

Council of the Village of Glendale, Ohio

Regular August Meeting

Monday, August 1, 2022, 7:00 p.m.

80 E. Sharon Ave., Glendale, Ohio 45246

Council Chambers

Agenda

I. Establishment of Quorum & Approval of Agenda

II. Approval of Minutes

1. July 11, 2022 Regular Council Meeting

III. Public Comment & Presentations

IV. Old Business

1. **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 (*Tabled*)

V. New Business

1. **Ordinance 2022-43** An Ordinance Designating the Glendale Community Improvement Corporation to Act as Agent for the Village of Glendale for the Leasing of Property at 38 Village Square and Declaring an Emergency
2. **Ordinance 2022-44** An Ordinance Levying Upon a Certain Lot and Land at 12 Annadale Avenue, a Certified Property Tax Lien for the Payment of Costs Incurred by the Village of Glendale for the Abatement of Grass and Noxious Weeds and Declaring an Emergency
3. **Ordinance 2022-45** An Ordinance Levying Upon a Certain Lot and Land at 12 Annadale Avenue, a Certified Property Tax Lien for Unpaid Water and Sewer Bills and Declaring an Emergency
4. **Ordinance 2022-46** An Ordinance Appointing a Glendale Volunteer Firefighter, Establishing a One Year Probationary Period, and Declaring an Emergency and the Swearing-In of Said Firefighters
5. **Ordinance 2022-47** An Ordinance Authorizing Amendment of 2022 Appropriations of the General Fund, and Declaring An Emergency

6. **Resolution 2022-23** A Resolution Submitting the Question of An Additional 2.5 Mill Tax Levy to the Electors of the Village to Provide Funds for Current Operating Expenses of the Village of Glendale, Hamilton County, Ohio, Pursuant to Section 5705.19(A) of the Ohio Revised Code

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

Mayor's Report

Births

Deaths

Howard Constable; July 10, 2022; age 100

Village Administrator's Report

Committee reports

Finance Committee

Fire Committee

Laws & Claims Committee

Police Committee

Public Buildings & Historic Preservation Committee

Recreation & Playgrounds Committee

Streets, Public Improvements & Lights Committee

Utilities Committee

Reports from the Clerk & Treasurer

VII. Review of Expenditures & Financial Reports

1. **2022-07** General Fund
2. **2022-07** Enterprise Fund

VIII. Adjournment

The next regular Council meeting is scheduled for September 12, 2022 at 7:00 p.m.

VILLAGE OF GLENDALE
STATE OF OHIO
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

WHEREAS, on August 2, 2021, the Glendale Planning and Historic Preservation Commission (GPHPC), upon the suggestion of an ad hoc committee, led by Vice Chair Thomas Kerr, voted to initiate the amendment procedure under §154.66 of the Glendale Zoning Code; and

WHEREAS, on October 4, 2021, the GPHPC, following a public hearing, unanimously approved GPHPC Resolution 2021-003, recommending approval of amendments to §154.42 and §154.46 of the Glendale Zoning Code; and

WHEREAS, on November 1, 2021, the Village Clerk caused notice of a Council public hearing on the draft amendments to be published in the Cincinnati Court Index, a newspaper of general circulation in the Village, with said notice describing the nature of the request and providing the Council hearing date and time, all consistent with the Clerk's obligations under §154.66 of the Glendale Zoning Code; and

WHEREAS, on December 6, 2021, the Council of the Village of Glendale conducted a public hearing on the amendments recommended by the GPHPC and at the hearing, Council heard from members of the public;

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I Section 154.37 of the Glendale Zoning Code is hereby repealed in its entirety and amended as shown in Exhibit A, attached hereto and incorporated herein by reference

SECTION II All other sections of the Glendale Zoning Code, Chapter 154 of the Glendale Code of Ordinances, are to remain as written.

SECTION III The Village Council hereby finds and determines that all formal actions relative to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its Committees, if any,

which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

First Read: January 10, 2022

Second Read: February 7, 2022

Third Read: March 7, 2022

Tabled: March 7, 2022

Passed: _____

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

VILLAGE OF GLENDALE

STATE OF OHIO

ORDINANCE 2022-43

AN ORDINANCE DESIGNATING THE GLENDALE COMMUNITY IMPROVEMENT CORPORATION TO ACT AS AGENT FOR THE VILLAGE OF GLENDALE FOR THE LEASING OF PROPERTY AT 38 VILLAGE SQUARE AND DECLARING AN EMERGENCY

WHEREAS, the Village of Glendale recognizes the Glendale Community Improvement Corporation (“GCIC”) as its agent pursuant to Ohio Revised Code Chapter 1724 and Village Ordinance 2019-27; and

WHEREAS, the Village owns property at 38 Village Square, a.k.a. 30 Village Square, Hamilton County Parcel Identification Number 596-0007-0164 (“Subject Property”); and

WHEREAS, the Village has previously leased the Subject Property to a private tenant whose lease is expiring; and

WHEREAS, the Village does not currently need the Subject Property for municipal purposes; and

WHEREAS, pursuant to Section 1724.10(B)(2), the Village Council may enter into an agreement with the GCIC which authorizes the GCIC to lease Village-owned Property as agent of the Village, without the need for competitive bidding;

WHEREAS, the Village Council finds that it is in the best interests of the Village to allow the GCIC to lease the Subject Property pursuant to an Agreement that is consistent with Revised Code Section 1724.10(B)(2);

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I The Village Administrator is hereby authorized to execute an agreement substantially similar to the Agreement attached hereto as Exhibit A, and incorporated by reference herein, which establishes the terms of the GCIC’s role as agent for the purpose of leasing the Subject Property to a tenant or tenants; and

SECTION II Immediately following the execution of the Agreement by the Village and the GCIC, and prior to the CIC engaging in any marketing or negotiation of leases with a third party, the Agreement shall be recorded in the Hamilton County Recorder’s Office as required by R.C. Section 1724.10(B)(2); and

SECTION III The ordinance is hereby declared an emergency necessary to preserve the health, safety, and general welfare of the Village of Glendale, or to provide for the daily operation of a department or office of the Village. It is necessary that this measure be put into immediate effect in order to allow the GCIC to proceed to lease the Subject Property as soon as possible, and in turn, provide a means of revenue to the Village from an otherwise unused municipal property, as soon as possible. Therefore, this ordinance shall take effect immediately.

Passed: August 1, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

PROPERTY MANAGEMENT AGREEMENT

This Agreement is made between the Village of Glendale, Ohio (the "Village") and The Glendale Community Improvement Corporation (the "CIC") as of _____, 2022.

RECITALS

A. The Village is the owner of the real property identified as Hamilton County Auditor's Parcel No. 596-0007-0164-00 with a mailing address of 38 Village Square, Cincinnati, Ohio 45246, formerly occupied by CF Bank, and more fully described on Exhibit A (the "Property").

B. The Property is vacant and is not required by the Village for its purposes. The Village is entering into this Agreement with the CIC pursuant to ORC Section 1724.10(B)(2) to authorize the CIC to lease the Property with rents paid to the Village.

AGREEMENT

1. The Village authorizes the CIC to take all actions necessary or desirable to find a tenant or tenants for the Property, negotiate a lease or leases for the Property and manage the Property as the landlord, as if the CIC were the owner of the Property.
2. The consideration for such lease, the leasing and management fee to be paid to the CIC, and any other terms required by the Village will be specified in a separate writing between the Village and the CIC.
3. The CIC is authorized to execute and deliver one or more leases for the Property in accordance with the terms of this Agreement as agent for the Village.

Executed as of the date first set forth above.

Village of Glendale

By: _____

Title: _____

The Glendale Community Improvement Corporation

By: _____

Title: _____

EXHIBIT A
LEGAL DESCRIPTION

In the Village of Glendale, Hamilton County, Ohio, and being parts of Lots Numbers Ninety-eight (98) and Ninety-nine (99) on the plat of Crawford & Clark's Subdivision of Glendale; recorded In Plat Book 1, page 246 in the office of the Recorder of Hamilton County, Ohio, more particularly described as follows:

Beginning at the intersection of the north line of Depot Square and the west line of Greenville Avenue; thence north $75^{\circ} 53' 25''$ west along the north line of Depot Square, eighty-one and $73/100$ (81.73) feet to the place of beginning for this conveyance; thence from said beginning point, north $75^{\circ} 53' 25''$ west, along the north line of Depot Square and said line produced westwardly, eighty-three and $50/100$ (83.50) feet; thence north $4^{\circ} 4'$ east one hundred (100) feet; thence south $83^{\circ} 29'$ east ninety-five and $11/100$ (95.11) feet; thence south $18^{\circ} 45'$ west fifty-four and $03/100$ (54.03) feet; thence south $3^{\circ} 11' 20''$ west fifth-eight and $24/100$ (58.24) feet to the north line of Depot Square and the place of beginning.

**VILLAGE OF GLENDALE
STATE OF OHIO
ORDINANCE 2022-44**

AN ORDINANCE LEVYING UPON A CERTAIN LOT AND LAND AT 12 ANNADALE AVENUE, A CERTIFIED PROPERTY TAX LIEN FOR THE PAYMENT OF COSTS INCURRED BY THE VILLAGE OF GLENDALE FOR THE ABATEMENT OF GRASS AND NOXIOUS WEEDS AND DECLARING AN EMERGENCY

WHEREAS, the property at 12 Annadale Lane was found to be in violation of Glendale Codified Ordinances Sec. 93.10 Weeds & Grass, requiring the Village to abate the violations at the property; and

WHEREAS, pursuant to Ohio Revised Code 715.08 and 729.49, in order for the Village of Glendale to recover cost of abatement of hazardous and unsanitary conditions by placing liens on the tax duplicate of the parcel of real property, Council must pass an ordinance authorizing unpaid abatement charges to be certified to the Hamilton County Auditor;

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I There is hereby levied, assessed and certified the following delinquent amount to the County Auditor, who shall, pursuant to O.R.C. 715.261, place the certified amounts listed below, with interest, on the real property tax list and duplicate against the property listed below. The amount will be a lien on the owner's duplicate and shall be collected in the same manner as other taxes, the owner having received notice of their obligation to maintain their property, having failed to do so, and having failed to pay the amounts incurred by the Village after having been billed those amounts, all in violation of the Codified Ordinances of the Village of Glendale.

OWNER	ADDRESS	BOOK-PAGE-PARCEL	AMOUNT
Lamar Mullins	12 Annadale Lane	596-0004-00269-00	\$175.00

If payment occurs prior to certification to the Auditor, the Treasurer or his designee is authorized to withhold filing certification. If payment occurs following the levying of this assessment on the tax duplicate, the Village shall promptly cause the assessment to be removed.

SECTION II The total assessment levied against the lot or parcel of land is assessed above shall be payable in cash to the Treasurer. The Treasurer or his designee shall

cause said assessment, with the interest at the rate of 10%, to be certified to the County Auditor to be placed by him on the tax duplicate and collected according to law. Payment of said assessment shall be a one-time lump sum payment.

SECTION III This ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and or safety, as provided by Ohio Revised Code 731.30. Specifically, emergency action is necessary to ensure the timely and efficient payment of Village invoices, to ensure the continuation of important Village projects, and to ensure the proper administration of Village affairs. Therefore, this ordinance shall take effect immediately upon its passage.

Passed: August 1, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

**VILLAGE OF GLENDALE
STATE OF OHIO**

ORDINANCE 2022-45

AN ORDINANCE LEVYING UPON A CERTAIN LOT AND LAND AT 12 ANNADALE AVENUE, A CERTIFIED PROPERTY TAX LIEN FOR UNPAID WATER AND SEWER BILLS AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Ohio Revised Code 715.08 and 729.49, in order for the Village of Glendale to collect payment of delinquent water and sewer bills by placing liens on the tax duplicate of the parcel of real property, Council must pass an ordinance authorizing unpaid water and sewer bills to be certified to the Hamilton County Auditor;

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I Each water charge charged under or pursuant to the Ordinances, Rules or Regulations of the Village of Glendale, is made a lien upon the corresponding lot, parcel of land, building or premises served by a connection to the water system of the Village of Glendale and, if the same is not paid within ninety days after it shall become due and payable, it shall be certified to the Auditor of Hamilton County, at which time the lien shall vest, and the Auditor shall place the same on the tax duplicate of the County with the interest and penalties allowed by law and be collected as other taxes. The head of the Water Department or Administrator is authorized to remove such lien upon payment of delinquent water and/or sewer bills.

SECTION II The owners of real estate premises installing or maintaining water service shall be liable for all water charges incurred for service at said premises. Tenants of the owners of real estate premises serviced with water may contract with the Village of Glendale for such water service but such contract shall be in no way construed as to relieve the owner of the real estate premises of liability for said water service charges. After certifying to the County Auditor that water charges are unpaid and a lien as provided in this Ordinance, the head of the Water Department is authorized and directed to shut off the water service to those real estate premises until such unpaid water charges have been paid.

SECTION III There is hereby levied, assessed and certified the following delinquent amount to the County Auditor, who shall, pursuant to O.R.C. 715.261, place the certified amounts listed below, with interest, on the real property tax list and

duplicate against the property listed below. The amount will be a lien on the owner's duplicate and shall be collected in the same manner as other taxes, the owner having received notice of their obligation to maintain their property, having failed to do so, and having failed to pay the amounts incurred by the Village after having been billed those amounts, all in violation of the Codified Ordinances of the Village of Glendale.

OWNER	ADDRESS	BOOK-PAGE-PARCEL	AMOUNT
Lamar Mullins	12 Annadale Lane	596-0004-00269-00	\$448.06

If payment occurs prior to certification to the Auditor, the Treasurer or his designee is authorized to withhold filing certification. If payment occurs following the levying of this assessment on the tax duplicate, the Village shall promptly cause the assessment to be removed.

SECTION IV The total assessment levied against the lot or parcel of land is assessed above shall be payable in cash to the Treasurer. The Treasurer or his designee shall cause said assessment, with the interest at the rate of 10%, to be certified to the County Auditor to be placed by him on the tax duplicate and collected according to law. Payment of said assessment shall be a one-time lump sum payment.

SECTION V This ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and or safety, as provided by Ohio Revised Code 731.30. Specifically, emergency action is necessary to ensure the timely and efficient payment of Village invoices, to ensure the continuation of important Village projects, and to ensure the proper administration of Village affairs. Therefore, this ordinance shall take effect immediately upon its passage.

Passed: August 1, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

VILLAGE OF GLENDALE
STATE OF OHIO

ORDINANCE 2022-46

AN ORDINANCE APPOINTING A GLENDALE VOLUNTEER FIREFIGHTER,
ESTABLISHING A ONE YEAR PROBATIONARY PERIOD, AND DECLARING AN
EMERGENCY

BE IT ORDAINED by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring:

SECTION I That the following individual is hereby appointed to the position of Volunteer Glendale Firefighter, said candidates having passed all personnel processing. This appointment will incorporate a one-year probationary period effective upon passage:

Christian Graf

SECTION II This ordinance is hereby declared to be an emergency measure for the purpose of the timely and efficient administration of Village affairs, to allow the filling of vacancies in the Glendale Fire Department, thereby providing adequate manpower for responding to emergencies and other incidents in the Village, as provided by Ohio Revised Code 731.30, and shall take effect immediately upon its passage.

Passed: August 1, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

VILLAGE OF GLENDALE
STATE OF OHIO

ORDINANCE 2022-47

AN ORDINANCE AUTHORIZING AMENDMENT OF 2022 APPROPRIATIONS OF THE
GENERAL FUND AND DECLARING AN EMERGENCY

WHEREAS, the Glendale Police Department cruiser #3 requires immediate, unexpected repairs;

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I The 2022 appropriations for the General Fund are to be increased as listed:

<u>Account Number</u>	<u>Account Description</u>	<u>Increase</u>
101.101.2433	Vehicle Repair & Maint.	\$1,500

SECTION II This ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health or safety, as provided by Ohio Revised Code 731.30. Specifically, emergency action is necessary to ensure the timely and efficient payment of Village invoices and to ensure the continuation of important Village projects.

Passed: August 1, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

**VILLAGE OF GLENDALE
STATE OF OHIO**

RESOLUTION 2022-23

A RESOLUTION SUBMITTING THE QUESTION OF AN ADDITIONAL 2.5 MILL TAX LEVY TO THE ELECTORS OF THE VILLAGE TO PROVIDE FUNDS FOR CURRENT OPERATING EXPENSES OF THE VILLAGE OF GLENDALE, HAMILTON COUNTY, OHIO, PURSUANT TO SECTION 5705.19(A) OF THE OHIO REVISED CODE

The Council of the Village of Glendale, Hamilton County, Ohio, met in Regular Session on the 1st day of August, 2022 at 80 E. Sharon Ave., Glendale, Ohio, Hamilton County with the following members present:

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 moved the adoption of the following Resolution:

WHEREAS, The amount of taxes which may be raised within the ten mill limitation will be insufficient to provide an adequate amount for the necessary requirements of said Village of Glendale, Hamilton County, Ohio; and

WHEREAS, by Resolution 2022-19, the Council of the Village of Glendale, Hamilton County, Ohio requested that the Hamilton County Auditor certify to the Council the current tax valuation of the Village and the dollar revenue that will be generated by the proposed tax levy, and the Hamilton County Auditor in fact provided the certification, a copy of which is attached hereto as Exhibit A; therefore, be it

RESOLVED, By the Council of the Village of Glendale, Hamilton County, Ohio; a majority of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten-mill limitation for the benefit of the Village of Glendale for the purpose of General Operating Expenses (Section 5705.19 (A) ORC);

RESOLVED, By the Council of the Village of Glendale, Hamilton County, Ohio that it is necessary to impose an additional 2.5 mill tax levy for Current Operating Expenses;

RESOLVED, That the Council of the Village of Glendale, Hamilton County, Ohio does hereby concur that the additional 2.5 mill tax levy for Current Operating Expenses outlined above be imposed in its entirety for a period of four (4) years;

RESOLVED, That the question of the additional 2.5 mill tax levy for Current Operating Expenses be submitted to the electors of said Village of Glendale on the 8th day of November, 2022;

RESOLVED, That said additional levy be placed upon the tax duplicate of the current year after the February settlement next succeeding the election, if majority of the electors voting thereon vote in favor thereof;

RESOLVED, That pursuant to R.C. 5705.191, this Resolution shall go into effect immediately upon its passage, without publication;

RESOLVED, That the Clerk of this Council of the Village of Glendale be and is hereby directed to certify a copy of this Resolution to the Board of Elections, Hamilton County, Ohio, this Resolution is to be passed and certified to the Board of Elections 90 days prior to the election upon which it will be voted and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

_____ seconded the Motion and the roll being called upon its adoption the vote resulted as follows (**YEA** or **NAY**):

_____	_____
_____	_____
_____	_____

Adopted: August 1, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk