

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

Minutes – Regular Council Meeting August 2, 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
Craig Walsh	Police Chief	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.

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 adjustments including moving the Firefighter and Police Officer appointments and Residential Conditional Use review earlier in the meeting. With no objections, the agenda is changed.

II. Minutes from the Council's 28 June Regular Council Meeting

Motion to approve the minutes of the 28 June Regular Council Meeting was made by Ms. Macenko and seconded by Mr. Base-Smith. The motion passed via unanimous Council voice vote.

III. Public Comment

Mayor Lofty noted that this Public Comment is about non-Eckstein/Conditional Use Application comments. The Public Comments relative to those topics will be held later in the meeting.

1. **Mr. Ron Visscher, resident.** He asked about the 2022 estimated budget and the exclusion of the Fire Truck that had been in the planning budget in April.
2. **Mr. Kevin Parrish, resident.** He expressed concerns regarding communication regarding water issues in the Village including financing and loan applications. He also expressed concerns regarding sewer work records requests.

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 and Declaring an Emergency
(3rd reading)

This is the third read of the ordinance. Mr. Hoeweler motioned approval and Ms. Macenko seconded the motion when initially proposed.

Ms. Duke supports the overall goals of the fund but is opposed to merging it into Village funds. Ms. Duke further stated the topic should have been introduced to committee for initial review and she has concern regarding confidentiality. Mr. Besl stated that there had been discussion regarding alternate ways to manage the funds and asked if it can be managed outside of the General Fund. Mayor Lofty noted the change was initiated by concerns expressed by Treasurer Beaugrand and Chief Walsh. Mayor

Lofty stated that this approach will remedy audit concerns and will not increase the risk of any information disclosure. Village Administrator Lumsden clarified that checks are not written directly to the beneficiaries but instead are written to stores where the funds are spent. Because there is no historic practice to write checks directly to residents, there is no record and therefore would not be part of public record.

Ms. Angie Larimer, resident. She expressed concern regarding information confidentiality and establishing a 501(C)(3) is difficult. She suggested it be managed similar to or by an existing Village club.

Ms. Beverly Rieckhoff, resident. She stated that this should not be turned into a political topic. This is about the Village and its residents can best serve and support each other.

Motion to adopt Ordinance 2021-26 passed by Council roll-call vote with the following results: Mr. Besl – yes; Mr. Hoeweler – yes; Ms. Duke – no; Ms. Macenko – yes; Mr. Base-Smith – yes; Mr. Kreidler – yes.

Discussion and deliberation of Glendale Planning and Historic Preservation Commission Resolution 2021-001, “A “Resolution of Recommendation” Reflecting the Recommendation of the Glendale Planning & Historic Preservation Commission to the Council of the Village of Glendale, Recommending Approval of The Application of Denny Dellinger (Agent for Owner, 42 Washington Ave. LLC) for a Conditional Use Permit for a Residential Assisted Living Home at 42 Washington Avenue”

a. Public comments related to a Conditional Use application filed by the property owner at 42 Washington Avenue for a proposed nursing or convalescent home use at 42 Washington Avenue, also known as Eckstein School. A nursing or convalescent home is classified as a Conditional Use under 154.21(B)(14) of the Glendale Zoning Code.

Mayor Lofty introduced the topic stating that the Applicant will speak first followed by a lengthened Public Comments followed by the Applicant response then Council deliberation. He clarified that the discussion is happening because it is a legal requirement.

Comments by the Applicant

Mr. Mark Hutton, representing the applicant requested that the conditional use application be approved. Mimi's House is a residential assistance home that is currently in operation in a Loveland residential district and will be of benefit to the Village.

Ms. Duke asked if Council would be able to put questions to the Applicant and when. Mayor responded that that would happen during Council deliberations following public comments.

Comments from the Public

1. **Mr. Bill Parrish**, resident and Founder of ECAC, introduced Mr. Paul Muller, President of the Cincinnati Preservation Association, who discussed the movement to preserve historic sites relevant to Black history and the funding sources that have recently become available to such preservation.
2. **Dr. Raymond Terrell**, former resident stated that he grew up on 105 Washington Ave and was an alumnus of Eckstein School and opposes any possible demolition.
3. **Mr. Ron Visscher**, resident. Mr. Visscher provided a written presentation to Council which he verbally presented.
4. **Father Max Langenderfer**, former resident. He provided his background relative to Eckstein then provided a discussion on colonization, class systems and deforestation.

5. **Ms. Brenda Daniels**, resident. She noted the Village's request from Princeton City School District that Glendale Elementary not be changed during their build out. She noted that this how Eckstein School should be handled as well.
6. **Ms. Jill Binzer**, resident. Representing Dianna Toran who was unable to attend and read a letter into the record on behalf of Ms. Toran.
7. **Ms. Libby Hamrick**, resident. She expressed concern regarding the process that Mr. Bill Parrish went through regarding Eckstein and stated her concern that white history is preserved while black history in Glendale is not.
8. **Ms. Erica Ritter**, Verden family member. She expressed concern regarding potential destruction of the historic Verden home asking that original bones of home be kept and added to it instead of demolition.
9. **Ms. Ruth Ann Johnson Thomas**, Eckstein Alumnus. She was present at auction and bid on the building but was unsuccessful.
10. **Ms. Carol Muntz**, resident. She was appalled when she learned Eckstein was sold and damaged. So many people related to the school and up to us to take better care of it.
11. **Mr. Kevin Parrish**, resident. In 2009 he asked the Village to purchase the Eckstein building from Princeton School. Subsequent to the purchase he stated the Village has done nothing to preserve the building thus jeopardizing national historic district by removing historic buildings important to Black history.
12. **Ms. Leslie Cooper**, resident. She stated that she was one of two Planning Commission member who voted against the resolution and are not in support of any change to Eckstein.
13. **Mr. Carlos Reed**, resident. He expressed concerns about the historic markers regarding the local Civil War action by Confederate Officer, John Hunt Morgan, and the Confederate uniform that resides in the

Village Museum. He noted that the Village was doing nothing for the history of the African-American community.

14. **Mr. Paul Breidenbach**, resident. He referenced the project led by Mr. Bill Parrish as an effort to reconcile and heal from racism.

15. **Ms. Melissa Smith**, resident. She stated that school segregation in Glendale lasted longer than legally allowed and stated that the Eckstein school should be saved.

Comments from the Applicant

Mr. Denny Dellinger, architect in OTR. Following the Eckstein property acquisition, he tried to preserve the building and applied to the state preservation office for tax credits. Coronavirus occurred which required a change in approach which was not consistent with zoning and therefore scrapped. The property was on the market for 3 months resulting in 60 showings 1 offer after the listing closed. He then conducted additional research and found convalescent home was a conditional use opportunity via zoning code. He had no intention to destroy the building at the onset but subsequent circumstances require a different approach.

Council Deliberation

Mr. Hoeweler asked Mr. Dellinger if he was indeed considering demolition and Mr. Dellinger confirmed that demolition is being considered.

Ms. Sullebarger, GPHPC representative stated that the application is for Conditional Use under zoning code and no review of appropriateness has been conducted. Ms. Duke asked about process and Ms. Sullebarger stated that acceptable/conditional use precedes acceptable design as the use may be approved but the design could be denied. This is the legal process required and previously followed on all requests. Conditional use

has 3 standards to measure against: Impact to the Neighborhood, Impact to Traffic and Compliance to the Village Plan. Ordinance section 154.46 speaks to appropriateness and when owner of contributing building intends to alter or demolish any exterior feature, they shall first apply for and secure a certificate of appropriateness. Solicitor Ryan confirmed that this is application for conditional use and any request for changes is reviewed under appropriateness. This approval is highly limiting as no changes can be made to the building. Ms. Duke asked if the Eckstein building was considered pivotal and Ms. Sullebarger stated that 20th century buildings were originally considered as background buildings and the request to extend historic significance to 1960 which was approved. Therefore, Eckstein is considered a contributing building in the National Historic Register which enable access to federal and state tax credits for the building rehabilitation.

Mr. Dellinger stated that his original intention was to restore the building. He stated that as the property owner, he has the legal rights to benefit from the property.

Mr. Besl asked why Appropriateness is separate from Conditional Use. Village Administrator Lumsden and Solicitor Ryan explained the process and the fact that Conditional Use is held to different standard and is a separate legal process including a recommendation from the Planning Commission which is acted upon by Council. Appropriateness review and approval rests solely in Planning Commission unless there is an appeal. Conditional Use applies to the property as it exists and Appropriateness is about changing the property.

Ms. Macenko asked Mr. Dellinger if he was open to moving on and not filing for appropriateness on the property. Mr. Dellinger stated he would

be willing to trade for another property in Glendale to build the desired facility.

Ms. Duke asked if the conditional use attached to the property or the applicant. Solicitor Ryan stated that a written decision and conditions would be created including the scope of approval and the decision applies to the property and transfers with local government.

Mayor Lofty asked what action Council wishes to take after deliberation. Mr. Besl and Ms. Macenko stated that the new information provided this evening requires more consideration and prefer deferral.

Mr. Base-Smith motioned to table the matter for further deliberation until the next meeting. The motion was seconded by Mr. Besl and passed with the following result: Mr. Besl – yes; Mr. Hoeweler – yes; Ms. Duke – yes; Ms. Macenko – yes; Mr. Base-Smith – yes; Mr. Kreidler – no.

New Business

Ordinance 2021-26 An Ordinance Appointing Glendale Volunteer Firefighters, Establishing a One Year Probationary Period, and Declaring an Emergency and the Swearing-In of Said Firefighters

Mr. Besl moved to adopt Ordinance 2021-26 which was seconded by Mr. Kreidler.

Chief Hardwick introduced the slate of volunteer firefighter candidates.

Motion to dispense with three reads was made by Mr. Besl and seconded by Ms. Macenko and was approved by unanimous Council roll-call vote.

Motion to adopt Ordinance 2021-26 passed by unanimous Council roll-call vote.

Mayor Lofty administered the Oath of Office.

Ordinance 2021-27 An Ordinance Appointing Gregory Lee to the Position of Full-Time Police Officer with the Glendale Police Department and Declaring an Emergency

Mr. Besl moved to adopt Ordinance 2021-27 which was seconded by Ms. Duke.

Chief Walsh introduced Mr. Gregory Lee and his background.

Motion to dispense with three reads was made by Ms. Macenko and seconded by Mr. Kreidler and was approved by unanimous Council roll-call vote.

Motion to adopt Ordinance 2021-27 passed by unanimous Council roll-call vote.

Mayor Lofty administered the Oath of Office.

Ordinance 2021-28 An Ordinance Appointing David Herring to the Position of Full-Time Police Officer with the Glendale Police Department and Declaring an Emergency

Mr. Besl moved to adopt Ordinance 2021-28 which was seconded by Mr. Kreidler.

Chief Walsh introduced the Mr. David Herring and his background.

Motion to dispense with three reads was made by Ms. Macenko and seconded by Ms. Duke and was approved by unanimous Council roll-call vote.

Motion to adopt Ordinance 2021-28 passed by unanimous Council roll-call vote.

Mayor Lofty administered the Oath of Office.

Ordinance 2021-29 An Ordinance Authorizing the Increase of 2021 Estimated Revenue and Appropriations of the Community Fund, a Miscellaneous Fund and Declaring an Emergency

Mr. Hoeweler moved to adopt Ordinance 2021-29 which was seconded by Ms. Macenko.

Mayor Lofty noted this Ordinance concerns “This is Glendale” and the contributions received to fund the program continuation. Funds were written to the Village and this would establish the ability to receive and spend the donations.

Ms. Duke asked if funds are being spend and Mayor Lofty stated that no funds have been spent to date. Ms. Duke asked how this is different from previous “This is Glendale” iterations and Mr. Besl noted the previous version was all volunteer and this has a professional producer/director. Ms. Macenko asked for clarification, asking if this is about the use of funds and not the program’s validity. Mayor Lofty confirmed that the request was about the funding. Ms. Duke asked about who chooses the content now that it is uses Village Funds. Mayor Lofty clarified that this is private funding and Mr. Besl stated that it would be governed by the guidelines of the newsletters and email.

Motion to dispense with three reads was made by Mr. Base-Smith and seconded by Mr. Kreidler and was approved by unanimous Council roll-call vote.

Motion to adopt Ordinance 2021-29 passed by Council roll-call vote with the following results: Mr. Besl – yes; Mr. Hoeweler – yes; Ms. Duke – no; Ms. Macenko – yes; Mr. Base-Smith – yes; Mr. Kreidler – yes.

Resolution 2021-14 A Resolution Lifting the State of Emergency in the Village of Glendale Due to the Coronavirus Disease Outbreak

Mr. Hoeweler moved to adopt Ordinance 2021-14 which was seconded by Ms. Macenko.

Ms. Duke asked if Chief Hardwick to provide any information regarding Covid. Chief Hardwick stated the numbers continue to rise in the Village, County and State. Usual reporting was shut down and is looking to be reinstated.

Motion to adopt Ordinance 2021-16 passed by unanimous Council roll-call vote.

Resolution 2021-15 A Resolution Authorizing the Conditional Use of Land Owned by John & Amy Danis Located at 890 S. Troy Avenue for an Above-Ground Swimming Pool to be Constructed Pursuant to Certain Conditions

Ms. Macenko moved to adopt Resolution 2021-15 which was seconded by Mr. Kreidler.

Mayor Lofty introduced the subject, indicating that this request had been reviewed and recommended by the Planning Commission.

Motion to adopt Resolution 2021-15 passed by unanimous Council roll-call vote.

Resolution 2021-16 (verbal) A Resolution Confirming the Mayor's Appointment to the Urban Forestry Board

Mr. Besl moved to adopt Resolution 2021-16 which was seconded by Ms. Duke.

Mayor Lofty stated that candidates had been interviewed and the consensus

choice was Ms. Arlene Hoeweler. Mayor Lofty presented Ms. Hoeweler as the chosen candidate. Mr. Hoeweler recused himself from the vote.

Motion to adopt Resolution 2021-16 passed by unanimous Council roll-call vote and Mr. Hoeweler was recused.

Mayor Lofty administered the Oath of Office.

Resolution 2021-17 (verbal) A Resolution Adopting the Village of Glendale 2022 Estimated Tax Budget

Mr. Hoeweler moved to adopt Resolution 2021-17 which was seconded by Ms. Macenko.

Village Administrator Lumsden sated that at 6pm the public meeting was held for the 2022 estimated tax budget and three (3) attendees were present. Some savings are expected regarding personal costs and currently anticipating break even with possibility of some savings. The budget was due to the county in late July, but an extension has been granted until mid-August.

Motion to adopt Resolution 2021-17 passed by unanimous Council roll-call vote.

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

Mayor's Report

Mayor Lofty stated a formal request to rename a greenspace to a member of the Glendale Public Works Department has been received. There is no process for naming properties so this has been forwarded to Ms. Duke as part of Laws & Claims Committee. Ms. Duke agreed that the Laws Committee would take on the task of creating a process for the naming of public properties and standards for doing so.

Births & Deaths - None reported.

Village Administrator's Report

Cleveland Park work has proceeded to the final punch list; Sharon Ave repaving has no start date yet but the substantial completion date of October 31 remains. The plan for the Hedgerow storm water project is upcoming at streets meeting.

Committee reports

Finance Committee – Committee Chair Besl stated a meeting was held and mid-year finances were reviewed. A small surplus is expected at the end of the year. The next meeting will be scheduled offline.

Fire Committee – Committee Chair Macenko stated a joint meeting with Public Buildings was held on 1 July. The meeting minutes will be published and the next meeting is scheduled for 3 August. Chief Hardwick provided his report and stated that the Fire Department Open House will be held on 10 October.

Laws & Claims Committee – Committee Chair Duke stated that no meeting was held in July.

Police Committee – Committee Chair Hoeweler stated that no meeting was held in July. Chief Walsh provided his report and announced that Officer Rox accepted medical retirement from State and there will be a meet and greet lunch on 6 August 11 – 1 lunch 1-3 for outside agencies and inviting outside agencies to acknowledge his retirement.

Public Buildings & Historic Preservation Committee – Committee Chair Kreidler stat that no meeting was held in July. The next meeting will be the joint Fire/Public Buildings meeting scheduled for 3 August.

Recreation & Playgrounds Committee – Committee Chair Base-Smith stated the Committee met twice in July to discuss with Brock Foundation the development of tennis/pickle ball courts at Summit Park.

Streets, Public Improvements & Lights Committee – Committee Chair Besl stated that no meeting was held in July and a meeting will be scheduled for Mid-August offline.

Utilities Committee – Committee Chair Base-Smith stated that the Committee did not meet in July and a meeting will be scheduled offline for early August.

VII. Reports from the Clerk & Treasurer

Clerk – No Report

Treasurer – The investment report was forwarded via email

VIII. Review of Expenditures

1. **2021-07** General Fund
2. **2021-07** Enterprise Fund

Mayor Lofty stated the Certification of General Checking, Certification of Enterprise Checking, Revenue YTD through 20 June and Expenditures through 30 June were distributed. Mr. Besl motioned to acknowledge the reports. Ms. Macenko seconded the motion and it passed via unanimous Council voice vote.

IX. Adjournment

Motion to adjourn was made by Ms. Duke. Ms. Macenko seconded the motion and the motion passed by unanimous Council Voice Vote. The meeting adjourned at 10:05pm

The next regular Council meeting is scheduled for August 30, 2021