



NORWOOD CITY COUNCIL
Norwood Community Center
1810 Courtland Ave- Bottom Floor
Norwood, OH 45212
October 27, 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**
- G) PUBLIC HEARINGS**
- H) REQUEST TO ADDRESS COUNCIL**
- I) REPORTS OF STANDING COMMITTEES OF COUNCIL**
Parks, Recreation, Public Spaces Committee Report
- J) THIRD READING OF ORDINANCES/RESOLUTIONS**
 - 1) ORDINANCE ESTABLISHING THE NORWOOD ARTS BOARD
 - 2) ORDINANCE AMENDING CHAPTER 1321 OF THE NORWOOD CODIFIED ORDINANCES TO ALLOW MURALS IN CERTAIN AREAS OF THE CITY OF NORWOOD(A)
 - 3) ORDINANCE AMENDING CHAPTER 1321 OF THE NORWOOD CODIFIED ORDINANCES TO ALLOW MURALS IN CERTAIN AREAS OF THE CITY OF NORWOOD(B)
- K) SECOND READING OF ORDINANCES/RESOLUTIONS**
 - 1) RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR
 - 2) ORDINANCE ENACTING NEW CHAPTER 567 OF THE NORWOOD CODIFIED ORDINANCES ENTITLED "CHRONIC NUISANCES" AND DECLARING AN EMERGENCY
- L) INTRODUCTORY READING OF ORDINANCES/RESOLUTIONS**
 - 1) ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF NORWOOD AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS, RELATIVE TO THE IMPROVEMENT OF MONTGOMERY ROAD, AND DECLARING AN EMERGENCY
 - 2) ORDINANCE TO CHANGE APPROPRIATIONS FOR THE YEAR 2020, AND DECLARING AN EMERGENCY
 - 3) RESOLUTION AUTHORIZING THE USE OF COVID RELIEF FUNDS TO REIMBURSE THE CITY OF NORWOOD FOR PAYROLL EXPENSES INCURRED FOR COVID-RELATED MANPOWER FROM MARCH 1, 2020 TO DECEMBER 30, 2020

"Gem of the Highlands"

4) RESOLUTION DECLARING THE NECESSITY OF LEVYING A TAX FOR CURRENT OPERATING EXPENSES IN EXCESS OF THE TEN-MILL LIMITATION AND REQUESTING THE COUNTY AUDITOR TO CERTIFY MATTERS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY

M) UNFINISHED BUSINESS

N) NEW BUSINESS

O) COMMUNICATIONS

P) EXCUSE ABSENT MEMBER/S

Q) ADJOURNMENT



NORWOOD, OHIO

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 _____ (date) and _____ (date)
(Name of Newspaper)

Maria Williams
Clerk of Council

ORDINANCE READINGS

1st Reading 9-22-2020
Date

2nd Reading 10-13-2020
Date

3rd Reading _____
Date

All 3 Readings _____
Date

Tabled _____
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 _____ (date) and _____ (date)

Maria Williams
Clerk of Council

ORDINANCE READINGS
1st Reading 9-22-2020 Date _____
2nd Reading 10-13-2020 Date _____
3rd 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 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 (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 _____ (date) and _____ (date)

Maria Williams
Clerk of Council

ORDINANCE READINGS
1st Reading 9-22-2020 Date _____
2nd Reading 10-13-2020 Date _____
3rd Reading _____ Date _____
All 3 Readings _____ Date _____
Tabled _____ Date _____
Vetoed _____ Date _____



NORWOOD, OHIO

Resolution No. _____ *20* _____

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

City Council

Rev. Code, Sec. 5705.34

The Council of the City of Norwood, Hamilton County, Ohio met in _____ Session on the _____ day of _____, 2020, in Council Chambers, with the following members present:

Mr. Kelsch _____
Mr. DiNardo _____
Mr. Breadon _____
Mr. Thompson _____

Mr. Bonsall _____
Mr. Gabbard _____
Mr. Geraci _____

WHEREAS, this Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2021; and

WHEREAS, the Budget Commission of Hamilton County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part thereof is without, and what part within the ten mill tax limitation; now therefore be it

RESOLVED, by the Council of the City of Norwood, Hamilton County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City of Norwood the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

“See Attached Schedules A & B”

And be it further

RESOLVED, That the Clerk of Council be, and is hereby directed to certify a copy of this Resolution to the County Auditor of Hamilton County, Ohio.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Kelsch _____
Mr. DiNardo _____
Mr. Breadon _____
Mr. Thompson _____

Mr. Bonsall _____
Mr. Gabbard _____
Mr. Geraci _____

Adopted the _____ day of _____, 2019

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 Resolution was published in the _____ on _____ and _____ (date) (date)

Maria Williams
Clerk of Council

RESOLUTION READINGS:

1st Reading 10-13-2020
Date _____

2nd Reading _____
Date _____

3rd Reading _____
Date _____

All 3 Readings _____
Date _____

Tabled _____
Date _____

Vetoed _____
Date _____

CERTIFICATE TO COPY

ORIGINAL ON FILE

THE STATE OF OHIO, HAMILTON COUNTY,

I, Maria Williams, Clerk of the Council of the City of Norwood, within and for said County, and in whose custody the Files and Records of said Council are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 2020.

Maria Williams
Clerk of Council

1. A copy of this Resolution must be certified to the County Auditor before the first day of October, or at such later date as may be approved by the Board of Tax Appeals.

Receipt

Adopted _____, 20____

Clerk of Council

Filed _____, 20____

Dusty Rhodes, Hamilton County Auditor

By: Deputy

RECEIVED

SEP 18 2020

CITY OF NORWOOD
LAW DIRECTORS OFFICE

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

City Council

Rev. Code, Sec. 5705.34

The Council of the City of Norwood, Hamilton County, Ohio met in _____ Session on the _____ day of _____, 2020, in Council Chambers, with the following members present:

Mr. Clark _____

Mr. Sanker _____

Mrs. Hanrahan _____

Mr. Thompson _____

Ms. Stevenson _____

Mr. Bonsall _____

Mr. Breadon _____

WHEREAS, this Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2020; and

WHEREAS, the Budget Commission of Hamilton County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part thereof is without, and what part within the ten mill tax limitation; therefore be it

RESOLVED, by the Council of the City of Norwood, Hamilton County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City of Norwood the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

And be it further

“See Attached Schedules A & B”

RESOLVED, That the Clerk of Council be, and is hereby directed to certify a copy of this Resolution to the County Auditor of Hamilton County, Ohio.

_____ seconded the Resolution and the roll being called upon its adoption the vote

Adopted the _____ day of _____, 2019

PASSED

Date

Donna M. Laake
President of Council

ATTEST:

Joseph S. Geers, 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 _____, 2019 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 _____, 2019.

Joseph S. Geers
Clerk of Council

APPROVED

Date

Thomas F. Williams
Mayor

CERTIFICATION OF PUBLICATION:

Joseph S. Geers, the duly appointed Clerk of Council, attests that this Resolution was published in the

(Name of Newspaper) on _____ (date) and _____ (date).

Joseph S. Geers
Clerk of Council

RESOLUTION READINGS:

1st Reading _____
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings _____
Date

Tabled _____
Date

Vetoed _____
Date

CERTIFICATE TO COPY

ORIGINAL ON FILE

THE STATE OF OHIO, HAMILTON COUNTY,

I, Joseph S. Geers, Clerk of the Council of the City of Norwood, within and for said County, and in whose custody the Files and Records of said Council are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 2019.

Joseph S. Geers
Clerk of Council

1. A copy of this Resolution must be certified to the County Auditor before the first day of October, or at such later date as may be approved by the Board of Tax Appeals.

Receipt

Adopted _____, 20 _____

Clerk of Council

Filed _____, 20 _____

Dusty Rhodes, Hamilton County Auditor

By: Deputy

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY
THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

City Council

Rev. Code, Secs. 5705.34

The Council of the City of _____, Hamilton County,

Ohio, met in _____ session on the _____ day of _____,

20____, at the office of _____,

with the following members present: _____

_____ moved the adoption of the following Resolution:

WHERE AS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 20____; and

WHERE AS, The Budget Commission of Hamilton County, Ohio, has certified its action Thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part thereof is without, and what part within the ten-mill limitation; therefore be it

RESOLVED, By the Council of the City of _____ Hamilton County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

CERTIFICATE TO COPY

ORIGINAL ON FILE

THE STATE OF OHIO, HAMILTON COUNTY,

I, _____, Clerk of Council of the City of _____, within and for said County, and in whose custody the files and records of said Council are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original _____

_____ now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20 _____

Clerk of Council

1. A copy of this resolution must be certified to the County Auditor before the first day of October, or at such later date as may be approved by the Board of Tax Appeals.

Receipt

Adopted _____ 20 _____

Clerk of Council

Filed _____ 20 _____

Dusty Rhodes, Hamilton County Auditor

By: Deputy



NORWOOD, OHIO

Ordinance No. _____ *20* _____

ORDINANCE ENACTING NEW CHAPTER 567 OF THE NORWOOD CODIFIED ORDINANCES ENTITLED "CHRONIC NUISANCES" AND DECLARING AN EMERGENCY

WHEREAS, Chronic Nuisance Properties within the City of Norwood present health, safety, and welfare concerns to the City of Norwood, and have a negative impact upon the neighborhoods in which they are located; and

WHEREAS, Chronic Nuisance Properties are a financial burden to the City of Norwood due to the calls for City service for Nuisance Activities that occur repeatedly on these properties; now, therefore,

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

SECTION 1. Chapter 567 of the Codified Ordinances of the City of Norwood, entitled "Chronic Nuisances," is hereby adopted to read as follows:

CHAPTER 567: CHRONIC NUISANCES

567.01 Purpose.

567.02 Definitions.

567.03 Violation.

567.04 Warning of a Possible Chronic Nuisance Finding.

567.05 Notice of Chronic Nuisance and Order of Abatement.

567.06 Appeals.

567.07 Burden of Proof; Affirmative Defenses.

567.08 Impact Fees and Civil Penalties.

567.09 Other Penalties.

567.01 PURPOSE.

(a) Chronic Nuisance Properties present health, safety, and welfare concerns to the City of Norwood, and have a negative impact upon the quality of life, safety, and health of the neighborhoods in which they are located. This chapter is enacted to remedy nuisance activities that occur throughout the City of Norwood and affect citizens by providing a process for abatement.

(b) Chronic Nuisance Properties are a financial burden to the City of Norwood due to the calls for service for nuisance activities that occur repeatedly on these properties. This chapter is a means to lessen that burden and hold accountable those persons responsible for such properties.

567.02 DEFINITIONS.

(a) **Abatement.** “Abatement” as used in this Chapter is the removal, reduction or control of nuisance activity.

(b) **Call for Service.** “Call for service” as used in this Chapter is a call to the residence or building that could involve a citation/arrest or warning.

(c) **Chronic Nuisance Property.** As used in this chapter, a “Chronic Nuisance Property” is:

- (1) A Single Family Property at/on which there have been four or more nuisance activities and/or one felony drug offense during any six-month period; or
- (2) A Multi-Family (2-9 Units) Property at/on which there have been eight or more nuisance activities and/or two felony drug offenses during any six-month period; or
- (3) A Multi-Family (10+ Units) Property on which there have been fifteen or more nuisance activities and/or two felony drug offenses during any six-month period; or
- (4) A Commercial Property (1000 sqft to 4999 sqft) at/on which there have been six or more nuisance activities and/or two felony drug offenses during any six-month period; or
- (5) A Commercial Property (5000+ sqft) at/on which there have been twelve or more nuisance activities and or two felony drug offenses during any six-month period.

Any nuisance activity initially reported to the City by the owner or person in control of a property shall be excluded from the operation of this Chapter.

(d) **Code.** “Code” as used in this chapter refers to the Norwood Codified Ordinances.

(e) **Felony Drug Activity.** As used in this chapter, the term “Felony Drug Activity” means any violation under Ohio R.C. Chapters 2925 or 3917. This includes, but is not limited to, possession of a controlled substance, permitting drug abuse, trafficking drugs, corrupting another with drugs, illegal manufacture of drugs, and illegal assembly of chemicals.

(f) **Nuisance Activities.** “Nuisance Activities” as used in this chapter means any of the following activities, behaviors, or criminal conduct:

- (1) Assault, aggravated assault, or felonious assault, menacing, aggravated menacing, or menacing by stalking, endangering children or contributing to the unruliness or delinquency of a child as defined in Chapter 537 of the Code of Ordinances (“Code”) or as defined in Ohio Revised Code Sections 2903.11, 2903.12 or 2903.13, 2903.21, 2903.22; or any offense of violence as defined in Ohio Revised Code Section 2901;
- (2) Inducing panic; inciting violence; making a false alarm or use of a hoax weapon of mass destruction; disorderly conduct; public intoxication; disturbing the peace; failure to disperse; keeping, occupying, frequenting disorderly house; or sound systems contained in a motor vehicle as defined in Chapter 509 of the Code or in Ohio Revised Code Sections 2917.31, 2917.32, 2917.33;
- (3) Curfew violation as defined in Chapter 530 of the Code;
- (4) Commission of any drug offense under Chapter 513 of the Code or Chapter 2925 or 3719 of the Ohio Revised code;
- (5) Compelling or promoting prostitution; procuring, soliciting, or loitering to engage in solicitation or prostitution as defined in Chapter 533 of the Code or Ohio Revised Code Sections 2907.21 through 2907.25;

- (6) Public gambling as defined in Chapter 517 of the Code or Ohio Revised Code Chapter 2915;
- (7) Unauthorized possession, sale, or discharge of fireworks as defined in the Ohio Revised Code Section 3743.65;
- (8) Loud, dangerous, or vicious dog as defined in Section 505 of the Code;
- (9) Abandoned refrigerators and airtight containers; littering and deposit of garbage, rubbish, junk, etc.; noxious or offensive odors; or placement of upholstered indoor furniture on the exterior of houses as defined in Section 521 of the Code;
- (10) Junk and inoperative vehicle storage as defined in Section 523 of the Code; or
- (11) Trees, weeds, grass, and nuisance violations as defined in Section 1759 of the Code.
- (g) **Permit.** As used in this chapter, the term “Permit” means to suffer, allow, consent to, acquiesce by failure to prevent, or expressly assent or agree to the doing of an act.
- (h) **Person.** As used in this chapter, the term “Person” means any natural person, agent, association, firm, partnership, or corporation capable of owning, occupying, or using property.
- (i) **Person in Charge.** As used in this chapter, the term “Person in Charge” means any person in actual or constructive possession of a property, including but not limited to an owner or occupant of a property under his or her dominion, ownership, or control.
- (j) **Person Associated With.** As used in this chapter, the term “Person Associated With” means any person who, on the occasion of a nuisance activity, has entered, patronized, visited, or attempted to enter, patronize, or visit a property or person present on a property, including without limitation any officer, director, customer, agent, employee, or any independent contractor of a person in charge or owner in relation to the property. Any person that has been served with a Notice of Trespass will no longer be considered a “Person Associated With” as defined above.
- (k) **Property or Premises.** As used in this chapter, the terms “Property” or “Premises” may be used interchangeably, and mean any public or private building, lot, parcel, dwelling, rental unit, real estate or land or portion thereof including property used as a residential property.

567.03 VIOLATION.

- (a) Any property which is a Chronic Nuisance Property is in violation of this section and subject to its remedies.
- (b) Any person in charge who permits property to be a Chronic Nuisance Property shall be in violation of this section and subject to its remedies.

567.04 WARNING OF A POSSIBLE CHRONIC NUISANCE FINDING.

- (a) The Chief of Police, or his or her designee, upon finding that property is in danger of becoming a Chronic Nuisance Property shall cause a Chronic Nuisance Warning to be served on the owner of the property advising that such property is in danger of becoming a Chronic Nuisance Property, and that additional nuisance activity(ies) or felony drug offense(s), may result in the property being deemed a Chronic Nuisance Property subject to the penalties of this chapter. Such notice shall be sent:

- (1) for a Single Family Property, when there have been two or more nuisance activities, or one felony drug offense within a six month period;
 - (2) for a Multi-Family (2-9 Units) Property, when there have been four or more nuisance activities, or one felony drug offense, within a six month period;
 - (3) for a Multi-Family (10+ Units) Property, when there have been seven or more nuisance activities, or one felony drug offense, within a six month period;
 - (4) for a Commercial Property (1000 sqft to 4999 sqft), when there have been three or more nuisance activities, or one felony drug offense, within a six month period;
 - (5) for a Commercial Property (5000+ sqft), when there have been six or more nuisance activities, or one felony drug offense, within a six month period.
- (b) The notice under subsection (a) shall contain the following:
- (1) The street address or a legal description sufficient to identify the property.
 - (2) A statement detailing the nature of the nuisance activities, the estimated costs to abate any future nuisances, and that the owner may avoid being charged the costs of abatement by taking steps to prevent any further nuisance activity as set forth in this section.
 - (3) The definition of "Chronic Nuisance Property" from subsection 567.02(c) above.
 - (4) A statement that, if sufficient additional or subsequent nuisance activities or felony drug offenses occur within six months of the date of the first nuisance activity or first felony drug offense to meet the definition of Chronic Nuisance Property, the City of Norwood will deem the property a Chronic Nuisance Property; and that the City may abate the nuisance by responding to the nuisance activity using administrative and law enforcement actions; and that the costs of such abatement shall be assessed to the nuisance property.
 - (5) A statement that, provided the owner or person in charge submits a written plan to abate or prevent further nuisance activities, the City of Norwood will not deem the property a Chronic Nuisance Property for thirty days to allow the owner or person in charge to carry out such abatement plan.
 - (6) A statement that a finding that the property is a Chronic Nuisance Property may subject the owner to Civil Penalties under Section 567.08.
 - (7) A statement that the right to appeal may be available under the provisions of Section 567.06.
- (c) Any nuisance activity initially reported to the City by the owner or person in control of a property shall be excluded from the operation of this chapter.
- (d) The Warning shall be posted on the premises or at the site of the nuisance directing the responsible party to abate the nuisance. A copy of the Warning shall be sent by certified mail to the address of the owner as listed in the County Auditor's office. Personal service may be used in lieu of mailing. In the event the certified mail is uncollected or returned, a copy of the Warning shall be sent by first class mail.
- (e) Return of service shall be made by affidavit of the person serving, mailing or posting such notice, and when notice is given by mail, such affidavit shall identify the property by the street address and the County Auditor's parcel number and shall show the name and address of the person to whom the notice was mailed and the date of mailing.

567.05 NOTICE OF CHRONIC NUISANCE AND ORDER OF ABATEMENT.

(a) If, following a Warning under Section 567.04, sufficient additional nuisance activities or felony drug offenses occur so as to qualify a property as a Chronic Nuisance Property under Section 567.02(c), the Chief of Police, or his or her designee, shall notify the owner that the property has been deemed a Chronic Nuisance Property and direct the owner to abate the nuisance. If the owner has not done so within thirty days, the City of Norwood may abate the nuisance by responding to the activity using administrative and law enforcement actions.

(b) The Notice that a property has been declared a Chronic Nuisance Property and ordering abatement shall be posted on the premises or at the site of the nuisance directing the responsible party to abate the nuisance. A copy of the notice shall be forwarded by certified mail to the address of the owner as listed in the County Auditor's office. Personal service may be used in lieu of mailing.

(c) Return of service shall be made by affidavit of the person serving, mailing or posting such notice, and when notice is given by mail, such affidavit shall identify the property by the street address and the County Auditor's parcel number and shall show the name and address of the person to whom the notice was mailed and the date of mailing.

(d) The notice to abate shall contain:

(1) The street address or a legal description, including the parcel number, sufficient to identify the property.

(2) A direction to abate the nuisance within thirty calendar days from the date of the notice.

(3) A description of the nuisance.

(4) A statement that, unless the nuisance is abated, the City of Norwood may abate the nuisance and any subsequent nuisance, and that the cost of abatement shall be charged to the owner or assessed against the property, or both.

(5) A statement that in the event of future nuisance activities, the owner will be subject to Civil Penalties under Section 567.08.

(6) A statement that an appeal may be made under the provisions of Section 567.06.

(e) Within ten days of the property being deemed a chronic nuisance, the owner or person in charge is required to submit to the Safety/Service Director a written plan of abatement and/or plan for preventing further nuisance activities.

(f) Upon the owner's failure to submit a plan of abatement and/or prevention within 10 days, or upon the owner's failure to abate the nuisance within a reasonable time, the City of Norwood may abate the nuisance by responding to the activity using administrative and law enforcement actions. The cost of such abatement shall be billed to the owner.

567.06 APPEALS.

(a) A Chronic Nuisance Appeals Board is hereby established. The Board will consist of three Members who are citizens and residents of the City, appointed by Council. 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. Upon request of the Board, Council shall appropriate funds for any reasonable expenses of the Board.

(c) Board members may petition Norwood City Council to expand the number of Board members.

(d) Appeals to the Chronic Nuisance Appeals Board concerning interpretation or administration of this Chronic Nuisance Code may be taken by any person aggrieved by any action or decision of the City under this Chapter. Such appeal shall be taken by filing with the Safety/Service Director and Chief of Police a notice of appeal specifying the grounds upon which the appeal is being taken. Appeals shall be made in writing, within ten days of the date of the challenged decision or action.

(e) A hearing on any appeal shall not be scheduled any later than 45 days after the appeal has been filed. The hearing shall be conducted by the Chronic Nuisance Appeals Board. The Chronic Nuisance Appeals Board shall determine whether there is sufficient evidence to support the designation of the subject property as a Chronic Nuisance Property or other challenged action. All witnesses shall be sworn, and a record of the proceeding shall be kept. The Chronic Nuisance Appeals Board shall issue a written decision within ten days of the hearing. Any such appeal shall not stay any actions by the City of Norwood unless an owner or landlord can provide sufficient evidence that the owner has abated a specific nuisance activity within the six month period, in which case, the nuisance activity number shall then be reduced to reflect the abatement of the specific nuisance activity for that property.

567.07 BURDEN OF PROOF; AFFIRMATIVE DEFENSES.

(a) In an action under this section, the City of Norwood shall have the initial burden of proof to show by a preponderance of the evidence that a violation under that section has occurred.

(b) The City of Norwood shall be deemed to have failed to have met this standard if the owner demonstrates by a preponderance of the evidence that:

- (1) He or she was not the owner at the time of any of the nuisance activity that is the basis of the notice;
- (2) He or she has knowledge of the nuisance activity, but has promptly and vigorously taken all actions necessary to abate each nuisance including, without limitation, compliance with the requirements of Ohio R.C. 5321.17(C) and 5321.04(A)(9); or
- (3) He or she had no knowledge of the nuisance activity and could not, with reasonable care and diligence, have known of the nuisance activity; and upon receipt of the Warning or notice of the declaration of the property as a Chronic Nuisance Property, he or she promptly took all actions necessary to abate the nuisance including, without limitation, compliance with the requirements of Ohio R.C. 5321.17(C) and 5321.04(A)(9).

567.08 IMPACT FEES AND CIVIL PENALTIES.

(a) Once a property has been deemed a Chronic Nuisance Property, the owner of that property shall be charged an impact fee for the actual cost of each subsequent service by the City of Norwood for a nuisance or felony drug activity for that property.

(b) Once a property has been deemed a Chronic Nuisance Property, the Chief of Police, or his or her designee, shall also assess a civil penalty against an owner who further violates any provision of this chapter or fails to obey any order to abate a chronic nuisance. Assessments for nuisance activities shall be imposed based on the number of nuisance or felony drug activities that occur on that property after it has been deemed a Chronic Nuisance Property. The civil fee shall be issued as follows:

- (1) For the first nuisance or felony drug activity, a civil penalty against the owner of one hundred and fifty dollars (\$150.00) shall be imposed;
 - (2) For the second nuisance or felony drug activity, a civil penalty against the owner of three hundred dollars (\$300.00) shall be imposed;
 - (3) For the third nuisance or felony drug activity, a civil penalty against the owner of seven hundred and fifty dollars (\$750.00) shall be imposed;
 - (4) For the fourth nuisance or felony drug activity, a civil penalty against the owner of one thousand (\$1,000.00) shall be imposed;
 - (5) For each nuisance or felony drug activity after the fourth, a civil penalty against the owner of three thousand dollars (\$3,000.00) shall be imposed.
- (c) If an owner or person in control submits a plan to abate or prevent further nuisance activities, no impact fees shall be imposed for nuisance activities or felony drug activities during the period reasonably required to carry out that plan, if that plan is executed.
- (d) The determination that a premises is a Chronic Nuisance Property subject to remittance for the cost of enforcement pursuant to this section and subject to civil penalties or criminal prosecution pursuant to this chapter shall be effective for a two year period beginning with the date the property is declared to be a Chronic Nuisance Property. If at any point during that two-year period, another nuisance activity or felony drug activity occurs at the property, the two-year period shall restart from the date of that activity. The two-year period shall restart again for any subsequent nuisance activity or felony drug activity.
- (e) In addition to other relief ordered, a court of competent jurisdiction may authorize the City of Norwood to physically secure the property against all access, use or occupancy in the event that the owner fails to do so within the time specified by the court. In the event that the City of Norwood is authorized to secure the property, all costs reasonably incurred by the City of Norwood to physically secure the property shall be paid to the City of Norwood by the Owner and may be included in the City's money judgment, including court costs.

567.09 OTHER PENALTIES.

- (a) Permits, including those for occupancy, health, etc., granted to the owner may be subject to revocation based on the declaration that a property is a Chronic Nuisance Property.
- (b) The declaration of a Chronic Nuisance Property, an order to abate a nuisance, or the assessment of costs by the City of Norwood on a property do not affect or limit the City's right or authority to bring a criminal prosecution or other legal action against any person for violation of the City's ordinances or the Ohio Revised Code, including those provided for in Ohio Revised Code Chapter 3767.

SECTION 2. This ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City who will benefit from its enforcement as soon as practicable upon its adoption.

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 _____ (date) and _____ (date)
(Name of Newspaper)

Maria Williams
Clerk of Council

ORDINANCE READINGS

1st Reading 10-13-20
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings _____
Date

Tabled _____
Date



NORWOOD, OHIO

Ordinance No. _____

20 _____

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF NORWOOD AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS, RELATIVE TO THE IMPROVEMENT OF MONTGOMERY ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, Section §153.61 of the Ohio Revised Code provides for the agreements between any County and any municipal corporation for joint construction of public improvement; and

WHEREAS, Section §4504.04 of the Ohio Revised Code provides for the application by the municipal corporation, and the allocation and encumbering by the Board of County Commissioners of funds available under Section §4504.05 of the Ohio Revised Code; and

WHEREAS, Montgomery Road is part of the Comprehensive Map of the Roadways of the County in accordance with Section §4504.03 of the Ohio Revised Code and is in need of improvement; and

WHEREAS, the City of Norwood, pursuant to Section §4504.04 Revised Code of Ohio, has made application in writing to the Board of County Commissioners for funds available under Section §4504.05 Revised Code of Ohio. These funds are to cover a portion of the cost of improving Montgomery Road; and

WHEREAS, the City of Norwood has filed with the County Engineer a copy of the preliminary plans and estimate of cost of such improvement; and

WHEREAS, the County Engineer has approved such preliminary plans and estimates of the cost and found the proposed improvement is conducive to the orderly and efficient flow of traffic within and through the COUNTY and so advised the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has allocated from funds available for such purpose as provided in Section §4504.05 (B)(1) of the Ohio Revised Code for a portion of the cost of such improvement; and

WHEREAS, the Board of County Commissioners shall certify to the County Auditor the amount of any funds allocated to City of Norwood. Final and detailed plans or statements of work to be done shall be submitted to the County Engineer for approval. Upon approval by the Engineer, the Board of County Commissioners shall have encumbered the moneys necessary to fulfill awarded contractual or other obligations for approved project costs; and

WHEREAS, upon notification by the City of Norwood that the work on an approved project has commenced, the County Auditor shall draw a warrant for such encumbered amount on the County Treasurer payable to the City Clerk of Norwood; and

WHEREAS, the City of Norwood shall use all moneys received by it under Section §4504.04, Ohio Revised Code, for the purpose for which they are encumbered and return for deposit in the fund established by division (B)(1) of Section §4504.05, Ohio Revised Code, any moneys not so used; and

WHEREAS, a joint agreement with the Board of County Commissioners for such improvement should be authorized and approved;

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

SECTION 1. It is hereby declared necessary and to the best interests of the City of Norwood, to execute an agreement with the Board of Hamilton County Commissioners in connection with the improvement of Montgomery Road.

SECTION 2. The Mayor and the Clerk should be, and hereby are authorized and directed to execute the attached agreement, for and on behalf of the City of Norwood, with the Board of Hamilton County Commissioners under terms and conditions listed in the attached agreement, which is deemed to be a part of this ordinance as if fully set forth herein and when so approved and executed, shall be in full force and effect.

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 the necessity to complete the street improvement project, this year, that improves the health and safety of 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 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

AGREEMENT

This Agreement, made and entered into this _____ day of _____, 2020, by and between the Board of County Commissioners of Hamilton County, Ohio, acting by and through its duly authorized County Administrator, hereinafter referred to as the "COUNTY", and THE CITY OF NORWOOD, Ohio, a municipal corporation, acting by and through its duly authorized Mayor and Clerk, hereinafter referred to as "CITY".

WITNESSETH:

WHEREAS, MONTGOMERY ROAD is within the corporate limits of THE CITY OF NORWOOD and is part of the Comprehensive Map of the Roadways of the COUNTY; and

WHEREAS, said that MONTGOMERY ROAD is in need of improvement, and that the proposed improvement is conducive to the orderly and efficient flow of traffic within and through the COUNTY.

NOW, THEREFORE, it is mutually agreed between the parties of said Agreement as follows:

1. The CITY will, in accordance with Sections 153.61, 4504.04 and 4504.05 of the Ohio Revised Code:

- (a) Prepare necessary estimate, specifications, contract and construction plans for the improving of MONTGOMERY ROAD and submit it to the County Engineer for his approval.
 - (b) Acquire all necessary rights-of-way, title of which shall remain in the name of the CITY.
 - (c) Advertise for bids on the improvement.
 - (d) Award the construction contract.
 - (e) Supervise construction of the improvement.
 - (f) Pay for all costs related to the Improvement of MONTGOMERY ROAD not covered by Section 2(b).
 - (g) Use all moneys received by it under Sections 4504.04 and 4504.05, Ohio Revised Code, for the purpose for which they are encumbered.
 - (h) Return to the Municipal Road Fund, division (B) (1) of Section 4504.05, Revised Code of Ohio, the Hamilton County Motor Vehicle License Tax Fund, any surplus of the amount cited in Section 2 (b).
 - (i) Maintain and keep in repair said road after completion of improvement at CITY expense.
2. The COUNTY will, in accordance with Sections 153.61, 4504.04 and 4504.05 of the Ohio Revised Code:
- (a) Have the estimate, specifications, contract and construction plans for the improvement reviewed by the County Engineer.
 - (b) Upon approval of the estimate, specifications, contract and

construction plans for the improvement by the County Engineer, encumber to the CITY from the Municipal portion of the County Motor Vehicle License Tax Fund, an amount of \$100,000.00 to cover the cost of the improvement. Said encumbrance is to be subject to final audit, review and adjustment upon completion of project.

- (c) Advise the County Auditor to draw a warrant for such encumbered amount, upon notification by THE CITY OF NORWOOD that work on the approved project has commenced, on the County Treasurer payable to the CLERK of THE CITY OF NORWOOD.

IN WITNESS WHEREOF, the parties to this agreement have set their hands this _____ day of _____, 2020.

WITNESS:

BOARD OF COUNTY COMMISSIONERS

BY: _____
COUNTY ADMINISTRATOR

HAMILTON COUNTY ENGINEER

BY: _____
COUNTY ENGINEER

APPROVED AS TO FORM:

COUNTY PROSECUTOR

WITNESS:

THE CITY OF NORWOOD
ORDINANCE NO. _____

BY: _____
MAYOR

BY: _____
CLERK

APPROVED AS TO FORM:

CITY SOLICITOR

I, _____, CHIEF FISCAL OFFICER OF
ACTING PURSUANT TO O.R.C. 5705.41, CERTIFY THAT THE FUNDS TO MEET THE
OBLIGATIONS OF THIS IS CONTRACT, HAVE BEEN LAWFULLY APPROPRIATED, ARE IN THE
TREASURY, OR IN THE PROCESS OF COLLECTION.

FISCAL OFFICER

DATE



NORWOOD, OHIO

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

1st Reading _____
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings _____
Date

Tabled _____
Date

Vetoed _____
Date

10/27/2020

EXHIBIT A

Increase in Permanent Appropriations to the following funds:

01-0820-8800	BUILDING DEPARTMENT	REFUNDS	\$600.00
31	E911 WIRELESS		\$25,000.00
33	EMPLOYEE FLEX SPENDING		\$32,000.00
36	CORNERSTONE TIF		\$87,432.65
37	LINDEN POINTE TIF		\$579,859.93
43	PARKS & RECREATION CAPITAL PROJECTS		\$3,435.54
50	WATER FUND	REFUNDS	\$10,385.28
61	SEWER FUND		\$1,850,000.00
75	CENTRAL PARKE SCHOOL FUND		\$214,020.51
84	CORNERSTONE TIF SCHOOL FUND		\$79,859.78
85	LINDEN POINTE TIF SCHOOL FUND		\$100,020.02
91	ROOKWOOD DEBT PAYMENT		\$473,745.32
94	DANAMOUNT TIF		\$224,459.67
96	NORWOOD CORONA VIRUS RELIEF FUND		\$712,643.00

Decrease in Permanent Appropriations to the following funds:

01-0820-7200	BUILDING DEPARTMENT	CONTRACTUAL	\$600.00
74	CENTRAL PARK TIF		\$109,801.68
92	ROOKWOOD SCHOOL PAYMENT		\$718,257.18
95	DANAMOUNT SCHOOL FUND		\$2,185.41



NORWOOD, OHIO

Resolution No. _____ *20* _____

RESOLUTION AUTHORIZING THE USE OF COVID RELIEF FUNDS TO REIMBURSE THE CITY OF NORWOOD FOR PAYROLL EXPENSES INCURRED FOR COVID-RELATED MANPOWER FROM MARCH 1, 2020 TO DECEMBER 30, 2020

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the “CARES Act”) was signed into law by the President of the United States on March 27, 2020; and **WHEREAS**, the CARES Act provides that payments from the Coronavirus Relief Fund (“the Fund”) may only be used to cover costs that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in the City of Norwood’s most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, the Ohio Grants Partnership of the Ohio Office of Budget and Management (OBM) has received, and transmitted to the City of Norwood, updated guidance which has clarified the proper use of the Fund; now therefore,

BE IT RESOLVED, by the Council of the City of Norwood, Hamilton County, Ohio that this Council authorizes the use of Coronavirus Relief Funds to reimburse the City for payroll expenses incurred for Covid-related manpower between March 1, 2020 and December 30, 2020; incurred to respond to the public health emergency.

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 Resolution was published in the _____ on _____ and _____ (date) _____ (date)

Maria Williams
Clerk of Council

1st Reading _____
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings _____
Date

Tabled _____
Date

Vetoed _____
Date



NORWOOD, OHIO

Resolution No. 20

RESOLUTION DECLARING THE NECESSITY OF LEVYING A TAX FOR CURRENT OPERATING EXPENSES IN EXCESS OF THE TEN-MILL LIMITATION AND REQUESTING THE COUNTY AUDITOR TO CERTIFY MATTERS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY

WHEREAS, Council for the City of Norwood anticipates levying a tax in excess of the ten-mill limitation as described herein; and

WHEREAS, pursuant to Section 5705.03 of the Ohio Revised Code, Council for the City of Norwood is required to certify to the County Auditor a resolution requesting the County Auditor to certify certain matters in connection with such a tax levy; now therefore,

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

SECTION 1. Pursuant to the provisions of Section 5705.19 of the Ohio Revised Code, it is necessary that a tax be levied in excess of the ten-mill limitation for the benefit of the City of Norwood, for the purpose of current operating expenses at a rate not exceeding eight (8) mills for each one dollar (\$1.00) of valuation which amounts to eighty cents (\$0.80) for each one hundred dollars (\$100.00) of valuation, for five years.

SECTION 2. The question of passage of said tax levy shall be submitted to the electors of the City of Norwood at an election to be held on May 4, 2021. If approved by the electors, said tax levy shall first be placed upon the 2022 tax list and duplicate, for first collection in the calendar year 2023 and continue for five years.

SECTION 3. Pursuant to Section 5705.03 of the Ohio Revised Code, the County Auditor is hereby requested to certify to Council for the City of Norwood the total current tax valuation of the City of Norwood, the dollar amount of revenue that would be generated by the number of mills specified in Section 1 hereof.

SECTION 4. The Clerk of Council of the City of Norwood is hereby directed to certify forthwith a copy of this Resolution to the County Auditor at the earliest possible time so that said County Auditor may certify such matters in accordance with such Section 5705.03 of the Ohio Revised Code.

SECTION 5. It is found and determined that all formal actions of the Council for the City of Norwood concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Council of the City of Norwood, and that all deliberations of Council of the City of Norwood, and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the rules of Council for the City of Norwood adopted in accordance herewith.

SECTION 6. This Resolution is hereby declared to be an emergency Resolution 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 certify a copy of this Resolution to the County Auditor so that the County Auditor may certify such matters in accordance with Section 5705.03 of the Ohio Revised Code.

Resolution Declaring the Necessity of Levying a Tax for Current Operating Expenses, etc.

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

CERTIFICATE

The undersigned hereby certifies that the text of the foregoing resolution is taken and copied from the record of proceedings of a meeting of Council for the City of Norwood, Ohio, held on _____, 2020. The undersigned further certifies that the same has been compared by me with said record and it is a true and correction copy thereof, together with a true and correct copy of excerpts from the minutes of said meeting to the extent pertinent to the consideration and adoption of said resolution.

Maria Williams
Clerk of Council

RECEIPT

The undersigned hereby acknowledges this day receipt of a certified copy of the foregoing resolution.

County Auditor

Dated: _____, 2020.

Resolution Declaring the Necessity of Levying a Tax for Current Operating Expenses, etc.

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

RESOLUTION READINGS:

1st Reading _____ Date _____

2nd Reading _____ Date _____

3rd Reading _____ Date _____

All 3 Readings _____ Date _____

Tabled _____ Date _____

Vetoed _____ Date _____