



**NORWOOD CITY COUNCIL**  
**Norwood Community Center**  
**1810 Courtland Ave- Bottom Floor**  
**Norwood, OH 45212**  
**September 22, 2020**  
**7:30 p.m.**

**A) CALL TO ORDER**

**B) PRAYER**

**C) PLEDGE OF ALLEGIANCE**

**D) ROLL CALL**

**E) AMENDMENT OF AGENDA**

**F) MINUTES OF PREVIOUS MEETING**

Amended July 28, 2020

**G) PUBLIC HEARINGS**

Planning Commission's recommendation on an amendment to the PUD ordinance

**H) REQUEST TO ADDRESS COUNCIL**

**I) REPORTS OF STANDING COMMITTEES OF COUNCIL**

1) Parks, Recreation & Public Spaces Committee Meeting Report

2) Economic Development Committee Meeting Report

**J) THIRD READING OF ORDINANCES/RESOLUTION**

1) RESOLUTION DECLARING INTENT TO SELL UNNEEDED OR SURPLUS FIREARMS AND RELATED EQUIPMENT, BY INTERNET AUCTION DURING CALENDAR YEAR 2020, AND DECLARING AN EMERGENCY

**K) SECOND READING OF ORDINANCES/RESOLUTIONS**

1) ORDINANCE CONFIRMING THE UNUSED SICK LEAVE BENEFIT TO ALL FULL-TIME UNCLASSIFIED EMPLOYEES WITH MORE THAN FOUR YEARS OF CONTINUOUS SERVICE WITH THE CITY OF NORWOOD, OHIO AND DECLARING AN EMERGENCY

**L) INTRODUCTORY READINGS OF ORDINANCES/RESOLUTIONS**

1) ORDINANCE TO CHANGE APPROPRIATIONS FOR THE YEAR 2020, AND DECLARING AN EMERGENCY

2) ORDINANCE ADOPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO AMEND ORDINANCES 2-2014 TO ALLOW FOR RESIDENTIAL USE AT THIS PLANNED UNIT DEVELOPMENT OVERLAY ZONE AT PARCEL NUMBER 651-0019-0125 OWNED BY PLAYING CARD PARTNERS LLC

3) ORDINANCE APPROVING THE PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR REAL PROPERTY OWNED BY PLAYING CARD PARTNERS, KNOWN AS 4590 BEECH STREET, COUNTY AUDITOR'S BOOK 651, PAGE 0019, PARCEL 0125, LOCATED WITHIN A LIGHT MANUFACTURING (M1) ZONE DISTRICT WITH A PUD OVERLAY, AND DECLARING AN EMERGENCY

***"Gem of the Highlands"***

- 4) ORDINANCE ESTABLISHING THE NORWOOD ARTS BOARD
- 5) RESOLUTION DECLARING IT TO BE THE DESIRE OF COUNCIL THAT HALLOWEEN TRICK-OR-TREAT BE CELEBRATED ON SATURDAY, OCTOBER 31, 2020, BETWEEN THE HOURS OF 6:00 P.M. AND 8:00 P.M., AND RECOMMENDING THAT MASKS BE WORN, THAT SOCIAL DISTANCING BE PRACTICED, AND THAT HAND WASHING OR SANITIZING BE DONE
- 6) ORDINANCE AMENDING CHAPTER 1321 OF THE NORWOOD CODIFIED ORDINANCES TO ALLOW MURALS IN CERTAIN AREAS OF THE CITY OF NORWOOD (A)
- 7) ORDINANCE AMENDING CHAPTER 1321 OF THE NORWOOD CODIFIED ORDINANCES TO ALLOW MURALS IN CERTAIN AREAS OF THE CITY OF NORWOOD (B)

**M) ADMINISTRATION REPORTS**

**N) UNFINISHED BUSINESS**

**O) NEW BUSINESS**

**P) COMMUNICATIONS**

- |                                      |   |
|--------------------------------------|---|
| 1) Ohio Division of Liquor Control   | Re: Donna Cap LLC   |
| 2) Letter from Rene Dierker          | Re: Murals  |
| 3) Letter from Tim Molony- Treasurer | Re: Bank Reconciliation for August 2020                                 |
| 4) Letter from John Murphy- SSD      | Re: Preliminary Construction Schedule- Cathedral<br>and Shanmoor Avenue |

**Q) EXCUSE ABSENT MEMBER/S**

**R) ADJOURNMENT**

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NORWOOD, OHIO

*Ordinance No.* \_\_\_\_\_ *20* \_\_\_\_\_

**ORDINANCE CONFIRMING THE UNUSED SICK LEAVE BENEFIT TO ALL FULL-TIME UNCLASSIFIED APPOINTED EMPLOYEES WITH MORE THAN FOUR YEARS OF CONTINUOUS SERVICE WITH THE CITY OF NORWOOD, OHIO**

WHEREAS, in order to emerge from Fiscal Emergency, the City of Norwood has been required by the State Auditor's Office to develop and adopt a number of documents, including a Personnel Policy and Procedure Manual, to guide both the City administration and City employees toward an understandable and fairly administered human resources function within the City of Norwood; and

WHEREAS, the City of Norwood has adopted a Personnel Policy and Procedure Manual and its forms (the "Policy Manual"), and within that adoption ordinance has eliminated certain employment benefits, continuously promised since 1999, specifically, the Unused Sick Leave payment benefit upon which full-time unclassified appointed City employees with more than four years of continuous service have been relying, and which the Council has determined should be retained by those employees; now, therefore,

**BE IT ORDAINED** by the Council of the City of Norwood, State of Ohio, as follows:

**SECTION 1.** Each full-time, unclassified appointed City of Norwood employee with more than four years of continuous service with the City of Norwood, as of the date of adoption of the Policy Manual, shall receive Unused Sick Leave payment benefits as stated prior to September 1, 2020, at the time of that employee's termination of employment with the City of Norwood.

**PASSED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Miracle  
President of Council

**ATTEST:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**APPROVED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Victor Schneider  
Mayor

**CERTIFICATION OF PUBLICATION:**

Maria Williams , the dully appointed Clerk of Council, attests that this ordinance was published in the

\_\_\_\_\_ on \_\_\_\_\_ and \_\_\_\_\_  
(Name of Newspaper) (date) (date)

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**1<sup>st</sup> Reading** \_\_\_\_\_  
Date

**2<sup>nd</sup> Reading** \_\_\_\_\_  
Date

**3<sup>rd</sup> Reading** \_\_\_\_\_  
Date

**All 3 Readings** \_\_\_\_\_  
Date

**Tabled** \_\_\_\_\_  
Date

**Vetoed** \_\_\_\_\_  
Date



**Amended  
NORWOOD CITY COUNCIL  
SPECIAL MEETING  
Norwood Community Center  
July 28, 2020, 7:30 p.m.**

**A) CALL TO ORDER**

**B) PRAYER**

**C) PLEDGE OF ALLEGIANCE**

The Council for the City of Norwood met in regular session on the above date with Mr. Ken Miracle Presiding as President. The meeting opened with a prayer and the Pledge of Allegiance.

**D) ROLL CALL**

On the roll call the following members answered present: Mr. Bonsall, Mr. Gabbard, Mr. Geraci, Mr. Kelsch, Mr. DiNardo, Mr. Thompson, Mr. Breadon. All council members present.

**E) AMENDMENT OF AGENDA**

None

**F) MINUTES OF PREVIOUS MEETING**

**a. May 26, 2020 Norwood City Council Meeting Minutes.**

On motion by Mr. Geraci, seconded by Mr. Thompson, it was moved to approve and file the minutes from the 5/26/20 meeting. Roll was called. All members present voted yes. Motion passed.

**G) REQUEST TO ADDRESS COUNCIL ON AGENDA ITEMS**

None

**H) REPORTS OF STANDING COMMITTEES OF COUNCIL**

**1) Housing Health and Public Safety Committee Report**

Minutes from the 7/23/20 meeting read by Mr. Geraci. The committee discussed chronic nuisance ordinance. Changes to the 4<sup>th</sup> draft made and the 5<sup>th</sup> draft to be written. Another meeting will be set to discuss that draft. On motion by Mr. Bonsall, seconded by Mr. DiNardo, it was moved to receive and file the committee report. Roll was called. All members present voted yes. Motion passed.

**2) Finance Budget and Audit Committee Report**

Minutes read by Mr. DiNardo. The committee reviewed assignments from president of council regarding requests from the state on procedures. They discussed changes to proposed policy for purchase orders and will be providing recommendations to the president who will then seek approval from state auditor's office. Once approved the procedure will be submitted to council approval at next meeting. The committee discussed method and format of biannual budget review to happen next month. They will evaluate plans versus city needs. Mr. Bonsall suggested informal review be done informally. On motion by Mr. Bonsall, seconded by Mr. Geraci, it was moved to receive and file the committee report. Roll was called. All members present voted yes. Motion passed.

**I) THIRD READINGS OF ORDINANCES/RESOLUTIONS**

**a. ORDINANCE REQUIRING FACIAL COVERINGS TO BE WORN IN CERTAIN CIRCUMSTANCES WHILE IN INDOOR PUBLIC PLACES DURING THE PENDENCY OF THE MAYOR'S DECLARATION FOR THE SAFE REOPENING OF NORWOOD DURING THE COVID-19 PANDEMIC, AND DECLARING AN EMERGENCY**

On motion by Mr. Bonsall, seconded by Mr. Thompson, it was moved to table this ordinance indefinitely. Mr. Bonsall doesn't think that there is support to pass the ordinance plus there is the governor's mandate now to require mask wearing. If the governor's mandate expires or otherwise ends, then perhaps council can reconsider.

Mr. Kelsch says that it is unfortunate we can't vote on the matter. Asked for motion to be rescinded so council can vote on it since it was touted as important. Mr. Thompson thinks it will be killed if voted on tonight. Thompson thinks that the city should have control on this topic but sees tabling it as a compromise since the general consensus at the last meeting was against the ordinance. Mr. Bonsall noted

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that council members noted that the ordinance was a duplication to governor's earlier mandates. Thinks table is the right place to be since there doesn't appear to be the votes available for it.

Roll was called. All members present voted yes except for Mr. Kelsch and Mr. Breadon. Motion passed.

**J) SECOND READING OF ORDINANCES/RESOLUTIONS**

None

**K) INTRODUCTORY READINGS OF ORDINANCES/RESOLUTIONS**

**a. ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR ON BEHALF OF THE CITY OF NORWOOD TO ENTER INTO AN OPERATIONS AGREEMENT WITH THE NORWOOD CITY BOARD OF HEALTH AND DECLARING AN EMERGENCY**

On motion by Mr. Bonsall, seconded by Mr. DiNardo, it was moved to suspend the rules and have all three readings of the ordinance.

Mr. DiNardo stated that the ordinance is an attempt to create a Norwood Board of Health as a stand-alone entity. The Ohio Revised Code says that a board of health should be independent. Previously the city thought this just meant that the board should file an independent audit. State says that ours is the only community that has a board of health that is not a stand-alone entity. When reviewing options, the city noted that if they create a complete stand-alone entity that city employees may lose benefits. What was decided upon was to do a board with only 1 employee – the director as the only employee. The city then sends money to the board annually to pay operating expenses. The agreement needs to go into effect by 7/31. Day to day operations won't be much different except that they will need to request funds yearly. They will be able to request their own grants. City would act only as bookkeepers. This allows flexibility to evaluate budget needs and staffing needs.

Mr. Bonsall stated that this ordinance keeps politics totally separate and helps the board to keep more autonomy.

Mr. Gabbard asked for mayor's thoughts. Mayor echoed Mr. Bonsall. Board of Health operated as separate entity for many years, but this gives them more financial responsibility to make sure they are operating efficiently. New challenge for them. This is also part of city coming out of financial emergency and complies with auditor's requirements.

Mr. Bonsall went on further that this protects the city. Control still had by the city to make changes in the future as necessary. Employees will still be city employees except for health commissioner. City still has control of building and pays utilities. He believes that this appears to be an attempt by the state to eliminate small health departments which he thinks is unfortunate, but this is a strong plan that protects the city and the board of health.

Roll was called. All members present voted yes. Motion passed. The Clerk did all three readings of the ordinance. On Motion by Mr. Geraci, seconded by Mr. DiNardo it was moved to pass the ordinance. Roll was called. All members present voted yes. Motion passed.

**b. ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT WITH SOME NORWOOD RESIDENTS FOR THE IMPROVEMENT AND MAINTENANCE OF THE CITY RIGHT-OF-WAY AT THE SOUTHEAST CORNER OF FLORAL AND HUDSON AVENUES, AND DECLARING AN EMERGENCY**

On motion by Mr. Bonsall, seconded by Mr. DiNardo, it was moved to have the first two readings of the ordinance. Mr. Geraci said that he had heard at the parks committee meeting that most people were in support. Asked if we could do three readings. Mr. Kelsch agreed.

Resident Jon Moore who lives at 2432 Hudson Avenue spoke. He has been in contact with adjacent property owners and law department. Tree lawn is side yard of an apartment on Hudson. This plan requires no investment from the city as it is funded by residents. He and a group of residents to come up with the design. A professional landscape architect came out to review design. \$1800 raised in funds so far. Lt Murphy was consulted also. This is a nice public space that promotes walkability.

Mr. Bonsall amended his motion to all three readings. Mr. DiNardo amended his second. Bonsall thanked the property owners and residents who came together to be in on the agreement and noted that the adjacent property owner said he would keep mowing the lawn.

Roll was called. All members in attendance voted yes. Motion passed. The Clerk did all three readings. On motion by Mr. Bonsall, seconded by Mr. Geraci, it was moved to pass the ordinance. Roll was called. All members present voted yes. Motion passed.

**c. RESOLUTION PROPOSING CHANGES TO THE CODIFIED ORDINANCES OF THE CITY OF NORWOOD, OHIO ENTITLED "ADMINISTRATIVE PROCEDURES"**

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On Motion by Mr. Kelsch, seconded by Mr. Breadon, it was moved to suspend the rules and have all three readings of the ordinance.

Mr. Kelsch said that he was contacted by several residents after the board of zoning appeals meeting. There were some issues with the process and a lack of people in the know. He spoke with Chris Brown who wrote the original ordinance. This ordinance gives more residents notice, more time to object and more time to participate in public hearings. More residents will be alerted to changes going on around them. People can plan to be at meetings then. This opens the process up and makes it more transparent.

Mr. Thompson clarified that it's the distance of neighboring properties to be alerts and response time to be changed. It was 200 feet will now be 300 feet. Per building department that's generally 28 more houses. Mr. Gabbard asked if this would affect conditional use change along with rezoning. Kelsch said yes.

Mr. Bonsall thinks the building dept made a mistake. Thinks there is a misinterpretation that only abutting property owners need to be notified but that the ordinance really does mean that all property owners within 200 feet. Normally it is the actual applicant that sends out notices not building department. The ordinance increases administrative burden on people who want to apply for conditional use, and he asked if there is any evidence that 300 feet is better than 200 feet.

Mr. Breadon asked Mr. Bonsall to describe the specific incident he referred to and provide clarification. As to incident there was application to board of zoning appeals for conditional use on Hopkins. Multiple residents appeared and were opposed and didn't get notified as they should have. Building department sent notice only to abutting properties. Thinks it was a misinterpretation by building department.

This does not change Mr. Kelsch's mind. There are many other properties like this in the city that this would apply to. After talking to residents, the thought was the same. They all wish more people knew. Wish we had more time. The next steps per the assistant law director is that after the resolution, then it goes to the planning board who would review it and make changes as necessary. The Law Director noted that this is part of the zoning code, so changes come from planning commission. This is formal request from council to planning commission to make a change. Any change they make would come back to council.

Mr. Thompson agreed with more time but not with the expansion of the area. Change almost doubles area of people to be notified. He feels that the council needs to be cognizant of cost and how it affects applicants. Mr. Geraci stated that expanding the area would be helpful when considering things like traffic patterns and parking. Mr. DiNardo thinks it makes sense and helps there to be a positive view of these kinds of changes. The Mayor didn't have any comments. Gabbard doesn't think board of zoning appeals (bza) will do anything with it and it may be a waste of time. He is ok with the time change since there has been some usps delay. He is ok with keeping at 200 feet as long as it is applied equally on all sides. No one he spoke with was impressed with bza and didn't feel welcome by the bza nor considered. Mr. Kelsch says this is the formal process no matter if the bza does it or not. He heard some of the same things about the meeting. Tells bza that we expect better. Mr. Bonsall thinks there are other ways to be transparent. Asked the building department for bza agendas to be sent to clerk of council. Asked that clerk's office send to sunshine list. Doesn't support resolution with no proof that it would work. Mr. Breadon voting yes so bza can review and see what they do.

Roll was called. All members present except for Mr. Bonsall voted yes. Motion passed. Clerk did all three readings. On motion by Mr. Kelsch, seconded by Mr. Geraci, it was moved to pass the resolution. All members present except Mr. Bonsall voted yes. Motion passed.

## **L) ADMINISTRATION REPORTS**

Mayor provided his report. The city wellness program officially kicked off. Two unions said they are for it.

The city is doing shared interest meetings with unions which will go on between negotiations. These give everyone the chance to discuss how to make things work best.

Hamilton County Development Corp. will be the city's economic development arm starting in august. Starting to already see businesses interested in Norwood. This gets Norwood Hamilton county and regional exposure.

The administration is making sure everything in place to take advantage of covid funding. Rules changing all the time.

City improvements are going on including the city hall and fire department roof repairs. City hall was mostly gutter problems. Parking lot upgrades to were done to 2 municipal lots and more to come. Administration is making progress on frp list. Close to finishing on policies and procedures manual. Budget review started within administration. Department heads have to have budgets into admin by 9/1.

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Council will be meeting at community center for next month or two.

Parks clean up recently at Northwoods. Thanked citizen effort as there was a big impact in short period of time.

There are reports of tripping on sidewalks. If you have a sidewalk in front of your house with a trip hazard you should take a look at getting that fixed. Building department has a list of contractors. Safety Service Director and the Police Chief are working on ways to communicate with council members on incidents that occur so that council members can provide information to residents.

The city is hoping to get some street work done before the fall. Next process starting for later funding. They are still working on street survey. The city is still working on the app See/click/fix for residents to take a picture of things that need to fix in city. Very close to getting that up and running and they are looking at other apps that may do the same thing.

Waterworks usage is up. Please be kind to each other. Basketball courts still being worked on.

Elm Avenue issue still be worked on. Nothing new to report

Norwood lateral cleanup planned for 8/24 with public works and city of Cincinnati. Looking at hiring company to put tar in seams on sidewalks to help stop the vegetation. Bonsall asked if there was an update on lights on the lateral. Mayor said there are 5 lighting systems on the lateral and all have issues. There are underground wires that need to be replaced. Duke gave bid to hand on poles. ODOT standards have now changed on lighting. Looking at multiple options. Asked for capital electric to come in and trouble shoot problems. Have applied for grants through ODOT for lighting improvements.

Bonsall asked about resident notification of issues that happen in the city. Mayor said there is fine line between issuing information to catch bad guys and tipping them off. Specific incident discussed was people being held up at gunpoint and forced to get money out of atm. Mr. Geraci asked if perhaps city has looked into a notification program called nixle. Something police can use to notify residents. He has seen it used in other areas.

Mr. Thompson asked about the new city employee covid policy. Asked about quarantine after travel. City policy was 10 days, the governor suggestion was 2 weeks. He worries that city setting itself up for potential outbreak especially in departments that work close to police and fire. Health department said most cases are coming for vacation travel. Concerned about city employees going to hotspot areas. He suggested if possibly working from home for these employees may be possible. Also suggested a more extensive checklist of symptoms review prior to returning to work.

Mr. Geraci asked if perhaps the report from the health department can also include number of tests being done.

#### **M) OTHER REQUESTS TO ADDRESS COUNCIL**

Lemuel James of 1830 Hopkins addressed council. The last time he addressed council he mentioned explorer post in Norwood. This is a program where young people 18-21 partner with police department to learn about law enforcement. He used to be a part of Norwood's until it ended. Spoke with father about fund raising and is hoping to fund raise to reopen the post. Asking for Norwood police to send an officer to show their support of the program. He is a member of the Cincinnati program. He will be talking to that program to see what can be done to bring in people and provide support to the fund-raising events. He wants this to be done in conjunction with his mother's program Elevations Enrichment which helps students and any funds raised would also go to help that program.

Yvonne Collins of 3811 South Madison spoke next. Asked for people to remember Doctor John Lewis who served his state. He did an act on 3/7/65 which came to be known as bloody Sunday. He didn't get bitter or discouraged. He was respected in government. Called him conscious of congress which was fitting. There is a petition online to rename the Edmund Hettis bridge as the John Robert Lewis bridge. Thinks it would be a fitting end for a man who gave much. She got worried about the crime on the south side and is hoping perpetrators caught. She noted that if you keep treating young black men the same way you will get the same results. Perhaps they could pay into the community that they hurt. Mr. Geraci asked if she had suggestions on how to deter illegal behavior. She said she had ideas. Need a black adult to get attention. Speak to parents. Maybe there will listen to a person of color parent. She noted that council doesn't look like the people you see in Norwood. Seeing many more people of color moving in but want

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caucasians to stay too. Mr. Geraci suggested perhaps for nonviolent crimes doing a community clean up or another diversion program.

Pastor Sonny James of 1830 Hopkins Avenue spoke next. He echoed comments about congressman John Lewis and read a quote from congressman. Recently he apologized to law director. He had been angry for some time but when looked at him from a distance noted he had to keep himself to the same standard he professed. Recently started the program Hearing Every Perspective. Some council members have appeared and other said they would but didn't. Economic inclusion is important. He would like to bring in drive in movie theater here to Norwood and found a spot for it. He is asking for people to come out and support. They want to pay 40 dollar an hour for police officers to be on site to ensure safety. Want to contribute some money for every movie to police so that they will have the money to restart the explorer program. Wants to see diversity in contracts. Some money from the drive in event would go to kids from Elevations Enrichment. Commended Mr. Kelsch for opening door to give more residents to hear issue. He is finally on the sunshine list. Means a lot to him. Encourages people to email him at [pastorsonnyjames@gmail.com](mailto:pastorsonnyjames@gmail.com) or text him at 5134878843. Mr. Geraci asked for clarification about the restarting of the explorer program in Norwood. Pastor said he hoped to sit down with police first before speaking on that.

#### **N) UNFINISHED BUSINESS**

None

#### **O) NEW BUSINESS**

Mr. Geraci asked for the clerk to send a communication to Rumpke about picking up yard waste without resident calling. What would it cost? Can it be presented at the next hearing under administration report perhaps.

Mr. Gabbard requested that an economic development meeting be set for 8/5 730 in council chambers. Breadon asking about getting pkgs delivered by police. Clerk said she would check with police to see if an auxiliary officer can deliver the pkgs. Mr. Geraci suggested maybe a usb instead of paper. Mr. Bonsall thinks members will be more prepared if they get the paper pkg if they want it. Mr. Thompson asked if we could send copies of the ordinances to people on the sunshine list. Mr. Bonsall asked law director if there were any issues with that. Law Director suggested a draft watermark on them.

Mr. Bonsall announced that the third phase of Wasson Way has kicked off. The path will go down past Kroger in Hyde Park and should be done by the end of the year. Mr. Bonsall also noted that Duke Energy and Artworks are working together on a mural on the Cincinnati side of Wasson Way. It will be second largest mural in the city, and it is only facing the trail.

#### **P) COMMUNICATIONS**

- 1) Letter from Mayor Re: Mayor's Court Fines

The Clerk read the letter. On motion by Mr. Bonsall, seconded by Mr. Breadon, it was moved to receive and file the letter. Roll was called. All members present voted yes. Motion passed.

- 2) Letter from Auditor's office Re: June Monthly Financial Reports

The Clerk read the letter. On motion by Mr. DiNardo, seconded by Mr. Kelsch, it was moved to receive and file the letter. Mr. Bonsall noted that there is a significant amount of money not used yet. Asked if administration can check in with council when there is extra money to see what council thinks it should be used on. Roll was called. All members present voted yes. Motion passed.

#### **Q) EXCUSE ABSENT MEMBERS**

None

#### **R) ADJOURNMENT**

On motion by Mr. Breadon, seconded by Mr. Thompson it was moved to adjourn the meeting. Roll was called. All members present voted yes except Mr. Geraci. Motion passed.

*"Gem of the Highlands"*



**CITY OF NORWOOD**  
4645 Montgomery Road  
Norwood Ohio 45212

Telephone: (513) 458-4594  
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## **POSTING – PUBLIC HEARING**

### *NORWOOD CITY COUNCIL*

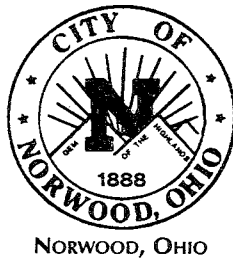
**DATE: Tuesday, September 22, 2020**

**TIME: 7:30pm**

**PLACE: Norwood Community Center-  
bottom floor  
1810 Courtland Avenue  
Norwood, Ohio 45212**

The Norwood City Council will hold a public hearing to consider Planning Commission's recommendation on an amendment to the PUD ordinance. The applicant made an oral request to add residential apartments and townhomes as an allowable use. PLK is submitting a preliminary planned unit development (PUD) plan for the property known as 4590 Beech Street, Norwood, Ohio 45212, Hamilton County Auditor book 651, page 0019, parcel 0125k, Playing Card Partners, located within a Light Manufacturing (M1) zoning district with PUD overlay. Notice is hereby given, that on the 22<sup>nd</sup> day of September 2020, at 7:30pm, a public hearing will be held on the Planning Commissions recommended approval of the Playing Card Partners preliminary PUD plan applications. Such hearing will be held in the Norwood Community Center, 1810 Courtland Avenue Norwood, Ohio 45212, on the bottom floor. These items are available to view, during normal business hours, in the Norwood Building Dept. 1<sup>st</sup> floor 4645 Montgomery Rd. Norwood, OH 45212

***“Gem of the Highlands”***



*Resolution No.* \_\_\_\_\_ *20* \_\_\_\_\_

**RESOLUTION DECLARING INTENT TO SELL UNNEEDED OR  
SURPLUS FIREARMS AND RELATED EQUIPMENT,  
BY INTERNET AUCTION DURING CALENDAR YEAR 2020,  
AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code Section 721.15 permits municipalities to sell obsolete/unfit items by internet auction;

**WHEREAS**, an annual Resolution adopted by City Council, expressing its intent to sell such property, which shall include a description of how the auctions will be conducted, specifying the number of days for bidding, and state the general terms and conditions of sale; is required to permit the City to utilize the internet auction provision of ORC Section 721.15; and

**WHEREAS**, with Ordinance No. 21- 2016, this Council has ordained the parameters of the sale of municipally-owned real or personal property;

**WHEREAS**, the City of Norwood is required by statute to dispose of certain unneeded or surplus personal property that come into its possession, by public or internet auction; and

**WHEREAS**, live auctions require the expenditure of City resources and the use of City personnel, which the Administration believes can be employed in a more efficient manner; and

**WHEREAS**, after extensive research and due diligence in 2016, the City entered into an Asset Disposition Services Agreement with PropertyRoom.com, which terms have been successfully and productively followed by the City, as Owner and PropertyRoom.com as Contractor, PropertyRoom.com being a web-based online auction site specializing in the sale of surplus firearms and related equipment to be the City's contracted representative to conduct on-line auctions on the City's behalf.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Norwood, Ohio, that:

**SECTION 1.** The City of Norwood is authorized to conduct internet auctions in 2020 to sell surplus firearms and related equipment, as described in the attached Exhibit A. All items for bid shall be listed for a period of not less than 15 days, including Saturdays, Sundays and legal holidays. At its discretion, the City may list a minimum bid for any or all items.

**SECTION 2.** The City is authorized to continue to follow its Asset Disposition Services Agreement with PropertyRoom.com to conduct internet auctions on its behalf, in substantially the same form on terms not adverse to the City as Exhibit B, incorporated by reference and attached here.

**SECTION 3.** After adoption of this resolution, and at the time the City is initiating an internet auction, the Clerk of Council will publish, in a newspaper of general circulation, notice of the City's intent to sell surplus firearms by internet auction. The notice shall include a summary of the information provided in this Resolution and shall be published at least twice, with the second notice being published anytime between the tenth and twentieth days after the first notice is published. A similar notice shall also be posted continually throughout the term of the auction in a conspicuous place in the City's administrative offices, in the office of the Clerk of Council and on the City's website.

**SECTION 4.** This resolution is declared to be an emergency resolution, necessary to preserve

the health, safety, and general welfare of the citizens of the City of Norwood, and shall take effect forthwith. This Resolution is effective upon its adoption.

**PASSED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Miracle  
President of Council

**ATTEST:**

Maria Williams, the duly appointed Clerk of Council, attests that this Resolution was passed at a regular/special meeting of Norwood City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, in compliance with the rules of Norwood City Council and the laws of the State of Ohio. This Resolution was submitted to the Mayor of the City of Norwood, Ohio for his signature on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**APPROVED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Victor Schneider  
Mayor

**CERTIFICATION OF PUBLICATION:**

Maria Williams, the duly appointed Clerk of Council, attests that this resolution was published in the

\_\_\_\_\_ on \_\_\_\_\_ and \_\_\_\_\_.  
(Name of Newspaper) (date) (date)

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**1<sup>st</sup> Reading** \_\_\_\_\_  
Date

**2<sup>nd</sup> Reading** 9-8-2020  
Date

**3<sup>rd</sup> Reading** \_\_\_\_\_  
Date

**All 3 Readings** \_\_\_\_\_  
Date

**Tabled** \_\_\_\_\_  
Date

**Vetoed** \_\_\_\_\_  
Date

# City of Norwood



Victor Schneider  
Mayor

Office of the Safety-Service Director

4645 Montgomery Road, Suite 202  
Norwood, Ohio 45212  
Phone: (513) 458-4503  
Email: [ssd@norwoodohio.gov](mailto:ssd@norwoodohio.gov)

## Norwood Police Department Surplus Firearms Auction

~~Bids accepted until August 14, 2020, at 12:00 PM~~

Auto Ordnance Thompson NFA (7394)

Remington 700 Rifle x 2 in .223 (6712246) (A6237665) both with 10x Bushnell scope

Ruger MKII - .22 handgun (18-49207)

Ruger P89DC handgun in 9mm (307-67936)

S&W 6906 handgun 9mm (TCA1979)

S&W Highway revolver in 357 (83369)

S&W revolver in 357 (872)

S&W 6906 handgun 9mm (TCU3614)

Taurus revolver in .44 (LE619322)

Colt Lawman MKIII in 357 (95740J)

Ruger security Six revolver in 357 (152-55160)

Colt 45 handgun MK IV series 70 (73201B70)

Taurus 357 revolver (KK528101)

Desert Eagle 44 handgun (98055)

Ruger Super Blackhawk revolver .44 (86-83924)

Sig Sauer P230 handgun 9mm (SI79551)

Beretta 92F 9mm handgun (BER12222OZ)

"Gem of The Highlands"

[1]



Beretta PM12S NFA 9mm sub-gun x 3 (F37834) (F37835) (F37837)

Olympic Arms AR15 BT5744 (forfeiture II-0751)

Winchester 22 pump rifle 658674

Marlin 30.30 lever action w/ tasco scope 01012935

Marlin .22 Glenfield Model 25 rifle 72474812

Winchester 1300 12-gauge shotgun synthetic stock in camo L2873251

Winchester 1300 12-gauge shotgun synthetic stock in black L2902030

Remington 870 12-gauge shotgun synthetic stock black (missing end cap) IIII777V

Remington 870 Express Magnum 12-gauge wood C543739U

Remington 870 12-gauge shotguns (wood)

II41504V

II41785V

I228320V

I202447V

I229185V

II95462V

S037775V

II90730V

I228343V

I229651V

II02325V

S048107V

I227305V

S038049V

II90664V

II41654V

II90346V

II91663V

II91388V

Remington 870 12-gauge shotgun (partials - lowers - missing parts)

IIII778V


I227285V

C892277M

II41648V

82II577M

II91337V

  
John P. Murphy, Safety-Service Director

"Gem of The Highlands"

1. This addendum ("Addendum") is attached to and made part of the Asset Disposition Services Agreement dated \_\_\_\_\_ ("Agreement") between Contractor and Owner. In the event of a conflict between the provisions of the Agreement, this Addendum and any prior agreement or Agreement addendum, this Addendum will govern.
2. **Definitions.**
  - a. **Winning Bid.** "Winning Bid" means the highest amount committed and paid by a Buyer of a sold Asset. Winning Bid does not include shipping & handling, buyer premiums, or other fees, if any, nor does Winning Bid include an amount a Buyer commits but fails to pay.
  - b. **Sales Price.** "Sales Price" equals the Winning Bid plus shipping & handling, shipping insurance and sales tax paid by a Buyer.
  - c. **Payment Processing Costs.** Payment processing costs equal 3% of Sales Price ("PP Costs").
  - d. **Success Fee.** For sold Assets, Owner will pay Contractor a Services fee equal to a percent of profits or Winning Bids as specified below ("Success Fee").
  - e. **Buyer Premiums.** Notwithstanding anything to the contrary herein, Contractor may collect a Winning Bid percent fee from a Buyer, typically referred to as a "Buyer's Premium".
3. **Services Offered.** Contractor provides a suite of Services referenced herein. Upon mutual agreement of Owner and Contractor, Contractor may provide all or any combination of Services. Contractor will use commercially reasonable efforts to deliver Services.
  - a. **Portables Auction Service ("Portables").** Applying to Assets small enough for pick-up by Contractor via box truck or common carrier shipment, excluding firearms, Contractor will transport, test and/or authenticate (if applicable and practicable), erase or destroy memory media (in the case of electronics), image, store, list and sell Assets via public internet auction on one or more Contractor selected websites. Owner will pay Contractor a Success Fee as described below.
    - (1) **Non-bicycle Asset Success Fee.** For non-bicycle assets, Success Fee equals 50% for the first \$1,500 of a Winning Bid amount and 25% of Winning Bid amount, if any, over \$1,500.
    - (2) **Bicycle Asset Success Fee.** For bicycle assets, Success Fee equals 85% of the Winning Bid.
    - (3) **Net Proceeds.** For each Portables Asset, Owner Net Proceeds equals Winning Bid less Success Fee less PP Costs.
    - (4) **Fuel Surcharge.** If quarterly retail diesel prices, as published by the U.S. Energy Information Administration, rise above the level shown in the table below, a fuel surcharge ("Fuel Surcharge") will be deducted from Owner Net Proceeds for each Portable Manifest picked up at Owner's location.

Retail Diesel (per gal)	Fuel Surcharge
< \$ 2.50	\$ 0.00
\$ 2.50 to \$ 2.99	\$ 12.40
\$ 3.00 to \$ 3.49	\$ 24.80
\$ 3.50 to \$ 3.99	\$ 37.20*

\* Table continues at same rate of \$12.40 increments per \$0.50 per gal change in Retail Diesel.

- (5) **Shipping Fee.** If assets are transported via common carrier and not picked up by Contractor, the shipping fee will be deducted from Owner Net Proceeds.
- b. **Firearms Auction Service.** This service is restricted to Owner firearm assets ("Firearm Assets") legally available for public sale in the United States. Contractor is compliant with ATF, Title 18, U.S. Code Ch. 44 and NFA (26 U.S.C., Ch. 53), as well as applicable state and local laws. Contractor may work with one or more subcontractors ("Subcontractor") for storage and processing of Firearm Assets.
 

Contractor will deliver Firearm Assets disposition services beginning with the collection and transport of Firearm Assets to a Federal Firearms Licensee ("FFL") holder ("Recipient FFL" or "Partner FFL"). Subsequently, Contractor and Recipient FFL will store, catalog, image, list for public internet auction, process purchaser payment and ship Firearms Assets to another FFL holder ("Transferee FFL") that will administer final physical transfer to purchaser ("Buyer") in compliance with applicable federal, state, and local laws. Owner will pay Contractor a Success Fee as described below.

  - (1) **Success Fee.** For Firearm Assets, Success Fee equals 50% for the first \$1,500 of a Winning Bid amount and 25% of Winning Bid amount, if any, over \$1,500.

- (2) **Net Proceeds.** For each Firearm Asset, Owner Net Proceeds equals Winning Bid less Success Fee less PP Costs.
- c. **In Place Auction Service ("In Place").** Applying to Assets that Owner and Contractor mutually agree to auction in place, Contractor will sell In Place Assets via public internet auction on one or more Contractor selected websites using descriptions and digital images supplied by Owner. Owner will maintain physical control of In Place Assets and transfer possession to Buyers after sale. Owner will pay Contractor a Success Fee as described below.
- (1) **Success Fee.** For each In Place Asset, Success Fee equals 2.5% of Winning Bid.
- (2) **Net Proceeds.** For each In Place Asset sold at auction, Winning Bid less Success Fee less PP Costs equals Owner Net Proceeds.
- d. **Haul Away Auction Service ("Haul Away").** Applying to fleet vehicles and equipment, Contractor will tow Assets to, or take delivery at, Yards. Contractor will store, image, describe, list and sell Haul Away Assets via public internet auction on one or more Contractor selected websites. Contractor may work with one or more subcontractors ("Subcontractor") for storage and processing of Assets at Yards. Owner will pay Contractor a Success Fee as well as other fees as specified below.
- (1) **Success Fee.** For each Haul Away Asset, Success Fee equals 12.5% of Winning Bid.
- (2) **Tow & Miscellaneous Fees.** Tow and Miscellaneous Service Fees are indicated in fee schedule below that specifies tow processes and related fees for Owner-specific needs ("Tow & Miscellaneous Fee Schedule"). The Tow & Miscellaneous Fee Schedule will distinguish between Assets that can be hauled away on a standard vehicle transporter (such as automobiles and light trucks) from over-sized Assets (e.g., cranes, buses, backhoes).

<b>Haul Away Auction Service – Tow and Miscellaneous Fee Schedule</b>			
<b>Fee Type</b>	<b>Fee Description</b>	<b>Rate Description</b>	<b>Rate Per Asset</b>
<i>Light Tow</i>	Light duty vehicles up to 11,000 GVWR	Per vehicle towed	First 30 miles free. \$10 for every 10 miles over the 1st 30 free miles
<i>Medium Tow</i>	Medium duty vehicles 11,001 - 33,000 GVWR and oversized vehicles such as an F-350 w/ dual wheels, etc.)	Per vehicle towed	Billed at cost by subcontractor - see standard schedule
<i>Heavy Tow</i>	Heavy duty vehicles 33,001+ GVWR	Per vehicle towed	Billed at cost by subcontractor - see standard schedule
<i>Re-list / Re-run</i>	Fee for re-listing asset more than three (3) times due to any type of owner imposed bidding restriction	Per re-list of asset on 4 <sup>th</sup> or subsequent attempt	\$35 / re-list
<i>Storage - light &amp; medium duty</i>	Storage for assets stored for any reason other than awaiting auction	Per day over 30 days after pickup date	\$5 / day
<i>Storage - heavy duty</i>	Storage for assets stored for any reason other than awaiting auction	Per day over 30 days after pickup date	\$8 / day
<i>De-identification</i>	De-identifying assets	Charged in 15 minute increments for the labor to de-identify	\$20 / quarter hour
<i>Decal Removal</i>	Removal of a decal	Charged in 15 minute increments for the labor to perform decal removal	\$20 / quarter hour; \$45 minimum charge per vehicle (\$45 maximum charge per vehicle for Light Duty Vehicles)

- (3) **Net Proceeds.** For each Haul Away Asset, Winning Bid less the sum of Success Fee, Tow & Miscellaneous Fees, and PP Costs equals Owner Net Proceeds.
- e. **Impound Storage & Auction Service ("Impound").** Applying to citizen vehicles seized and or impounded by Owner, Contractor will receive tows of Impound Assets at tow yard facilities ("Yards"), storing Assets while Owner decides whether to release to a citizen or auction. For release-to-citizen vehicles ("Released Vehicles"), Contractor will process and collect fees from citizens. For auctioned vehicles, Contractor will store, image, describe and sell Impound Assets via public internet auction on one or more Contractor selected websites. Contractor may work with one or more sub-contractors



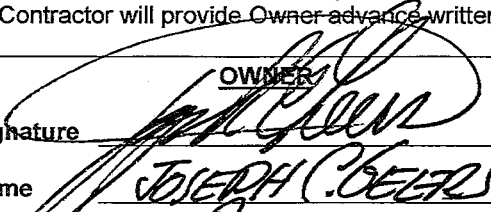
("Subcontractor") for storage and processing of Assets at Yards. Owner will pay Contractor a Success Fee as well as other fees as specified below.

- (1) **Success Fee.** For each Impound Asset sold at auction, Success Fee equals 12.5% of the Winning Bid.
- (2) **Tow & Miscellaneous Fees.** Tow and Miscellaneous Service Fees are indicated in fee schedule below that specifies tow processes and related fees for Owner-specific needs ("Tow & Miscellaneous Fee Schedule"). The Tow & Miscellaneous Fee Schedule will distinguish between Assets that can be hauled-away on a standard vehicle transporter (such as automobiles and light trucks) from over-sized Assets (e.g., cranes, buses, backhoes).
- (3) **Storage Fees.** Impound storage fees are indicated in the fee schedule below. Owner retains rights to charge citizens higher storage fees for Released Vehicles and Contractor will collect those storage fees along with other citizen fees set by Owner, such as tow charges, administrative charges, court processing fees, etc. ("Citizen Payments"). In the event that Assets are stored for an extended period of time without being released by Owner for auction, Owner agrees to reimburse Contractor for such storage fees in a manner to be mutually agreed upon.

Impound Storage & Auction Service – Tow and Miscellaneous Fee Schedule			
Fee Type	Fee Description	Rate Description	Rate Per Asset
<i>Light Tow</i>	Light duty vehicles up to 11,000 GVWR	Per vehicle towed	Billed at cost by subcontractor - see standard schedule
<i>Medium Tow</i>	Medium duty vehicles 11,001 - 33,000 GVWR and oversized vehicles such as an F-350 w/ dual wheels, etc.)	Per vehicle towed	Billed at cost by subcontractor - see standard schedule
<i>Heavy Tow</i>	Heavy duty vehicles 33,001+ GVWR	Per vehicle towed	Billed at cost by subcontractor - see standard schedule
<i>Re-list / Re-run</i>	Fee for re-listing asset more than three (3) times due to any type of owner imposed bidding restriction	Per re-list of asset on 4 <sup>th</sup> or subsequent attempt	\$35 / re-list
<i>Owner Storage Fees</i>	Daily storage for assets stored and awaiting auction	Per day	\$8 / day
<i>Citizen Storage Fees</i>	Daily storage for release vehicles	Per day	\$15 / day
<i>De-identification</i>	De-identifying assets	Charged in 15 minute increments for the labor to de-identify	\$20 / quarter hour
<i>Decal Removal</i>	Removal of a decal	Charged in 15 minute increments for the labor to perform decal removal	\$20 / quarter hour; \$45 minimum charge per vehicle (\$45 maximum charge per vehicle for Light Duty Vehicles)

- (4) **Net Proceeds.** For each Impound Asset, the sum of Winning Bid and Citizen Payments less the sum of Success Fee, Tow & Miscellaneous Fees, Owner/Citizen Storage Fees and PP Costs equals Owner Net Proceeds.

4. **Modifications.** Contractor may, from time to time, modify Standard Fees & Services. To effect a fee change, Contractor will provide Owner advance written notice which will include an update to this Addendum.

<b>OWNER</b>	
Signature	
Name	<u>JOSEPH C. BELTER</u>
Title	<u>DIRECTOR</u>
Date	<u>5-2-17</u>

<b>CONTRACTOR</b>	
Signature	_____
Name	_____
Title	_____
Date	_____

This Asset Disposition Services Agreement ("Agreement") is made by and between PropertyRoom.com, Inc., a Delaware corporation ("Contractor") and CITY OF NORWOOD (OHIO) ("Owner"). The Agreement is effective upon Owner's signature date ("Effective Date").

**Whereas** Contractor's business involves surplus asset management, selling, auction, disposition and related services ("Services"); and

**Whereas** Contractor desires to provide Services to Owner and Owner desires Contractor to provide Services subject to this Agreement.

**Now therefore**, in consideration of premises above and mutual covenants and agreements set forth herein, Contractor and Owner agree as follows.

Any other municipal, county, or state government agency located within the same state as Owner may also procure Services under this Agreement under the same terms and conditions stated in this Agreement by executing an adoption agreement with Contractor based upon this Agreement.

1. **Items Requiring Services.** Owner will identify items ("Assets") it desires to provide to Contractor for Services. Contractor retains the right to accept or reject certain Assets in its sole discretion.
2. **Title to Assets.** Owner shall retain, at all times, legal title to Assets unless and until Assets are purchased or otherwise disposed of according to the Agreement, at which time Owner will be deemed to have transferred title directly to an Asset purchaser or other acquirer ("Buyer") identified by Contractor. Owner appoints Contractor as its representative and instrumentality to hold and offer Assets for sale, on Owner's behalf, in accordance with the Agreement. Owner appoints Contractor as its attorney-in-fact to sign any and all documents necessary to assign to Buyers all of Owner's rights, title and interest in and to Assets sold or disposed. Cash receipts, accounts receivable, contract rights, notes, general intangibles, and other rights to payment of any kind arising out of Asset sales ("Proceeds") belong to Owner. Contractor may withhold from Proceeds amounts owed to Contractor and any third parties in connection with Services, which amounts shall be disbursed by Contractor on Owner's behalf. Contractor will remit remaining balances to Owner ("Owner Net Proceeds").

### 3. Term and Termination

This Agreement shall commence on the Effective Date and shall continue for an initial term of one (1) year from the Effective Date and thereafter will

automatically renew for consecutive one (1) year terms unless written notice of non-renewal is provided by either party to the other at least sixty (60) days prior to the expiration of the then current term.

- a. Either Owner or Contractor (the "Party" of "Parties") may terminate the Agreement upon thirty (30) days prior notice to the other Party.
- b. The rights of the Parties to terminate the Agreement are not exclusive of any other rights and remedies available at law or in equity, and such rights will be cumulative. Exercising any such right or remedy will not preclude exercising these or any other rights and remedies.
- c. Upon any termination or expiration, Contractor may continue to provide Services for any unsold Assets then in the possession of Contractor. Alternatively, Owner may, at Owner's expense, arrange for the return of Owner Assets.

### 4. Payment for Services

- a. **Fees.** Fees for Contractor Services appear in signed addendums to this Agreement.
- b. **Remittance of Proceeds.** Once a month, Contractor will remit Owner Net Proceeds from sales completed the prior month. Sales are deemed completed when all items from an asset list line-item are sold, paid for and shipped. Contractor may defer payment of any amount less than \$250 until such time as the amount owed Owner equals or exceeds \$250.
- c. **Invoices.** If monthly Proceeds do not cover amounts owed, Contractor and Owner will mutually agree for Contractor to either:
  - (1) Invoice Owner for Services, net of Proceeds collected, or
  - (2) Accrue and carry-over unpaid balances, invoicing Owner when negative balances persist for six (6) consecutive months.
- d. **Reporting.** Each month, Contractor will publish a standard online report containing information related to Owner Assets, Services provided, Fees and Owner Net Proceeds.

### 5. Contractor Obligations.

Contractor may utilize subcontractors in its performance of Services, provided Contractor shall be responsible for any breach of this Agreement by such subcontractors. With respect to delivering Services:

- a. Contractor shall maintain insurance covering Assets against fire, theft, and extended coverage risks ordinarily included in similar policies.
- b. For auction Services, Contractor will use organic marketing techniques ("OMT") to increase bidding on Owner Assets. OMT may



## Asset Disposition Services Agreement

include, but not be limited to, email, publicity related to this Agreement, and facilitation of clickable links on Owner website(s) to websites used by Contractor for Asset sales.

### 6. Asset Lists

- a. **Manifest & Asset Lists.** Owner will complete paperwork reasonably necessary to convey custodial possession of Assets to Contractor, such as written manifests or Asset lists (the "Asset Lists") describing items in sufficient detail for proper identification. Contractor owns exclusive rights to sell Assets described in Asset Lists provided by Owner for a period of 120 days from the date Owner releases an Asset to Contractor for sale and Owner will not grant any such rights to any third party (or itself sell the applicable Assets).
- b. **Excluded Assets.** Owner agrees it will not knowingly provide illegal or hazardous Assets or Assets that infringe intellectual property rights of any third party ("Excluded Assets"). In the event Contractor identifies any item as an Excluded Asset, Contractor shall have the right to suspend, cancel, or unwind any sale or disposal of such Excluded Asset.

### 7. Salability of Assets.

- a. Owner states Assets subject to Services are legally available for sale to the general public; and
- b. If required, Owner has taken necessary actions for transfer of Asset title(s) to Buyers.

8. **Books and Records.** Contractor will keep complete and accurate books of account, records, and other documents with respect to the Agreement ("Books and Records") for at least 3 years following Agreement expiration or termination. Upon reasonable notice, Books and Records will be available for inspection by Owner, at Owner's expense, at the location where Books and Records are regularly maintained, during Contractor's normal business hours.

9. **Assignment.** This Agreement shall be binding upon and inure to the benefit of the Parties named herein and their respective successors and assigns. Neither Party may assign any of its obligations under this Agreement without the prior written consent of the other Party, such consent not to be unreasonably withheld or delayed, provided that Contractor may assign this Agreement without such consent to a successor in interest by way of a merger, consolidation, or sale of all or substantially all of Contractor's assets.

10. **Notices.** Any notice or other communication given under the Agreement will be in writing and delivered by hand, sent by facsimile (provided acknowledgment of receipt thereof is delivered to the sender), sent by certified, registered mail or sent by any nationally recognized overnight courier service to the addresses provided in the Owner information section. Notices sent by registered mail or national overnight carrier shall be effective upon delivery. The Parties may, from time to time and at any time, change their respective addresses and each will have the right to specify as its address any other address by written notice to the other Party. A change of address will take effect upon receipt of notice unless a later date is otherwise specified.

11. **Interpretation.** Whenever possible, each provision of the Agreement will be interpreted in such a manner as to be effective and valid under applicable law, but if any provision of the Agreement is held to be prohibited by or invalid under applicable law, such provision will be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of the Agreement. The Agreement headings are inserted for convenience of reference only and shall not constitute a part hereof.

12. **Governing Law.** The internal law, and not the law of conflicts, of the state in which Owner is located will govern all questions concerning construction, validity and interpretation of the Agreement and the performance of the obligations imposed by the Agreement. The proper venue for any proceeding at law or in equity will be the state and county in which the Owner is located, and the Parties waive any right to object to the venue.

13. **Further Assurances.** Contractor and Owner will each sign such other documents and take such actions as the other may reasonably request in order to effect the relationships, Services and activities contemplated by the Agreement and to account for and document those activities.

14. **Relationship of the Parties.** No representations or assertions will be made or actions taken by either Party that could imply or establish any joint venture, partnership, employment or trust relationship between the Parties with respect to the subject matter of the Agreement. Except as expressly provided in the Agreement, neither Party will have any authority or power whatsoever to enter into any agreement, contract or commitment on behalf of the other, or to create

**Asset Disposition Services Agreement**

any liability or obligation whatsoever on behalf of the other, to any person or entity.

Majeure"), it being understood that lack of financial resources will not be deemed a cause beyond a Party's control. Each Party will notify the other Party promptly of any Force Majeure occurrence and carry out the Agreement as promptly as practicable after such Force Majeure is terminated. The existence of any Force Majeure will not extend the term of the Agreement.

15. **Force Majeure.** Neither Party will be liable for any failure of or delay in performance of the Agreement for the period that such failure or delay is due to acts of God, public enemy, war, strikes or labor disputes, or any other cause beyond the Parties' reasonable control (each a "Force

This Agreement, together with one or more signed addendums attached hereto, comprises the entire agreement between Contractor and Owner relating to Services and supersedes any prior understandings, agreements, or representations by or between the parties, whether written or oral.

<b>OWNER</b>	
Signature	<u>[Signature]</u>
Name	<u>JOSEPH COEERS</u>
Title	<u>DIRECTOR</u>
Date	<u>5-2-17</u>

<b>CONTRACTOR</b>	
Signature	_____
Name	_____
Title	_____
Date	_____

**OWNER INFORMATION & AGREEMENT OPTIONS SELECTED**

<b>Owner Name:</b> <u>CITY OF NORWOOD (OHIO)</u>	<b>Account #:</b> _____
<b>Street Address:</b> <u>4645 MONTGOMERY RD.</u>	<b>Cooperative Purchasing Agreement?</b> NJPA <input checked="" type="checkbox"/> TXMAS <input type="checkbox"/> Other (Please specify) _____ <input type="checkbox"/>
<b>City, State/Province, Postal Code, Country:</b> <u>NORWOOD, OH, 45212</u>	<b>Resolution of Unpaid Monthly Service Fees:</b> Balance carry-over <input type="checkbox"/> Monthly Invoice <input checked="" type="checkbox"/>
<b>Telephone:</b> <u>513-458-4520</u>	<b>Fax:</b> <u>513-458-4524</u>
<b>Primary Contact:</b> Name <u>LT. CARL FAIR</u> Work <u>513-458-4522</u> Mobile <u>513-832-4781</u> Email <u>cfair@norwoodpolice.org</u>	<b>Secondary Contact:</b> Name <u>DET. JEFF KILBY</u> Work <u>513-458-4527</u> Mobile <u>513-316-4259</u> Email <u>jkilby@norwoodpolice.org</u>





**City of Norwood Request for Ordinance, Resolution, Amendment, or Repeal**

Date of Request: 9-14-20 Date Needed: 9/22/20  
\*\*\**(Request(s) should be submitted by the Wednesday, at noon, before date needed for Council, earlier if possible.)*

Name: Jim Stith  
*(Name of person(s) requesting document, amendment, or repeal / Department / E-Mail / Telephone)*

Document Needed:  Ordinance     Resolution     Amendment     Repeal

**Executive Summary of document needed:**

\*\*\**(If an amendment or repeal request, list existing Ordinance Number(s)/Section(s) of Ordinance to be amended or repealed, etc. (or attach documents and/or copies as appropriate)*

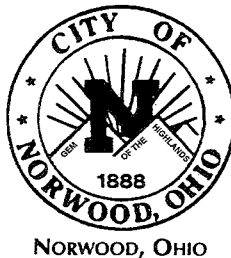
Appropriations Ordinance  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Check if emergency clause or suspension of rules for all three readings is needed (explain):**

Appropriations needed Right Away  
\_\_\_\_\_  
\_\_\_\_\_

**Special Notes/Instructions:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



*Ordinance No.* \_\_\_\_\_ *20*\_\_\_\_\_

**ORDINANCE TO CHANGE APPROPRIATIONS FOR THE YEAR 2020,  
AND DECLARING AN EMERGENCY**

**WHEREAS**, Council wishes to increase and/or decrease appropriation line items for 2020; now therefore,

**BE IT ORDAINED** by the Council of the City of Norwood, State of Ohio, that:

**SECTION 1.** That the appropriations line items are increased and/or decreased as follows:

**See Attached Exhibit "A"**

**SECTION 2.** This ordinance is hereby declared an emergency ordinance and a measure necessary for the immediate preservation of the public peace, health, safety, and general welfare and shall go into effect forthwith. The reason for said emergency is to increase and/or decrease certain appropriations line items.

**PASSED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Miracle  
President of Council

**ATTEST:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**APPROVED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Victor Schneider  
Mayor

**CERTIFICATION OF PUBLICATION:**

Maria Williams , the dully appointed Clerk of Council, attests that this ordinance was published in the

\_\_\_\_\_ on \_\_\_\_\_ and \_\_\_\_\_.  
(Name of Newspaper) (date) (date)

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**1<sup>st</sup> Reading** \_\_\_\_\_  
Date

**2<sup>nd</sup> Reading** \_\_\_\_\_  
Date

**3<sup>rd</sup> Reading** \_\_\_\_\_  
Date

**All 3 Readings** \_\_\_\_\_  
Date

**Tabled** \_\_\_\_\_  
Date

**Vetoed** \_\_\_\_\_  
Date



NORWOOD, OHIO

*Ordinance No.* \_\_\_\_\_ *20*\_\_\_\_\_

**ORDINANCE APPROVING THE PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR REAL PROPERTY OWNED BY PLAYING CARD PARTNERS, KNOWN AS 4590 BEECH STREET, COUNTY AUDITOR’S BOOK 651, PAGE 0019, PARCEL 0125, LOCATED WITHIN A LIGHT MANUFACTURING (M1) ZONE DISTRICT WITH A PUD OVERLAY, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Norwood Planning Commission has recommended that an ordinance be prepared approving the preliminary plan for real property owned by Playing Card Partners, known as 4590 Beech Street, County Auditor’s Book 651, Page 0019, Parcel 0125, located within a Light Manufacturing (M1) zone district with a Planned Unit Development; and

**WHEREAS**, the City desires to support revitalization in this area by means of carefully and creatively planned projects as provided for in Chapter 1155 of the Codified Ordinances of the City of Norwood, Ohio, entitled “Planned Unit Developments”; and

**WHEREAS**, the planned-unit-development process encourages community involvement by including public hearings on proposed projects; and

**WHEREAS**, pursuant to section 1117.06 of the Codified Ordinances of the City of Norwood, the Planning Commission conducted a public hearing on August 5, 2020, regarding the question of recommending approval of the preliminary plan for the project, which is covered by the Planned Unit Development Overlay Zone in the vicinity of 4590 Beech Street, County Auditor’s Book 651, Page 0019, Parcel 0125, provided for herein; and

**WHEREAS**, at the conclusion of the Planning Commission’s public hearing, the Planning Commission voted to recommend approval of the preliminary plan for the project referred to above; covering the area referred to herein;

**WHEREAS**, this Council has conducted a public hearing on September 22, 2020, regarding the question of whether to approve the preliminary plan for the project and concludes that it should approve the preliminary plan for the project; now therefore,

**BE IT ORDAINED** by the Council of the City of Norwood, State of Ohio, that:

**SECTION 1.** This Council hereby accepts and approves the preliminary plan for the property owned by Playing Card Partners, known as 4590 Beech Street, County Auditor’s Book 651, Page 0019, Parcel 0125, located within a Light Manufacturing (M1) zone district with a Planned Unit Development (as filed with the Clerk of Council and the Building Department and incorporated by reference herein).

**SECTION 2.** This ordinance is hereby declared to be an emergency ordinance and a measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall go into effect forthwith. The reason for said emergency is the necessity to proceed forthwith to provide permanent housing and other uses at the subject site.

**PASSED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Miracle  
President of Council



**SECTION 2.** This Ordinance shall go into effect on the earliest date allowed by law.

**PASSED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Miracle  
President of Council

**ATTEST:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Maria Williams.  
Clerk of Council

**APPROVED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Victor Schneider  
Mayor

**CERTIFICATION OF PUBLICATION:**

Maria Williams, the duly appointed Clerk of Council, attests that this Ordinance was published in the \_\_\_\_\_ on \_\_\_\_\_ and \_\_\_\_\_.  
(Name of Newspaper) (date) (date)

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**ORDINANCE READINGS**

**1<sup>st</sup> Reading** \_\_\_\_\_  
Date

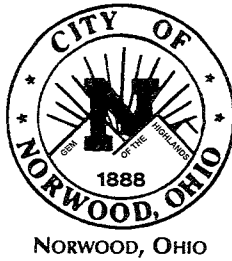
**2<sup>nd</sup> Reading** \_\_\_\_\_  
Date

**3<sup>rd</sup> Reading** \_\_\_\_\_  
Date

**All 3 Readings** \_\_\_\_\_  
Date

**Tabled** \_\_\_\_\_  
Date

**Vetoed** \_\_\_\_\_  
Date



*Ordinance No.* \_\_\_\_\_ *20*\_\_\_\_\_

**ORDINANCE APPROVING THE PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR REAL PROPERTY OWNED BY PLAYING CARD PARTNERS, KNOWN AS 4590 BEECH STREET, COUNTY AUDITOR'S BOOK 651, PAGE 0019, PARCEL 0125, LOCATED WITHIN A LIGHT MANUFACTURING (M1) ZONE DISTRICT WITH A PUD OVERLAY, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Norwood Planning Commission has recommended that an ordinance be prepared approving the preliminary plan for real property owned by Playing Card Partners, known as 4590 Beech Street, County Auditor's Book 651, Page 0019, Parcel 0125, located within a Light Manufacturing (M1) zone district with a Planned Unit Development; and

**WHEREAS**, the City desires to support revitalization in this area by means of carefully and creatively planned projects as provided for in Chapter 1155 of the Codified Ordinances of the City of Norwood, Ohio, entitled "Planned Unit Developments"; and

**WHEREAS**, the planned-unit-development process encourages community involvement by including public hearings on proposed projects; and

**WHEREAS**, pursuant to section 1117.06 of the Codified Ordinances of the City of Norwood, the Planning Commission conducted a public hearing on August 5, 2020, regarding the question of recommending approval of the preliminary plan for the project, which is covered by the Planned Unit Development Overlay Zone in the vicinity of 4590 Beech Street, County Auditor's Book 651, Page 0019, Parcel 0125, provided for herein; and

**WHEREAS**, at the conclusion of the Planning Commission's public hearing, the Planning Commission voted to recommend approval of the preliminary plan for the project referred to above; covering the area referred to herein;

**WHEREAS**, this Council has conducted a public hearing on September 22, 2020, regarding the question of whether to approve the preliminary plan for the project and concludes that it should approve the preliminary plan for the project; now therefore,

**BE IT ORDAINED** by the Council of the City of Norwood, State of Ohio, that:

**SECTION 1.** This Council hereby accepts and approves the preliminary plan for the property owned by Playing Card Partners, known as 4590 Beech Street, County Auditor's Book 651, Page 0019, Parcel 0125, located within a Light Manufacturing (M1) zone district with a Planned Unit Development (attached hereto as Exhibit A, and incorporated by reference herein).

**SECTION 2.** This ordinance is hereby declared to be an emergency ordinance and a measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall go into effect forthwith. The reason for said emergency is the necessity to proceed forthwith to provide permanent housing and other uses at the subject site.

**PASSED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Miracle  
President of Council

**ATTEST:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**APPROVED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Victor Schneider  
Mayor

**CERTIFICATION OF PUBLICATION:**

Maria Williams, the duly appointed Clerk of Council, attests that this Ordinance was published in the \_\_\_\_\_ on \_\_\_\_\_ and \_\_\_\_\_.  
(Name of Newspaper) (date) (date)

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**ORDINANCE READINGS**

**1<sup>st</sup> Reading** \_\_\_\_\_  
Date

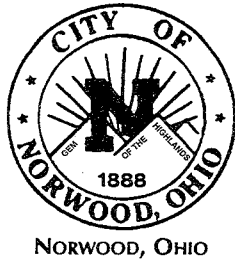
**2<sup>nd</sup> Reading** \_\_\_\_\_  
Date

**3<sup>rd</sup> Reading** \_\_\_\_\_  
Date

**All 3 Readings** \_\_\_\_\_  
Date

**Tabled** \_\_\_\_\_  
Date

**Vetoed** \_\_\_\_\_  
Date



*Ordinance No.* \_\_\_\_\_ *20* \_\_\_\_\_

**ORDINANCE ESTABLISHING THE NORWOOD ARTS BOARD**

**WHEREAS**, the City Council has been receiving citizen input, including at meetings of the Council’s Standing Committees, suggesting benefits to the community by the formation of a Norwood Arts Board, as public and other art projects are being discussed throughout the City of Norwood; now therefore,

**BE IT ORDAINED** by the Council of the City of Norwood, State of Ohio, that:

**SECTION 1.** Chapter 165 of the Codified Ordinances of the City of Norwood, entitled “Norwood Arts Board,” is hereby adopted to read as follows:

CHAPTER 165 Norwood Arts Board

- 165.01 Established.
- 165.02 Membership.
- 165.03 Term of office; compensation; duties.
- 165.04 Review of Board decisions by Council.

165.01 ESTABLISHED.

The Norwood Arts Board is hereby established within the City of Norwood.

165.02 MEMBERSHIP.

The Norwood Arts Board shall consist of three Members who are citizens and residents of the City. Members shall be appointed by the Mayor, with the approval of Council. One Member may be a non-resident if he or she has relevant expertise, upon the approval of Council.

165.03 TERM OF OFFICE; COMPENSATION; DUTIES.

(a) Initially, one of the Members of the Board shall be appointed for one year, one for two years, and one for three years. Thereafter, Members shall be appointed for a term of three years. In the event that a vacancy shall occur during the term of any Member, his or her successor shall be appointed for the unexpired portion.

(b) Members of the Board shall serve without compensation.

(c) Members of the Board shall advise and inform the Mayor and Council on issues concerning the arts in Norwood, choose officers, make rules, keep minutes and other administrative duties, and perform any other duty related to the purpose of the Board.

(d) Members of the Board shall advise the Mayor and Council concerning all matters pertaining to municipal involvement in the arts in Norwood.

(e) Members of the Board shall promote public and private cooperation in support of the arts.

(f) Members of the Board may develop and recommend to the Administration and Council ordinances, regulations, and programs to promote the arts in Norwood.

(g) Members of the Board shall research and seek grants and other funding opportunities to promote the arts in Norwood.

(h) Members of the Board shall review Mural applications under Codified Ordinance 1321.15 and may provide suggestions to the applicant on a purely advisory basis.

165.04 REVIEW OF BOARD DECISIONS BY COUNCIL.

Council shall have the right to review any conduct, acts and decisions of the Norwood Arts Board.

**PASSED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Miracle  
President of Council

**ATTEST:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**APPROVED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Victor Schneider  
Mayor

**CERTIFICATION OF PUBLICATION:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was published in the \_\_\_\_\_ on \_\_\_\_\_ and \_\_\_\_\_.  
(Name of Newspaper) (date) (date)

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**ORDINANCE READINGS**

1<sup>st</sup> Reading \_\_\_\_\_  
Date

2<sup>nd</sup> Reading \_\_\_\_\_  
Date

3<sup>rd</sup> Reading \_\_\_\_\_  
Date

All 3 Readings \_\_\_\_\_  
Date

Tabled \_\_\_\_\_  
Date



NORWOOD, OHIO

*Resolution No.* \_\_\_\_\_ *20* \_\_\_\_\_

**A RESOLUTION DECLARING IT TO BE THE DESIRE OF COUNCIL THAT HALLOWEEN TRICK-OR-TREAT BE CELEBRATED ON SATURDAY, OCTOBER 31, 2020, BETWEEN THE HOURS OF 6:00 P.M. AND 8:00 P.M., AND RECOMMENDING THAT MASKS BE WORN, THAT SOCIAL DISTANCING BE PRACTICED, AND THAT HAND WASHING OR SANITIZING BE DONE**

**WHEREAS**, the Mayor of the City of Norwood and the Norwood Police Division have determined that Halloween trick-or-treat should be celebrated between the hours of 6:00 P.M. and 8:00 P.M., on Saturday, October 31, 2020; and

**WHEREAS**, the United States Centers for Disease Control, in response to the presence and spread of COVID-19 throughout the United States of American, including the City of Norwood, recommends that masks covering the wearer’s nose, mouth and chin, be worn, that a social distance between people of at least six feet be maintained, and that careful handwashing with soap and water, or hand sanitizing be practiced to prevent the spread of the virus; and

**WHEREAS**, the safety of children trick-or-treating, of their adult chaperones, and of the Norwood residents distributing treats, is of paramount importance; now therefore,

**BE IT RESOLVED** by the Council of the City of Norwood, State of Ohio:

**SECTION 1.** That it is the desire of Council that Halloween trick-or-treat be celebrated between the hours of 6:00 P.M. and 8:00 P.M., on Saturday, October 31, 2020.

**SECTION 2.** That the Council recommends that children trick-or-treating, their adult chaperones, and the residents distributing treats, wear masks covering their noses, mouths and chins, maintain a social distance of at least six feet from other people, and wash their hands with soap and water, or otherwise sanitize their hands, as frequently as practicable, to mitigate the risk of exposure and spread of COVID-19, as recommended by the United States Centers for Disease Control.

**SECTION 3.** That a copy of this Resolution be posted in accordance with Section 731.25 of the Ohio Revised Code, and that copies be distributed to all news media within this area.

**PASSED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Miracle  
President of Council

**ATTEST:**

Maria Williams, the duly appointed Clerk of Council, attests that this resolution was passed at a regular/special meeting of Norwood City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing resolution was submitted to the Mayor of the City of Norwood, Ohio for his signature on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**APPROVED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Victor Schneider  
Mayor

**CERTIFICATION OF PUBLICATION:**

Maria Williams , the duly appointed Clerk of Council, attests that this ordinance was published in the

\_\_\_\_\_ on \_\_\_\_\_ and \_\_\_\_\_  
(Name of Newspaper) (date) (date)

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**1<sup>st</sup> Reading** \_\_\_\_\_  
Date

**2<sup>nd</sup> Reading** \_\_\_\_\_  
Date

**3<sup>rd</sup> Reading** \_\_\_\_\_  
Date

**All 3 Readings** \_\_\_\_\_  
Date

**Tabled** \_\_\_\_\_  
Date

**Vetoed** \_\_\_\_\_  
Date



NORWOOD, OHIO

*Ordinance No.* \_\_\_\_\_ *20* \_\_\_\_\_

**ORDINANCE AMENDING CHAPTER 1321 OF THE NORWOOD CODIFIED  
ORDINANCES TO ALLOW MURALS  
IN CERTAIN AREAS OF THE CITY OF NORWOOD**

**WHEREAS**, Norwood City Council has been considering the benefits and concerns arising from authorizing murals on the exterior surfaces of structures within the City of Norwood; and

**WHEREAS**, Norwood City Council has convened meetings of Council committees to discuss authorizing murals and has received substantial information from Norwood citizens, visual artists, and other interested stakeholders during these committee meetings of Council and,

**WHEREAS**, in order to enable the design and execution of murals Council must amend some portions of Chapter 1321 of the Norwood Codified Ordinances, as follows; now, therefore,

**BE IT ORDAINED:**

**SECTION 1.** Section 1321.02 DEFINITIONS of the Norwood Codified Ordinances is hereby amended to add subsection (51A) to Section 1321.02(a), to read as follows:

(51A) "Mural" means a non-commercial painting or artwork temporarily or permanently affixed to the exterior of a building wall, freestanding wall, or fence, which can be seen from the public right-of-way, and is distinguished from signage in that it does not advertise a business, commercial endeavor, or product sold or offered on the site or off-site. The requirements of Sections 1321.03 through 1321.13 do not apply to murals, which are governed by 1321.15.

**SECTION 2.** Subsection (a)(62) of Section 1321.02 DEFINITIONS of the Norwood Codified Ordinances is hereby amended to read as follows, by adding the last sentence:

(62) "Sign" means, for the purpose of this chapter, any fabricated sign or outdoor display structure, including its structure, consisting of any letter, figure, character, mark, point, plane, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, or illuminating device which is legible to the public at a distance of six feet, constructed, attached, erected, fastened, or manufactured in any manner whatsoever so that the same shall convey a message or be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise. As used in this Chapter, "sign" does not include murals (as defined in Section 1321.02(51A)).

**SECTION 3.** Chapter 1321 SIGNS of the Norwood Codified Ordinances is hereby amended to add new Section 1321.15 Murals, as follows:

**1321.15 Murals**

(a) Murals are regarded as works of art and must demonstrate an artistic quality or theme as opposed to direct or indirect illustrative advertising. Advertising copy and trademarks are prohibited.

(b) Permits, Fees and Inspections.

(1) No mural shall hereafter be erected, reerected, constructed, altered, or maintained, except as provided by this chapter and a permit for same has been issued by



the Building Commissioner. Application for mural permits shall be made upon forms provided by the Building Commissioner and shall include the following:

- (A) The name, address, and telephone number of the applicant;
- (B) The name of a person, firm, corporation, or association erecting

the mural;

- (C) Three sets of drawings and specifications for the mural;
- (D) A site plan and the location of the building or structure upon

which the mural is to be erected;

- (E) The building elevations;
- (F) Such other information as the Building Commissioner shall

require to show full compliance with this and all other applicable City laws and ordinances.

(2) A mural permit fee of \$120.00 shall be paid with the application.

(3) The Building Department shall forward a copy of the application to the Norwood Arts Board for their information. The Norwood Arts Board shall have no authority to approve or deny a mural permit application.

(4) The Building Department shall act on all applications for mural permits, on which they are authorized to act pursuant to this Chapter, within thirty (30) days of receipt of the completed application and payment of the permit fee. The Building Department shall issue either a permit or a denial letter within thirty (30) days of the receipt of the completed application and payment of the permit fee. An applicant may appeal a denial letter to the Appeals Board pursuant to Section 1321.14 of the Codified Ordinances of Norwood, Ohio.

(5) A mural shall not be enlarged or relocated, except in conformity to the provisions of this chapter for new murals, nor until a new mural permit has been secured.

(6) Painting, repairing, cleaning or other normal maintenance and repair of a mural shall not be considered as creating a mural to require the issuance of a new mural permit.

(c) Maintenance. All murals shall be kept in repair and in proper state of preservation. It shall be the duty and responsibility of the owner or lessee of every building with a mural to maintain the immediate premises occupied by the mural in a clean, sanitary, and healthful condition. The Building Commissioner may order the removal of any mural that is not maintained in accordance with the provisions of this chapter.

(d) Mural Area and Standards.

(1) Murals shall include high-quality materials, which may include paint or other media appropriate for exterior use, such as tile or mosaic. Materials shall be long-lasting and graffiti-resistant to the greatest extent possible.

(2) Murals shall not adversely affect the safe and efficient movement of vehicles and pedestrians.

(3) Only one mural may be placed on any wall of a building.

(4) The total area of the mural must be no less than (a) for a wall less than 800 square feet, at least 50% of the total area of the wall on which it is located (b) for a wall 800 square feet or larger, the total area of the mural shall be at least 400 square feet. The total area of the mural shall include the entire portion within any background, frame, or overall composition.

(5) Murals shall not cover or obscure distinctive architectural or historic features of the building or structure.

(e) Murals owned and sponsored by the State, County, City or public utility entities shall be exempt from the permit and other requirements of this Section.

(f) Permitted Mural Locations. Murals shall be permitted:

(1) Within a Major Planned Unit Development with a contiguous area in excess of 10 acres, when incorporated into a Final Plan Approval or as approved by the Planning Commission as a minor amendment;

(2) On buildings in districts zoned for Commercial Uses (NBD; O; GBD; CBD; M-1; and M-2); and

(3) On a building within a district zoned for Residential Uses (R-1; R-2; RMX; and R-3) currently occupied by a permitted or approved school use or conditional commercial use.

**PASSED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Miracle  
President of Council

**ATTEST:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**APPROVED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Victor Schneider  
Mayor

**CERTIFICATION OF PUBLICATION:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was published in the \_\_\_\_\_ on \_\_\_\_\_ and \_\_\_\_\_.  
(Name of Newspaper) (date) (date)

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**ORDINANCE READINGS**

1<sup>st</sup> Reading \_\_\_\_\_  
Date

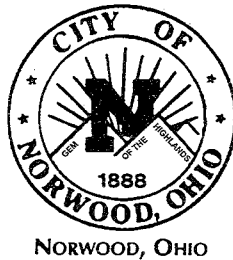
2<sup>nd</sup> Reading \_\_\_\_\_  
Date

3<sup>rd</sup> Reading \_\_\_\_\_  
Date

All 3 Readings \_\_\_\_\_  
Date

Tabled \_\_\_\_\_  
Date

Vetoed \_\_\_\_\_  
Date



*Ordinance No.* \_\_\_\_\_ *20*\_\_\_\_\_

**ORDINANCE AMENDING CHAPTER 1321 OF THE NORWOOD CODIFIED  
ORDINANCES TO ALLOW MURALS  
IN CERTAIN AREAS OF THE CITY OF NORWOOD**

**WHEREAS**, Norwood City Council has been considering the benefits and concerns arising from authorizing murals on the exterior surfaces of structures within the City of Norwood; and

**WHEREAS**, Norwood City Council has convened meetings of Council committees to discuss authorizing murals and has received substantial information from Norwood citizens, visual artists, and other interested stakeholders during these committee meetings of Council and,

**WHEREAS**, in order to enable the design and execution of murals, Council must amend some portions of existing portions of Chapter 1321 of the Norwood Codified Ordinances, as follows; now, therefore,

**BE IT ORDAINED:**

**SECTION 1.** Section 1321.02 DEFINITIONS of the Norwood Codified Ordinances is hereby amended to add subsection (51A) to Section 1321.02(a), to read as follows:

(51A) "Mural" means a non-commercial painting or artwork temporarily or permanently affixed to the exterior of a building wall, freestanding wall, or fence, which can be seen from the public right-of-way, and is distinguished from signage in that it does not advertise a business, commercial endeavor, or product sold or offered on the site or off-site. The requirements of Sections 1321.03 through 1321.13 do not apply to murals, which are governed by 1321.15.

**SECTION 2.** Subsection (a)(62) of Section 1321.02 DEFINITIONS of the Norwood Codified Ordinances is hereby amended to add to read as follows, by adding the last sentence:

(62) "Sign" means, for the purpose of this chapter, any fabricated sign or outdoor display structure, including its structure, consisting of any letter, figure, character, mark, point, plane, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, or illuminating device which is legible to the public at a distance of six feet, constructed, attached, erected, fastened, or manufactured in any manner whatsoever so that the same shall convey a message or be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise. As used in this Chapter, "sign" does not include murals (as defined in Section 1321.02(51A)).

**SECTION 3.** Chapter 1321 SIGNS of the Norwood Codified Ordinances is hereby amended to add new Section 1321.15 Murals, as follows:

**1321.15 Murals**

(a) Murals are regarded as works of art and must demonstrate an artistic quality or theme as opposed to direct or indirect illustrative advertising. Advertising copy and trademarks are prohibited.

(b) Permits, Fees and Inspections.

(1) No mural shall hereafter be erected, reerected, constructed, altered, or maintained, except as provided by this chapter and a permit for same has been issued by the Building Commissioner. Application for mural permits shall be made upon forms provided by the Building Commissioner and shall include the following:

(A) The name, address, and telephone number of the applicant;  
(B) The name of a person, firm, corporation, or association erecting the mural;

(C) Three sets of drawings and specifications for mural;  
(D) A site plan and the location of the building or structure upon which the mural is to be erected;

(E) The building elevations;  
(F) Such other information as the Building Commissioner shall require to show full compliance with this and all other applicable City laws and ordinances.

(2) A mural permit fee of \$120.00 shall be paid.

(3) The Building Department shall forward a copy of the application and accompanying to the Norwood Arts Board for their information. The Norwood Arts Board shall have no authority to approve or deny a mural permit application.

(4) The Building Department shall act on all applications for mural permits on which they are authorized to act pursuant to this Chapter within thirty (30) days of receipt of the completed application and payment of the permit fee. The Building Department shall issue either a permit or denial letter within thirty (30) days of the receipt of the completed application and payment of the permit fee. Denial letters may be appealed to the Appeals Board pursuant to Section 1321.14 of the Codified Ordinances of Norwood, Ohio.

(5) A mural shall not be enlarged or relocated except in conformity with the provisions of this chapter for new murals, nor until a proper permit has been secured.

(6) Painting, repairing, cleaning or other normal maintenance and repair of a mural shall not be considered as creating a mural to require the issuance of another mural permit.

(c) Maintenance. All murals shall be kept in repair and in a proper state of preservation. It shall be the duty and responsibility of the owner or lessee of every building with a mural to maintain the immediate premises occupied by the mural in a clean, sanitary, and healthful condition. The Building Commissioner may order the removal of any mural that is not maintained in accordance with the provisions of this chapter.

(d) Mural Area and Standards.

(1) Murals shall include high-quality materials, which may include paint or other media appropriate for exterior use, such as tile or mosaic. Materials shall be long-lasting and graffiti-resistant to the greatest extent possible.

(2) Murals shall not adversely affect the safe and efficient movement of vehicles and pedestrians.

(3) No more than one mural may be placed on any wall of a building.

(4) The total area of the mural must be no less than (a) for a wall less than 800 square feet, at least 50% of the total area of the wall on which it is located, (b) for a wall 800 square feet or larger, the total area of the mural shall be at least 400 square feet. The total area of the mural shall include the entire portion within any background, frame, or overall composition.

(5) Murals shall not cover or obscure distinctive architectural or historic features of the building or structure.

(e) Murals owned and sponsored by the State, County, City or public utility entities shall be exempt from the permit and other requirements of this Section.

(f) Permitted Mural Locations. Murals shall be permitted:

(1) Within a Major Planned Unit Development with a contiguous area in excess of 10 acres, when incorporated into a Final Plan Approval or as approved by the Planning Commission as a minor amendment, and

(2) On buildings in districts zoned for Commercial Uses (NBD; O; GBD; CBD; M-1; and M-2).

**PASSED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Miracle  
President of Council

**ATTEST:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**APPROVED** \_\_\_\_\_  
Date

\_\_\_\_\_  
Victor Schneider  
Mayor

**CERTIFICATION OF PUBLICATION:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was published in the \_\_\_\_\_ on \_\_\_\_\_ and \_\_\_\_\_.  
(Name of Newspaper) (date) (date)

\_\_\_\_\_  
Maria Williams  
Clerk of Council

**ORDINANCE READINGS**

1<sup>st</sup> Reading \_\_\_\_\_  
Date

2<sup>nd</sup> Reading \_\_\_\_\_  
Date

3<sup>rd</sup> Reading \_\_\_\_\_  
Date

All 3 Readings \_\_\_\_\_  
Date

Tabled \_\_\_\_\_  
Date

Vetoed \_\_\_\_\_  
Date

**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

22487560005		TREX		DONNA CAP LLC	
PERMIT NUMBER		TYPE		1919 CLENEY AV	
06	01	2019		NORWOOD OH 45212	
ISSUE DATE					
08	13	2020			
FILING DATE					
D1					
PERMIT CLASSES					
31	319	A	F23963		
TAX DISTRICT			RECEIPT NO.		

FROM 08/26/2020

2972767				CENTERVILLE FUSIAN LLC	
PERMIT NUMBER		TYPE		DBA FUSIAN	
06	01	2019		1024 MIAMISBURG CENTERVILLE RD B6	
ISSUE DATE					
08	13	2020		WASHINGTON TWP	
FILING DATE		DAYTON OH 45459			
D1					
PERMIT CLASSES					
57	952				
TAX DISTRICT			RECEIPT NO.		



MAILED 08/26/2020

RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/28/2020

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A TREX 2248756-0005**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF NORWOOD CITY COUNCIL**  
4645 MONTGOMERY ROAD  
NORWOOD OHIO 45212

**RECEIVED**

SEP 02 2020

OFF.  
CLERK OF

Commerce Division of Liquor Control : Web Database Search

**OWNERSHIP DISCLOSURE INFORMATION**

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

**Searching Instructions**

Enter the known information and click the "Search" button. **For best results, search only ONE criteria at a time.** If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

SEARCH CRITERIA	
<b>Permit Number</b>	22487560005
<b>Permit Name / DBA</b>	
<b>Member / Officer Name</b>	

[Search](#)[Reset](#)[Main Menu](#)

Member/Officer Name	Shares/Interest	Office Held
<b>Permit Number:</b> 22487560005; <b>Name:</b> DONNA CAP LLC; <b>DBA:</b> ; <b>Address:</b> 1919 CLENEAY AV NORWOOD 45212		
BENJAMIN CAPODAGLI	MANAGE MEM	

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

[Commerce Home](#) | [Press Room](#) | [CPI Policy](#) | [Privacy Statement](#) | [Public Records Request Policy](#) | [Disclaimer](#) | [Employment](#) | [Contacts](#)

## Clerk of Norwood City Council

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**From:** [ssd@norwoodohio.gov](mailto:ssd@norwoodohio.gov)  
**Sent:** Wednesday, September 02, 2020 1:14 PM  
**To:** 'Clerk of Norwood City Council'  
**Subject:** RE: Cappy's

Thanks Liz, No issues from my Office. JPM

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**From:** Clerk of Norwood City Council <[council@norwoodohio.gov](mailto:council@norwoodohio.gov)>  
**Sent:** Wednesday, September 2, 2020 10:57 AM  
**To:** Brian Williamson <[bwilliamson@norwoodhealth.org](mailto:bwilliamson@norwoodhealth.org)>; [cbarlow@norwood-ohio.com](mailto:cbarlow@norwood-ohio.com); [wkramer@norwoodpolice.org](mailto:wkramer@norwoodpolice.org); [tmccabe@norwoodohiofire.org](mailto:tmccabe@norwoodohiofire.org); [mayor@norwoodohio.gov](mailto:mayor@norwoodohio.gov); [ssd@norwoodohio.gov](mailto:ssd@norwoodohio.gov); 'Keith Moore' <[kmoores@norwoodohio.gov](mailto:kmoores@norwoodohio.gov)>; [cfair@norwoodpolice.org](mailto:cfair@norwoodpolice.org); Chris Kelsch <[ckelsch@norwoodohio.gov](mailto:ckelsch@norwoodohio.gov)>; Eric Dinardo <[edinardo@norwoodohio.gov](mailto:edinardo@norwoodohio.gov)>; Eric Thompson <[ethompson@norwoodohio.gov](mailto:ethompson@norwoodohio.gov)>; James Bonsall <[jbonsall@norwoodohio.gov](mailto:jbonsall@norwoodohio.gov)>; John Breadon <[jbreadon@norwoodohio.gov](mailto:jbreadon@norwoodohio.gov)>; [kmiracle@norwoodohio.gov](mailto:kmiracle@norwoodohio.gov); Matthew Geraci <[mgeraci@norwoodohio.gov](mailto:mgeraci@norwoodohio.gov)>; Michael Gabbard <[mgabbard@norwoodohio.gov](mailto:mgabbard@norwoodohio.gov)>; [mwilliams@norwoodohio.gov](mailto:mwilliams@norwoodohio.gov)  
**Subject:** Cappy's

Attached is a notice to request a hearing regarding Cappy's Trex. Please review all documentation and have all request/notices to me by 10am Friday September 18<sup>th</sup>.

Thank you,

Liz Mize

Secretary to the Clerk of Council

Civil Service Secretary

513-458-4594

[council@norwoodohio.gov](mailto:council@norwoodohio.gov)



Virus-free. [www.avg.com](http://www.avg.com)



To: Members of Norwood City Council

Da: September 9, 2020

Re: Murals in city

Dear Members of Council,

**I am writing in opposition to the Council considering changing an ordinance prohibiting murals within the city.** The current ordinance prohibiting murals is in place because of reasons prior city administrations felt were pertinent and in the city's best interest, as well as the best interest of the residents. Perhaps if the proponents of murals, who seem to be mainly younger residents or newer residents, were to have asked residents who have been here a long time why the ordinance was in place we would not be here today. First, let me state that I enjoy the murals that ArtWorks does in downtown Cincinnati. There are large expanses of brick and concrete in the downtown Cincinnati area that are conducive to mural art. The murals provide color and vibrancy where there are not *opportunities to plant trees and containers of plants*. Downtown Cincinnati is also NOT a residential area, per se, so the likelihood of offending one's neighbors is minimal at best. And there is the fact that professionally-done murals, such as the ones installed by ArtWorks, are prohibitively expensive for most. However, the ordinances being considered by this Council do NOT take those caveats into consideration. We have certain ordinances "on the books", not to solely squelch creativity, but to keep peace between neighbors in a densely-populated area. **What your neighbor does to their property DOES affect your peace of mind, your property value, and, if you so choose, your ability to sell your house.** **The fact that the city CANNOT dictate the content of murals, due to First Amendment considerations as decided by the Courts, means that allowing murals opens up**

**a proverbial can of worms, possibly pitting neighbor against neighbor.** Even the *discussion* of this topic has sadly resulted in mud-slinging and name-calling on Norwood social media.

Allowing murals presents the real possibility that someone will push the envelope and paint something offensive on their property. For instance, how many of you would like to see a (permanent) Confederate flag, something a good number of people find offensive, in your face every day? And what is offensive to one person may not be to another. **It would be within the realm of possibility that murals could be used to harass, intimidate, or denigrate** a resident or group of residents in a neighborhood, despite reassurances from the pro-mural contingent because, again, the city *cannot*, by law, dictate mural content. (Even the largely "toothless", proposed "Art/Mural Board" would **not** be able to dictate what murals cannot be painted in the city.) Try selling your home with a large, offensive mural visible from your home. It does not take long for a painted surface to look tired and worn. What steps would be taken to ensure the public that murals will be properly maintained? What happens when a person who has painted a mural moves? Will the mural be ordered painted over? What happens if a mural is vandalized? Who is responsible to fix it (because that costs money) and what is the time frame? **We all know that getting property owners to comply with city ordinances is hard enough as it is, often involving the courts and lost city employee hours. Do we really want to burden an already over-worked Building Department with enforcement of murals??** In a densely-populated area such as Norwood, peace between neighbors should be foremost in Council and the administration's minds when considering the passage of any ordinance. Also, the fact that some residents wish to paint murals on historically relevant city property, such as the Community Center and the old Safety Lane, is alarming to me as well. Once those buildings are painted it cannot be undone *without huge expense to the city*. In fact, **NO city buildings should**

**be defaced by murals** because then the city is obligated to maintain and repair them. Imagine a teen tagger adding their "two cents" to a mural via spray paint can. Does the city have the wherewithal to pull Public Works workers from grass-cutting, dragging fields, and snowplowing to fix a mural on city property? Is that an appropriate expenditure of taxpayer money or city worker time? I believe it is NOT.

Proponents of the murals want us to believe that "Norwood deserves the best". Yes, our city does. That would be in the form of ordinances aimed at increasing the tree canopy of the city or better parks and streets, for example. To quote another anti-muralist, "You don't see them in vibrant and successful communities, but rather in more downtrodden places, a symbol, to me, of towns that have turned to their last resort, a cheap injection of color or change in places where industry and commerce have left." I, for one am not ready to write off as "downtrodden". We, more permanent and long-time Norwood residents, as well as our parents and grandparents before us, have had existing ordinances passed in order to improve the aesthetics and livability of our city because **we already DO want the best for our city**. If one really feels that Norwood "deserves the best", then "walk the walk " and pick up litter, volunteer to paint playground equipment, weed your sidewalks and curbs, plant trees and flowers, and maintain your property as many of us have done for decades already. But, murals? An emphatic **NO!** It is my hope that Council will thoughtfully listen to *ALL of their constituents* despite any possible attempts at influence by friends and family members. Thank you for your time.

Sincerely,

René Dierker



4110 Floral Avenue

Norwood City Hall  
4645 Montgomery Road  
Norwood, Ohio 45212



Tim Molony  
Treasurer  
(513) 458-4580  
Fax 458-4581

## Department of the Treasury

September 16, 2020

Norwood City Council  
4645 Montgomery Road  
Norwood, Ohio 45212

Dear Members of Council,

Attached is the Bank Reconciliation for August, 2020. If you have any questions please feel free to contact me.

Sincerely,

Tim Molony  
Treasurer  
City of Norwood

**CITY OF NORWOOD  
TREASURER'S WORKSHEET  
August-20**

**BANK BALANCE**

UDAG 3488	\$	1,000.00		\$	16,762,696.95	Auditor's Balance
Economic Development 3968	\$	721.31		\$	890,202.51	O/S Checks
Earnings Tax 3439	\$	92,096.19		\$	(2,290.57)	returned cks needing negative pay in
Water 1640	\$	161,504.35				
Disbursement Checking 3405	\$	4,764,876.31	Aug-20	\$	21,404.80	August Timing Issues
Other Funds 7487	\$	11,783.63	Aug-20	\$	(4,754.68)	Accumulated unresolved errors
General Fund 7479	\$	49,547.48				
Cornerstone Escrow 9780	\$	18,022.39				
Paycor Incentive 7952	\$	1,148.38				
iSqFt 9602	\$	5,767.07				
CDK Global 9594	\$	1,735.63				
2109 Cathedral Ave 1465	\$	10,500.00				
4732 Ridgeway 8991	\$	9,360.00				
5123 Silver Street	\$	18,000.00				
C - 9 Trust 2039	\$	18.42				
Cornerstone Reserve TIF fund 86	\$	1,195,494.10				
Linden Pt TIF fund 87	\$	343,350.00				
STAR Ohio (76212)	\$	8,172,417.08				
STAR Ohio Fund 89 (76224)	\$	2,807,393.32				
Payroll Account Over/Underfunding	\$	2,523.35				
<b>total</b>					<u>\$</u>	<u>\$ 17,667,259.01</u>

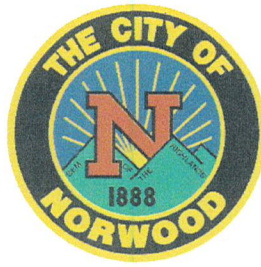
Prepared by: *Chuck Sa*  
 Reviewed by: *Lyndy McElroy*

9/22/2020

EXHIBIT A

Increase in Permanent Appropriations to the following funds:

96	NORWOOD CORONA VIRUS RELIEF FUND	\$140,565.64
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Office of the Safety-Service Director

September 18, 2020

Mr. Ken Miracle, President  
Members of Norwood City Council

RE: Preliminary Construction Schedule-Cathedral and Shanmoor Avenue


Dear President and Members of Council:

We are excited to announce the repaving of Cathedral Avenue and Shanmoor Avenue. This project has a quick timeline and much of the work is weather dependent, so this timeline may change. Below, please find the preliminary construction schedule for this paving project:

Pavement Planning and Asphalt Intermediate Course	9/25/2020-10/2/2020
ADA Ramps, Catch Basin Items and Curb Replacement	10/5/2020-10/23/2020
Asphalt Surface Course & Rejuvenator	10/26/2020-10/30/2020
Pavement Markings	11/2/2020-11/6/2020

Should you have any questions, please do not hesitate to contact me.

Sincerely,



John Murphy,  
Safety Service Director  
City of Norwood