

City of Springdale Council

June 20

2012

President of Council Marjorie Harlow called Council to order on June 20, 2012, at 7:00 p.m.

The governmental body and those in attendance recited the pledge of allegiance. Mr. Vanover gave the invocation.

Mr. Vanover took roll call. Present were Council members Diehl, Emerson, Hawkins, Knox, Squires, Vanover and Harlow.

The minutes of June 6, 2012 were approved with seven affirmative votes.

COMMITTEE AND OFFICIAL REPORTS

Civil Service Commission	-	no report
Rules and Laws	-	no report
Finance Committee	-	no report

Planning Commission - Mr. Vanover stated Hooters requested a minor improvement to the elevation color changes. That was tabled. There were requirements for a buffer and site lighting at the Autism Center at 305 Cameron Road. There were several residents in attendance. The residents did not want a fence and they were happy with the situation as it stands. This was a good circumstance where the residents don't need us to protect them. A ground sign at Full Throttle Carting was approved 5-0. A storm water regulation amendment was approved and is being referred to Council. There was discussion on redrawing the Springdale Rt. 4 Corridor district boundaries and aligning it more to what the actual business district is. The way it is drawn Cameron Road, Naylor Court falls under the Corridor District. The boundaries were arbitrarily set and now it needs to be fine tuned and pulled back in to the Rt. 4 Corridor proper and alleviate some potential headaches down the road where it bleeds over to residential areas.

Mrs. Harlow asked how did that church property get into the Rt. 4 corridor when Rt. 4 doesn't have any adjoining property lines?

Mr. Vanover said in the drawing of the map of the sub districts, most of Cameron Road and Naylor Court falls within that district. When we originally did it we didn't necessarily see some of the implications. There were certain residential areas that we wanted to pull in because there were larger blocks of land for development that would affect the corridor, but there were other areas where that wasn't necessary.

Mayor Webster asked so what is Planning Commission going to do? Are they going to redo the districts?

Mr. Vanover replied the City Planner and staff are going to look at the boundaries on each sub district and bring it to Planning. We'll give our final approval and refer it to Council.

Mayor Webster said a ton of work went into that. I'm shocked that the Cameron Road area is in there but I'd love to talk to some of the people who did that to see why they saw fit to pull that in. I'm very concerned if we start changing that.

Mr. Vanover said we're not going to reduce requirements or regulations. It's more tightening it up and being more true to what the corridor actually is. There are four corridors and some will be fatter than others. It's not a major rewrite.

Mr. Parham said the study was put together before I arrived here 1993. At that time it was to serve as a guideline for the development of the corridor. Probably when they began to identify the areas, the planners probably incorporated some of those residential areas into the district. Then, later on the City decided we wanted to formalize the process and it was adopted as part of the Code, but we did not make any adjustments to it at that time.

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Board of Zoning Appeals	-	no	report
Board of Health	-	no	report
Public Utilities	-	no	report
Public Relations	-	no	report
Capital Improvements	-	no	report
Public Welfare, Safety & Education	-	no	report
Housing Board	-	no	report
Public Works	-	moved to	7A
O-K-I	-	no	report
Mayor's Report	-	no	report
Clerk of Council/Finance Director	-	no	report

Administrator's Report – Mr. Parham stated earlier this year we were fortunate enough to implement the electrical aggregate for the City for the residents. We had postponed the natural gas part of the program so now we would like to begin the process so hopefully have it in place if we decide to take advantage of what rates might be out there. I have been exchanging e-mails with the consultant. They put an RFP out in February or March but the rates they received at that time were not where he thought they could have been. He thought they could have been better. He received three bids and he has been having discussions with some of those bidders and they have provided lower rates. IGS is the supplier for natural gas that submitted the lowest bid. They have since adjusted their bid lower. We would like to have legislation at the July 18 meeting for the adoption of the master agreement. Even though we adopt the master agreement, that does not mean we would take advantage of the rates unless we find they are favorable for the residents. If the rates that IGS presents at that time are higher than what Duke presents, then we would not put the program in place. We would wait until the rates are going to be lower. With the gas, they tend to fluctuate more frequently than the electric.

Mr. Parham said we have been planning a stream clean-up field day at Beaver Run for Saturday, July 28 at 9:30 a.m. John Morrell has indicated that they would provide hot dogs and drinks. We'll probably provide chips so anyone who would like to come out and help clean up the stream is welcome to come.

Mrs. Harlow asked have you thought about opening that up to organizations like the Boy Scouts and Girl Scouts?

Mr. Parham replied they are more than welcome to join us.

Mr. Parham said the concrete and catch basin work for the 2012 street program will be scheduled for August 6 through August, 31. That would include the curbs and handicap ramps also. The sidewalk improvement for SR 4 is scheduled for September 3 through 11. There are a number of sidewalk and minor repairs throughout the City. Those repairs will take place September 3 to 14. We hope to have the project completed by mid September. I don't know if you've had an opportunity to take a look at the outdoor advertising device but we put a sign up that welcomes you to the City of Springdale if you are heading westbound on I-275. If you are exiting Springdale heading east we thank you for visiting, and we hope to have another sign up to wish everyone a happy 4th of July.

Law Director's Report	-	no	report
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Engineer's Report – Mr. Shvegza said on the SR 747/1275 ramp modification project we now anticipate construction to start late this month. The contract completion date is September 30. Beaver Run Creek restoration project is basically complete. The contractor has addressed most items. On Century Circle, the construction of Phase I, the under drain behind the curbs is complete. The traffic signals are being set up today and tomorrow. Replacement of the north half of the pavement is delayed until June 25. We will have the bid opening for Merchant Street on June 26.

COMMUNICATIONS – Mr. Vanover read a letter from Duke Energy asking for an increase in distribution rates.

PUBLIC WORKS REPORT

Mayor Webster said thank you to those who came out to talk about the traffic calming devices. On April 4 Mr. Birkenshaw submitted a petition to Council signed by residents of Naylor, Cameron and Glensharon asking the City to consider installing some speed bumps on Cameron Road. We asked the Superintendent of Public Works, Jeff Agricola; Police Chief Mike Mathis, and Dan Shroyer, Fire Chief to start gathering information on what kind of devices were available, approximate cost, what other government entities had installed and to just gather as much information as we possibly could. We also queried through the Center for Local Government and received twenty-two responses regarding speed control devices. We also installed two speed signs, one northbound and one southbound on Cameron Road. On June 6 we met with the Public Works Department and shared that data and made a recommendation to the committee.

Mr. Squires reported the committee met June 6. In attendance were Public Works Director, Jeff Agricola, Assistant City Administration Jerry Thamann, City Administrator Derrick Parham, Fire Chief Dan Shroyer, Police Chief Mike Mathis, Mayor Doyle Webster, co-Council member Ed Knox and me. The topic was traffic calming devices. Council, you have a packet with a diagram in it. There are speed bumps and speed humps. A speed bump measures 36 inches wide and 3 to 4 inches high. A speed hump is a device that measures 12 to 22 feet wide and 3 to 4 inches in height. I attempted to give a diagram. The bump has a very steep rise to it. If it's 6 inches high it can do damage to a vehicle even at the speed limit. On the other hand, the speed hump is much wider and the rise in the curve is much less steep. If you put two dots on the arc and connect them with a straight edge such as that line you have drawn is parallel to the 12 foot base, the figure you have obtained is a speed table. A speed table is a speed hump that is flat on top. Notice that I have marked a speed hump, a speed table and a speed cushion because those were the items that were thoroughly discussed in that meeting. There was a tremendous amount of data presented there. Jeff Agricola surveyed three cities, Cincinnati, Sharonville and Alexandria, KY. Cincinnati uses speed tables only. Before they install any of these traffic calming devices they take a survey. The survey is 100 percent of all of the residents involved. In order to get the speed bumps, 60 percent of those surveys must be returned. Of that 60 percent, 70 percent must approve of the speed calming device that they want. Sharonville uses speed humps and Alexandria, Kentucky uses speed tables as well as speed cushions. If you want to know what a speed cushion is please look on page 5 of the diagram and see the picture of a fire engine going through a speed cushion. It is wide enough for a fire engine to get through but it does not affect an ambulance. The ambulance wheel separation is not wide enough for it to do that, nor a police cruiser. A note as to any controlling device. They are temporary and must be removed in the fall. It takes a crew of three workers about three days to install them. As a result of that, street repairs must be performed. On page 9 you will see the anchors and bolts and material necessary to install those. There are literally hundreds of these that go into installing these devices. The speed cushions take several hundred more of these devices than do the speed tables or the corresponding speed humps. They have to be taken up every year and the next year when they are installed they have to be moved forward several inches. Then you have the holes in the road that must be repaired. If you don't repair them, you will get water which will freeze and expand and then you have a worse condition than you had before. All of the department directors said that speeds are reduced but cut-through traffic is not generally affected. Advanced warning signs are mandated. The Chief furnished us with some citations issued on Cameron Road through June 2012. None of the motorists cited this year lives on Cameron, Naylor or Glensharon. It's the ones cutting through.

Mr. Squires said Chief Shroyer has spoken with the City of Cincinnati, Sharonville, Dayton and other fire districts and the Fire Department is not in favor of it. They would rather have some other device there. A fire engine has a very long wheel base to it. A fire engine must come to a complete stop at one of these traffic calming devices. The driver must ease the front wheels over the device, go slowly to engage the rear wheels, ease the rear wheels over that same device and then it takes about fifteen seconds to accelerate to the speed limit. Dan Shroyer figures they can lose anywhere from a minute

to a minute, fifteen seconds for each calming device. Considering that the Fire Department has a goal of four to four and a half minutes for each response, he is very adamant that if there is a better way, let's do it. The speed cushions would help the Fire Department but it would not help the paramedics. Regardless of what you use, if the paramedics are trying to administer an IV it can be very difficult, especially when they are on the phone talking to the ER about this particular patient. They would have to wait until all of them are cleared and then proceed that way. If the City decides to install any traffic calming device, it's highly recommended that they follow the same procedure as the City of Cincinnati and poll all the residents.

Mr. Squired stated Chief Mathis did quite a bit of research with Cincinnati, Dayton, Miami Township, even up to Dublin. He reports either you like them or you don't. There just doesn't seem to be any in-between with these. He did speak at length about this carry over. If you install them on one part of the city, it's not going to take long for other parts of the City's residents to say they want them too. Add that to what the Chief said, in any event, the Springdale Fire Department urgently requests that if these devices are installed, that you adopt a ban on on-street parking in the vicinity where those devices are installed. We asked the Chief why he felt that way and he said, in his opinion, somebody is going to say let's get this thing airborne and let's try it. He's afraid they'll lose control of the car and you'll have a big mess. It's not to say that will happen, just that in his professional opinion it could happen. Last but not least, is there a potential for the City to be liable? And the answer to that is yes. There is a great potential for a vehicle's occupant to be injured by traffic calming devices. Local governments lie dangerously close to the liability for such injuries. I spoke to Jeff Forbes about this. He stated an appeals case from the State of Ohio, Sanchez vs. Austin Town Township, 1986, after a passenger was unexpectedly thrown to the floor of a motor home when it crossed such a device in a public park. The court ruled that a municipality could be liable for the person's injury or claim. Doesn't say it will happen but it certainly is a possibility. This is just a general highlight of what went on at the meeting. I can't help but be impressed and I think if any Council member was there, they would be impressed as well at the amount of research that was dutifully done to present this traffic calming situation here. The Chief also spoke at length about the possibility of electronic devices that are available and a lot more sophisticated than the one you see here. The one the Chief has in mind is one that records the speed of the automobile and the time of day that it happened. Over a period of several tries with this, the Police Department can get a pretty good set of data as to when these things are happening and they can have officers there to correct it.

Mr. Knox said it was one of the most serious and professional meetings I've ever attended. Everybody did a whole lot of homework to come up with the answers. I would like to add that we talked about disabled people, bicycles and motorcycles. There's a very high possibility of somebody being injured going across one of these things. Whether we are liable or not, we have a safety issue. The liability issue was the only time that money was ever mentioned. These things would be expensive but nobody said that. People were looking at whether they would work or not and achieve the purpose we were trying to achieve. At the end of the meeting I believe everyone there believed that these calming devices would not work. Everyone was in favor of the unit that would show the speed of the individual.

Mayor Webster said I'd like to have Derrick Parham go into some detail about these speed signs. We have installed two of those on Cameron Road, one northbound and one southbound. I'd like him to elaborate a little bit and bring Council and the audience up-to-date on what we have gleaned out of those.

Mr. Parham said I apologize because I gave you the packet that was probably confusing with what Mr. Squires provided you. I provided you a copy of this document. This document shows the speed signs that Mr. Squires spoke of. We purchased two speed signs. I think they are more than worth their weight in gold with what they provide for us. We put the first one up May 29. The instrument has the ability to count the number of vehicles that pass through. It measures by radar just as the police officers use when they are on the road. It will identify your speed, the number of vehicles that pass the intersection, the total amount of vehicles for whatever period of time you choose to measure. It gives you all different types of information. You can have the instrument

operating simply to gather data. Unless the residents saw the employees out putting them on the poles, you didn't know they were there. Once we gather enough information, that tells us how many vehicles are coming through, the average speed, the highest speed (you can set the lowest speed), the 85th percentile which essentially says at a certain speed (say it is 25 mph on Cameron Road and you have an 85th percentile of 28 mph.) That says 85% of the vehicles were traveling at 28 mph or lower. Once we've put them up for the first period of time, now when you go back, we have set the instrument so that it will flash your speed as you are driving towards it. There's one facing northbound and one facing southbound. It continues to gather data counting the number of vehicles, counting the speed, but this time it is now flashing to tell you how fast you are going. We can also set it so if the speed limit is 25 mph and we want to come to your attention, it will flash your speed at say 30 mph, but once you hit 31 mph a strobe light will come on and flash at you. As soon as you go below 31 mph it goes back to just flashing and indicating your speed. There were a couple of articles in the Cincinnati Enquirer relative to an auto accident where a young child was run over, hit by a motorist in Cincinnati on Lafeuille Avenue in the Westwood area. There was an article on June 12 and the title reads: "City recommends speed signs on Lafeuille". The opening article reads City traffic officials say the best thing the City could do to try to help try to cut down on speeding along Lafeuille Avenue in Westwood is install those digital speed notification signs to tell drivers how fast they are going. Other traffic control measures like speed humps and stop signs won't work for various reasons according to the new report from the City Manager's office. The next day there was a second article that indicated that the Cincinnati City Council okayed stop signs at the intersections and overruled the traffic engineer's suggestion because the stop signs did not meet the warrants we've talked about before. We put the instruments up on May 29 and we've been gathering data. From June 6 to June 13 we simply measured both devices. The southbound device measured that 2,407 cars were traveling southbound. The top speed was 48 mph. Two thousand, three hundred one cars traveled at 35 mph or slower, 95.59%. Eighty-nine cars were going between 36 and 40 mph and fourteen cars were going from 41 to 45 mph. Three cars exceeded 46 mph. The northbound sign registered 1,685 cars. The top speed was 43 mph. One thousand six hundred fifty-eight cars traveled 35 mph or slower, twenty-three cars were traveling between 36 and 46 mph; four cars between 41 and 45 mph. When we first put it up we were trying to make sure it worked and were trying to collect data, etc. After having it up for two days, we noticed that there were 389 vehicles that traveled southbound. The average speed was 26.31 mph. The eighty-fifth percentile was 28.56. Eighty-five percent of the vehicles were traveling at 28.56 mph or less. The maximum speed was 45 mph and the minimum speed was 16 mph. You have the ability to set the instrument at a minimum. You can also set it at a maximum. So he wouldn't capture the postman who stops and goes, stops and goes. The second time he set it at 5 or so. The average volume per day showed 331.77 for a two-day period. There are a number of reports that the instrument has the ability to share with us. As you look over the information and the Chief would say to you, the information suggests that the majority of the passengers on Cameron Road are not speeders. The majority are within that 35 mph pace. Of course, we saw 48 mph. Before we received these instruments we had the officers out on the street. We did cite an individual who was going 60 mph. What Mr. Birkenshaw shared with us was not an exaggeration. There are some individuals who are choosing to drive faster on that street but the majority of the vehicles that are traveling on that road are very close to what the speed limit is or are in that forgivable time frame. I think the comments the committee shared with you earlier relative to the department directors and the information we received from the other jurisdictions, we thought it was important to get experience from communities who have already had speed humps, tables, bumps, what experience they had, share that information. I think very clearly because we're constantly contacted by residents who have concerns with individuals speeding on their streets. Just as we did with Cameron, we had the officers go out, sit on the street and if we catch you speeding, we cite you. In some instances they provide warnings. I think Mr. Squires shared the information with you and at the last meeting, I think I indicated, Mr. Birkenshaw, that it was his neighbors who were being cited. It was not your neighbors. We actually had from twenty-four citations, nine from what I would define as outside the Springdale neighboring communities, such as Middletown or downtown Cincinnati. Twelve were motorists living outside of Springdale but in close proximity such as Forest Park, Woodlawn, Greenhills. Three motorists were Springdale residents but none of those were on Cameron, Naylor or Glensharon. The experience from the other

communities indicates to us that these can be costly endeavors. We have residents who ask us to put up signs that say "Slow, Children are Playing", ask us to provide additional enforcement because people are rolling through stop signs. We've had other requests for hearing impaired, visually impaired but we tried not to add more signage. The beautiful thing about these speed signs is that they are portable. Right now we have them focused on Cameron. We're continuing to run patrol on Cameron. When we believe that those who are outside the community have gotten the message, we will then begin to move these around to other streets throughout the community. Just again, to make everyone aware, we do have the instruments to capture the information to indicate to you that you are speeding and that the next indication you may get is a written citation. Mr. Squires talked about the temporary speed tables, speed cushions, speed bumps. I think the thing that stood out overwhelmingly for me after watching the vendor's video called "Traffic Logic", but even more so when the Public Works Director began to share the information from Alexandria KY, that every year they put them down and they take them up. When they take them up they can't get the stakes out of the ground. Invariably they have to cut them off. When they cut them off and can't remove them, then it begins to cause cracks in the roadway. Now you're back correcting an even bigger problem. Once he shared that information I thought I would want us to stay away from that particular program. Even before we put the sign up that flashes your speed, the information we were receiving says from time to time there are individuals coming through that far exceed the speed limit but for the most part it does not indicate that there is a major problem. I understand that you live on that street and see those individuals but unfortunately, we cannot stop individuals from using it as a cut-through because it is a public road but we will do whatever we can to make sure they lower their speeds.

Mrs. Harlow asked on the speed signs that collect the data, is there an opportunity to find out what time of day most of this is happening? Mr. Parham replied yes and Mrs. Harlow stated so we could station officers there if we see it is happening during certain time frames.

Mr. Parham replied yes. This document is one the Chief printed off for me. Across the top it shows the speed limit, total number of vehicles, total number of violations (over 31 mph). It shows the average number of violators, average number of vehicles a day but off to the side, it shows in hour increments, time of day.

Mrs. Harlow asked is there any correlation in the beginning of work and the end of work and what you are seeing there?

Mr. Parham responded, according to the Fire Chief who grew up on Naylor, his opinion is that you see most of it in the afternoon. I think this may have indicated quite a bit in the morning.

Mayor Webster said by reviewing this data we can pick up a trend and that will tell us when it's most beneficial to have an officer sitting there, rather than have an officer sitting there in the middle of the day when the report says there's never a speeder at high noon. Mr. Squires, you made a comment about the Fire Department adding a minute and fifteen seconds. I think that's assuming that we put three as has been talked about. The Fire Chief made the comment that for every one of these we put up we might as well put a stop sign. Because as Mr. Squires described, when you try to take a large vehicle over those bumps you are going to add about twenty seconds for every device you put out there. If you put three out, you are going to add 60 to 75 seconds to the run. The criteria is to get there within four minutes. This could add an entire minute to a squad run. That may not sound like a lot but if you are dying of a heart attack, it's a long time. A house fire intensifies 100 percent for every sixty seconds it's left unintended. You might say we never have a fire on our street but what we're looking at here is the whole city. Once we do one of these, then any person throughout the city may be in here saying we want one on our street. There are certain areas of the city where we are pushing that four minutes right now. Mr. Diehl is at one of the farthest points to the west. I think it averages four minutes, fifteen seconds to get to his house. We're probably already pushing past the four minutes in Heritage Hill. I have a real problem with having a speed calming device on any street that would prohibit us from getting there within the four minutes.

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Mrs. Emerson said you have twenty-four citations for Cameron Road in 2012. How does that compare to other areas in Springdale for that length of time?

Mr. Parham replied I did not have the Chief pull up any other areas because our focus was on this particular street. I believe Mr. Hawkins asked at the last meeting when we started enforcement there. I checked and I believe we first started in February of this year running the special enforcement on Cameron but we did not look at other streets.

Mrs. Emerson asked if we find these work, are they budget friendly that we could purchase others? I know they are portable but that's an awful lot of moving amongst Springdale. Could we purchase a couple of extras and put them in different areas?

Mr. Parham replied we could. Each device costs \$4,580.

Mr. Knox said a resident of Cameron noticed these things on a pole before the speed went on and she asked what happens in a high wind? Does that radar still pick up?

Mr. Parham answered I haven't received any information that the wind would affect them, keep them from performing. At the same time I have a Police Chief and Assistant Chief who are still in the learning phase of how these things totally operate. One of the neat things about these units is they have the ability to retrieve the data without taking it down. When you see them come down that is because the battery is getting low and they need to be recharged. It also sends you an e-mail that the battery is getting low and needs to be recharged.

Mr. Vanover said Middletown is one of our local cities that is issuing citations through photographs through the civil system rather than traffic regulation. They have a number of these signs throughout. There are six of them on I-75 south once you get across the river going through the cut in the hill. I have always been a big proponent of those because it's one of those things, when it flashes your speed up there and then the strobe, it definitely gets your attention. Some people are going to speed regardless but I think most people become attentive. I know Cincinnati has permanent speed humps (Mr. Parham said tables) around Alt Park. I hadn't thought about the effect on emergency equipment. I am just visually imagining some poor soul in the back of a life squad and they are trying to administer an IV. I wouldn't want to be that individual. My opinion is these speed signs are definitely the way to go.

Mr. Parham stated the City of Cincinnati has permanent speed tables. The City of Sharonville has permanent speed tables as well. If you would take a drive to Sharonville and observe those, their tables are very gradual and don't have much of a rise. I went over to the Community Center to take a look and talked to the Safety Service Director who informed me that they had others that were in the northeast part of the community. I looked at those as well and they are very gradual and relatively flat. If you go to the City of Cincinnati, those are not very gradual or flat. They are 2 ½ to 3 inches in height.

Mr. Diehl asked have we contacted other communities that have these signs now and how are they? Are they effective?

Mr. Parham responded yes we have. We had a survey of the Center for Local Government. Twenty-two communities responded and five of them indicated that they have them. As you begin to read through the information, you will see that the City of Mason responded yes, but they do not use speed humps or bumps; they use striping. Sharonville uses speed bumps and speed humps. One community indicated that they have speed humps but they have not installed them yet. Lebanon has them but they have not put them in place. They have put together a policy. Madeira says they have two areas under consideration for speed humps but no decision has been made to install them. Glendale indicates they do not have them but says they use a portable speed hump to slow traffic by the Village Square area. Anderson Township responded no, but they use speed signs. All of these things are considered traffic calming devices, whether they're a sign, hump, bump, table or cushion. Evendale recently purchased a speed sign but it is not in operation.

Mr. Hawkins asked how long of a life do these speed signs have?

Mr. Parham replied no, I don't believe we gathered the data on the life expectancy of these things. Most of the communities have recently gotten them. I know the City of Forest Park has a really large one they set on Kenn Road from time to time. As Mr. Vanover said, the mindset is to slow down whether you are hitting 25 mph, greater or less. I know over the last couple of years they're by schools.

Mr. Hawkins asked do you know how long the portable speed tables and speed cushions last?

Mr. Parham said Alexandria has had them for three years. The issue did not seem to be the cushion table. It's more the spikes because they have to replace those every year. If you construct one the size of a speed table, Mr. Agricola indicated that it takes about 100 spikes that you would buy each year.

Mayor Webster said you have to repair the streets and Mrs. Harlow said you have the labor to put them down every spring and take them up every fall.

Mr. Parham said if you go to trafficlogix's web page and watch the installation. I believe we counted eight employees out there installing them. Then you have to go back every year and take them up.

Mrs. Harlow said the website Mr. Parham has been referring to is www.trafficlogix.com.

Mr. Vanover said when you put down the portable speed tables or speed bumps you have to shut the traffic flow down. How disruptive is that going to be? I have seen speed signs that have the solar panel chargers.

Mayor Webster said these have solar panels but you still have to take them down.

Mrs. Emerson said Mr. Hawkins, the literature said there is two-year warranty on all signs and a ten-year warranty on LEDs.

Mrs. Harlow opened the podium to anyone who would like to address Council.

John Birkenshaw, 357 Cameron Road said it sounds like everyone did their homework. I still kind of wonder the type they have in Sharonville, how they were able to put three of them in front of the Rec Center. They've got to spend a minute going by the Rec Center. I really have to question that thought process they have. I know the signs are in stealth mode and I know why you have those real low ones. My neighbor said I do that for you because I slow down to turn in my driveway. I didn't see the numbers on the average speed. It's not the average speed; it's the 60 mph and 40 mph. There are a couple of kids that live by me and they just fly across the road. It makes you mad when you're backing out of your driveway or going to back into your driveway and somebody blows by you, and you know they're flying. I know the signs are there and I don't think to look at them even when they're blinking. I'm on top of them before I see them. The one up north, did you take it down or did someone borrow it?

Mr. Parham said we took it down because when we took it out of stealth mode it was not picking up the vehicles at a far enough distance to reprogram.

Mr. Birkenshaw said I wondered if it's because there are cars parked there. I think it should be closer to the park. That's a bigger concern, where the kids are at the park. You have a long lead way passing my house and the park. Last time I said I saw a guy flying up the road. He put the breaks on at the top of the hill because he knew the cruiser was going to be there. It sounds like the signs could be a good way to go. I wouldn't want to know what the average speed is on the street because that is convoluted by someone turning in their driveway. It seems like they need to record 31, 32, 33, 34 and how many people do those different miles. You say it was between 28 and 35 mph. By the park 35 mph is pretty bad. You say there are 2000 cars on that street every day. I'm a firm

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believer that you cannot, like Glendale does, put a sign up that says you can't drive on that street. I don't want to stop the traffic completely. I just want it to follow some semblance of a speed. I'm most concerned about the kids in the park.

Mary Lou Bea, 371 Cameron Road, said I'm a neighbor of John's. I thank you for the work you have done. Just for your consideration, Cameron has parking on one side of the road. We have a park entrance and as John said, we have an increased number of youngsters on the street different from my youngsters. They ride their bikes in the street. We have a disabled man who uses his wheelchair up and down the street. We have a sidewalk that covers only three-fourths of the way so you are required to walk in the street. Many things would cancel out if a youngster were killed or come out between parked cars. We want to be proactive so that doesn't happen. We can't compare all streets because all streets are not the same. We don't all have a park entrance or youngsters.

Mr. Parham said Mr. Birkenshaw, when I gave you the other information, it's not just average. Remember the 85th percentile that says 85 percent of those vehicles are driving at that speed and lower.

Mr. Birkenshaw said 35 and Mr. Parham responded it was 28.6 mph. Mr. Parham said we don't deny that from time to time there are individuals who are speeding. They are hitting at 48 and 43 mph but the majority of individuals who are driving on that street are not.

Mr. Birkenshaw stated I realize that. It's just the ones that fly. There is no sidewalk by the park. I think the sign should be closer to the park.

Mr. Parham said no matter what tool we decide to use, it is not going to stop all of those individuals who want to hit their gas fast. We have other concerns. Even with signs in that you may have someone who wants to see how fast they are going and they hit the speed to see it flash. Our primary and probably most effective tool is when it occurs there happens to be an officer sitting there.

Mr. Birkenshaw said it looks like these signs will give you the time of day it occurs.

Mr. Parham replied they should. If it's the same individual on a consistent basis around the same time, yes. We will try to have a clear shot away from the trees. If we move it more south you come into more trees. If you move it too far south, by the time they've picked up that speed they may be by it and may not see it. That would not be effective for us. We will continue to try to find the best location and deter speeders.

Mayor Webster said we need to get that sidewalk finished. We started that a few years ago. I would hope we can put it in the Capital Improvements budget for 2013.

Mr. Diehl asked have we decided how many we're going to buy?

Mayor Webster responded we bought two. We would like to leave them up on Cameron Road until we feel we have that situation under control and then we'll will move them to another hot spot. When we understand the capability we may want more in the future.

COMMUNICATIONS FROM THE AUDIENCE - none

ORDINANCES AND RESOLUTIONS

ORDINANCE 22-2012

DIRECTING THE HAMILTON COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE CITY OF SPRINGDALE, OHIO, AT THE NOVEMBER 6, 2012, GENERAL ELECTION, A REVISION TO ARTICLE VI, SECTION A, PARAGRAPH 1, AND SECTION B, PARAGRAPH 1, OF THE CHARTER OF THE CITY OF SPRINGDALE

First reading.

Mayor Webster asked Mr. Forbes, do we have to have the emergency clause on this? Do we have time?

Mr. Forbes replied you do have time. By the State Constitution Charter amendments have to be to the Board of Elections sixty days prior which is September 7 so you can have this first reading, second reading and adoption at your July meeting and even with the thirty days to take effect, you'll meet the sixty day deadline.

Public Hearing

The Public Hearing was opened and closed. No one came forward to speak.

RESOLUTION R5-2012

ADOPTING THE TAX BUDGET OF THE CITY OF SPRINGDALE FOR THE YEAR JANUARY 1, 2013 THROUGH DECEMBER 31, 2013

Mr. Knox made a motion to adopt and Mr. Vanover seconded.

Resolution R5-2012 passed with seven affirmative votes.

OLD BUSINESS

Mayor Webster said you all have a packet in front of you with a data sheet dated the 20th from Mr. McErlane that gives you three different variance requests: 688 Park, 370 Glensprings and 1098 Castro. You can tell how many notices we sent out under the current 200 feet. Thirty-seven went out for Park, twelve for Glensprings and thirty for Castro. Under all circumstances, even if we keep it the same, we still recommend that we add the placement of the sign on the subject property. If we move that up to 200 feet with ten houses in each direction on each side of the street, the 37 on Park Avenue would go to 61; Glensprings from 12 to 67 and Castro from 30 to 82. Then we go up to 59, 76, 19 and 67, 54 and 95. You can see what impact those changes have as far as the number of notifications sent out. We were talking informally before the meeting started. The postage is not that much of a consideration. It's more the clerical time involved in pulling all this stuff together that concerns us. Each one of these first three maps show Castro – 1, 2 or 3 with one being the current one. The second one would be 200 plus 20 and the other 300. Castro 4 would be 300 with the ten. Let me introduce another thought in this process. I think all of us feel that the present system leaves something to be desired especially when it comes to a variance like a home business. Does it make any sense to look at different requirements for different types of variances? If someone is going to put a shed within the setback requirement, does someone 10 houses on the other side of the street need to be aware of that? Do we need to take everyone in the 300 foot radius and notify them of that type of change? I think almost all of you at one time served on the Board of Zoning Appeals. Does it make sense to have different requirements for different types of variances?

Mr. Vanover said that's a good point I hadn't really thought about. I would tend to agree with you that somebody ten houses up the street isn't going to be as interested in an oversized shed or one with a reduced setback as an in-home business.

Mayor Webster asked are there other variances that might have an impact like a home business?

Mrs. McNear replied from time to time we have people request that the garage be converted to living space. That could potentially put more cars on the street. That might be a concern to neighbors ten houses away

Mr. Hawkins said the other one that caused a big stir was chickens. I think it's a legitimate point to consider by variance but while some of these things are not likely to cause a big stir, it's hard to pick and choose what the residents are going to be concerned with when you talk about a variance that will remain with the property forever. I wouldn't

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have a problem in looking at it but it may be difficult as there may be things we don't think are a big deal but the residents may.

Mr. Knox said I agree we should have a different criteria. Could we possibly try to avoid over wording the thing, simply say on the recommendation of the Building Department we could use the second criteria and have two separate criteria?

Mayor Webster asked you mean each individual case be looked at by the Building Department? Mr. Knox replied yes.

Mayor Webster stated you could do that but here again, I think it's going to be subjective. What they may find objectionable, you may not and vice versa.

Mr. Knox responded we could have examples such as the one Mrs. McNear brought up and businesses so they could have some guidance on which ones to use the second criteria in.

Mayor Webster said whatever we choose, I suggest we add the word minimum so at the discretion of the Building Department, if another property was being impacted, at least the legislation would give them the authority to send notification to that person. There's some good logic to that but I don't know whether the Building Department would want to have that overall discretion. You know with every decision they make, somebody is going to take exception to it, either they got a letter and don't think they should have or they didn't get one and think they should have.

Mr. Parham stated I prefer that the Building Department is not the one that's left out there to make that decision. For the Building Department employees to try to determine what is important to those individuals in the neighborhood puts them in a not so good position.

Mr. Diehl said I'd like to suggest we have three categories. The Building Department can come up with a list and we can decide what category goes where.

Mayor Webster asked what kind of list is the Building Department going to come up with?

Mr. Diehl replied type of variance and then somebody will decide which category.

Mayor Webster responded you are going to do that before you adopt the ordinance.

Mr. Diehl said I just threw that out for discussion right now.

Mr. Vanover said I would whole-heartedly hold the Building Department out of the decision process. Maybe the categories would be to go back two or three years and see what the types of variances that come out. I think we will find the bulk of them are sheds and other structures. The home business will probably increase in the future. Mrs. McNear is right. There are several in my neighborhood where the garages have been converted and parking on the street is at a premium. I think the categories are good idea but I don't want to be making the decision for my neighbors.

Mr. Parham said I'm not sure how the categories would be developed. I guess what you are suggesting is that the Building Department staff provide the different types of variances. You have to also remember this is for conditional use permits and zoning as well. I guess the staff provides the different types that we've had to Planning Commission and Council, and those two bodies, ultimately Council decides what it is in black and white and the Building Department enforces it. We already have something in place right now and the question is, why didn't this person receive notification. Well, they didn't fit within what the rules identify. So now we're looking at expanding it. I'm not sure you're going to find the perfect system unless you say for each item that comes across, you have to advertise in the newspaper, you have to put a sign in the yard and you have to notify every resident. Other than that, somebody's going to think 200 fits, some others think 300 fits, some are going to think 500 fits.

Mr. Forbes said if you think about variances, it's a variance to almost any provision in the Zoning Code. It would be nearly impossible for the Building Department upfront to categorize every type of variance that it might get. Even as they covered as many as they could come up with, there's a possibility that someone will apply for a variance and we'll still be in the situation where the Building Department, in theory, has to pick. They didn't identify that one on the category list so is it more like category 1 or category 2. If you go down that road, you'd still be leaving the Building Department where they will have to use some discretion to categorize this which, I would emphasize once again, as your legal counsel, you don't want your Building Department making that kind of discretionary determination.

Mayor Webster said the opinion of the Building Department is to leave the ordinance alone and just add the requirement for the sign in the yard. I totally disagree with them. I would recommend that we go with the 200 feet and 10 on each side of the street. It's considerably more effort involved. If you look back, we don't have all that many variance requests. We cancel one or two BZA meetings a year. It's not going to cause us to have to add personnel to the staff to do and I think in looking at the maps we have supplied you with it gives us adequate coverage. That would be my recommendation. We forget the categories.

Mrs. Emerson asked does the signage have to be limited to the person asking for the variance? Because we were concerned with the business on Park, I guess the concern is that my street is the next street over and only a certain number of people got notification because they were within that 200 feet. Is there any way we could put signage on adjacent streets or at the top of the street because then you cover a large area and not have to deal with labor or postage, etc. instead of just limiting to the resident who is requesting the variance?

Mr. Parham responded if Council decides they want to put it on the next street over and the next street over from there you can always do that. Whose property are you going to put it on?

Mrs. Emerson stated the City's. Don't we have the right-of-way?

Mr. Parham said we try to keep signs out of the right-of-way. I think when you put it on the subject property, that is the property where the intended action is taking place. The sign says there is a variance on this property on this date at this time. If you want to get more information, contact the Building Department or show up for that particular meeting. If you put it on multiple streets over or you expand it to 500 feet or you extend it to 10 or 20 houses down the route, somebody is always going to be on the outside of it unless you include the entire city. Somebody's going to be missed that felt they should have been included.

Mr. Hawkins stated I am in favor of the 200 and 10 houses in each direction and across the street. I think it's important that we maintain as much consistency as possible when dealing with these things as opposed to categories. In creating different levels of scrutiny the applicants could end up going to Common Pleas Court. I don't think the 300 radius or the 300 plus 10 houses in each direction are necessary.

Mr. Squires asked the 200 plus 10 in each direction and across the street would be for all types of variances?

Mayor Webster replied yes.

Mr. Vanover asked are the agendas for BZA and Planning published on the website? If they were, if somebody wants to find out, they can go there.

Mr. Parham said I don't think they are on the website until after the meeting has occurred. But if you see the sign you can get where you are and logon and pull it off the website or you could simply call and get information from the Building Department.

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Mr. Diehl said I agree with the 200 plus 10. I also think the Administration should look at putting the agenda on the website.

Mrs. McNear said how many people are going to look at the website. None of us up here even knows if the agenda is on the website and we're in the business of the City. It doesn't hurt to put it up there but I don't think we're going to get a lot more awareness.

Mrs. Harlow asked how everyone feels about the issue. Council agreed to send it back to Planning with the recommendation of 200 feet plus 10 feet in each direction and across the street.

NEW BUSINESS

Mr. Hawkins said I just want to commend our maintenance department or ODOT for cleaning the graffiti on the Kenn Road underpass in the last few days.

Mr. Knox said twice in the last week I have been going to the swimming pool and found unattended cars right in the roadway where it says not to park. In fact, one was parked right in front of the fire plug. In both cases they were cars driven by women with young children. There were no parking spaces available other than handicap that they did not qualify for. I was wondering if it would be possible that we could have two parking spaces across from the handicap spaces for fifteen minute parking where people could park and take their younger children to the swimming pool and not have to travel all the way across our parking lot?

Mayor Webster said my kneejerk reaction is that parking is such a premium down there anyway, the more we partition off. . . You go to the grocery store and you have spaces for pregnant mothers, handicap people, now we're going to have some for unloading children. Where do we say park your car and you and your children walk to the pool.

Mr. Knox said we do have some people with a problem.

Mayor Webster said if I was walking through there and saw those cars I'd call 911 or the Police Department and report a violator.

Mr. Knox replied I went to the desk at the Community Center and told them about that and I was told that the young lady there would have to contact the director and the director wasn't available. I wouldn't really want to call 911 for that.

Mayor Webster said call the Police Department and say we have a fire lane violator at the Community Center.

Mr. Knox said I'll do that in the future then.

MEETINGS AND ANNOUNCEMENTS

Family Fun Day at the pool	-	June 24
Planning Commission	-	July 10
Board of Zoning Appeals	-	July 17
City-wide yard sale	-	August 18
No Council meeting	-	July 4

COMMUNICATIONS FROM THE AUDIENCE - none

UPDATE ON LEGISLATION STILL IN DEVELOPMENT

Ordinance 22	-	July 18
Merchant Street Rehabilitation	-	July 18
CLGBP Benefits Pool	-	July 18
City to fund employees health savings account	-	July 18

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RECAP OF LEGISLATIVE ITEMS REQUESTED

Master agreement for gas aggregation	-	July 18
Notification requirements for BZA, Zoning Code, and conditional use permits	-	TBD
Group Rating Program for Workers Compensation	-	August 15
Renew agreement with NextStep Networking	-	July or August

Council adjourned at 9:05 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Marjorie Harlow, President of Council

_____, 2012