



NORWOOD CITY COUNCIL
Norwood Community Center
1810 Courtland Ave- Bottom Floor
Norwood, OH 45212
January 12, 2021
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

G) VETO OVERRIDE

- 1) RESOLUTION EXPRESSING COUNCIL'S OBJECTION TO MAJOR CHANGES IN THE STATUS OF THE NORWOOD COMMUNICATION CENTER, DISPATCH SERVICES, 911 SERVICES, AND STATUS AS A PUBLIC SAFETY ANSWERING POINT (PSAP) WITHOUT EXPRESS COUNCIL APPROVAL

H) PUBLIC HEARINGS

I) REQUEST TO ADDRESS COUNCIL

Mayor Victor Schneider, proclamation

Re: Helen T. Geraci

J) REPORTS OF STANDING COMMITTEES OF COUNCIL

K) THIRD READING OF ORDINANCES/RESOLUTIONS

L) SECOND READING OF ORDINANCES/RESOLUTIONS

- 1) RESOLUTION AUTHORIZING THE CITY OF NORWOOD TO PURCHASE, AND USE, "EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY" THROUGH PUBLIC ENTITIES POOL (PEP)

M) INTRODUCTORY READING OF ORDINANCES/RESOLUTION

- 1) ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACTUAL AGREEMENT WITH THE HAMILTON COUNTY BOARD OF COUNTY COMMISSIONERS TO PROVIDE PUBLIC SAFETY EMERGENCY DISPATCH SERVICES TO THE CITY OF NORWOOD, AND DECLARING AN EMERGENCY

N) ADMINISTRATION REPORTS

O) UNFINISHED BUSINESS

P) NEW BUSINESS

Q) COMMUNICATIONS

Safety Service Director, John Murphy

Re: Water Rates

Clerk of Courts

Re: December Mayor's Court Fines

Law Department

Re: Law Director's Report

"Gem of the Highlands"

- R) EXCUSE ABSENT MEMBER/S
- S) ADJOURNMENT

"Gem of the Highlands"

L-3



NORWOOD, OHIO

Resolution No. 14 20 20

RESOLUTION EXPRESSING COUNCIL'S OBJECTION TO MAJOR CHANGES IN THE STATUS OF THE NORWOOD COMMUNICATION CENTER, DISPATCH SERVICES, 911 SERVICES, AND STATUS AS A PUBLIC SAFETY ANSWERING POINT (PSAP) WITHOUT EXPRESS COUNCIL APPROVAL

WHEREAS, the Administration has been in discussions with Hamilton County about the County taking over all or part of the 911 and dispatch services currently performed by employees of the City of Norwood; and

WHEREAS, Council believes that any agreement with the County or significant changes to the appropriations to accommodate such a change would legally require prior Council approval; and

WHEREAS, Council believes the decision to turn over such an important City service to an outside entity would be a fundamental alteration to the City's identity; and

WHEREAS, such a change is a major policy decision with extremely long-term consequences; and

WHEREAS, it is Council's opinion that such a major decision should be made in a reasoned manner following serious deliberation and conversation by the Administration and Council, that is, those selected by the citizens of Norwood to make policy for the City; and

WHEREAS, Council believes actions may have been taken, be underway, or may be taken in the future that could effectively deprive Council of their freedom to deliberate the merits of such a change without undue pressure or haste; now therefore

BE IT RESOLVED by the Council of the City of Norwood:

SECTION 1. Council hereby requests that the Administration allow a free and fair discussion and debate regarding the pros and cons of transferring functions of the Norwood Communication Center to Hamilton County.

SECTION 2. Council hereby requests that, until Council has approved such a transfer, the Administration take no actions that would compromise the City's ability to continue the current operations and functions of the Norwood Communication Center, Dispatch Services, 911 Services, and status as a Public Safety Answering Point (PSAP).

PASSED December 8, 2020
Date


Ken Miracle
President of Council


DEC 29 2020

CITY OF NORWOOD
CLERK OF COUNCIL

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

1st Reading _____
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings 12/8/20
Date

Tabled _____
Date

Vetoed _____
Date

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 8th day of December, 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 8th day of December, 2020.



Maria Williams
Clerk of Council

APPROVED VETO
12.21.2020

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

1st Reading _____
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings _____
Date

Tabled _____
Date

Vetoed _____
Date



City of Norwood

OFFICE OF THE MAYOR

Proclamation

The City of Norwood PROCLAMATION IN MEMORIAM

REMEMBERING THE LATE Helen T. Geraci

WHEREAS, on behalf of the Citizens of the City of Norwood, it is my privilege to offer this proclamation honoring the life and legacy of Helen Theresa Geraci for her service to the community of the City of Norwood; and,

WHEREAS, Helen Theresa Geraci and her beloved husband, Charles L. Geraci lived in a loving marriage for 70 1/2 years, raised a large family in South Norwood and was the cherished grandmother of 30 and great grandmother of 28; and,

WHEREAS, Helen Theresa Geraci was a classically trained pianist, loved musicals, was an amazing cook, was talented more than she would admit and loved all of her children, grandchildren and great grandchildren and community; and,

WHEREAS, Helen Theresa Geraci honorably served the City of Norwood on City Council for 16 years and created the Norwood Domestic Crisis Committee and was instrumental in many actions that make the City of Norwood great today; and,

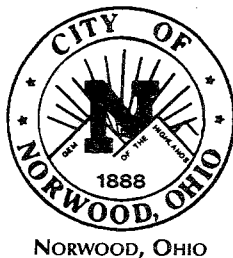
WHEREAS, Helen Theresa Geraci was not only a multiple elected member of City Council, bringing a perspective of love and compassion to our local city, she was also a member of Norwood's St. Matthew Parish Council and involved in many activities to brighten the lives of less fortunate. She did more; and,

WHEREAS, Helen Theresa Geraci was a female role model to not only her children, grandchildren and great grandchildren, and potentially even as important, to the Community members that she loved with all of her heart. She was willing to put herself out in front and worked to make the world a better place for everyone; and,

Now, Therefore, I, Victor Schneider, Mayor of the City of Norwood Ohio celebrate the life and efforts of Helen Theresa Geraci in a life well lived that has and will continue to have an impact on the Great Community of the City of Norwood and all of the friends and family that she touched in a very special way.

Given under my hand and
The Executive Seal of the
City of Norwood,
This 12th day of January
A.D. 2021

Victor Schneider, Mayor
City of Norwood



Resolution No. _____ 20 _____

RESOLUTION AUTHORIZING THE CITY OF NORWOOD TO PURCHASE, AND USE, “EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY” THROUGH PUBLIC ENTITIES POOL (PEP)

WHEREAS, The City of Norwood, in Hamilton County is a member of the Public Entities Pool (PEP), a political subdivision risk pool established pursuant to Ohio Revised Code (hereinafter “ORC”) §2744.081; and

WHEREAS, House Bill 291, which was signed into law on December 20, 2018 and became effective March 20, 2019, has been codified as ORC §3.061, and authorizes the use of an, “employee dishonesty and faithful performance of duty policy,” instead of individual surety bonds, for trustees, employees, and appointees who are otherwise required by Ohio law to acquire a bond before entering upon the discharge of duties; and

WHEREAS, in accordance with ORC §3.061, “political subdivisions,” (meaning counties, townships, and “municipal corporations,” including villages and cities) may adopt a policy by resolution to allow the use of an “employee dishonesty and faithful performance of duty” coverage document, rather than a surety bond, to cover loss by fraudulent or dishonest actions of employees and failure of employees to faithfully perform duties; shall apply to the policy:

1. An officer, employee, or appointee shall be considered qualified to hold the office of employment, without acquiring a bond, on the date the oath of office is taken, certified, and filed as required by law.
2. An officer, employee, or appointee shall have the employee dishonesty and faithful performance of duty policy in effect before the individual’s term of office or employment and the officer, employee, or appointee shall not commence the discharge of duties until coverage is documented.
3. All officers, employees, or appointees who would otherwise be required to file a bond before commencing the discharge of duties shall be covered by and are subject to the employee dishonesty and faithful performance of duty policy instead of a surety bond requirement.
4. The coverage amount for an officer, employee, or appointee under an employee dishonesty and faithful performance of duty policy shall be equal to or greater than the maximum amount of the bond otherwise required by law.
5. Elected officials, prior to taking the oath of office and holding office, shall obtain approval of the intent to use the PEP coverage agreement and affirm that the public entities coverage complies with ORC §3.061. Said approval shall be obtained by the City of Norwood, in Hamilton County.

WHEREAS, The City of Norwood, in Hamilton County’s “employee dishonesty and faithful performance of duty policy” through PEP coverage document complies with ORC §3.061; now, therefore,

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

SECTION 1. On this date, _____, the Council of the City of Norwood, in Hamilton County hereby authorizes the City of Norwood to purchase and use “employee dishonesty and faithful performance of duty policy” through PEP, instead of individual surety bonds for officers, employees, and appointees who are otherwise required by law to acquire a bond before entering upon the discharge of duties.

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

1st Reading 12-29-20
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings _____
Date

Tabled _____
Date

Vetoed _____
Date



Service Center

10100 Innovation Drive, Ste 220 Dayton, OH 45432

(P) 855.874.1295 Ext. 1324

(F) 866.972.6309

September 9, 2019

TO: PEP Member
FROM: Melinda McNabb
RE: Bonds/Faithful Performance Coverage

As your current public official bonds expire, we are excited to be able to offer a new coverage option, provided under the PEP Governmental Property Agreement. This coverage would be in place of a traditional surety bond for those "public officials" (i.e. including trustees, officers, employees and/or appointees) that are *required to be bonded under Ohio Law or local ordinance*.

If you choose this option, you must elect, by resolution, to use PEP's coverage document for all the required bonded public officials as an "employee dishonesty and faithful performance of duty policy," in lieu of surety bonds. (The sample resolution enclosed must be passed by you before coverage will be in effect.)

Faithful Performance coverage includes:

- Competitive pricing with broader coverage afforded
- Charge of contribution on a pro-rated basis until renewal date
- Simple application (no personal data requested)
- Included as part of your annual PEP coverage document
- No tracking of individual bonds

Please complete and return the enclosed application as soon as possible so coverage can be in place prior to the expiration of your bond(s). Application can be submitted:

- By mail in the envelope provided to 10100 Innovation Drive, Ste 220 Dayton, OH 45432
- By fax to 1-866-972-6309
- By email to melinda.mcnabb@usi.com

If you have any questions, please contact me at 1-855-874-1295, ext. 1324.



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

Date of Request: 12/22/20 Date Needed: 12/29/20
****(Request(s) should be submitted by the Wednesday, at noon, before date needed for Council, earlier if possible.)*

Name: John P. Murphy SSD
(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)*

Bonds / Faith Performance Coverage
- See attached

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

Special Notes/Instructions:



Ordinance No. _____ 20 _____

**ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACTUAL AGREEMENT WITH THE HAMILTON COUNTY
BOARD OF COUNTY COMMISSIONERS TO PROVIDE PUBLIC
SAFETY EMERGENCY DISPATCH SERVICES TO THE CITY OF
NORWOOD, AND DECLARING AN EMERGENCY**

WHEREAS, the City of Norwood is committed to the safety and well-being of its residents and visitors, and

WHEREAS, the Hamilton County Communications Center is able to provide radio dispatch and communication services to the City of Norwood; and

WHEREAS, the Hamilton County Communications Center serves the vast majority of communities and non-City of Cincinnati residents in Hamilton County with state-of-the-art communications tools and equipment to provide emergency and non-emergency as well as other communication services; and

WHEREAS, the City of Norwood desires to enter into an agreement that states the terms and policies governing the provision of radio dispatch and communication services by the Hamilton County Communications Center to the City of Norwood; now, therefore,

BE IT ORDAINED by the Council of the City of Norwood, State of Ohio;

SECTION 1. The Mayor is hereby authorized to enter into a contract, attached hereto and made a part hereof as Exhibit A, with the Hamilton County Board of County Commissioners stating the terms and policies governing the provision of public safety emergency dispatching services to the City of Norwood.

SECTION 2. The Norwood Auditor is hereby authorized to draw, and the Norwood Treasurer to pay, warrants for the foregoing purpose out of the **GENERAL FUND**.

SECTION 3. 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 to provide continuous emergency and non-emergency dispatch by engaging the resources of the Hamilton County Communications Center

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 _____, 2021, 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 _____, 2021.

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

1st Reading _____
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings _____
Date

Tabled _____
Date

Vetoed _____
Date



CONTRACTUAL AGREEMENT FOR PUBLIC SAFETY EMERGENCY DISPATCHING SERVICES

THIS AGREEMENT made this _____ day of _____, 2021, by and between the Board of County Commissioners of Hamilton County, Ohio Hereinafter called the "County", and the City of Norwood, hereinafter called the "User", pursuant to the Laws of the State of Ohio particularly Section 307.15 of the Ohio Revised Code, and the Rules and Regulations of the Federal Communication Commission;
To Wit:

In accordance with the F.C.C. Rules and Regulations, Part 90.175, Hamilton County hereby agrees to share the use of the radio stations licensed to Hamilton County, Ohio operating under call signs, WQAF265, WQAF267, WPFS987 (and other applicable call signs) with the User who is eligible for a license in the Police/Fire/Local Government/Special Emergency Radio Service/Conventional Public Safety under F.C.C. Rules and Regulations, Part 90, The County shall be in control of the base station and all use of its facilities shall take place under the direction and supervision of an employee of Hamilton County, Ohio. The mobile transmitters and any fixed station radio transmitter/s operated by the User shall be operated under the control of Hamilton County, Ohio and in accordance with the existing Rules and Regulations of the F.C.C. and the Hamilton County Communications Center.

1. The County shall provide, upon request, at its Communication Center, radio-dispatching services for Police, Fire, and Emergency Medical Services.
2. The fee for the User's radio dispatching services shall be calculated in accordance with the following structure:
 - a. The annual Communications Center Administrative Budget divided by the number of billed users equals the User's minimum fee. Each user will be assessed a minimum user fee. If User's detail count exceeds the minimum fee, User will be billed the cost per detail for actauge usage. The User will be billed monthly for the previous month's activity.
 - b. The Communications Center's annual Operations budget, plus a 3% contingency fund, minus any non-user revenue, divided by the total detail count for all users in the previous year, equals

the cost of a detail. The cost per detail in 2021 is calculated as \$5.00.

- c. The fee for service to the City of Norwood in 2021 shall be \$113,800 annually. This will be prorated based upon a monthly fee of \$9483.00.
 - d. The fee for 2022 shall be determined using an annual projection of actual dispatch totals for the City of Norwood.
- 3. The User shall provide such mobile radio equipment as it believes necessary for the reasonable operation of its public safety equipment. This radio equipment shall be compatible with the system design of the Communications Center and be approved by the Director of Communications.
 - 4. This Agreement may be amended by the Board of County Commissioners thirty (30) days after written notice of such amendment is received by the User
 - 5. This Agreement may be terminated by either party thirty (30) days after written notice of such intent to terminate is received by the party to whom such notice is directed. Notice of the County shall be sent by Certified Mail served upon the Director of Communications located at 2377 Civic Center Drive, Cincinnati, Ohio 45231. Failure of a User to make timely payment for services rendered is a basis for termination by the County.
 - 6. This Agreement applies to services commencing on February 1, 2021.
 - 7. The User acknowledges the existence of a Communications Center Board of Advisors, whose membership is determined by the Board's Charter. The purpose of the Board is to provide the User with a means of consultation with the County concerning the operation of the Communications Center. The County may consult with the Board of Advisors on issues of major importance, including changes in the fee structure, annual budget and other amendments. Notwithstanding the above, it is understood that the County is charged with the duty of

operating the Communications Center, and may in its sole discretion accept, reject or modify recommendations of the Board of Advisors.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the _____ day of _____, 2020.

THE BOARD OF COUNTY COMMISSIONERS,
HAMILTON COUNTY, OHIO

THE CITY OF NORWOOD, OHIO

By _____
Jeffrey Aluotto, County Administrator

By _____
Safety Director

APPROVED AS TO FORM:

Solicitor

RECEIVED

DEC 28 2020

CITY OF NORWOOD
LAW DIRECTORS OFFICE



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

Date of Request: 28 DEC 20

Date Needed: 05 JAN 21

*** (Request(s) should be submitted by the Wednesday, at noon, before date needed for Council, earlier if possible.)

Name: Mayor Victor Schneider

(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))

ORDINANCE TO REQUEST COUNCIL APPROVAL TO
ENTER A CONTRACTUAL AGREEMENT FOR PUBLIC
SAFETY EMERGENCY DISPATCH SERVICES.

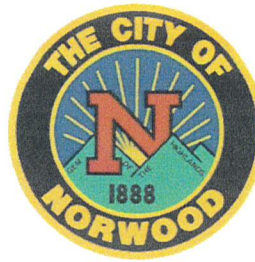
☒ Check if emergency clause or suspension of rules for all three readings is needed (explain):

START DATE OF FEB 1, 2021 AND CHANGES
MUST BE MADE TO THE FINANCIAL RECOVERY
PLAN FOR ADOPTION IN MARCH

Special Notes/Instructions:

REQUEST TO BE ON THE FIRST COUNCIL
MEETING IN JANUARY 2021

City of Norwood



Victor Schneider
MAYOR

Office of the Safety-Service Director

January 4, 2021

Mr. Ken Miracle, President
and Members of Norwood City Council

Re: Water Rates

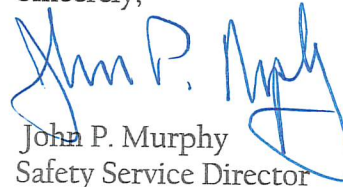
Dear President and Members of Norwood City Council:

I have enclosed a copy of the letter from the City of Cincinnati raising the water meter rates to the City of Norwood by 3.75%.

Ordinance 20-1992 states, "The Director of Public Service shall levy and assess charges in a sufficient amount to pay the current operating expenses and costs of permanent improvements to the City waterworks or water system on an annual basis. The Director of Public Service shall notify Council in written form of every increase in water charges or assessments at least thirty prior to the implementation of the same."

With regard to the above, the City of Norwood waters rates will be increased by 3.75%. We are hopeful to continue to improve our water service throughout the city, and keeping rates in line with what the city is being charged is of the utmost importance.

Sincerely,



John P. Murphy
Safety Service Director

4645 Montgomery Road | Norwood, Ohio 45212
(513) 458-4503 | ssd@norwoodohio.gov

"Gem of The Highlands"



A Service of The City of Cincinnati

GREATER CINCINNATI
WATER WORKS

Cathy Bernardino Bailey, *Executive Director*

December 30, 2020

Mr. Victor Schneider
Mayor
City of Norwood
4645 Montgomery Road
Norwood, OH 45212

Dear Mr. Schneider:

On June 21, 2017, the Cincinnati City Council passed Ordinance 154-2017 (enclosed) approving changes to water rates for Greater Cincinnati Water Works (GCWW) customers for 2018 through 2021. The changes affect all retail and wholesale water service rates. The 2021 rate changes result in a 3.75% increase and will go into effect on January 1, 2021.

Funds derived from the rate increase will support GCWW's commitment to provide our customers with a plentiful supply of the highest quality water and outstanding services in a financially responsible manner. Revenue generated from the rate increase will also be used to sustain the water main replacement program at the required level and address other aging infrastructure within the system. By maintaining our system, we will keep future rate increases at a minimum.

Our contract to provide water service to the City of Norwood calls for the City to pay for wholesale water service at 1.10 times the Inside City 2nd rate block. Beginning January 1, 2021, the new rate for City of Cincinnati consumers at the Inside City 2nd rate block will be \$2.52 per hundred cubic feet (ccf). Accordingly, the new rate for wholesale service to Norwood will be \$2.77 per ccf. The monthly fire protection service charge beginning January 1, 2021 per our contract will be 1.10 times the inside the City of Cincinnati monthly rate for fire protection. For 2021, this rate is \$65.08 for a six-inch connection and \$91.90 for an eight-inch connection.

Accordingly, the new fire protection service charge rates for Norwood will be \$71.59 and \$101.09 respectively.

This rate increase will also affect our retail customers in the City of Norwood. Retail customers in Norwood can view the 2021 GCWW water rates at rateinfo.MyGCWW.org. GCWW appreciates the confidence that Norwood has placed in the utility by entering into our 1989 Water Service Agreement. It is our objective to provide Norwood with a reliable supply of the highest quality water and exceptional customer service for many more years.

Sincerely,

Cathy B. Bailey
Executive Director/Greater Cincinnati Water Works

Enclosure

Copy: Mr. Clint Zimmerman, Superintendent of Public Works



City of Cincinnati
An Ordinance No. 154

CMZ / Bm / LLO

- 2017

REPEALING AND REORDAINING Section 401-76, "Service Charges," Section 401-77, "Water Commodity Charges," Section 401-78, "Charges for Fire Protection Services," and Section 401-81, "Charges to Political Subdivisions," of the Cincinnati Municipal Code for the purpose of revising the rates for water services provided by the Greater Cincinnati Water Works ("GCWW") to allow GCWW to transition from quarterly billing to monthly customer billing, effective January 1, 2018.

WHEREAS, currently, the Greater Cincinnati Water Works ("GCWW") bills the vast majority of its over 240,000 customers quarterly for water service, with just over 3,000 of the largest commercial and industrial customers being billed for service on a monthly basis; and

WHEREAS, the City Administration is recommending to Council that all customers be moved from quarterly to monthly billing, effective January 1, 2018, in order to improve affordability and to make budgeting for utility bills easier for customers; and

WHEREAS, moving all customers to monthly billing from quarterly billing will require adjustments to the rate tables in the existing Cincinnati Municipal Code, which changes will be revenue neutral to GCWW; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 401-76, "Service Charges," is hereby repealed and reordained as follows:

Sec. 401-76. - Service Charges.

Each water supply service shall be subject to a service charge. The service charge shall be based on the size of the water meter.

This section shall apply to each water meter used, but shall not apply to water supply services subject to Section 401-81 or Section 401-82.

For the availability of water service, the Service Charge rates shall be as follows:

2019

Meter Size inches	Inside Cincinnati Monthly	Incorporated Hamilton and Clermont Counties Monthly	Unincorporated Hamilton County Monthly	Butler and Warren Counties Monthly
5/8	6.07	7.59	8.07	8.72
3/4	7.27	9.09	9.67	10.45
1	8.95	11.19	11.91	12.87
1-1/2	22.60	28.25	30.05	32.48
2	28.83	36.04	38.35	41.45
3	63.20	79.01	84.06	90.86
4	121.07	151.33	161.02	174.03
6	242.70	303.38	322.79	348.88
8	354.38	442.97	471.32	509.42
10	495.85	619.82	659.48	712.79
12	592.92	741.15	788.58	852.32

The rates in the above table shall be effective from January 1, 2019 until December 31, 2019.

2020

Meter Size inches	Inside Cincinnati Monthly	Incorporated Hamilton and Clermont Counties Monthly	Unincorporated Hamilton County Monthly	Butler and Warren Counties Monthly
5/8	6.30	7.87	8.38	9.05
3/4	7.54	9.43	10.03	10.84
1	9.29	11.61	12.35	13.35
1-1/2	23.45	29.31	31.19	33.71
2	29.91	37.39	39.78	43.00
3	65.57	81.96	87.21	94.26
4	125.61	157.01	167.06	180.56
6	251.80	314.75	334.90	361.96
8	367.67	459.59	489.00	528.52
10	514.44	643.06	684.21	739.51
12	615.15	768.94	818.16	884.28

The rates in the above table shall be effective from January 1, 2020 until December 31, 2020.

2018

Per Month	Inside Cincinnati	Incorporated Hamilton and Clermont Counties	Unincorporated Hamilton County	Butler and Warren Counties
First 20 CCF	\$2.69	\$3.36	\$3.58	\$3.86
Next 580 CCF	\$2.26	\$2.83	\$3.01	\$3.25
Over 600 CCF	\$2.01	\$2.51	\$2.67	\$2.89

The rates in the above table shall be effective from January 1, 2018 until December 31, 2018.

2019

Per Month	Inside Cincinnati	Incorporated Hamilton and Clermont Counties	Unincorporated Hamilton County	Butler and Warren Counties
First 20 CCF	\$2.79	\$3.49	\$3.71	\$4.01
Next 580 CCF	\$2.34	\$2.93	\$3.12	\$3.37
Over 600 CCF	\$2.09	\$2.61	\$2.77	\$3.00

The rates in the above table shall be effective from January 1, 2019 until December 31, 2019.

2020

Per Month	Inside Cincinnati	Incorporated Hamilton and Clermont Counties	Unincorporated Hamilton County	Butler and Warren Counties
First 20 CCF	\$2.89	\$3.62	\$3.85	\$4.16
Next 580 CCF	\$2.43	\$3.03	\$3.23	\$3.49
Over 600 CCF	\$2.17	\$2.71	\$2.88	\$3.12

The rates in the above table shall be effective from January 1, 2020 until December 31, 2020.

2018

Meter Size	Inside Cincinnati	Incorporated Hamilton and Clermont Counties	Unincorporated Hamilton County	Butler and Warren Counties
inches	Monthly	Monthly	Monthly	Monthly
2 & Under	16.64	20.80	22.13	23.92
3	21.35	26.69	28.40	30.69
4	25.25	31.56	33.58	36.30
6	58.27	72.84	77.50	83.76
8	82.29	102.86	109.45	118.29
10	99.30	124.13	132.07	142.74

The monthly rates in the above table shall be effective from January 1, 2018 until December 31, 2018.

2019

Meter Size	Inside Cincinnati	Incorporated Hamilton and Clermont Counties	Unincorporated Hamilton County	Butler and Warren Counties
inches	Monthly	Monthly	Monthly	Monthly
2 & Under	17.26	21.58	22.96	24.82
3	22.15	27.69	29.46	31.84
4	26.20	32.75	34.84	37.66
6	60.46	75.57	80.41	86.90
8	85.38	106.72	113.55	122.73
10	103.02	128.78	137.02	148.10

The rates in the above table shall be effective from January 1, 2019 until December 31, 2019.

Sec. 401-81. - Charges to Political Subdivisions.

The water commodity charge rates per hundred cubic feet for water used by political subdivisions, other than those whose contracts with the City of Cincinnati specify rates, shall be as follows:

\$2.71 for January, February, March, April, November, and December 2017;

\$3.23 for May, June, July, August, September, and October 2017;

\$2.83 for January, February, March, April, November, and December 2018;

\$3.36 for May, June, July, August, September, and October 2018;

\$2.93 for January, February, March, April, November, and December 2019;

\$3.49 for May, June, July, August, September, and October 2019;

\$3.03 for January, February, March, April, November, and December 2020;

\$3.62 for May, June, July, August, September, and October 2020;

\$3.15 for January, February, March, April, November, and December 2021; and

\$3.75 for May, June, July, August, September, and October 2021.

There shall be no service charges.

Section 5. That the proper City officials are authorized to carry out the terms of Sections 1 through 4 herein.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: JUNE 21, 2017

Attest:

[Signature]
Clerk

[Signature]
John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE No. 54-2017
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 7-2-17

[Signature]
CLERK OF COUNCIL



ANDREW CONLON
Norwood Clerk of Courts

Norwood Clerk of
Courts Office
4701 Montgomery Rd.
Norwood, Ohio 45212

DECEMBER 2020

MAYOR SCHNEIDER

HERE ARE THE TICKET TOTALS HEARD IN NORWOOD MAYOR'S
COURT FOR THE MONTH OF DECEMBER, 2020:

TRAFFIC---36
MISDEMEANORS--5
PARKERS--8
STAYS---4

THE TOTAL TICKETS PROCESSED FOR THE MONTH OF DECEMBER,
2020 FROM NORWOOD POLICE AND OTHER NORWOOD
DEPARTMENTS:

TRAFFIC---145
MISDEMEANORS---6
**PARKERS---155
OTHER-----0

**CORRECTION FROM NOVEMBER 2020: PARKING TICKETS ISSUED LISTED
AS ONE (1) CORRECTED NUMBER: 139

RESPECTFULLY,

ANDREW CONLON
CLERK OF COURTS
CITY OF NORWOOD, OHIO

DECEMBER, 2020

MAYOR SCHNEIDER:

THE CLERK OF COURTS OFFICE TURNED OVER TO THE TREASURERS OFFICE \$124.00 IN COPY FEES FOR THE MONTH DECEMBER, 2020.

AA----\$124.00
HISTORY CHECKS---0

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Andrew Conlon", written in a cursive style.

ANDREW CONLON
CLERK OF COURTS

To:

City of Norwood, City Council

Mayor's Court report for: December-20

Receipts:	Account #	Totals:
Computer Fund	06	1140.00
City Court Costs	8512	2027.00
State Costs	8512	4423.50
Dui Fund	79	
Fines	8613	11389.00
Seat Belt Fines	8613	30.00
Car Seat Fines	8613	
City Expungement Fee	8512	
Bad Check Fees	8793	
State Expungement Fee	8512	
B.M.V.Release Fees	8793	
H.C.Court Fines	8613	
Immobilization Fees	8619	60.54
Parking Tickets	8613	5645.00
Misc. Receipt Bond Forf	8624	
Bond Fees	8624	
Collection Fees	8793	200.40
IDAT	8512	163.50
Jail Fund	8626	1113.00
Misc and Inter 311-39	8624	150.00
Gross Receipts:		26341.94
Bonds Forfeited	8624	
Bad Check Debits	8793	
Overpayment of Fines		
Total Money To Disburse:		26341.94

Disbursements:			26341.94
State Costs			(4,423.50)
Seat Belt Fines			(30.00)
Bond Forfeited			
Car seat fines			
State Expungement Fees			
BMV Release Fee			
IDAT			(163.50)
Collection Fees			(200.40)
Credit Card Fees	NO BILL RECEIVED FOR DEC. OR NOV. 2020, WILL BE DEBITED 2021		
Bank Interest			
Total To State:	Check #	From Mayor's Court Acct	4453.50
ALCH TREAT FUND	Check #	From Mayor's Court Acct	
hamilton cty auditor	Check # 1505	IDAT	163.50
Total To Capital Recovery:	Check # 1506	From Mayor's Court Acct	200.40
Total Disbursements To City:	Check # 1507	From Mayor's Court Acct	21524.54

Respectfully Submitted,

Victor Schneider

FUND

General Fund

Enforcement & Education

Mayor's Court Computer Fund

TOTAL**AMOUNT**

Treasurer: _____

Auditor: _____

Pay in Order No. _____ Amount: _____ Date: _____

Daily Cash Control Report

Court Deposit Slip Activity		Bond Deposit Slip Activity	
Cash:	\$6,253.00	Cash:	\$0.00
Checks:	\$2,770.54	Checks:	\$0.00
Money Orders:	\$819.00	Money Orders:	\$0.00
***Bond Assignments & Admin Fees:	\$0.00		
Court Deposit Slip Total:	\$9,842.54	Bond Deposit Slip Total:	\$0.00
Court Non-Deposit Slip Activity		Bond Non-Deposit Slip Activity	
Charges:	\$7,349.40	Charges:	\$0.00
ACH Deposits:	\$9,150.00		
On Line Payments:	\$0.00		
Non-Deposit Slip Total:	\$16,499.40	Non-Deposit Slip Total:	\$0.00
Total Mayor's Court Deposits	\$26,341.94	Total Bond Deposits	\$0.00
Other Court Activity		Other Bond Activity	
Refunds:	\$0.00	Bonds Cleared As Cash:	\$0.00
NSF Checks:	\$0.00	Bonds Cleared As Check:	\$0.00
Adjustments:	\$0.00	Bonds Cleared As Charge:	\$0.00
** Other Misc. Receipts Activity:	\$0.00	Total Bonds Returned:	\$0.00
Other Court Activity Total:	\$0.00	Bonds Forfeited:	\$0.00
		* Other Bond Clearings:	\$0.00
		Bond Assignments to COURT:	\$0.00
		Bond Admin Fees to COURT:	\$0.00
		***Total Bonds to COURT:	\$0.00
Net Total:	\$26,341.94	Total Bond Amount Cleared:	\$0.00

Payments Made By
Collection Agency: \$0.00

* Includes Bond Transfers, Recog, and Surety* Includes bank interest, bank charges, and all other activity using 'memo' as the payment type.
**Money to be transferred from the bond account to the court account if they are separate accounts

END OF REPORT

Parking Ticket Tracking System

END OF MONTH PAYMENT SUMMARY REPORT FOR MONTH ENDING 12/31/2020

<u>Assessment Type</u>	<u>Amount Paid</u>
STANDARD FINES	\$4,255.00
LATE FINES	\$1,325.00
DETER PROCESSING FEE	\$65.00
NSF FEE	\$0.00
OVERPAYMENTS	\$0.00
Net Payments :	\$5,645.00



DEPARTMENT OF LAW

KEITH D. MOORE
LAW DIRECTOR

TIMOTHY A. GARRY, JR.
ASSISTANT LAW DIRECTOR

NORWOOD CITY HALL
4645 MONTGOMERY ROAD
NORWOOD, OHIO 45212
TELEPHONE: (513) 458-4585
FAX: (513) 458-4586

January 12, 2021

Norwood City Council
4645 Montgomery Road
Second Floor
Norwood, Ohio 45212

Re: Law Director's Report Under ORC §733.62

Dear Members of Council:

Purpose. As required by Ohio Revised Code §733.62, I present the following annual report to Council about the business of the Law Department in 2020. It has been another active, challenging year for the Law Department in my fifth year as the City's Director of Law, and the City's fourth full year in fiscal emergency. Although the Law Department's duties are not always exciting or easily understood, a viable, independent City and its elected officials, appointees, and employees, need reliable legal advice and effective advocacy, as we provide City services, under difficult fiscal circumstances.

Legislation and Advice. In support of the legislative authority of the City, the majority of whom are new to Council, in 2020, the Law Department was involved in the preparation of 71 ordinances which were passed into law, and 13 resolutions by Council. As you know, Council has been very active in 2020, holding many Committee meetings. In an effort to be of assistance, Assistant Law Director Tim Garry, Jr., have been in attendance when we thought we could be of use. In addition, the Law Department has provided advice throughout the year to a new Administration and to Council, which has a number of new members. One of the challenging aspects of 2020 was navigating the many changes in law arising from the Covid-19 pandemic. I attend Mayor Schneider's weekly meeting with Department Heads to coordinate the City's Covid response.

Pending Decision in Defense of William Virgil Civil Rights Lawsuit. Currently, we continue to vigorously defend a substantial civil rights claim seeking money damages which has been filed against the City of Norwood, and a former

"Gem of The Highlands"

(now deceased) Norwood Police officer which arose from events that occurred in 1987 and 1988. The City of Newport and eight named police officers and the City of Cincinnati and three named police officers are also defendants in that lawsuit filed on behalf of a man named William Virgil, which is pending before the United States District Court for the Eastern District of Kentucky, sitting in Covington. The Law Department is defending this claim because in 1987-1988, unlike now, the City leadership decided to go without liability insurance coverage for civil rights claims, contrary to the Law Director's recommendation at that time. Early in the case, the Court granted our motion to dismiss 7 of 8 claims against the City of Norwood. The remaining claim against the City of Norwood and its former officer is that Norwood did not disclose evidence of a February, 1987 unsolved homicide in the City of Norwood (which Mr. Virgil believes was favorable to his defense), to Mr. Virgil's criminal trial attorney in 1987 and 1988, when Mr. Virgil was indicted and convicted of murdering a woman in Newport. In 2015, Mr. Virgil, was, essentially, exonerated of his murder conviction in Newport, after some more advanced DNA testing. We strongly contest, and disagree with, Mr. Virgil's claim against Norwood. We have carefully researched and filed a dispositive pre-trial motion for summary judgment in that remaining claim against the City of Norwood in 2020, and we think the facts and law support that motion. We anticipate that the federal court will rule on this critical motion by early May, 2021. If Norwood is not dismissed from the lawsuit, we will try it for about two weeks in June, 2021. So far, we have spent hundreds of hours defending this case, including participation in about 27 civil depositions of lay, police and expert witnesses, mostly in Florence, Kentucky, and more and more by Zoom depositions to allow as much personal safety as possible, particularly in light of Covid-19 protocols, involving four other teams of civil attorneys. Because we are handling the City's defense, so far, we have saved the City tens of thousands of dollars that would otherwise be spent on outside litigation counsel.

Mayor's Court Prosecutions, Transfers, and Appeals. In 2020, the Law Department prosecuted hundreds of misdemeanor criminal and traffic cases on about 75 Mayor's Court dockets in Norwood, on Monday and Thursday mornings at 9:00 a.m., and has prosecuted the cases transferred or appealed to the Hamilton County Municipal Court. These Mayor's Court cases have included criminal charges filed by City fire, building, property maintenance and health inspectors to get compliance by property owners, occupants and their agents, with the laws which regulate the conditions of both commercial and residential properties. Other cases include operating motor vehicles while under the influence of alcohol and/or drugs of abuse, over which the Mayor's Court has jurisdiction, especially first charges and offenses within the last 10 years. The Mayor's Court cases have also included criminal failures to file City earnings tax returns and to pay City earnings tax. It should be noted that for the purpose of greater efficiency, effective December 7, 2020, the Mayor's Court has consolidated its appearances to Mondays only at 9:00 a.m. (Tuesday if Monday is a National Holiday.) The Thursday

morning dockets have been eliminated.

Preparing Contracts and Advice to Boards and Commissions. The Law Department participated in the preparation and interpretation of municipal contracts, and helped to resolve matters involving citizens and businesses with the Water Department, the Health Department, the Building Department, the Board of Zoning Appeals, the Planning Commission, and employees with the Civil Service Commission. The Law Department regularly provides numerous written and spoken legal opinions and advice to various City officials, departments and employees, acting in the scope of their employment.

Advice in Personnel Matters. The Law Department has advised and assisted the City Auditor in the proper handling of various City employment matters including the proper classification of city employees, whether city employees are entitled to various employee benefits such as longevity pay, the proper administration of various employee collective bargaining agreements, and other human resources matters. The Law Department has also responded to inquiries from City departments and staff and from the Auditor of State's Office in the course of working to resolve the City's fiscal emergency. The Law Department also participated in the development of the City's new Personnel Policy and Procedure Manual, intended to provide guidance on the City's management of human resources matters.

Advice to the Safety Services. The Law Department has advised the Police and Fire Departments as they discharge their duties and serve the community, including advising officers in the course of active investigations, advising fire prevention officers in the course of their inspections of Fire Code compliance issues and resulting orders, etc.

Compliance with Ohio's Sunshine Laws and HIPAA. The Law Department has advised numerous departments and city offices and bodies in the course of their compliance with Ohio's Public Records laws and Ohio's Open Meetings laws. We have also advised multiple departments on compliance with the Health Information Portability and Accountability Act (HIPAA).

Good Stewardship of City Resources. During 2020, the Law Department has again been a good steward of City resources as evidenced by its reduced costs of operations in comparison to the years before my taking office. One item to note: on the recommendation of the State Auditor, the Outside Legal Fees budget line has been moved under the Law Department's 400 budget key. Over the last several years, those costs have been almost exclusively expert labor attorneys hired by the Administration to represent the City in labor negotiations, mediations, and arbitrations in attempts to bring labor costs in line with the Fiscal Recovery Plan approved by Council. Reduced costs in operating the Law Department itself

primarily by employing its support staff more efficiently, and by expending City resources carefully. For example, T.A. Brown, a retired Norwood Police Officer, has just completed his second full year as the Law Department's Secretary, but he spends about 75% of his time on the City's general Tier 1 computer technical support, rather than strictly Law Department business.

Conclusion. In sum, the Law Department continues to very actively serve the City of Norwood as its corporate legal department, legal advisors and advocates. We look forward to continuing to do so for the next three or more years. It has been my pleasure to serve the City of Norwood as its attorney and legal counsel. If you have any questions or comments about this report, please feel free to contact the Law Department.

My sincere thanks go to Tim Garry Jr. and TA Brown. Their dedication, professionalism, and willingness to resolve the issues that arise (legal, tech support, and others) are what makes this office work. Norwood city government is simply better because of them. In addition, the City was well-served by two volunteer extern second-year students from the University of Cincinnati College of Law in the Law Department: Myles McLean, a Norwood resident, throughout the summer, and Taylor Kent, throughout her Fall semester.

Thank you for your cooperation with the Law Department, and your interest in, and your service to, the people of Norwood. I wish the City's elected and appointed officials, City employees, and the many volunteers who serve on City Boards and Commissions all the best in 2021, especially good health, and the peace of mind earned by work done well, as we continue to improve the City of Norwood, and the quality of life for the people who choose to live, work and play here.

Sincerely,

Keith D. Moore
Law Director

KDM:tab

pc: Timothy A. Garry, Jr., Esq.
Mr. Timothy A. Brown