

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

Minutes – Regular Council Meeting March 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
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 7:00 pm

Quorum: Mayor Lofty declared a Quorum of the Council present and Clerk Terrell confirmed the presence of a Quorum. The agenda will be revised to move Verbal Resolution 2022-11 to the top of the agenda as it is an appointment.

II. Minutes from the 7 February Regular Council Meeting and 15 February Special Council Meeting

Motion to approve the minutes of the 7 February Regular Council Meeting was made by Mr. Besl and seconded by Ms. Macenko. Ms. Duke expressed her opposition due to

omissions she noted and believes to be substantive as well as other reasons that were specified previously. The motion passed via 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.

Motion to approve the minutes of the 15 February Special 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

Mayoral Proclamation: Proclamation Designating March as Women’s History Month.

The Proclamation was read into record by the four women who are elected officials and Mayor Lofty.

Ms. Duke stated that there are numerous publications and recognition of Women’s History Month this year. She emphasized the book “Imagineers, Impresarios, Inventors: Cincinnati’s Arts and the Power of Her, featuring the legacy of Glendale’s Ms. Mary Johnston. Mayor Lofty stated that Glendale Heritage Preservation had created a women’s history exhibit that was shortened by the Covid epidemic and the materials are available on the GHP website.

General Comments

Mayor Lofty stated that Council does not remark on Public Comments to reduce contention and there has been feedback that there is concern that statements are made that go unanswered and the lack of response means that Council accepts them. While that is not the case, the practice will change to allow Council or other elected Officials or the Village Administrator to respond as necessary. This is not intended to become a debate, but will allow for additional perspective.

Mr. Ron Visscher, resident. He spoke regarding Ordinance 2022-12, a change in the Fire Department Gift Fund and he asked for his letter to be read prior to action.

Ms. Arlene Hoeweler, resident. Expressed gratitude to the Village Council for the time and effort and urged Glendale residents become more involved.

Public Hearing

- **Public Hearing** Reopening of the Public Hearing regarding the GPHPC Recommendation on Proposed Zoning Code Amendments for Sign Regulations. Mr. Besl motioned to open the Public Hearing and Ms. Macenko seconded. The motion passed via unanimous Council voice vote.

Ms. Terrell recused herself as Village Clerk. Ms. Terrell is the owner of Stitches Quilt Shop at 16 Village Square. She asked for clarification on the definition of an awning. The proposed amendment defines an awning as 'retractable', however Ms. Terrell stated her awning was not. Additionally, Ms. Terrell pointed out that under Sec. (Q)(g), sidewalk signs must be at least 5' from both the building and parking areas. She said that these requirements would eliminate her ability to use a sidewalk sign, as the sidewalk in front of the shop is too narrow to meet the proposed requirements. Ms. Terrell also asked if signage could be hung from existing railings. She also asked how flags would fall under the proposed amendments, including those that indicate if a business or open or closed.

A motion to close the Public Hearing was made by Ms. Macenko and seconded by Mr. Besl. The motion passed via unanimous Council voice vote.

- **Public Hearing** Regarding Proposed Amendments to the Village of Glendale Codified Ordinances Chapter 93 Pertaining to Regulating Junk Vehicles. Ms. Macenko motioned to open the Public Hearing and Ms. Duke seconded. The motion passed via unanimous Council voice vote. There were no public comments. A Motion to close the Public Hearing was made by Ms. Macenko and seconded by Mr. Besl. The motion passed via unanimous Council voice vote.

IV. Old Business

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.

Mayor Lofty stated that this is a third reading but there is no need to take action this evening. Mr. Besl asked how to send the feedback back to the Planning Commission so they can update the verbiage since they originated the codes. Mayor Lofty stated that Council can make the verbiage changes via the Solicitor and then approve with modifications. Ms. Duke stated when the Planning Commission presented to Council, she asked the rationale behind the sign number limitation and believes it is incumbent upon the Planning Commission to articulate the rationale. Ms. Macenko stated that there are 3 months of notes and the notes should be gathered and packaged with the verbiage and send it back to the Planning Commission to address each question and create a new draft. Mr. Besl stated that there are valid points and good questions presented and noted that the Planning Commission had a valid reason when drafting the verbiage. He asked if a joint meeting with Council and Planning Commission be held to discuss revisions and Mayor Lofty suggested a Planning Commission representative attend Council meeting to answer questions. Ms. Duke would include the point regarding the length/complexity is daunting and a resident stated that it was very complicated and requested the Planning Commission to consider simplifying. Mr. Kreidler asked Solicitor Ryan if the only things that can be regulated are size/height/appearance when things like trash can timing be regulated. Solicitor Ryan said that signs are expressions and a first amendment consideration. Mayor Lofty stated that decisions cannot be made outside of public meetings; if each council member makes a list of issues that should be addressed via changes or clarification is that OK to bring the list in public. Any

comment/suggestion needs to be sent independently to Solicitor Ryan or Village Administrator Lumsden. Ms. Baldrige stated her preference to allow for 6 signs to allow for election signs.

Mayor Lofty stated that no vote will be taken during this meeting. He requested that any feedback should be provided to Village Administrator Lumsden and Solicitor Ryan by mid-month so they can create a consolidated package to the Planning Commission.

Ms. Duke moved to table Ordinance 2022-04 and Ms. Baldrige seconded the motion. The motion passed via unanimous Council voice vote

Ms. Duke moved to refer Ordinance 2022-04 back to Planning Commission with the feedback collected. Ms. Macenko seconded the motion and the motion passed via unanimous Council voice vote.

Ms. Duke asked Village Administrator Lumsden to create a direct link/reference to the proposed Ordinance on the Village website.

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 (second reading)

Mr. Kreidler moved to adopt Ordinance 2022-07 and the motion was seconded by Ms. Macenko in the 7 February 2022 meeting.

Ms. Macenko motioned to waive the third read and Mr. Kreidler seconded the motion.

Ms. Baldrige asked how this compares to other communities and Solicitor Ryan stated that regulating Junk Vehicles is not easy and there was no template to

start. The verbiage was driven by 4th Amendment (to the United States Constitution) litigation and decisions in Evendale and other rulings and verbiage found to be legally defensible. Village Administrator Lumsden asked about the verbiage referenced and Solicitor Ryan stated that the verbiage is about the enforcement method as it is related to supporting the 4th Amendment. Mayor Lofty asked about removing 'motor' and changing to 'vehicles' and Solicitor Ryan said the change was made to include trailers and things without motors. Mr. Kreidler asked if junk vehicles are required be parked on driveways [yes]. Mr. Kreidler asked where the \$1,500 value came from and Kathy said it came from ORC verbiage and this is a statutory definition and could be removed. Mr. Kreidler recommended removing it and Mr. Besl agreed. Ms. Duke asked if the Ordinance could reference the ORC for brevity and Solicitor Ryan stated that if the ORC is the starting point that it be included in the Ordinance and tailored to the municipality's needs.

Mr. Kreidler motioned to amend 1(iii) to remove the \$1500 value. Mr. Besl seconded and the motion passed via unanimous Council voice-vote.

The motion to dispense with the three reads passed via unanimous Council roll-call vote.

Motion to adopt Ordinance 2022-07 passed via Council roll call vote with the following results: Mr. Besl – yes, Ms. Duke – no, Ms. Macenko – yes, Mr. Base-Smith – yes, Mr. Kreidler – yes, Ms. Baldrige – yes.

Ms. Macenko asked if this ordinance goes into effect in 30 days and Mayor Lofty stated that it will be effective in 30 days as there is no emergency language.

V. New Business

Ordinance 2022-10 An Ordinance Authorizing Amendment of 2022 Revenues and Appropriations of the Park Board Trustee Fund and Declaring an Emergency.

Mr. Besl moved to adopt Ordinance 2022-09 and the motion was seconded by Ms. Baldrige. Ms. Duke recused herself for this topic.

Mayor Lofty stated the Park Board Trustee Funding is received in 2 installments (10k to plant trees and 15k for tree removal and maintenance). The supplier is moving part of his business and is offering 46 trees for the same price as he has previously provided 40 trees, if the money can happen now. The letter submitted to the Procter Fund was approved to request \$10,000 and this is the financial work required.

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

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

Ordinance 2022-11 An Ordinance Authorizing the Mayor to Employ a Mayor's Court Public Defender and Declaring an Emergency

Mr. Besl moved to adopt Ordinance 2022-11 and the motion was seconded by Ms. Macenko.

Mayor Lofty stated this is similar to January appointments; it has been identified that a Public Defender may be needed in some instances and referring to a different court results in reduced fine collection. Ms. Roxann Diefenbach is a local resident and experienced attorney who is able to handle the duties and will only be called in when services are needed at her hourly rate.

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 2022-11 passed via unanimous Council roll call vote.

Ordinance 2022-12 An Ordinance Authorizing Amendment of 2022 Estimated Revenues and Appropriations of the Fire Department Gift Fund and Declaring an Emergency.

Ms. Duke moved to adopt Ordinance 2022-12 and the motion was seconded by Ms. Macenko.

Village Administrator Lumsden stated this ordinance increases the appropriations to account for an additional donation to cover the difference for electrician and plumber to perform work in new kitchen area. Mayor Lofty expressed gratitude to the Visschers for their generosity. Mr. Besl asked about the letter referred to in Public Comments. Ms. Duke stated the letter states the money is meant to pay the electrician and plumber.

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

Motion to adopt Ordinance 2022-12 passed via unanimous Council roll call vote.

Verbal Resolution 2022-11 A Resolution Confirming the Mayor's Appointment of Peter Stackpole to the Public Records Commission, for the Remainder of a Term ending December 31, 2023.

Mr. Besl moved to adopt Verbal Resolution 2022-11 and the motion was seconded by Mr. Kreidler.

Mayor Lofty introduced Mr. Stackpole, who is an attorney experienced in public records matters, and noted the open term.

Motion to adopt Verbal Resolution 2022-11 passed via unanimous Council voice vote.

Mayor Lofty administered the Oath of Office.

VI. Reports from the Mayor, Village Administrator

Births: Josephine Eve Redden, January 31, 2022
Shay Cecilia Uehlin, February 7, 2022

Deaths: Kimberly "Paige" Gramaglia, January 31, 2022, age 53
James Winford Munlin, February 1, 2022, age 71
Joe Rohling, February 12, 2022, age 92
Valerie Stolt, February 19, 2022, age 69
Joseph D'Amato, February 25, 2022, age 84
John "Robbie" Denise, February 28, 2022, age 50

Mayor's Report

Mayor Lofty noted the Special Meeting on 15 February regarding a public forum on improving communications between the government and Glendale residents. The ideas collected included needing more timely, more frequent and better notices. He also thanked Ms. Katie Garry for moderating the forum.

Village Administrator's Report

Significant water leak was identified and repaired at S. Lake and Congress. A meeting was held with Sharonville regarding EMS services. Utilities and Street

committee long range plan for water main replacement, repaving and storm water planning in the Hedgerow area

VII. Reports from Standing Committees and Special Committees

Finance Committee - Committee Chair Mr. Besl reported the committee met 10 February. There was discussion about future revenue sources and options were reviewed including property tax increase and income tax creation as well as options to potentially cut costs. The next meeting will be held Wednesday 9 March to further discuss revenue sources.

Fire Committee – Committee Chair Ms. Macenko reported the committee met 23 February and the minutes are on the website. EMS services and replacing fire apparatus were discussed. Chief Hardwick stated that the pancake breakfast will not be held due to current environment. The winter storm was a challenge and an emergency operations center was established in the training room due to the conditions. A training reimbursement grant from the Fire Marshall’s office was awarded. The February report was distributed via email.

Laws and Claims Committee – Committee Chair Ms. Duke reported the committee met 23 February and mark-up on a proposed ordinance to establish a Village public property naming process continues. The next meeting is scheduled for 31 March at 4pm.

Police Committee – Committee Chair Mr. Kreidler reported the committee did not meet in February. The next meeting will be Thursday at 4:30 to discuss driveway setbacks and HR matters. Chief Walsh provided the February report, also available via email.

Public Buildings and Historic Preservation Committee – Committee Chair Mr. Kreidler reported a joint meeting with Fire 23 February and discussed final Fire

House tasks. The next meeting will be held on 9 March meeting following Finance meeting. Minutes are posted.

Recreation and Playgrounds Committee – Committee Chair Ms. Baldrige reported a meeting was held 2 March. The Brock Foundation proposal was discussed as were the water conditions at Summit Park. The Village Engineer is getting an estimate for a water study at Summit. Playground equipment upgrade is being considered and a resident is assisting with fundraising and planning.

Streets, Public Improvements & Lights Committee – Committee Chair Mr. Besl reported the committee met 23 February to discuss the water issue at Hedgerow. An engineering planning was presented and resident experience was discussed. The planning will be good for the Village and the area and all are working to alleviate storm water issues in the area. Public meeting with engineering firm will be scheduled to discuss what residents can do on their own property to assist. The next meeting will tentatively be held on 29 March at 3pm. Also discussed is street resurfacing in coordination with water system upgrades. Status update for Underground Railroad contract and term sheet circulated.

Utilities Committee – Committee Chair Mr. Base-Smith reported a meeting was held 17 February where enterprise operations were discussed along with long term capital expenses. Water meter replacement was discussed as was outdated 4” water main replacement. The next meetings will be held 18 March and 20 April.

IX. Miscellaneous Business and Reports

a. Reports from the Clerk and Treasurer

Treasurer – Treasurer Beaugrand provided the February investment report via email. The annual goal is to reach \$120k; inflation is high and will impact expenses but may result in better interest rates.

Clerk – no report

X. Review of Expenditures

- 1. 2022-02 General Fund
- 2. 2022-02 Enterprise Fund

Mayor Lofty reported that check registers for general and enterprise. Ms. Macenko moved to recognize the reports received. Ms. Baldrige seconded the motion and the motion passed via unanimous Council voice vote.

XI. Adjournment

Motion to adjourn was moved by Mr. Besl. The motion was seconded by Mr. Base-Smith and unanimously passed by Council voice vote.

The meeting adjourned at 8:36 pm.

Next regular meeting April 4, 2022 at 7:00 pm

ATTESTED BY:

Mayor Donald A. Lofty

Rebecca M. Terrell
Clerk