

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

Minutes – Regular Council Meeting February 7, 2022

Attendees:

Don Lofty	Mayor	Present
Mike Besl	Council	Present
Marilyn Duke	Council	Present
Nancy Macenko	Council	Present
Geoff Base-Smith	Council	Present
Will Kreidler	Council	Present
Amy Baldrige	Council	Present
Mike Beaugrand	Treasurer	Present
Becky Terrell	Clerk	Present*
David Lumsden	Village Administrator	Present
Craig Walsh	Police Chief	Present
Mike Reenan	Assistant Fire Chief	Present
Kathy Ryan	Solicitor	Present*

*Present by electronic media.

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 declared a Quorum of the Council present and Vice-Mayor Besl confirmed the presence of a Quorum.

II. Minutes from the 10 January Regular Council Meeting

Motion to approve the minutes of the 10 January Regular Council Meeting was made by Ms. Macenko and seconded by Mr. Base-Smith. The motion passed via unanimous Council voice-vote.

III. Public Comments and Presentations

Presentation Glendale Urban Forestry Board on the proposed arboretum status for the Village of Glendale. Mr. Joe Hubbard, Chair of the Urban Forestry Board and Ms. Arlene Hoeweler presented the work regarding arboretum status and the implication to the Village.

Public Comments

Mr. Kevin Parrish, resident. He discussed the Village Records Request process and asked Mayor Lofty why racial/slanderous comments made by a Village Officer have not been addressed. Ms. Duke requested information and copies of the communications referred to by Mr. Parrish and requested a meeting with Mayor Lofty and Mr. Beaugrand. Mr. Beaugrand stated his agreement to meet and share the document with Ms. Duke.

Mayor Lofty noted that the public records log was called out in the Audit report and is being addressed. The Records Retention Board meets twice per year and may have missed a meeting during Covid.

Mr. Besl noted that any public comment is limited to 5-minute. Presentations where materials are prepared similar to Mr. Visscher that may go beyond the 5-minute time frame. When public comment, then time is kept.

Public Hearing

- **Public Hearing** Reopening of the GPHPC Recommendation on Proposed Zoning Code Requirements for Certain Driveway Setbacks. There were no additional comments and the Public Hearing was not reopened.
- **Public Hearing** Reopening of the Public Hearing regarding the GPHPC Recommendation on Proposed Zoning Code Amendments for Sign Regulations. Mr. Besl stated concern has been expressed about the number of signs and it appears to be controlled in the number of signs and the square footage. His caution is that 9 square feet is a large sign and maybe 6sqft/sign should be the maximum. Temporary signs are called out and described but no time limit for temporary sign and asked if time limits should be considered. Solicitor Ryan stated that the

SCOTUS ruling means that content cannot be used to limit temporary signs. It is a challenge to reconcile with case law and the verbiage errs to allow signs to be out without a time limit. Ms. Macenko asked if a time limit can be inserted and Solicitor Ryan stated that there is another case in Federal Court that may also help clarify some of the practical issues and questions. Mayor Lofty stated that size is the one area open for regulation as content cannot be regulated based on the SCOTUS decision. Ms. Baldrige asked if this has to be voted on after a third reading given that the number of signs is still a topic under consideration. Mayor Lofty stated that there is no requirement to vote following the third read.

- **Public Hearing** Regarding Proposed Amendments to the Village of Glendale Codified Ordinances Chapter 93 Pertaining to Regulating Junk Vehicles. Mayor Lofty opened the Public Hearing and asked for any public comments or questions. **Rebecca Isaacs**, resident. She asked about the fair market value verbiage in the ordinance and the 3-criterion listed which are worded that all 3-criterion must be met. The concern is the fair market verbiage could be problematic given the possibility that the parts could theoretically exceed the value. Solicitor Ryan stated that the verbiage is from the ORC and there is no requirement that it be included in the criterion. She also noted that pages 12 – 18 of the packet are outside of the consideration because they have their own adoption process. Mayor Lofty asked when the zoning code process would be initiated and Solicitor Ryan stated that it could be initiated by Resolution but it could also be initiated as an overall chain of events. Ms. Macenko motioned to close the Public Hearing and Mr. Besl seconded the motion. Having heard the public hearing will be re-opened, Ms. Duke spoke opposed to closing the public hearing now. The motion passed via 5-1 Council voice vote with the following results: Mr. Besl – yes, Ms. Duke – no; Ms. Macenko – yes; Mr. Base-Smith – yes; Mr. Kreidler – yes; Ms. Baldrige – yes.

IV. Old Business

Ordinance 2022-03 An Ordinance Amending Chapter 154.42 & 154.46 of the Village of Glendale Code of Ordinances, Establishing Exceptions to the Parking and Paving Guidelines for Properties in the Historic District Related to

Setbacks for Driveways and Parking Areas, as Recommended by the Glendale Planning and Historic Preservation Commission

Mr. Kreidler moved to adopt Ordinance 2022-03 and the motion was seconded by Ms. Macenko in the 10 January 2022 Regular Council Meeting.

Mayor Lofty said the current zoning is a 5' distance between the edge of a driveway to the edge of their neighbor's yard. Planning Commission identified many lots incapable of handling this set back and proposed the change. Mayor Lofty stated that Council is not the right forum for reviewing this and the outstanding questions. Mayor Lofty requested referral of the matter to the Police Committee for further review.

Ms. Macenko motioned to move the review to the Police Committee. Ms. Baldrige seconded the motion. The motion passed via unanimous Council voice-vote.

This stands as the second read of the Ordinance.

Ordinance 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

Ms. Macenko moved to adopt Ordinance 2022-04 and the motion was seconded by Mr. Besl in the 10 January 2022 Regular Council meeting.

Ms. Hoeweler asked if the big banners were being eliminated. Mayor Lofty stated that there are size limits and that would drive whether or not any banner could be displayed. She then asked if there was a time limit and Solicitor Ryan stated that there is no time limit in the ordinance.

This stands as the second reading of the Ordinance.

V. New Business

Ordinance 2022-07 An Ordinance Amending Various Sections of Chapter 93 of the Glendale Code of Ordinances, Health and Sanitation, to Add Regulations Regarding Junk Vehicles (first reading)

Mr. Kreidler moved to adopt Ordinance 2022-07 and the motion was seconded by Ms. Macenko.

Mayor Lofty stated that this is to introduce the Ordinance and there will be at least 3 readings. Ms. Baldrige asked the intent and history of the ordinance. Village Administrator Lumsden stated that this is verbiage that has passed “court test” and from an enforcement perspective it allows the Village to address he complaints more specifically and completely than we currently can. Solicitor Ryan stated that the Code Enforcement Officer is supported by outlining the process and requirements for junk cars, which is specifically addressed in the new language.

This stands as the first reading of the Ordinance.

Ordinance 2022-09 An Ordinance Authorizing Amendment of 2022 Appropriations of the General Fund and Declaring an Emergency.

Mr. Besl moved to adopt Ordinance 2022-09 and the motion was seconded by Ms. Macenko.

Village Administrator Lumsden stated this addresses the 65 Coral Avenue demolition following condemnation. This will be reimbursed via either a tax lien

on the property or a state grant or invoicing the lender. Mr. Kreidler asked the date for demolition and Village Administrator Lumsden stated the deadline is 14 March.

Ms. Duke questioned the ordinance language stating that the demolition was ordered and asked who has ordered the demolition and has there been any court action or decision regarding this property. Solicitor Ryan stated that an administrative warrant to perform the search inside property was issued and as a result was determined unsafe and condemned and notice published. No court decision or judgement. Ms. Duke stated her concern about the Village acting to condemn property and then to demolish it without a court order. She asked if the language could also be read that it may or may not be necessary for the Village to perform the demolition, a window being open to resolve this without demolition. It was agreed with the lender, the probate attorney and the Village that the property be demolished after no heirs were identified using required means.

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

Motion to adopt Ordinance 2022-09 passed via unanimous Council roll call vote.

Verbal Resolution 2022-10 A Resolution Confirming the Mayor's Appointment of Joseph Castrucci to the Urban Forestry Board, for the Remainder of a Term ending December 21, 2023. Following adoption of Resolution, Mayor will swear in Mr. Castrucci to the Urban Forestry Board (To be considered following adoption of Minutes of January 10, 2022 meeting)

Mr. Besl moved to adopt Verbal Resolution 2022-10 and the motion was seconded by Ms. Macenko.

Mayor Lofty introduced Mr. Castrucci, his qualifications and the open term.

Motion to adopt Verbal Resolution 2022-10 passed via unanimous Council roll call vote.

VI. Reports from the Mayor, Village Administrator

Births: Oliver Ray Beurlein, 24 January, 2022

Deaths: Donald "Don" Ostendorf, January 18, 2022, age 84

Kimberly "Paige" Gramaglia, January 31, 2022, age 53

Mayor's Report

Mayor Lofty announced a Town Hall meeting on 15 February in an effort to identify ideas for improving communications. There will be a second Village Volunteer Day scheduled for 30 April. This involves clean-up of parks and public spaces. Duke Energy has programs for anyone having issues with bill payment. He offered thanks to Mr. Tom Alderfer and his team for the work during the recent snow/ice storm.

Mayor Lofty provided a summary of the Village's key accomplishments in 2021. A complete list will be available via the Village website.

The Village will be unofficially renamed "Glen- Dey" in support of the Bengal's Super Bowl season. A proclamation was delivered to resident Mr. Bob Trumpy who also called out Mr. Bob Johnson and Mr. Icky Woods, also Village residents and former Bengals players, expressed thanks for the recognition and Village support.

Village Administrator's Report

Thanks to Tom Alderfer & crew for work over last few days. The legislation regarding 65 Coral results in the Village demolishing the structure after 14 March if lender does not perform the demolition first. Audit report is available on the website.

VII. Reports from Standing Committees and Special Committees

Finance Committee - Committee Chair Mr. Besl reported the committee did not meet in January. The next meeting will be held 10 February at 5pm to look at current budget and revenue sources going forward.

Fire Committee – Committee Chair Ms. Macenko reported the committee met 12 January. Discussion included year-end and 2022 – 2032 masterplan review, including replacing a pumper in 2024 and the feasibility of possibly launching EMS services. The next committee meeting is scheduled for 23 February. Assistant Chief Reenan provided the January Fire report.

Laws and Claims Committee – Committee Chair Ms. Duke reported the committee met 25 January and started mark-up on a proposed ordinance to establish a Village public property naming process. The next meeting will be held on February 23, from 4 – 5:00. The Laws Committee Chair renewed her January request for the Mayor to consider broadcasting the Laws and Claims committee meetings as was done during Covid lockdown.

Police Committee – Committee Chair Mr. Kreidler reported the committee did not meet in January. The next meeting will be scheduled in February to begin review of the proposed driveway ordinance. Chief Walsh provided the January report.

Public Buildings and Historic Preservation Committee – Committee Chair Mr. Kreidler reported that no meeting was held in January. The next meeting will be held in March.

Recreation and Playgrounds Committee – Committee Chair Ms. Baldrige reported a meeting was held 2 February where the Summit Park courts and equipment replacement was discussed.

Streets, Public Improvements & Lights Committee – Committee Chair Mr. Besl reported the committee met twice in January to discuss the Underground Railroad Project with Mr. Bill Parrish and the ECAC. Additionally, the stormwater engineering study was discussed and the engineering assessment is ongoing. The next meeting will be 28 February at 3pm and the agenda will include the Underground Railroad project, the stormwater engineering and upcoming street resurfacing.

Utilities Committee – Committee Chair Mr. Base-Smith reported no meeting held in January and the next meeting will be held Thursday 17 February at 5pm.

IX. Miscellaneous Business and Reports

a. Reports from the Clerk and Treasurer

Treasurer – Treasurer Beaugrand provided the January report via email including the CIC financial statement.

Clerk – no report

X. Review of Expenditures

Mayor Lofty reported that no financial reports were available, due to the need for final year-end closing numbers for 2021.

XI. Adjournment

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

The meeting adjourned at 8:52 pm.

Next regular meeting March 7, 2022 at 7:00 pm

ATTESTED BY:

Mayor Donald A. Lofty

Rebecca M. Terrell
Clerk