record and can be used in the Public Hearing. Ms. Duke asked if this will be considered the Public Hearing. Solicitor Ryan stated that within the Zoning Code there is a Public Hearing requirement for the Planning Commission review of a Conditional Use application, but a Public Hearing is not required for Council.

IV. Old Business:

Ordinance 2021-25: An Ordinance Authorizing the Creation of the “Glendale Family Fund” Department as Part of the Community Fund and Increasing Estimated Revenues and Appropriations for 2021.

Mr. Hoeweler moved to adopt Ordinance 2021-25 which was seconded by Ms. Macenko in the 7 June meeting. This will act as the second reading.

Mayor Lofty stated 2 questions were raised concerning confidentiality during the previous meeting. The Village will take over financial management of the Back to School and Holiday Gift programs that have been run by the Police Department. The Village will manage the finance and free up capacity for those that coordinate the programs. Ohio law is weighted toward transparency with the Public Records Act, hence the confidentiality concern of donors and recipients. Mayor Lofty stated that donors who wish to remain confidential can donate gift cards. There is currently no effective way to assure confidentiality of recipients and this issue will remain should the Village manage the program. Solicitor Ryan stated that there are 2 separately functioning issues: Privacy/Public Records is an issue whether the program is managed by the Village or the Police Department. The need to account for the program funds is established to have clear accounting of the fund movement.

Mr. Besl asked if a 501(c)(3) was established if it would protect privacy. Solicitor Ryan stated that it would become private but the issue is if a Public Official is accepting something of value, there is a requirement for accounting and record keeping. Mayor Lofty stated that the other concern is that the Police Chief manages the program and funds, making it more likely that the funds would be classified as Village Funds. Ms. Duke asked if a 501(C)(3) manager would have to file with the IRS regarding who donates and receives funds via the 990 form which is on public record. She noted that churches have latitude to collect and distribute goods and funds. Ms. Macenko asked Solicitor Ryan what her recommendation is regarding the process should the Village manage the funds. She stated that managing the funds and processes through the Village is procedurally better but risks exposing recipient names.

This acts as the second reading of the Ordinance

V. New Business:

RESOLUTIONS

Resolution 2021-13 A Resolution Authorizing the Village Administrator to Prepare and Submit an Application to Participate in the Transit Infrastructure Fund Program and to Execute Contracts as Required and Declaring an Emergency.

Mr. Besl moved to adopt Resolution 2021-13 which was seconded by Mr. Hoeweler.

Administrator Lumsden stated that this allows him to apply for a grant via SORTA for road, infrastructure improvement for community within the METRO service area. Potential projects have been identified including traffic signals at Sharon and Route 4. This is a 90/10 match (90% of costs funded by the grant and Village pays 10%). The estimated cost is \$300,000 - \$330,000 and the Village will maintain following installation. The current equipment is aged and in need of replacement.

Ms. Duke asked the deadline to apply and 30 June is the deadline with the resolution as the last step per Mr. Lumsden. Ms. Macenko asked if this was for 2021 work and Village Administrator Lumsden said this is for 2022 work.

Motion to adopt Resolution 2021-13 passed by unanimous Council roll-call vote.

Discussion regarding GPHPC Resolution 2021-001. Mayor Lofty noted that this has been received by Council and was approved at this evening's Planning Commission meeting. He suggested a public hearing be scheduled for 2 August prior to Council meeting. Ms. Duke asked if today's meeting was considered "Public Hearing" and will the people that spoke this evening have to come back and speak again at the next

public hearing. Solicitor Ryan stated that no public hearing and nothing confined to what was said in Planning Commission can be considered. Ms. Duke asked that what was heard this evening be considered on the record and part of the Council deliberation regarding the matter. This is to clarify what is and is not on the record/what is hearsay vs. not hearsay. Mayor Lofty stated that what has been said during this evening's meeting can be considered by Council in making the decision regarding the Planning Commission's recommendation and residents need not come in and repeat themselves. Ms. Toran asked if the petition can be included and Mayor Lofty stated it can be considered; this is about Council taking in information regarding the subject. Mr. Kreidler requested process clarification and Mayor Lofty stated that Conditional Use is first reviewed by Planning Commission who makes a recommendation to Council. If approved by Council then the actual plan regarding physical structures and design is submitted and reviewed by the Planning Commission. Any appropriateness decisions can be appealed to Council.

VI. Reports from the Mayor, Administrator, Standing & Special Committees

Mayor's Report:

Births: Wolfgang Vanderheidge-Hahn, 25 April

Deaths: None reported

Mayor Lofty reported that the Annual Car Show was a success per the organizers. The same evening, the Cincinnati Civic Orchestra opened their season. The Glendale Police Department held an educational session with the Princeton football team by Princeton's invitation. The Glendale Library is updating the Village phone directory. This year, Burwinkle Farms truck will be in the parking lot on Thursdays 10 – 2ish. "This is Glendale," a monthly program about various subjects, is returning shortly and will be announced via the newsletter. There is an opening on Glendale Urban Forestry Board and new members are requested to have educational experience in horticulture/landscape architecture/etc., but any resident may apply.

Administrator's Report:

Village Administrator Lumsden provided his report including: Cleveland Park Playground replacement starts this week with demolition. Sharon Road repaving pre-construction meeting to set up timeline/milestones will be happening shortly and August is still the completion deadline.

Committee Reports:

Finance Committee - Committee Chair Mr. Besl reported the committee did not meet in June and requesting a meeting on 26 July at 4pm.

Fire Committee – Committee Chair Ms. Macenko reported the committee did not meet in June and the next meeting is 3pm on 1 July. Volunteer Fire Fighter class just started and planning Fire Department open house on 10 October.

Laws and Claims Committee – Committee Chair Ms. Duke reported that the committee met 10 June with the Police Committee. Draft minutes are available and will be posted to the Village website. Discussed Ohio Collaborative Police Advisory Board and Chief Walsh will be looking into that. Junk vehicle ordinance still under discussion.

Police Committee – Committee Chair Mr. Hoeweler reported joint meeting with Laws & Claims. Chief Walsh partnered with Princeton High Football team regarding how to act during a traffic stop and what to expect. The department also flew a drone through car show to create a series of arial photos. De-escalation training was held for all full time and part time officers. Chief Walsh thanked the Mayor and Council that came out to the range to see new procedures.

Public Buildings and Historic Preservation Committee – Committee Chair Mr. Kreidler reported meeting 1 July meeting 3pm in Fire Training room.

Recreation and Playgrounds Committee – Committee Chair Mr. Base-Smith reported a meeting in June and provided an update regarding the Cleveland Park

upgrade. Mr. Tony Brock is being supported to upgrade summit park with tennis and pickle ball courts.

Streets, Public Improvements & Lights Committee – Committee Chair Mr. Besl reported the committee did not meet but a meeting will be scheduled off line.

Utilities Committee – Committee Chair Mr. Base-Smith reported no meeting in June and will meet in July. Storm water, sewer and water issues will be discussed.

IX. Miscellaneous Business and Reports

a. Reports from the Clerk and Treasurer

Treasurer – Treasurer Beaugrand provided no report as he is awaiting end of month reports.

Ms. Duke asked about the money for This is Glendale where Council voted not allocate the funds to restart the program. She stated her belief that the program should not be restarted for reasons including controlling political content and funds usage and expressed concerns regarding funds collected following Council action. Mayor Lofty stated that Council chose not to spend public money on the program and private donors have contributed to the Village as a 501(C)(4) and is being handled similar to the Quiet Zone funds. The vote taken previously was a reflection of funding and not value of the program. Ms. Duke stated that Council did not vote to receive the funds and that action should be considered.

The community fund is part of the General Checking account. Village Administrator Lumsden has general fund and the general checking account. General fund is tax revenue. General checking is the actual checking account through which funds are run. Money received to the community fund is deposited into the general checking account and not into the general fund. Her concern is that council voted not to spend money which was then donated by private donors and was placed in the

accounts. Village Administrator Lumsden stated the Village has no other account in which to deposit community funds. She questions the appropriateness of the action and Mayor Lofty stated that her concern has been noted.

Clerk – no report.

X. Review of Expenditures

- a. 2021-07 General Fund
- b. 2021-07 Enterprise Fund

Mayor Lofty introduced the following financial reports: General Checking Certification through May and Enterprise Checking Certification through May. Mr. Hoeweler moved to acknowledge receipt of said reports. Mr. Kreidler seconded the motion which passed via unanimous Council voice vote.

XI. Adjournment

Motion to adjourn was made by Ms. Duke. The motion was seconded by Mr. Hoeweler and unanimously passed by Council voice vote.

The meeting adjourned at 9:00 pm.

Next regular meeting August 3, 2021 at 7:00 pm

ATTESTED BY:

Mayor Donald A. Lofty

Rebecca M. Terrell
Clerk