

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

Minutes – Regular Council Meeting May 2, 2022

Attendees:

Don Lofty	Mayor	Present
Mike Besl	Council	Present
Marilyn Duke	Council	Present
Nancy Macenko	Council	Present
Geoff Base-Smith	Council	Absent
Will Kreidler	Council	Present
Amy Baldrige	Council	Present
Mike Beaugrand	Treasurer	Present
Becky Terrell	Clerk	Present
Craig Walsh	Police Chief	Present
Scott Lerman	Captain – Fire Dept.	Present
David Lumsden	Village Administrator	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 7:00 pm

Quorum: Mayor Lofty announced no changes to the agenda. Mayor Lofty declared a Quorum of the Council present and Clerk Terrell confirmed the presence of a Quorum.

II. Approval of Minutes

a. Regular Council Minutes of 4 April 2022 meeting. Ms. Baldrige motioned to approve the minutes and Mr. Besl seconded the motion. The motion passed via unanimous Council voice vote.

III. Public Comments and Presentations

Mayoral Proclamation: A Proclamation Honoring Village Clerks, including Glendale Clerk, Clerk Rebecca Terrell. Mayor Lofty read the proclamation into the record.

Mayoral Proclamation: A Proclamation Honoring Local Teachers. Mayor Lofty read the proclamation into the record.

Mayoral Proclamation: A Proclamation Honoring the 20th anniversary of Pastor Kendall A. Logan at Mt. Zion Church. Mayor Lofty read the proclamation into the record.

General Comments

Mr. Bill Parrish, resident. Mr. Parrish recognized members of Council who joined in the Eckstein School clean up and thanked them for supporting the organization.

Mr. Kevin Parrish, resident. Mr. Parrish referenced perceived racist comments made by Treasurer Beaugrand about Councilwoman Duke, Bill Parrish and himself and asked about any action. He asked for transparency regarding the CMOM and expenditures. He claimed that the Village had not responded adequately to his records requests and that he had sued the Village over these matters. **Ms. Duke** appreciated Mr. Parrish bringing matters to Council that she was unaware of and she takes Council responses very seriously and has had conversations with the Mayor and others. Her silence is not acceptance or in any way ignoring what was brought up, but need to proceed with caution as she weighs her options. **Mayor Lofty** stated that not responding to Public Comments does not mean that they are accepted or rejected. He noted that the referenced court cases have been dismissed or withdrawn.

V. Old Business

2022-04 An Ordinance Inserting Chapter 154.59 in the Village of Glendale Code of Ordinances, Establishing Regulations Related to Residential and

Commercial Signage in the Village of Glendale, as Recommended by the Glendale Planning and Historic Preservation Commission

This ordinance was placed on the table at the April 4, 2022 meeting to be forwarded to the Planning Commission. Motion to remove from table made by Mr. Besl, seconded by Mr. Kreidler and passed unanimously by voice.

Solicitor Ryan said when work on this ordinance was started, there was an unambiguous 2015 ruling by the US Supreme Court in Reed v. Town of Gilbert, and since there have been 3 cases that have made sign regulation very restrictive. SCOTUS recently issued another ruling in City of Austin v. Reagan, regarding the 2015 Reed case with different perspective. It is unusual to have so many cases impacting the verbiage and as a result, the verbiage will need to be reviewed in light of new ruling. Ms. Duke asked for an example of off premise signage in Glendale and Solicitor Ryan stated if UDF were to sell digital parking lot signage, it would be an off-premise sign for the business being advertised as it is not on their site. Billboards require content review to determine if it is on or off-site and that is not allowed. Mayor Lofty said that is an issue and there were issues/questions that came from public hearings. The ordinance will be referred to the Ad Hoc committee and hopes a version is back by the July meeting and in place before election season starts in earnest.

Ms. Baldrige asked how difficult to amend the ordinance if something needs updated and Mayor Lofty said it would be just like amending any other ordinance or zoning code. This is difficult because it is constitutional law related. Ms. Duke asked if it were adopted if it would be a new chapter or a section in an existing chapter. Mayor Lofty said it is part of chapter 154 but a new section (59) will be added and Solicitor Ryan stated that 154.37, the current ordinance, would be repealed.

Motion to retable 2022-4 was made by Ms. Duke. Ms. Baldrige seconded the motion and the motion passed via unanimous Council voice vote.

Ordinance 2022-17 An Ordinance Establishing a Transaction fee for Credit Card Payments to the Village of Glendale and Glendale Utility Department.

Mr. Base-Smith moved to adopt Ordinance 2022-17 and the motion was seconded by Ms. Macenko. These motions were made in the 4 April 2022 meeting.

There was no further Council discussion.

This stands as the second reading.

VI. New Business

Ordinance 2022-23: An Ordinance Approving and Granting Consent to the Director of the Ohio Department of Transportation Authority to Apply, Maintain and Repair Standard Longitudinal Pavement Markings and Erect Regulatory and Warning Signs on State Highways Inside Village Corporate Limits, and Giving Consent of the Village for the Ohio Department of Transportation to Remove Snow and Ice and Use Snow and Ice Control Material on State Highways Inside the Village Corporate Limits, and Giving Consent of the Village for the Ohio Department of Transportation to Perform Maintenance and or Repair on State Highways Inside the Village Corporation and Declaring an Emergency.

Mr. Besl moved to adopt Ordinance 2022-23 and the motion was seconded by Ms. Macenko.

Mayor Lofty stated that this is required due to Home Rule and the Village has to provide consent to the State for maintenance.

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

Motion to adopt Ordinance 2022-23 passed via unanimous Council roll call vote.

Ordinance 2022-24 An Ordinance Authorizing the Village Administrator to Enter into and Execute Contracts with the Department of Transportation Which are Necessary to Develop Plans for and to Complete the Systematic Sign Replacement – General Routes, PID #101029 Project; and to Execute Contracts with ODOT Pre-Qualified Consultants for the Preliminary Engineering Phase of the Project and Declaring an Emergency.

Mr. Besl moved to adopt Ordinance 2022-24 and the motion was seconded by Ms. Macenko.

This Ordinance supplements 2022-23 but is specific to signs. Ms. Duke asked if ODOT was going to replace the existing signs and Village Administrator Lumsden said that the State will be responsible for changing the signs along 747 if needed but will contact the Village as needed. Mr. Kreidler asked about the costs and it was clarified that signs installed by the State would be paid by the State. Any new signs requested by the Village will be paid for by the Village.

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

Motion to adopt Ordinance 2022-24 passed via unanimous Council roll call vote.

Ordinance 2022-25 An Ordinance Authorizing the Village Administrator to Enter into and Execute Contracts with the Department of Transportation Which are Necessary to develop Plans for and to Complete the FY23 Urban Paving Project on 747 Springdale, PID #110406 Project; and to Execute Contracts with ODOT Pre-Qualified Consultants for the Preliminary Engineering Phase of the Project and Declaring an Emergency.

Mr. Besl moved to adopt Ordinance 2022-25 and the motion was seconded by Ms. Duke.

Village Administrator Lumsden stated that a small portion of 747 in Glendale will be repaved as part of the overall Springdale project. Because part of the work occurs in Glendale the Ordinance is required.

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

Motion to adopt Ordinance 2022-25 passed via unanimous Council roll call vote.

Ordinance 2022-26 An Ordinance Approving the Design and Related Content for Glendale Arboretum Signage and Declaring an Emergency.

Mr. Besl moved to adopt Ordinance 2022-26 and the motion was seconded by Ms. Baldrige.

Mr. Joe Hubbard, Urban Forestry Board Chair, presented the label design and content sourcing plan to Council. Ms. Baldrige asked the expected date for installation and Mr. Hubbard said the hope is June/July. Ms. Duke asked how Glendale, OH would be linked to the Arboretum given that there are multiple Glendale's in the United States. This topic be followed up.

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

Motion to adopt Ordinance 2022-26 passed via unanimous Council roll call vote.

Ordinance 2022-27 An Ordinance Approving the Installation of a Plaque Commending Maxwell Ehlers for the Construction of a Picnic Shelter at Cleveland Park and Declaring an Emergency.

Ms. Baldrige moved to adopt Ordinance 2022-27 and the motion was seconded by Mr. Besl.

Mayor Lofty said that this is to recognize the work completed by Mr. Ehlers as part of his Eagle Scout work. Ms. Duke asked if there is a date on the plaque and asked that the year be added.

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

Motion to adopt Ordinance 2022-27 passed via unanimous Council roll call vote.

Ordinance 2022-28 An Ordinance Authorizing the Village Administrator to Sign a Memorandum of Understanding Between the Health Collaborative and the Village of Glendale Related to the Cooperative Use of a Generator and Associated Equipment.

Ms. Macenko moved to adopt Ordinance 2022-28 and the motion was seconded by Mr. Besl.

Large generator for the Village from the Health Collaborative. There are 7 not in use currently. This allows us to collect the generator, tent and facilities and if there is an emergency in another area but not in the Village, a request can be made and the generator would be transported by the Fire Department. This would be stored by the maintenance garage and the Health Collaborative agrees with the storage location.

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

Motion to adopt Ordinance 2022-28 passed via unanimous Council roll call vote.

Ordinance 2022-29 An Ordinance Increasing Compensation for Current Full Time Police Officers, and Declaring an Emergency.

Mr. Besl moved to adopt Ordinance 2022-29 and the motion was seconded by Ms. Macenko.

Chief Walsh provided the service background of Officers Barber and Hilling. Mayor Lofty announced that the officers will be promoted to Sergeant and the purpose of the ordinance is to adjust their salary in recognition of their promotion.

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

Motion to adopt Ordinance 2022-29 passed via unanimous Council roll call vote.

Mayor Lofty administered the Oath of Office

Resolution 2022-14 A Resolution Authorizing the Village Administrator to Apply for Transportation Alternatives Grant Funding as Administered by Ohio Department of Transportation.

Mr. Besl moved to adopt Resolution 2022-14 and the motion was seconded by Ms. Macenko.

Village Administrator Lumsden stated that this comes from TEC (engineers specializing in transportation grants). This grant application would propose a construction project of approximately \$645k including regrading and sidewalk installation. The Village would be liable for 20% of construction costs estimated at \$129k and would be responsible for engineering costs at an estimated \$190k. Ms. Duke asked which side of the street would have the sidewalk (greenbelt side) and asked the impact to the creek and runoff. That would be addressed during the design process. This is to apply for the grant funding. Mr. Kreidler asked when engineering/design work would begin and Village Administrator Lumsden anticipated 2023/2024 would be the estimated time for engineering work and funding requirements. Ms. Duke asked if the greenbelt is in Woodlawn and can we get something in writing from Woodlawn to support the project and have no objection. Village Administrator Lumsden has discussed the project with the Village Manager who conceptually supported the project. Mr. Besl asked if there have been any other bids for the sidewalk. Village Administrator Lumsden said the project would be bid out prior to selection but has not talked to any other engineering firms regarding costs.

Motion to adopt Resolution 2022-14 failed with a 3-2 vote with the following results: Mr. Besl – yes; Ms. Duke – no; Ms. Macenko – yes; Mr. Kreidler – no; Ms. Baldrige - yes. The motion failed due to the lack of a majority based on Council seats.

Resolution 2022-15 A Resolution Requesting the County Auditor to Certify the Current Tax Valuation of, and The Amount of Revenue That will be Produced by a Renewal of the 8.5 Mil Levy to Provide Funds for the Current General Operating Expenses of the Village of Glendale, Hamilton County Ohio, Pursuant to Section 5705.19(A) of the Ohio Revised Code as Required by Section 5705.03(B) of the Ohio Revised Code.

Mr. Besl moved to adopt Resolution 2022-15 and the motion was seconded by Mr. Kreidler.

There was no Council discussion.

Motion to adopt Resolution 2022-15 passed via unanimous Council roll-call vote.

Resolution 2022-16 A Resolution Requesting the County Auditor to Certify the Current Tax Valuation of, and The Amount of Revenue That will be Produced by an Additional 2.5 Mil Levy to Provide Funds for the Current General Operating Expenses of the Village of Glendale, Hamilton County Ohio, Pursuant to Section 5705.19(A) of the Ohio Revised Code as Required by Section 5705.03(B) of the Ohio Revised Code.

Mr. Besl moved to adopt Resolution 2022-16 and the motion was seconded by Mr. Kreidler.

Ms. Macenko and Ms. Baldrige expressed their concern with the additional 2.5 Mil levy because it does not address the long-term financial needs of the Village and does not address improvements asked by the residents. Mr. Besl and Ms. Duke stated that there have been extensive conversations and debates about revenue sources and the additional 2.5 Mil was the only option that passed in the Finance committee. Treasurer Beaugrand stated that the VPGI funds should be managed for the long term. Ms. Baldrige suggested using Survey Monkey via

the newsletter to get resident opinion and perspective. In response to a question whether such a survey was permissible, Solicitor Ryan stated that it could be permissible depending upon the verbiage used.

Motion to adopt Resolution 2022-16 failed via a 3 – 2 vote: Mr. Besl – yes; Ms. Duke – yes; Ms. Macenko – no; Mr. Kreidler – yes; Ms. Baldrige – no. The motion failed due to the lack of a majority based on Council seats.

Reports from the Mayor, Village Administrator

Births: No Births were reported
Deaths: William G. Gray; March 25, 2022, age 80
Paul Allen; April 5, 2022, age 84

Mayor's Report

Glendale Volunteer clean-up day was held 30 April 9am – 5pm and a significant amount of work was completed. Additionally, donations from local businesses helped the effort. Received a report from Miami University students that worked on Project Capstone and completed a study in the Village regarding Communications. Council has received copies and it will be posted to the Village website for resident review.

Village Administrator's Report

Village Administrator Lumsden reported that the 65 Coral demolition is under way and cleanout is starting inside the house. Benches have been installed in Cleveland Park. The water flow meters were delivered and training will commence. Streets committee will include discussion of the stormwater study in the Oak/Hedgerow/Albion area. There will be a training held in the Village Office on June 6.

VII. Reports from Standing Committees and Special Committees

Finance Committee - Committee Chair Mr. Besl reported the committee met regarding revenue. The next meeting is tentatively scheduled for 31 May at 3pm.

Fire Committee – Committee Chair Ms. Macenko reported the committee did not meet in April but will meet on 12 May. Captain Scott Lerman provided the Fire Report and the April report was distributed via email.

Laws and Claims Committee – Committee Chair Ms. Duke reported the committee did not meet in April. The proposed public property naming process will hopefully be presented in June Council.

Police Committee – Committee Chair Mr. Kreidler reported the committee met 27 April. Promotion of Officers Hilling and Barber was discussed. Chief Walsh provided the April report via email.

Public Buildings and Historic Preservation Committee – Committee Chair Mr. Kreidler was held and draft minutes are posted online.

Recreation and Playgrounds Committee – Committee Chair Ms. Baldrige reported a meeting was held 14 April and draft minutes are posted. The next meeting will be 3 May at Washington Park.

Streets, Public Improvements & Lights Committee – Committee Chair Mr. Besl reported the committee met and will meet 9 May. The main topic is the water containment study at the Albion/Hedgerow/Oak area.

Utilities Committee – Committee Chair Mr. Base-Smith was absent and Ms. Duke reported that the committee met 20 April. The discussion regarding manual vs. remote water meters was discussed. The RFP bid process for replacement of aged water meters was discussed and more discussion will likely be held in the June Council meeting. The next meeting will be 19 May at 4pm.

IX. Miscellaneous Business and Reports

a. Reports from the Clerk and Treasurer

Clerk – No report

Treasurer – Treasurer Beaugrand provided the April investment report via email. Treasury notes with a 2.5% yield were purchased and other opportunities are being reviewed.

In response to Public Comments, Treasurer Beaugrand said if any residents have questions about what he said or wrote to contact him directly and encouraged Ms. Duke to contact the Ohio Ethics Commission to initiate a review if desired. Mr. Beaugrand said he is willing to engage with anyone with questions. At this point, Ms. Duke left the Council table moving to the public podium. She stated she was not speaking as a Council Member and spoke regarding receiving copies of emails sent to residents and elected officials written by Treasurer. Beaugrand using his Village email address, but may not have received all the messages. As a result, she is contacting legal resources to understand her options as well as State officials. She stated to Mayor Lofty that this is your administration and the climate in which she serves. Ms. Duke left the meeting following her comments

X. Review of Expenditures

1. 2022-04 General Fund
2. 2022-04 Enterprise Fund

Mayor Lofty reported that check registers for General Fund and Enterprise Fund and Council Financial Summary. Mr. Besl moved to recognize the reports received. Mr. Kreidler seconded the motion and the motion passed via unanimous Council voice vote.

Mayor Lofty asked that feedback regarding his handling of the matter brought up by Ms. Duke come to him. His approach was that this was an issue between 2 members of Village Government and was not the place of the Mayor to take action.

V. Adjournment

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

The meeting adjourned at 9:20 pm.

Next regular meeting June 6, 2022 at 7:00 pm

ATTESTED BY:

Mayor Donald A. Lofty

Rebecca M. Terrell
Clerk