

City of Springdale Council

February 20

2013

President of Council Marjorie Harlow called Council to order on February 20, 2013, at 7:00 p.m.

The governmental body and those in attendance recited the pledge of allegiance. Mrs. McNear gave the invocation.

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

The minutes of February 6, 2013 were approved with seven affirmative votes.

INTRODUCTION OF NEW EMPLOYEE – Brian Losekamp, Firefighter

Mr. Parham stated Council is continuing the practice of bringing new employees into the organization and bringing them before City Council to introduce them to the elected officials as well as to the community. I want to introduce Chief Mike Hoffman, and he will handle the introduction of our newest employee.

Mr. Hoffman said thanks for having us again. This is two meetings in a row the Fire Department has been here. What we're here for tonight is to introduce our newest full time employee. This is Brian Losekamp. Brian has family and friends with us here tonight for this great occasion. Brian resides in Harrison, Ohio and currently works for Harrison Fire Department, Springfield Township, Crosby Township, and Losekamp Plumbing. Brian comes to us with a variety of certifications. He is currently a state certified paramedic. He also has an Associate's degree through Miami University of Ohio. He started working with us on February 12. He's on Unit One and works under Captain Anthony Stanley. At this time I'd like to introduce you to Brian Losekamp.

Mr. Parham asked Mr. Losekamp if he had any words of wisdom.

Mr. Losekamp stated I do appreciate the opportunity to work for the City of Springdale. I'm very excited to start my career and plan on putting twenty-five plus years in for the City.

Mrs. Harlow offered welcome, we're glad to have you with us.

Mr. Diehl said I just wanted to say welcome to you. You are working with a fine group of fellow firemen and a good Chief there. I would like to say I appreciate the members of the Fire Department who came.

Mayor Webster shared in the last month here we've had the opportunity to meet some of our new firefighters and also our new police officers, and, first impression, I think the City is going to be in great hands going forward here. We have some great young people we've recruited into the workforce to go with what we already had. We've got a top of the line Fire Department, and I think Brian is just going to substantiate that. Welcome aboard Brian.

COMMITTEE AND OFFICIAL REPORTS

Civil Service Commission - Mr. Potts stated the Civil Service Commission oversaw testing for the recruitment of an administrative secretary for the Tax Department on Saturday morning, February 2. We had 69 applicants who took the test at that time. Just got the results back from the testing agency, and the results have been sent out to the candidates. After a period of time for the candidates to review the results, we anticipate to certify the top ten to Administration for consideration next time the Commission meets on Thursday, March 7. During the Commission's regular meeting this past February 7, in addition to discussions of that, we received updates on positions in the Public Works Department, a recreation programmer position, as well as a fleet mechanic, all currently being recruited by the City. The Commission also received an updated pay table for classified positions.

Rules and Laws

- no report

City of Springdale Council

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2013

Finance Committee	-	no report
Planning Commission	-	no report

Board of Zoning Appeals – Mr. Hawkins said the Board of Zoning Appeals met on February 19 at 7pm. All members were present. Had one matter of new business. The owner of 11667 Lawnview Avenue came before the board requesting a variance to allow garage conversion, subvariances from Section 153.105 (B) which indicates a single two car garage and related parking area is required. The garage shall have a minimum floor area of 400 square feet. The variance was granted with a 7-0 vote with the caveat they must maintain a working garage door and maintain 168 square feet of garage space. Do note that the applicant had a corner lot, so they face a unique situation in terms of being able to add an addition on without having a variance. They basically would have to add another floor.

Board of Health – Mr. Squires shared the Springdale Board of Health did meet February 14. A number of items were available for discussion. The minutes from the January 10, 2013 meeting were read and approved for the record. Under unfinished business, the by-laws of the Springdale Health Department were again discussed with the new members. They wanted to see those. The by-laws were adopted March 14, 1996. Under new business, the fees for the public swimming pools, spas and so forth were discussed. No decision was made about those. They appear to be a bit higher than a lot of the board members would like them to be, so they were sent back for some research and discussion at the next meeting. What the board would like to see is what they were prior to 2012, so we can get an idea of how much they've gone up since then. I have put in front of all of you, the City of Springdale Health Department 2012 Annual Report. What is in this is basically not a summary, but lessons, if you will, of my reports that I gave to you all through the year 2012. It is very interesting reading. I would invite you to take your time and go through it. I think you'd be very proud of some of the things the Health Department has done. The Health Commissioner's report usually consists of nuisances, animal bites, food-borne illnesses and so forth. There was one animal bite this time and seven other items that were food-borne illnesses, bedbugs, etc. Under the public health nurse's report, we had a number of things to give there. With your permission, I'll read some of it to you. Flu activity in Ohio is widespread. As of January 30, there have been two influenza associated pediatric deaths. Last flu season there were none, and the year before there was one. The number of influenza associated hospitalizations this current season is much higher: 3,434 as of January 26, when compared to last year's flu season: only 111. So the lesson there is, if you're listening folks, when it comes time to get your flu shot, please don't procrastinate. Get it; they work. The Children's Health Fair is coming up May 16 at the Springdale Community Center. That's always a big event. Many fifth graders from the Springdale Elementary Schools take part in that. The Healthy Women, Healthy Lives symposium is scheduled for June 8 at the Healing Center at the Vineyard Church. And last but not least, the Mobile Mammography van will be at the Springdale Community Center, Tuesday, March 12 from 7am to 11am. Please take advantage of that. Call 686-3300 to schedule an appointment.

Public Utilities	-	no report
Public Relations	-	no report
Capital Improvements	-	no report
Public Welfare, Safety & Education	-	no report

Housing Board – Mr. Squires had no report at this time. As soon as the redistricting meetings are finished, I intend to have a meeting for that.

Mrs. Harlow inquired if it would be in the next 60 days.

Mr. Squires responded affirmatively.

Public Works – Mr. Squires offered at this time, we are in the works of scheduling a meeting, tentatively March 6 if we can get everybody together for that.

O-K-I – Mr. Knox shared that OKI had a meeting on the 14<sup>th</sup> of the month. Commissioner Portune and Executive Director Policinski reported on their trip to Washington DC to NARC. NARC happens to stand for the National Association of

Regional Councils. It has nothing to do with drugs. While in DC, they were having a night with most of the regional congressional delegations. Commissioner Portune stated one of those to whom he spoke gave the importance of the Brent Spence Bridge by saying federal funding for Brent Spence must be forthcoming, although he wouldn't identify who said that. Those reports were followed by an update on the bridge by a member of the Kentucky Transportation Cabinet. He restated the cost at 2.7 billion. It seems to be going up and down weekly. It was up to 3 for awhile. It's been 2.8. The primary request as far as the bridge is renovating the current structure. Numbers between one and five dollars were mentioned for tolls, with the low figure probably being for automobiles during off peak hours and with frequent user discounts. A surprising remark was a comment from a member of Ohio's Department of Transportation. It concentrated on that lowest figure. The article went on to state that \$2 would be the maximum for automobiles, although people in Kentucky who actually own the bridge, don't seem to know that right now. During their question and answer period, Commissioner Portune asked if an application had been made for specific certain federal funds that could be used for the bridge, and the answer was no, Kentucky had not applied for these federal funds. One possible reason is that 6 out of 10 people in northern Kentucky are opposed to tolls on the bridge. It's not politically tenable right now. One area of importance that Director Policinski brought up was the numbers of the congress members who are supporting the concept of the regional facilities infrastructure zone. Simply put, this is a way that private entities, companies and individuals, can contribute money to such things as the bridge and get tax deductions for it. Now as you might well think right now, tax deductions are not a real popular thing, but it seems to be growing. It is one way, another way, of getting money into that bridge.

Mayor's Report

- no report

Clerk of Council/Finance Director – Mrs. McNear shared with all elected officials, just wanted to make sure that you received the information from the Ohio Ethics Commission for the annual report that must be filed. It is due April 15 this year. I did provide both the forms that need to be filled out as well as instructions. There is a phone number that you can call if you have any specific questions, and also, there are FAQs out on the internet if you're interested in learning more about the form or have any questions. I have used them in the past, called and asked a couple of questions, and they're very helpful. Feel free to use that resource. You might as well get something for your 35 bucks, and don't be late because they will fine you.

Administrator's Report – Mr. Parham said I just have one item. Earlier this month, we were notified by the Ohio Department of Natural Resources that the City was once again, for the 21<sup>st</sup> straight year, identified as a Tree City USA. In fact, this year we were also recognized for a growth award. A growth award is for efforts in education in the field of urban forestry as well as the commitment to tree pruning, a city-wide tree pruning program. The folks in Public Works continue to do outstanding things outside of just the clearing of the snow.

Law Director's Report

- no report

Engineer's Report – Mr. Shvegza stated on the street program, the work on the SR 4 sidewalk is complete. A punch list has been prepared and submitted to the contractor to address outstanding items. The SR 4 ODOT urban paving project is a resurfacing of SR 4 from Cameron to Sharon. ODOT recently had the bid opening on that project. The apparent low bidder was Barrett Paving at \$313,397.90. Second low bidder was JR Jurgensen. The state estimate noted on the bid results was \$337,000. That's anticipated to start early May. Another ODOT project involves 747 and I-275. The challenge there is a drainage problem in the infield areas. ODOT is proceeding with the correction via a design build project. They actually had the preconstruction meeting for that February 6. The tentative schedule is for ODOT to actually review the plans by March 1, with construction starting mid April. The contract completion date is the end of July. There will be some permitted lane closures on 747 northbound. It would be the far right lane and the shoulder. There are limited times for that to occur, and it's only for delivery of equipment and materials. Another project is the SR 4 culvert replacement in the area of the ODOT resurfacing project. It was discovered there are two culverts built out of vitrified

clay pipe which was probably used around the 1920s. The one has begun to deteriorate. There are gaps in the culvert. The other one has significant cracking. We're working with contractors to acquire prices to replace both of these with reinforced concrete pipe of the same size. Obviously the goal is to get those replaced by the time the ODOT resurfacing starts.

Redistricting Committee – Mr. Knox said the Redistricting Committee, made up of the 3 at large members, our Mayor, and Mrs. McNear, met last Tuesday night and did the basic work in looking at what we wanted to achieve. Obviously we wanted to achieve reaching the goal set forth in the Charter where we are to have no more than a 10% difference between the largest and the least of the districts. We're pretty well on our way toward the goal, but we're going to be meeting again next Tuesday. That should, if things work out well, should complete it, and we'll report back to council the following week.

Veteran's Committee – Mrs. Harlow shared she is trying to get a meeting together within the next week to 10 days.

Mr. Parham said I want to go back to the Engineer's Report. On the SR 747 / 275 project, I just wanted Council to be clear that project is a project for ODOT. ODOT is paying. The City isn't paying for that one, however the fourth item, the culverts that Mr. Shvegza identified. As he pointed out, we're trying to get these two culverts repaired prior to the SR 4 urban paving project. The cost for the replacement or repair of those culverts will be 100% responsibility of the City. That is something we unfortunately did not budget for, we were not aware of, but we really need to get it done because we don't want to be back in tearing up the road after they've come through with the pavement.

Mayor Webster clarified with Mr. Knox, just so we don't have to run an ad in the paper about our meeting, is it scheduled for six o'clock?

Mr. Knox stated we hadn't set a time, but six o'clock would be fine if it's good with the rest of the members of the committee. (all concurred) Six o'clock it will be next Tuesday the 26.

COMMUNICATIONS

Mrs. McNear had one item, a letter from the Ohio Public Works dated February 12. The subject is payment confirmation. I always like to bring these in. They have issued a check to Adleta, Inc in the amount of \$7,975.60. That is for the Merchant Street repair and resurfacing project.

COMMUNICATIONS FROM THE AUDIENCE - none

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 4-2013

ORDINANCE APPROVING, SOLELY FOR THE PURPOSE OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, THE ISSUANCE OF HEALTHCARE FACILITIES REFUNDING AND IMPROVEMENT REVENUE BONDS, SERIES 2013 (MAPLE KNOLL COMMUNITIES, INC.), BY THE COUNTY OF BUTLER, OHIO; AUTHORIZING A PUBLIC HOSPITAL AGENCIES AGREEMENT IN CONNECTION WITH THAT APPROVAL; AND AUTHORIZING OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS, AND DECLARING AN EMERGENCY

Mrs. McNear read the ordinance in full.

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

Mayor Webster stated I whole-heartedly support this ordinance. We often refer to Maple Knoll as one of the crown jewels of this City, and we certainly want to do everything we can to help those folks. They do a marvelous job down there and we were pleased to do this. We went through a similar activity ourselves with our Community Center bonds late last year. One troubling thing, if you could store this away for the next time you want

to do this, is the way we would like to hear from Maple Knoll Village when you're ready to do this. Rather than getting a call from your bond counsel that has called our attorney to say when would you like to have this ordinance on the agenda? Our immediate response is what ordinance are you talking about? So no one had bothered to pick up the phone and give us a courtesy that you're thinking about doing this. We're more than happy to do it. We hope the rates keep going down and you can do it again.

Mr. Parham added we have tonight with us Mr. Ken Huff, the Chief Financial Officer and VP, with Maple Knoll Communities, as well as Mr. Abbot Thayer, Peck Shaffer, Bond Counsel. I'm not sure if you'd like for them to come forward and maybe explain to you exactly what we're doing here tonight.

Mr. Thayer introduced himself as an attorney at Peck Shaffer. We're acting as Bond Counsel, and this is Ken Huff, who I'm sure you all know. This is a multi-part financing of bonds issued by Butler County on behalf of Butler County and the City, because Maple Knoll has got facilities both up in Oxford and down the street. These bonds are not the obligation of the City at all; they're Butler County's obligations. Because of the constitution of Ohio, they're not truly the obligation of Butler County either. They're the obligation of Maple Knoll Communities. Refinancing 2002, 2007, 2010 bonds and funding a reserve fund, funding some capital improvements, and paying cost of insurance. I'd be happy to answer any questions.

Mr. Parham requested Mr. Huff provide the Council with an update on the project that involves the two remaining buildings not yet constructed. He also asked if that project was a part of this process.

Mr. Huff responded no, they are not. First of all, let me apologize for the lack of notice. Our board of directors approved this plan late December and was shooting for a May 1 refinancing date, so it's moving a little faster than our normal process. The completion of what was financed by the '07 bonds probably is still about two years away. We do have an architect working on plans. The plans stopped when the great recession and the housing market collapse came. We're not going to complete those plans. Those were calling for 16 more units. We have 40 units built; 35 of them are occupied as of today. The remaining units, we're probably talking about ten to twelve units, much more designed like the old Westminster cottages on the west side of Springfield Pike. It's not going to be a three-story structure. From a green space and air space, we've decided against that. That's probably the sooner of two years or when we're back over 90% occupancy.

Mr. Parham inquired this process is not a part of that development?

Mr. Huff clarified this process is strictly a refinancing at this point. In order to have flexibility if something were to change, mainly if interest rates came down and we could add capital expenditures to the project, the language permits that. At the moment, we're not planning on any significant capital expenditures out of this.

Mr. Parham followed up, let me ask it this way then. What you're doing here is simply refunding or refinancing your debt. The part that we're talking about here involves the construction of the five buildings, three that were constructed and two that were not?

Mr. Huff said we're speaking of debt that expanded Maple Knoll with Coventry Court, an assisted living, and the marketing area back in the late nineties that was originally intended to be paid off over 30 years or 35 years. Abbot was on the job then, I wasn't. The debt that financed that, as well as the building in Oxford, Ohio, is part of it. That was refinanced in '02, so there is reference to the '02 bonds. The '97 bonds were defeased in '07. We financed the Kensington Place project, which was intended to be 56 apartments and 14 cottages at the Knolls of Oxford. The 14 cottages at the Knolls were built. We've built 40 of the 56 cottages. With the banking world being what it is, that '07 deal had a letter of credit for three years. That brought about the August 2010 financing. That was strictly a refinancing, no capital process with that. Here we are another three years later, and we need to refinance the combination of '02, '07 and '10. That's basically what we're doing. What we're doing on a tax exempt basis, if I can give you some

significance, going this route is probably saving us 1.4 to 2 million dollars. We really appreciate your cooperation on this.

Mr. Parham added the only other comment I would make is probably one of the most important statements in the legislation for the City. At the end of Section 4 it says the City is not pledging its full faith and credit nor is it in any way liable for the bonds in this process.

Ordinance No. 4-2013 passed with seven affirmative votes.

ORDINANCE NO. 5-2013

AMENDING CHAPTER 152 OF THE SPRINGDALE BUILDING CODE TO INCORPORATE NEW LANGUAGE CONSISTENT WITH THE OHIO BUILDING CODE AND TO ADOPT RECOMMENDED ADJUSTMENTS TO CERTAIN BUILDING PERMIT FEES AND DECLARING AN EMERGENCY

Mrs. McNear read the ordinance in full.

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

Mr. Parham stated these are the permit fees we've talked about over the last two meetings. We do have our Building Official, Mr. Bill McErlane, here this evening to address any questions you may have relative to the language. Again, when the State adopts language, part of our process is to adopt the language under our Code to remain consistent with the State. Secondly, what we've attempted to do here is become more consistent with some of the neighboring jurisdictions with the adjustment in the permit fees.

Mayor Webster added I wanted to elaborate a little bit on that. Bill did a lot of leg work on this thing. We were able to compare these new fees with six other jurisdictions as I recall, Bill?

Mr. McErlane stated it was actually eight. There are a number of them that use the Hamilton County fee schedules.

Mayor Webster said almost in every case, we were the third from the bottom, maybe the fourth from the bottom. I think in only two cases were we in the upper echelon, one in signs and one in renovations of 2500 square foot.

Mr. McErlane added I think it was HVAC.

Mayor Webster continued there were two of them where we were number six, so we're second highest and third highest. Everything else, we were down in the bottom, even with the new fees. That just shows you how far behind we really are. We haven't adjusted these since '01.

Mr. Diehl had one question. Do you have any idea what percent of the people actually come and get the permits that are supposed to?

Mr. McErlane stated I don't know that I have that figure.  
Ordinance No. 5-2013 passed with seven affirmative votes.

RESOLUTION NO. R1-2013

STRONGLY OPPOSING THE PASSAGE OF HB 5 BY THE OHIO GENERAL ASSEMBLY WHICH PROPOSES UNIFORMITY MEASURES FOR MUNICIPAL INCOME TAX IN THE FORM OF UNFUNDED MANDATES AND A SUBSTANTIAL LOSS OF REVENUE

Mrs. Harlow inquired of Mr. Forbes, is this the same resolution that we passed previously except for the house bill numbers?

City of Springdale Council

February 20

2013

Mr. Forbes responded no, I'll defer to Mr. Parham, but no, it's not exactly the same.

Mr. Parham stated for the most part it is on target, I think there may be one or two adjustments we may have made to the document, but essentially it is the same document. It is intended to oppose the new house bill, which is HB5. We did not want to simply not take any action on HB5. Council did pass legislation indicating you're opposed to HB601. We didn't want to give anyone the ability to say the City of Springdale was in opposition of HB601, but HB5 you were ok with because you didn't take any action.

Mrs. Harlow added I think everyone up here is on board with this but for the people that might be watching: HB601, we passed a resolution last year indicating we were opposed to the passage of the bill at the General Assembly. Since the year ended, that bill died, and they had to bring it back as HB5. Do we believe that we need a full reading of this?

Mr. Parham said I would leave that up to Council. The document itself does not speak to the changes that were made from HB601 to HB5. We believe that whether it is HB601 or HB5, it is still not in favor of the City of Springdale or other municipalities.

Mr. Hawkins moved to read the resolution by title only. Mr. Vanover seconded.

The motion passed with seven affirmative votes.

Mrs. McNear read the resolution by title only.

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

Mayor Webster stated I'm not going to get all cranked up as I have every other time this comes up. I think you all know how I feel about this, and everybody that has attended the last two Hamilton County Municipal League meetings knows how I feel, along with several of our State Reps that were in attendance. I think it's worth sharing with you folks. About a month ago, Derrick and I went to a Hamilton County Municipal League meeting. We had two representatives and a state senator there. I did not know this, but it surfaced in the conversation. When the original bill was put together earlier last year, there was a clause in the bill that included the consolidation of earnings tax collections into Columbus and for Columbus to disperse those back out.

Mrs. Harlow asked and it was kind of hidden in it?

Mayor Webster continued I don't know that it was hidden, but it was in there. When that surfaced, there was a real firestorm over the thing. They took that out of 601 because they knew with it in there, it had no chance of passing at all. So these people, we had two of them that stood there before us the other night, the two representatives, they say there's no intention to centralize, (repeated) no intention to centralize. Well, that showed intention when you start out with that as part of the legislation. I think it just substantiates my fear all along that that's the end game. This is the first step toward that end game, the centralization of our collections.

Mrs. Harlow added I believe so too, and when you read the newspaper, it just validates that.

Mrs. McNear stated I'm disappointed that I'm not able to actually vote, because I can get cranked up about this very quickly as well.

Resolution No. R1-2013 passed with seven affirmative votes and will be delivered to Columbus.

OLD BUSINESS - none

NEW BUSINESS - none

City of Springdale Council

February 20

2013

MEETINGS AND ANNOUNCEMENTS

Redistricting Committee	-	February 26
Board of Zoning Appeals	-	March 19
Planning Commission	-	March 12
Board of Health	-	March 14
Veteran's Committee	-	TBD

COMMUNICATIONS FROM THE AUDIENCE - none

UPDATE ON LEGISLATION STILL IN DEVELOPMENT

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 - none

Council adjourned at 7:52 p.m.

Respectfully submitted,

Kathy McNear  
Clerk of Council/Finance Director

Minutes Approved:  
Marjorie Harlow, President of Council

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