



# Norwood City Council

Norwood City Hall Auditorium (2<sup>nd</sup> floor)  
4645 Montgomery Road | Norwood, Ohio 45212  
May 9, 2023 | 7:30pm

## A) CALL TO ORDER

The Council for the City of Norwood met in regular session on the above date with Mr. Ken Miracle presiding. The meeting opened with a moment of reflection and the Pledge of Allegiance.

## B) INVOCATION

## C) PLEDGE OF ALLEGIANCE

## D) ROLL CALL

On roll call, the following members answered present: Mrs. Franzen, Mrs. Hoover, Ms. Royse, Mrs. Winterbauer, Mr. Thompson, and Mr. Breadon.

## E) AMENDMENT OF AGENDA

On a motion by Mrs. Franzen, seconded by Mr. Breadon, it was moved to amend the agenda as follows: add the second reading of the investment policy resolution, add a Committee of the Whole report, add a Housing Committee report, and add an ordinance regarding non-union pay rates.

All members present voted, "Yes." The motion passed.

## F) MINUTES OF PREVIOUS MEETING

### 1) April 25, 2023 – Regular Meeting

On a motion by Mr. Breadon, seconded by Mrs. Hoover, it was moved to accept the minutes from the April 25, 2023 meeting, as if read. All members present voted, "Yes." The motion passed.

## G) SPECIAL PRESENTATIONS

There were no special presentations.

## H) PUBLIC HEARINGS

1) *Public notice is hereby given that the City of Norwood, Ohio, proposes to modify its three year Community Development Block Grant (CDBG) projects as funded by Hamilton County, Ohio. Norwood proposes to amend its three-year MOU with Hamilton County in order to reallocate \$227,550 in CDBG funds from the ADA Curb Replacement Project and the Sidewalk Improvements ADA and Safety Matching Program to the Smith Rd ADA Reconstruction Project.*

Mr. Miracle opened the public hearing.

No one stepped forward to speak on the matter.

Mr. Miracle closed the public hearing.

2) *The Norwood City Council will hold a hearing to consider the City of Norwood's claim against Elena Hammock and My Prosperity LLC:*

- i. *To determine if there is evidence that there is "litter" on the land at 1911 Crown Avenue, defined in ORC 731.51B; and*
- ii. *Whether the Council authorizes immediate written notice to Elena Hammock and her company My Prosperity LLC, of Council's finding that there is litter on her land, and that she must collect and remove all that litter within 15 days after the written notice.*

Mr. Miracle declared the hearing open.

Tim Garry, Assistant Law Director for the City of Norwood, presented for the City. Mr. Garry presented the sworn testimony of Norwood City Board of Health Public Health Nuisance Inspector Jim Shelby, Sean Kenan (resides on Crown Avenue), Gina Helton (resides on Crown Avenue), Nioka Cope, and Kenny Stacey (residing on Franklin Avenue).

Mr. Shelby stated he observed the exterior of the property and acknowledged the accumulation of debris, junk, and trash on the property. Photos were taken May 4<sup>th</sup> and depict the condition of the property; additional photos were taken May 9<sup>th</sup>. Concerns were expressed regarding the method of how garbage is stored and collected on the property and the storage of rain water being gathered in various containers; mosquitos have become an issue because of the outside water storage. The condition with the mosquitos has occurred on this property in previous years, posing a public health risk; any type of standing water becomes a breeding ground for mosquitos. A water application for service has never been applied for since Ms. Hammock has owned the property. Ms. Royse confirmed

the conditions at this property were addressed last year; Mr. Shelby stated the debris was removed last year to meet State guidelines. The photographs of the property were circulated among members of Council for their viewing. Mr. Shelby stated a “dramatic change” to the property was noticed today; it was a positive change and some of the litter was removed. Mr. Shelby reminded everyone that this hearing was because of debris that has accumulated on the property since June 15, 2022. When questioned by Mr. Garry, Mr. Shelby confirmed there are still containers with accumulated water and some litter on the property. Neighbors on Crown Avenue testified and expressed their concern and frustration with the repeated return of the litter, debris, accumulated water following previous action being taken by the city, and the actions of the property owner toward them.

Mrs. Hoover asked about the frequency that the city can take action to address the accumulation of litter, debris, and standing water; Mr. Garry replied by stating action can be taken at any time accumulated litter and debris appear on the property, as defined by statute. Mr. Shelby stated the frequency could be complaint driven; not everything was removed from the back yard last year, but the property did meet the ORC guidelines at that time. Mr. Garry stated Ms. Hammock is facing a criminal trial next week for obstructing official business, resisting arrest, and disorderly conduct from her actions on June 15, 2022, when the city paid a contractor to clean up the property.

With no one else stepping forward to testify, Mr. Miracle closed the hearing.

On a motion by Mr. Thompson, seconded by Mr. Breadon, it was moved to declare that Council determines there is evidence of litter at 1911 Crown Avenue, as defined by ORC 731.51(B), and that Council authorizes immediate written notice to Elena Hammock and My Prosperity LLC of this finding that there is litter on her land, and that she must collect and remove this litter from the land within 15 days of receiving the written notice. All members present voted, “Yes.” The motion passed.

#### **I) REQUEST TO ADDRESS COUNCIL**

##### **1) Meg Albers                      Re: Public Comments**

Ms. Albers, residing at 1810 Hopkins Avenue, addressed Council regarding comments that were made at the previous meeting by Jeff Girton; she felt the comments were made in a disparaging way. Ms. Albers spoke about the length of time she has lived in Norwood, and how she used to rent in Norwood but is now a homeowner. She explained how she was vocal about speaking against a mural that was going to be painted on a neighboring building, and was then vilified and told by those who liked the mural that she should move if she didn’t like it. Ms. Albers stated she will continue to stand up for what she believes in and will continue to hold elected officials accountable.

##### **2) Marilyn Hanrahan            Re: Housing Plan**

Mrs. Hanrahan, residing at 2257 Monroe Avenue, addressed Council regarding housing in the city; she feels there was a lack of representation with the Housing Plan, as the 13 individuals involved in the plan were hand-picked and had personal interests or agendas about affordable housing in Norwood. Mrs. Hanrahan stated homeowners are concerned about their biggest investment, which is property values. The Housing Plan is a direct result from a special interest group’s study and didn’t represent all of the city.

#### **J) REPORTS OF STANDING COMMITTEES OF COUNCIL**

##### **1) Committee of the Whole: 03/14/2023**

On a motion by Mrs. Hoover, seconded by Mr. Thompson, it was moved to receive and file the committee report. All members present voted, “Yes.” The motion passed.

##### **2) Housing, Health, & Public Safety: 04/04/2023**

On a motion by Mrs. Winterbauer, seconded by Mr. Thompson, it was moved to receive and file the committee report. All members present voted, “Yes.” The motion passed.

#### **K) THIRD READING OF ORDINANCES/RESOLUTIONS**

There were no third readings of ordinances or resolutions.

#### **L) SECOND READING OF ORDINANCES/RESOLUTIONS**

##### **1) RESOLUTION ADOPTING THE CITY OF NORWOOD TREASURER’S OFFICE INVESTMENT POLICY.**

On a motion by Mr. Thompson, seconded by Mr. Breadon, it was moved to hear the second reading of the resolution. All members present voted, “Yes.” The motion passed.

#### **M) INTRODUCTORY READING OF ORDINANCES/RESOLUTIONS**

##### **1) ORDINANCE TO CHANGE APPROPRIATIONS FOR THE YEAR 2023, AND DECLARING AN EMERGENCY.**

On a motion by Mr. Thompson, seconded by Mr. Breadon, it was moved to suspend the rules and hear all three readings of the ordinance. All members present voted, “Yes.” The motion passed.

Mr. Thompson stated these are clerical changes moving money from one Rookwood TIF fund to another Rookwood TIF fund to make a TIF payment.

On a motion by Mr. Thompson, seconded by Mr. Breadon, it was moved to pass the ordinance. All members present voted, "Yes." The motion passed.

2) AN ORDINANCE OF THE CITY OF NORWOOD, OHIO AUTHORIZING NON-UNION EMPLOYEE PAY RATES.

On a motion by Mr. Thompson, seconded by Mrs. Franzen, it was moved to suspend the rules and hear the first and second readings of the ordinance.

Mr. Thompson asked Mr. Powers to speak on this matter; Mr. Powers stated this is similar to salary ordinances in other communities. The ordinance provides the pay rates for exempt and nonexempt positions and is broken down into hourly rates for quick comparisons; it also references wage changes, temporary increases, and the benefits for the Police and Fire Chief. Mr. Thompson stated there is some matter of urgency and he will call a Finance Committee meeting to go more in depth in the event anyone else has additional questions.

All members present voted, "Yes." The motion passed.

**N) ADMINISTRATION REPORTS**

Mayor Schneider mentioned the pay rate ordinance; he has interviewed candidates for the HR position and is asking Council to approve a higher start rate for the final candidate. There is also a stipulation to recognize the final candidate's previous years of public service, which will result in more vacation time than a newly hired employee.

On a motion by Mrs. Hoover, seconded by Mrs. Winterbauer, it was moved to receive, file, and accept the appointment with the salary indicated, with an edit to specify on page two that it is 120 units of vacation time. All members present voted, "Yes." The motion passed.

Mayor Schneider mentioned a streets meeting with engineering staff; a street survey was completed three years ago and they are still operating off of that survey. Those surveys typically have a life of 5-10 years; they will look at the survey to spread street repairs around all wards in the city. Varelman will be completed soon; Lincoln Avenue will be resurfaced in early August and Rolston Avenue repair will begin in spring of 2024. The Community Development Block Grant (CDGB) funds will move more money for Montgomery Road and Smith Road. The spring newsletter was sent out and is also available on the Norwood website; there is a lot of information in the newsletter. Students from Norwood High School art class painted a crosswalk at Mills and Montgomery; Mayor Schneider thanked Miller Brothers Paint, LaRosa's, and Northwoods Cidery. Mayor Schneider acknowledged the challenges with the implementation of the new water meters; an update will be posted online and made available for everyone. The new meters are making it so that "blue cards" are no longer distributed and no one will have to enter homes to get water meter readings.

**O) UNFINISHED BUSINESS**

Mrs. Hoover mentioned the Vice-President of the Norwood Historical Society located some additional news articles from the Norwood Tribune regarding Marsh Park; these articles were included with the historical marker application and printed copies were distributed to all members of Council. The Marsh Park survey is still open and responses will be collected for another month.

**P) NEW BUSINESS**

Mrs. Franzen announced a Parks Committee meeting to take place at 6pm on May 15<sup>th</sup>. She also mentioned the Hunter Park Community Garden build and the potential naming of the garden.

Mr. Thompson announced a Finance Committee meeting to take place at 6:30pm on May 16<sup>th</sup>; agenda items include monthly bank reconciliation and non-union pay rates.

Mrs. Hoover announced a Law & Ordinance Committee meeting to take place at 6pm on May 22<sup>nd</sup>. She also announced a Housing Committee meeting to take place at 6:30pm on May 23<sup>rd</sup>. Mrs. Hoover placed the matter of recycling into the Housing Committee; Norwood currently recycles about 11%.

Mrs. Hoover mentioned the Health Department annual report; there will be a free grief group starting with the Health Department taking place on Tuesdays and Thursdays. The 513 Relief Bus will be in Norwood on July 25<sup>th</sup>. The Norwood Police Department was put in contact with Kia regarding the ongoing issue with stolen vehicles; steering wheel locks are in and available for owners of specific vehicles.

Mrs. Hoover stated more than half of Norwood residents are renters and renters are deeply invested in the community. Mrs. Hoover stated she would like to see renters, homeowners, high-income, and low-income residents as part of the housing discussions, coming from a place of diversity and inclusion. Ms. Royse stated she is a renter and that renters do invest in the community, and that owning a home doesn't make someone a better or worse person.

Mr. Miracle stated he heard from Mr. Stith, and there will be a public hearing for the 2024 tax budget prior to July 20, 2023.

Mr. Breadon stated he did not hear a “slight” against renters at the meeting this evening from either of the individuals who addressed Council.

**Q) COMMUNICATIONS**

**1) Mayor Victor Schneider**

**Re: Mayor’s Court Fines: April 2023**

On a motion by Mr. Thompson, seconded by Ms. Royse, it was moved to receive and file the letter. All members present voted, “Yes.” The motion passed.

**2) Ohio Division of Liquor Control**

**Re: BB Endeavors / Donna Cap LLC**

On a motion by Mr. Thompson, seconded by Mrs. Franzen, it was moved to receive and file the letter with no hearing requested.

Mr. Thompson’s suggestion to the Building Department was to site the owner, as opposed to disputing their business liquor license. Mrs. Hoover stated she spoke with an individual at Cappy’s about the issues; two have been completed and the other is currently being addressed.

All members present voted, “Yes.” The motion passed.

**3) Norwood Law Department**

**Re: Request for Conference in Executive Session  
at May 9, 2023 Regular Meeting under ORC  
121.22(G)(2)**

On a motion by Mr. Breadon, seconded by Mrs. Franzen, it was moved to receive and file the letter and to enter into Executive Session under ORC 121.22(G)(2). All members present voted, “Yes.” The motion passed.

Council entered Executive Session.

Council returned from Executive Session.

**R) EXCUSE ABSENT MEMBERS**

On a motion by Mr. Breadon, seconded by Mrs. Franzen, it was moved to excuse the absent member (Mr. Kelsch). All members present voted, “Yes.” The motion passed.

**S) ADJOURNMENT**

On a motion by Mrs. Franzen, seconded by Mrs. Hoover, it was moved to adjourn.

All members present voted, “Yes.” The motion passed.



Joseph S. Geers  
Clerk of Council



Ken Miracle  
President of Council