

City of Springdale Council

February 6

2013

President of Council Marjorie Harlow called Council to order on February 6, 2013, at 7:00 p.m.

The governmental body and those in attendance recited the pledge of allegiance.

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

The minutes of January 16, 2013 were approved with six affirmative votes. Mr. Squires abstained.

COMMUNICATIONS - none

COMMUNICATIONS FROM THE AUDIENCE - none

GOOD CITIZEN AWARD

Mrs. Harlow said Timothy Burdine is our Community Press carrier and he has been delivering our paper for seven to eight years. On January 5<sup>th</sup> he noticed that one of the neighbors on our street had not collected his mail and had not picked up his most recent copy of the Community Press. He was unable to arouse the owner at collection time but he noted that the car was in the garage. He went home and told his parents who knew the people who live next door to this house so they called them to see if they had seen this resident. They said no. The gentleman lived in the house alone, did not have any family in the area and was 79 years old. It was decided to contact the Police Department who was able to go in. Unfortunately, the neighbor had passed. As I talked to the Mayor about it, I said we always hear about teenagers who are not doing the right thing. Here we have a young man who is a freshman at Princeton. He is in the band, belongs to a church group and is earning funds right now so he can go on a church mission trip to Mexico. I felt it was really important that we take a few minutes and recognize a young man in the community who is doing the right thing.

Mayor Webster and Mrs. Harlow presented Timothy with a Good Citizen Award.

CHECK PRESENTATION FROM FIREHOUSE SUBS – Dan Torrence

Chief Mike Hoffman stated last fall we were fortunate to have Firehouse Subs come into our community at the Princeton Towne Center. Firehouse Subs has a program set up around the country where they will offer grants to fund fire protection services. Our Chief Fire Inspector, Tom Lindsey, submitted an application for the grant through the company. Our grant application was for more than the company usually awards, but we were very fortunate that Mr. Dan Torrence and his company granted us with the requested amount of funds in our application. Mr. Torrence is here tonight to present a check in the amount of \$22,057.98.

Mr. Dan Torrence, owner of the Springdale Firehouse Subs, presented the check to Mayor Webster. Mr. Torrence said thank you for your business.

Mayor Webster told Mr. Torrence that he felt they have done a marvelous job with the pictures at the restaurant showing the firemen and the City's Veteran's Memorial. He indicated that more and more residents have made positive comments to him concerning the pictures. The Mayor thanked Mr. Torrence and welcomed him to the Springdale community.

Chief Hoffman shared with the audience that the funds were going to be used to purchase camera accessories, CPR and AED training material and maybe more importantly "Turnout Gear" for the firefighters.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 3-2013

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO AMEND THE CONTRACT OF CDS ASSOCIATES, INC., FOR ENGINEERING SERVICES TO THE CITY OF SPRINGDALE AND DECLARING AN EMERGENCY

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

Ordinance 3-2013 passed with seven affirmative votes.

Mayor Webster said I'd like to take this opportunity to recognize our State Representative, Connie Pillich. I'd like to welcome her to the City of Springdale. The Mayor asked Representative Pillich if she would like to share some thoughts with the audience.

Mrs. Pillich said I wanted to come and say hello. I am in my third term and I am the ranking member on the Veteran Affairs Committee, and also on the Judiciary Committee and the Financial Institutions Housing and Urban Development. Our biggest bill is the biennium budget. All we've gotten so far is an outline. There does appear to be no relief to local communities in the new budget. I know that your Local Government Funds were depleted by fifty percent. There is a new school funding formula that has been introduced by the Administration which released some information on it this afternoon. It looks like Princeton will get a little more but pretty short over what they lost over the last two years. We don't know if it will pass constitutional muster yet or not. Medicaid will be expanded to include childless adults who are up to 138 percent of the poverty level. The sales tax rate will go down to five percent across the State but it will be applied to a lot more things. If you go to the Laundromat, order Netflix, have cable TV, go to King's Island, pay for a funeral, you will be paying more. That is supposed to pay for an income tax cut. I don't know how people will like that right now. It's a little disconcerting to me right now. It's early in the budget process and we'll see how it goes.

Mayor Webster said I know you are a former military person so I would certainly hope that given that background that you're a strong believer in the second amendment and the rights that have been bestowed upon us with that amendment. With each passing day we witness another one of these tragedies with these shootings, I get more and more concerned with these signs that are on public facilities that say "no firearms permitted". You might as well say killing field because if someone wants to come in and kill us, they aren't going to pay any attention to that sign. The only thing that sign does is keep law-abiding citizens like us from carrying a concealed weapon which we legally are entitled to do but we can't abide by State law and bring it through those doors. Something must be done to eliminate these signs on public facilities. It's a tragedy waiting to happen. These idiots, I shouldn't say idiots, mentally ill folks that decide to do harm to their fellow citizens aren't going to pay attention to that sign. They'll barge right through there and I want to be protected. Do you have any feelings on this?

Mrs. Pillich responded I hadn't thought of it that way. I do believe that sign will certainly keep the honest people from breaking the law. There is little you can do to prevent someone who has a mental illness from taking extreme measures. We need to make sure we expand our mental health treatment, especially to children. These are young men who have been doing this in large part and they have slipped through the cracks. Unfortunately, Ohio cut a lot of mental health services for the poor, even those who are severely mentally ill. I think we are starting to see some of the results of that. I don't think there will be any bills offered this year to restrict your rights to carry a weapon. I've heard absolutely nothing yet from my colleagues about background checks or assault weapons. There may be some federal legislation. By the time that gets passed it may be that everyone here has an assault weapon. At least they won't be concealed. Having that sign or not having that sign is not going to change your situation here.

Mayor Webster asked where would we start trying to get those signs removed? I understand we have no choice. That sign has to be out there. It's State law.

Mrs. Pillich said you could talk to your State Representative.

Mr. Squires asked are you listening?

Mayor Webster said you just took the ball. I understand you're going to run with it.

Mrs. Pillich replied it depends on what kind of support I can get for that. While I'm sympathetic to what you're saying, I'm also very concerned about the lack of background checks which is how these people with issues are getting these weapons. I think this is a very serious concern and should go hand in hand. I think there's also going to be a lot of people who feel comforted by the idea that they might come in here and expect no one to be packing other than maybe your police force. I've been in the military. I've been trained professionally and I've taken the conceal carry class. I took it with a bunch of other women veterans and four civilians. The target is seven yards away and there were some people who couldn't hit that target and that scares me more than having that sign on that door, that someone who has trouble hitting a target in a calm environment could be thrust into an environment where there is shooting and extraordinary stress and they are going to try to defend people and hit me by mistake. I want to have trained people engaged in defending us as opposed to vigilantes who really don't understand. If we want to offer some special training maybe that's it. I thought the training I had was okay. What I remember in the military was an extreme focus on safety. I was trained with a handgun. Safety was the bulk of the training. You don't get that in the conceal carry class. I think we could improve that because we need to respect these weapons. We need to improve our background checks. Then maybe can talk about also changing that part of the law. Maybe it would be wise to have a comprehensive study and I think we should bring a lot of people to the table to talk about it. I've supported a number of the bills that expanded the rights of citizens to carry weapons. I didn't support them all but probably three quarters of them.

Mr. Vanover said I have been through the CCW class. You may have had a different class but our instructor stressed safety over and above and I've handled guns a long time. I have been hounding our Legal Director because there is a city in Wisconsin that passed a local ordinance that allowed the certified CCW to carry within certain areas of their government buildings. As far as I can tell and I'm not a lawyer, the Ohio law and the Wisconsin law are very similar. I've hounded him because I know Ohio's a home rule. I hope things will change but I think it will come from this end up. I disagree with you to some degree because a criminal will by-pass everything. There is a black market out there. You know it. Everybody in this room knows it. That sign is for law abiding citizens. If somebody is intent on harm, they will do it. Unless we get metal detectors that everybody has to pass through. I was just down at the Hamilton County Courthouse and there are judges that are authorized to carry. I agree with you that the CCW is just a start to be a responsible gun carrier, gun owner. I agree there is a world of difference in standing on the firing line at Target World or Point Blank and the adrenaline of somebody but quite honestly if the military can do it, we can do it with civilians. I have two brothers who served in the Corps. My dad served in a Corps and they weren't gun nuts before they went in. The training is there and if it takes additional training, I'd be more than happy. I myself have looked. One of the best instructors probably in the country is in Springboro, Ohio who has classes and I have no problem with that. I think the best way to thwart a person intent on doing harm with a gun is for good people to have a gun to balance the act.

Mrs. Pillich replied I do fear we're going to have the OK Corral right here in Chambers.

Mr. Vanover responded no, not yet.

Mrs. Pillich said if we are going to have civilians acting like the military then I would really expect them to pass all the physical standards that the military has. I have to remind you that it was the base in Kentucky where one of the psychologists had an episode and he ended up shooting people on a base. Just because people are trained in the military, it doesn't mean that they're ready to engage in combat at a moment's notice. They store their firearms too. I think there's a bigger picture and I have to disagree with a little bit you said. I do appreciate that you feel like a sitting duck here. I'm glad you brought it up. I always have an open door. It's one thing to carry a weapon with you when

you go to your car and another to be engaged in a firefight in a public place. Anyone who has been trained knows you don't just shoot like that.

Mr. Vanover said that's why I say attending CCW is just a start. The effective accuracy range diminishes with a 9 mm gun. It puts us at a disadvantage. As we just talked about diminishing sources of funding for us to make that sign legitimate we would have to bring in metal detection gear or pay for a police officer, either pull him off the street which isn't good or we incur additional overtime costs.

Mr. Vanover said I thought I heard something mentioned a week or so ago about pawn shops. We just had a situation where we had some jewelry taken. Luckily my wife happened to stop by a pawn shop and we found some of it. I understand in Springdale we have an ordinance requiring a two-week holding period. There are others that don't. Another tells you five days. One piece of jewelry was a custom-made piece. They require the person selling it to sign a paper saying that it's theirs and they have the right to sell it. That criminal didn't bat an eye about signing that paper. They did take a photocopy of their driver's license and kept that. That was probably the big break because the person has been prosecuted. You could be missing an item and it could take you more than five days to notice it. I think a longer holding period allows the system to catch up.

Mrs. McNear said I know you know our feelings on this but since you are here I'm going to reiterate. We did pass a resolution and did send it to the State some time ago in regards to the State possibly collecting income tax for the City. As you know, we are not interested in that. We do not want that to happen. We want to be able to provide services to our residents and not rely on the State to send money to us. Has there been any additional conversation going on about that?

Mrs. Pillich said yes, there has been a little bit. I think you are talking about HB 601 which did a number of things including threatening to centralize the collection of local income taxes. It was unanimous among my communities that nobody wanted to do that so I voiced my opposition. That bill was introduced late in the year. It has been reintroduced as HB 5. I have just skimmed it. I don't think there is a provision in this version of the bill to centralize the collection of income taxes. However, it does have a lot of standardized definitions, procedures, deadlines for defining income and whether some types of money could be considered income and taxable at the local level. The sponsors of the bill tell me it's greatly improved and they gave me a little chart to tell me what the improvements are. I've given it to my aid and will be happy to send it to your City Administrator to make sure you all get that.

Mrs. McNear said that would be great. We are very interested in that. We don't want any part of sharing this. We don't want our funds being sent anywhere else. We have struggled over the last four or five years like a lot of communities have with the reductions from the State, reductions in business in general and reduced revenues in general because people are out of work, and we've really been struggling out of that hole and we don't want to have to counteract that now because our funds are being collected by the State, held by the State. Even if they are given to us at 100 percent, it may not be in the timeframe that we want or need them. We will adamantly say over and over again that we do not support this and we look for you to support us in this issue.

Mr. Knox asked would it be possible to have a study done to find out if any city or taxing entity would come out ahead under this new tax proposal? As I understand it, every one of us would lose.

Mrs. Pillich said it could be possible but someone would have to pay for that but I'll take that up and talk to the committee chair about that. There are a number of think tanks out there that like to look at this stuff. Maybe this is a project they would like to undertake. I have no means to make that happen on my own. I can also ask for a legislative service commission which can do a fiscal analysis of every bill. This might be beyond what they can do but I can ask them.

Mr. Knox said the Ohio Municipal League would probably be very helpful in doing such a study.

Mayor Webster stated we had a Municipal League meeting last week and a couple of our guests were House Reps, Mr. Henne from Montgomery County, Lewis Terhar from Green Township and Senator Kearney who is our Senator. It was a very spirited meeting and one of the things that surfaced in there was when HB 605 was first presented last year, one of the provisions of that bill was the centralization of the collection of earnings tax. They caught so much hell from everybody that they had to take that out because they knew if they didn't take that out, they would not get the rest of this bill passed. So they took the provision off and proceeded with 605 and the clock ran out on them. So they introduced it again this year as HB 5. But the intent hasn't changed. The intent from Governor Kasich is to centralize the collection of earnings tax and this is just the first step to launch that. If there is any doubt in your mind, all you have to do is pick up the paper this morning. He is going to collect the county portion of the sales tax to ensure that no county gets too much. It's under the pretense that each county is guaranteed at least ten percent more in the first few months regardless of how much is collected, then it goes to 15 percent and then in a couple of years they can make a firm determination of how much money is coming in and then they'll decide how much money each county is going to get. If there's any doubt in your mind where he's going with the collection of the earnings tax all you have to do is see where he is going with the sales tax. Representative Henne used the word compromise. He said we need to compromise, compromise. I stood up and said here's what you can do with your compromise. You can get the heck out of our earnings tax and stay out of it. We're very happy with our local code here and if Mr. Kasich thinks that's another reason that businesses come to Ohio, then he ought to run his own stats that people put out up there about how great the State's doing and how business is growing in the State of Ohio. So he's talking out of both sides of his mouth. He's saying he needs this centralize this earnings tax code to get business to come into the State. It's a big lie. It's a big power play on the part of the Governor to control our local earnings tax. We all should vote No for HB 5 because it's just the first step in centralization.

Mrs. Emerson said I want to go back to your statement about mental health coverage. As a professional health care giver I am sad to see the cuts in mental health. Society has seen it more and more as a problem. Anyone who has been touched by mental illness understands the importance of the coverage for that. There are fundraisers for the physical disabilities and all the other stuff and more money given to health insurance to cover the physical problems but mental illness is a big issue out there and I would like to see that raised by governments and the higher ups in government and let them know the importance of that. It's kind of pushed off to the side because you can see the physical disabilities but you can't always see the mental.

Mr. Hawkins said I think we need to get more money into mental health. I work in the justice system and a large percentage of the folks I deal with are suffering with mental illness. We need to make sure we have education with the law enforcement officers to make sure they know how to deal with folks and that those in the justice system have resources to help them. Also, is there any way you would support HB 5 if it included centralizing local earnings tax.

Mrs. Pillich replied I cannot see that situation. It's impossible to tell you how I'm going to vote on a bill until I read it but if that is the premise of the bill, I would oppose it.

OLD BUSINESS

Mrs. Harlow said we have a couple of items to discuss. We had some discussion previously on RVs and the parking of RVs on residential property.

Mr. Parham said following the last meeting I forwarded an e-mail to you all providing the results of the survey that the Center for Local Government conducted on behalf of our Building Department's request. In September, we had a resident come to Council and speak about the height of his fifth wheel that was twelve feet, eleven inches high. Mr. McErlane, our Building Official, obtained the survey results as well as observed current industry-wide standards as to the dimensions of these vehicles. Twelve jurisdictions responded to the CLG survey. Of the twelve, four of them regulate the size of RVs. Sharonville regulates up to 24 feet in length at the same time, they will permit up to 40 feet as a conditional use. Washington Township has a maximum of 12 feet high and 35 feet long. Blue Ash has a maximum of 27 feet in length and Wyoming has dimension limits of 10 feet high, 8 feet wide and 30 feet long. Eight respondents do not allow storage in the front yard. A few of them require a paved surface regardless of in which yard they are stored. One requires screening from the neighbor if it is stored in the side yard. The industry standards information Mr. McErlane was able to gather indicates that travel trailers, which are not fifth wheels, range from 10 feet 1 inch high and 22 feet long to 11 feet 1 inch in height to 34 feet in length. These RVs will sell between \$17,000 and \$40,000 if purchased new. Fifth wheels are as high as 12 feet high and 34 feet long to 12 feet 11 inches high and 42 feet long. The sale price for those is between \$30,000 and \$47,000. A Class "A" motor home ranges from 10 feet 10 inches in height and 24 feet long to 11 feet 3 inches in height and 33 feet long. They sell between \$76,000 and \$92,000. A Class "A" gasoline powered motor home range from 11 feet 7 inches high and 31 feet long to 12 feet 10 inches high and 38 feet long. Those range from \$112,000 to \$147,000. The Class "A" diesel powered motor home ranges from 12 feet 7 inches in height and 37 feet long to 12 feet 10 inches high and 43.5 feet in length. They sell from \$216,000 to \$413,000.

Many years ago a committee was formed of owners, non-owners, members of the elected body and Planning Commission to discuss the regulation of RVs and motor homes. The recommendation at that time, which Council accepted, was the current 11 feet in height and 30 feet in length. The results of the high end are 12 feet 11 inches in height and 33.5 in length. I think it's important that, if we believe there is a need for an adjustment to how we regulate these vehicles, we look to establish maximums in height and length and not simply respond to the industry when they begin to build bigger and better units. If we follow the industry, we'll simply continue to chase the tail and I don't think that's a good position to have us in. At some point, if you wish to proceed with examining how we regulate these units, we can have it go before the Planning Commission. The Commission can then deliberate and bring a recommendation back to City Council as to whether there should be an adjustment to our current regulations and what that adjustment should be or if they should remain the same.

Mrs. Harlow asked do you know how long ago this ad hoc committee was formed and came up with these recommendations?

Mayor Webster replied this was back in the seventies. There were a group of RV owners, non RV owners, Planning Commission members. It went on for several months and they made some very comprehensive recommendations to Planning Commission and that's how the current legislation was formed. They forwarded that on to Council and Council adopted it. Prior to that it was just a constant harangue about RVs and where they were parked, etc. The committee did a great job because we really haven't had that many issues over the years. We've been able to enforce our legislation and I don't think it's put any undue hardships on our residents. However, the industry has changed and I agree with Mr. Parham. I don't think we want to be sitting here every spring revising the ordinance because of the newest and greatest RVs have just hit the market. At the same time, I think it's a piece of legislation well over thirty years old and it's time for it to be looked at.

Mr. Diehl said I think this issue should be turned over to the Planning Commission and let them deal with it. Council agreed.

Mrs. Harlow said I only have one comment. The e-mail stated if someone could afford these types of travel trailers or Class A motor homes, then they could afford the storage on them. I don't think it's always an issue of cost on the storage. I think a lot of times it's an issue of having the unit close by for the security of them being able to watch over it. I understand that in the storage units these are broken into a lot. That might be one of the considerations that people would like to have them at their homes so that they can monitor that a little bit. I also think we have to be aware that we don't put something out there that the neighbors have to stare at also.

Mrs. Emerson said I am a travel trailer owner. As far as the storage, I don't know what storage places you are referring. A lot of storage places have cameras and they are locked in. Actually, to get to your travel trailer you have to call ahead of time and have them open the gates so you can get in. Maybe some of the older ones don't. My other thinking is these numbers were put in place not so much for the RV owner as it was the for the residents around them. My travel trailer is small enough that I'm allowed to park it in the driveway but my husband and I both agree that the neighbor next to us, all he sees is the side of our trailer. If you go higher up it covers more of your house which makes it more of an eyesore. Of the twelve communities they looked at eight of them don't allow you to park them in the front so maybe that is something we need to look at.

Mrs. Harlow said our second item of Old Business is the Veteran's Committee. We talked about wanting to add some names of service people who had served during all the different conflicts that we have been involved in, not just the veteran' that gave their all. It was brought up that we probably need to form a committee to find out how we go about obtaining the names of all the Springdale residents who have served in the different conflicts. We talked about having at least two residents and we would like those to be military. In talking with everyone here I haven't been told of any women who have served in the military who might be interested. If you are a woman in Springdale who served in the military we would love to hear from you if you would be willing to serve on this committee.

Mr. Knox nominated Robert Wilson, Master Sergeant E-8 type, U.S Army Reserve Retired. Mr. Wilson is an original member of the Veteran's Memorial Committee where he served for five years, four of which were as chairman. Mr. Wilson was a major fundraiser for the project. He made personal contributions and through his insurance agency was able to generate funds from the insurance company with which he was associated. He also made some of the first suggestions about the design for the memorial. He is willing to bring his experience and enthusiasm to this new committee. I highly recommend him to you all.

Mrs. Harlow said I agree with you about Mr. Wilson. He did do a lot of work on the committee and I think he would be an excellent choice.

Mr. Diehl nominated Mr. John Wright. John is retired from the U.S. Army. He was an Army ranger for twenty-two years. He lives in Beacon Hills with his wife, Pam, and one child who attend Princeton.

Mr. Wilson and Mr. Wright were approved by acclamation. Mrs. Harlow asked Mr. Knox to notify Mr. Wilson and for Mr. Diehl to notify Mr. Wright.

Mrs. Harlow said now we need Council people. Mrs. McNear, Mrs. Harlow and Mr. Vanover volunteered. All were approved by Council.

Mr. Parham stated following the last meeting there was an article in the local newspaper that spoke to the City considering additional recognition for the memorial. I did make contact with Mr. Redden who is in Florida at this time. One of the things I omitted last time is that he did offer a contribution towards this effort. I made it clear to him, because his request was for World War II Veterans, our discussion had centered around recognizing all veterans and not just veterans from one particular conflict.

Mr. Parham said just an update on the E-Bay sales. We sold the four police cruisers for a grand total of \$7,480. We're still scheduled to sell the electric vehicle and one other vehicle.

Mr. Parham said in your packets attached to the Pending Legislation Report, I included the language and a summary of the proposed permit fee adjustments that are scheduled for legislation at the February 20 meeting. I do have an adjustment on three of the pages. On page three, where it says Wall Signs, 5 wall sign package, the current fee shows \$433. At the far right it shows the proposed fee of \$628.00. The next two pages will cover the actual Code amendments. The first page will replace page number 4 (Section 153.533A of the Zoning Code). The original copy showed 80 cents per square foot with a minimum of \$80. We have adjusted that to 75 cents per square foot with a minimum of \$75. On the next page, replacing page 6, when we originally printed the first copy it did not show Fire Pumps at \$100 each. That's the only change. Mr. McErlane will attend the meeting on February 20 to address any questions you may have.

Mayor Webster said these fees have not been adjusted in more than ten years. In going through here I tried to see where we stood with the other six jurisdictions. In almost all cases we were either second or third from the bottom. I think the exception is interior finish where we were second from the top. I think it's a good thing for us to adjust these.

#### NEW BUSINESS

Mrs. Harlow said I was contacted by the Law Director. As he does every four years after the presidential election, he pulls the registered voter totals for all four districts. Previously, prior to this fall, it was pulled in 2008. District 1 was 1797 registered voters; District 2 was 1964; District 3 was 1889 and District 4 was 1773. At that time that was just a ten percent difference between the lowest number of registered voters in a district and the highest number of registered voters in a district. Our Charter addresses that and at that time we did not need to look at this any farther. He had the Board of Elections pull that for him and his e-mail of January 23 indicates that District 1 has 1675 registered voters, District 2 has 1809; District 3 has 1710 and District 4 has 1467 registered voters. The difference between the lowest number of registered voters and the highest number of registered voters in a district is 342. That's the difference between District 2 and District 4. That totals 23 percent. Our Charter tells us that we cannot do anything at all until there is a 15 percent discrepancy between districts. At that time you MAY elect to do something. At 25 percent it is mandatory to address the discrepancy. I believe that at 23 percent we should take a look at this. If we need to look at redistricting we should do it now as our Charter tells us to do before the next Council election. If we do decide to do this it has to be done by May so it can go into the Board of Elections. We need to set up a special committee made up of Council people and elected officials so they can review the redistricting and make recommendations on that. The last time this was done was 1993 and in the past historically, the committee was made up of at-large Council people because they don't have any skin in the game as far as districts are concerned. I would like to suggest to Council that we organize a special committee with the at-large Council members and Mayor Webster and Mrs. McNear serving on that committee to address the redistricting issue. I would need a motion and a second.

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

The motion passed with six affirmative votes. Mrs. Emerson voted no.

Mrs. Harlow said the members of the committee will set up their meeting and get back to Council as soon as you can. We need this wrapped up and to the Board of Elections by May. Mr. Forbes, once the committee makes a recommendation, we have legislation and pass it?

Mr. Forbes responded I assume so. I was not involved the last time redistricting happened.

Mrs. Harlow asked can you address the issue of why it would really be better to do it now as opposed to waiting until it does hit the 25 percent?

Mr. Forbes said your Charter provides the guidelines. Fifteen percent is the number that would allow you to review it. Twenty-five percent makes it mandatory. You are at 23.3 percent. At this point you are getting pretty close to that. I can't tell you what trends are happening but if you look at four years ago until this time the discrepancy is getting bigger. If the trend continues the next time you review this that 23 percent may be

much higher than 25 percent. The Charter provides that now is a time to do it so I think that's why you select the committee and let the committee go to work.

Mayor Webster stated it definitely is by ordinance. In 1993, Ordinance 41-1993 established the districts we have lived with since that time. At that time there was a 27 percent difference between Districts 1 and 4. It was mandatory and had to be done. It has been looked at every four years since that time and if it didn't hit the fifteen percent it didn't go any farther.

Mrs. Harlow said I did notice that on March 7, 2011 there was a mention in the minutes of redistricting. It was decided at that time that it wasn't necessary.

Mrs. Emerson said at 23 percent Charter doesn't mandate that we have to do it at 23 percent. If the at-large members are not affected by the redistricting, why would you do it on the year that the districts are going to be running? Why wouldn't you do it on an off year when the at-large are running? Why would you choose the year the districts are running when they are the ones that are going to be affected the most?

Mayor Webster said I'd like to answer that. The Charter dictates, Mrs. Emerson, as a matter of fact I thought you were going to memorize the Charter. You didn't do that?

Mrs. Emerson asked do you want me to start?

Mayor Webster replied the Charter dictates that it has to be done in the year in which district Council races and it has to be done by May so you have a five-month window to do that every four years.

Mr. Parham said I received an e-mail from OKI last week. OKI is in a campaign to re-evaluate and provide an update to its bike map. They are putting together what they call OKI Flash Bike Map Update Campaign. They are seeking comments from the general public to give feedback. With the e-mail that arrived on my computer, included is a link that will take you to the OKI bike map. The map is color coordinated. I believe the blue routes shown on the map represent safe routes. The yellows are routes that are cautionary and reds are locations they would not recommend as bike routes. For example, on SR 4 from Crescentville to Northland they would not recommend a bicycle route. However, on SR 4 from Northland Boulevard to Sharon Road they would recommend that as a bike route. Once you click on the website, you have the ability to provide comments and recommendations to OKI. If you click on Add a Comment, you can identify a street or location. Once you click on it, it will bring up a box and you put your e-mail address in and as well as insert your comments. OKI will receive that information. It will go to Mr. Don Burrell who is serving as coordinator of this project. They are taking feedback from February 1 through February 17. We're trying to have a link put on our Facebook page that will go out to the residents as well as get something on the web page. Then we're going to try to work on getting something on the outdoor advertising device so we can hopefully stimulate some discussion and recommendations from the general public. I can forward to each of you the e-mail link and if your constituents contact you, you can forward it to them.

Mayor Webster said speaking of e-mails, we've had situations where Council people have not gotten e-mails. Can you let us know the e-mail address you want us to use.

Mr. Parham said I send the pending legislation on Friday. Let me know if you are not getting it.

Mr. Diehl asked are they going to put bike trails in here?

Mr. Parham said for a number of years there has been a bikeway mapping system throughout the region. If you have ever had the opportunity to take the bike trail in Loveland, and you are heading north, it now goes beyond the 13 miles that it was going the last time I was on the trail. I understand it now goes almost to Dayton. Currently, there are bike routes for some areas in Springdale, Winton Woods, Forest Park, Glendale, and Sharonville area.

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Mr. Vanover said we talked about Kemper Road but the costs and construction requirements were prohibitive. There was a less than enthusiastic reception for it so we let it ride.

MEETINGS AND ANNOUNCEMENTS

Board of Health	-	Feb 14
Board of Zoning Appeals	-	Feb 19
SYB Horse Races and Monte Carlo	-	Feb 23
Heritage Hill Senior Valentine Breakfast	-	Feb 14

Mr. Vanover said Bill Siefert, past Planning Commission chairman passed away. It was a heartfelt loss and our condolences go out to the family.

COMMUNICATIONS FROM THE AUDIENCE - none

Mrs. Emerson made a motion that Council go into executive session as a committee of the whole to discuss economic development. Mr. Knox seconded. The motion passed with seven affirmative votes.

Council went into executive session at 8:28 p.m. and reconvened at 8:47 p.m.

UPDATE ON LEGISLATION STILL IN DEVELOPMENT

MKV bonds	-	Feb 20
Amending Section 152 of the Building Code	-	Feb 20
Amending Section 153.533 of the Zoning Code	-	TBD
Size and height of RV's and 5 <sup>th</sup> Wheels	-	TBD

RECAP OF LEGISLATIVE ITEMS REQUESTED

Council adjourned at 8:49 p.m.

Respectfully submitted,

Kathy McNear  
Clerk of Council/Finance Director

Minutes Approved:

Marjorie Harlow, President of Council

\_\_\_\_\_, 2013