

City of Springdale Council

August 21

2013

President of Council Marjorie Harlow called Council to order on August 21, 2013, at 7:00 p.m.

The governmental body and those in attendance recited the pledge of allegiance. Mrs. McNear gave the invocation. Mrs. Harlow asked for a moment of silence in memory of Karen Bigler.

Mr. Parham said we just want to say a special prayer for the family of Firefighter Jamie Bigler. His wife, Karen, passed on August 11. As you know we celebrated with her at the July 17 meeting along with her father, brother and other family members. We are always here to support them. We know the members of the Springdale Fire Department over the past eight years have experienced a loss of a spouse on four separate occasions. I spoke with Jamie at Karen's visitation as well as Karen's father. I indicated to him that outside of his own faith and strength and the support of his two daughters and family members, he has another family there in the Fire Department. Unfortunately, a number of them have had to experience a similar situation. It's a tough and trying time but I think just keeping those close to you helps get you through the process.

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

The minutes of July 17, 2013 were approved with seven affirmative votes.

COMMITTEE AND OFFICIAL REPORTS

Civil Service Commission – Mr. Thamann stated on Monday, August 12, a written promotional test was conducted for the position of captain in the Fire Department. Seven candidates applied and all seven sat for the test. Those test results should be received tomorrow. The next step for those candidates with a passing score is to be eligible to participate in the upcoming assessment center process that will take place in mid September. This Saturday, August 24, a test will be conducted at 9 a.m. at the Community Center for the position of administrative assistant in the Health/Building Department. Applications were accepted through the close of business on August 12 and we received 269 applications. The Commission will provide updates on both positions at the mid September Council meeting.

Rules and Laws	-	no report
Finance Committee	-	no report

Planning Commission - Mr. Diehl reported the Vineyard Church had an application to put a sign up on Kemper Road. That was approved 6-0. The sign will go on the marquee where Dicks' Sporting Goods and Best Buy are. They are putting an arrow on the sign pointing in the direction of the Vineyard Church. A minor revision to the PUD plan for McDonald's signage at 11723 Princeton Pike was approved 5-1. There was a lot of discussion about the electronic sign. It will not be flashing and they will change it every couple of weeks. We also had a discussion about changing the zoning for our municipal parking lot at Walnut and Peach. There is a copy of a letter from Planning Commission to Mrs. Harlow in your packets outlining the need to make that change. Part of the reason for the change at this particular time is that we learned that the Farmers' Market will have to relocate in 2014 and they are going to relocate to that parking lot. Consequently, there is another letter in your file dealing with the Farmers' Market.

Mayor Webster asked was the Vineyard sign an update or replacement sign? Isn't there one there now?

Mr. Diehl replied right now there is a sign on the corner with space for four and there are only three spaces used. This will be on the remaining space.

Mayor Webster said I was in the audience and I came away with the impression that they were going to enhance that.

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Board of Zoning Appeals – Mr. Hawkins said the owner of 100 West Kemper Road requested a variance to allow a wall sign larger than allowed by code and total sign area larger than permitted by code. This variance was granted 7-0. This is the area where Burlington and Baby Depot are going to be. Their request for wall signage was 262.27 square feet. There was already a variance for Value City of up to 201 square feet. The proposed sign for Burlington is 447.52 square feet for the total and the variance granted previously for Value City was 391 total square feet. It's going to look fine and should help their business. The owner of 11907 Lawnview Avenue requested a variance for a partial garage conversion. That was approved 7-0. They will maintain a working garage door and can still park a car in the garage.

Board of Health	-	no report
Public Utilities	-	no report
Public Relations	-	no report

Capital Improvements – Mr. Vanover said they met this evening. There are three projects, Jake Sweeney Way, Boggs Lane and Kemper Road. In the five year budget plan the numbers for Boggs Lane were projected at \$223,000; \$248,700 for Jake Sweeney. We have run into a situation on both of the streets but primarily Jake Sweeney Way. A few months back we had cameras run through the storm sewer lines. We found 500 feet from the old Delhi to Kemper Road was done in corrugated steel pipe. There are areas that are beginning to fail. From there to Tri County Parkway, it is concrete but we have a section there that has failed. We have to replace all of that or we may have sinkholes. That has taken the numbers at Boggs Lane from \$223,000 to \$307,918. Jake Sweeney goes from \$248,700 to \$703,718. The engineering is approximately \$40,000 for the two projects. Originally we were going to do a grind and resurface. Obviously now we will have to completely redo Jake Sweeney Way. There are a number of issues. When you come out of Jake Sweeney's parking lot onto Jake Sweeney Way you will notice there are some deep gouges from the auto transport carriers. The crown on the road and the drop on the apron will also be corrected. Boggs Lane is not as bad but we are getting a breakdown on the surface. The driveway on 100 Tri County Parkway has a catch basin right in the middle. The crown of the curb is gone so you come off of that driveway and drop eight to ten inches, then go down to the grade. It's like pulling off a vertical cliff. West Kemper Road from Lawnview to Walnut has surface deterioration and the storm water system there has undersized pipe. We have a number of catch basins that were built in the 1920s. They have definitely outlived their usefulness and on a number of them grass has grown in-between the road and the mouth of the catch basin which worsens their ability to take in the water. We need to add more catch basins. On Kemper Road we are looking at \$1.074 million. We are applying for SCIP funding and they should score very well. We had a couple of quick discussions on the Ross Park Bridge and Chamberlain Park Bridge. When we have high rain both of them will be under water. They are old ford bridges. It's a bunch of pipes and the road goes over it. It's not conducive to high flow. A few years back a child was swept off the bridge at Ross Park and Dan Shroyer saved him.

Mrs. Harlow asked if the engineering for the roads is \$40,000 each.

Mr. Vanover replied no, it's for both combined. The cost for Kemper Road is \$85,000.

Mrs. Emerson asked is the funding for Kemper Road or all of it, and is there a priority list?

Mr. Vanover replied Jake Sweeney and Boggs Lane will be one project and West Kemper Road another. Jake Sweeney will be the first one done because it entails a total street reconstruction as well as the storm sewer replacement. Boggs is tying into it.

Mayor Webster said we are going for funding for the street projects but there is no funding that we are aware of for Ross Park. If we are successful we are looking at 69 percent funding and we have to pay 31 percent of approximately \$2 million.

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Mr. Parham said I would like to offer one slight clarification to Mr. Vanover's report. At this time, the Kemper Road project is the primary project. Boggs and Sweeney are in the budget as two separate projects but when we file the application we are going to file them as a joint project. The condition of Boggs Lane is not as severe as Jake Sweeney Way. We think we will score much better because Sweeney is a total reconstruction with storm sewer issues. Boggs does not have those types of issues. The storm sewer on Jake Sweeney is what raises a lot of concerns for us on that project. Although the street has not failed at this point, and we have not seen any depressions to date, relative to the storm sewer causing any, at some point in time we may have a failure of the road. If we are unsuccessful in receiving funding, we will have to come up with a strategic plan on how we will pay for the cost of repairing the road. At that point, we will be paying for 100% of the construction. Nevertheless, we think with the inclusion of the storm sewer issues as well as the failed road on Jake Sweeney, we should score much better.

Mrs. Harlow asked do we know how long before we get the results back from the application.

Mr. Parham responded if you reflect back to this year and previous years we were generally notified early in the year. This year we were notified that we were unsuccessful with Ashmore and Woodvale, but later on, after a number of dollars were returned, we were notified that we were going to receive funding for those streets. I think March is around the time, Don?

Mr. Shvezda said the preliminary results are generally received around the end of November and in March it is finalized.

Mayor Webster said with all three of these road projects we want to solicit a proposal from CDS to go ahead with the engineering. If we are successful with the funding, we'd be ready to go. If we are unsuccessful we hold onto the engineering and hopefully Derrick will get a call that somebody else has dropped out of the queue.

Mr. Parham said as Mayor Webster stated, we are applying for 69 percent SCIP funding for Sweeney and Boggs Lane. We're also applying for Municipal Road Funds funding for West Kemper Road because Kemper Road is a street that qualifies for MRF. As a result, the proposed funding breakdown for W. Kemper Road is 48 percent of SCIP funding, 21 percent MRF funds and the City would be responsible for the other 31 percent.

Mr. Diehl asked are we looking at a timetable of June or July for construction.

Mr. Parham replied around July.

Public Welfare, Safety & Education	-	no report
Housing Board	-	no report
Public Works	-	no report
O-K-I	-	no report

Mayor's Report - Mayor Webster said we have a found a location for our infectious disease program. That will be initially housed at Olde Gate Plaza, 280 Northland Boulevard where the Planned Parenthood office is. Dr. Feinberg hopes to have the program implemented by late fall. Tomorrow is the grand opening for McDonald's. I asked Derrick to have the Police Department here to give us a rundown on the situation of the vehicle in the building. I've probably had 25 to 30 calls from residents asking the status. I'm sure when Captain Wells gets through this evening he'll give you an idea of the trials and tribulations they went through trying to bring that to a conclusion. I had a chance this Sunday to walk down to the Glendale Park on Sharon Road. It's really nice. That was the final stages of the safety issues that were brought to our attention with the speeders on Cameron Road. We did some signage but we promised those folks we would connect the sidewalk so people, especially children, could get into that park from the Glenview subdivision. That should have been a simple thing, \$15,000 to \$20,000. Once the engineer looked at it, he found out we had a major ADA violation which was fine as long as we didn't make any improvements but once we added a piece of sidewalk we

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had to take care of the ADA violation so it ended up costing \$45,000. Now if you are in a wheelchair coming out of the Glenview subdivision you can cross Sharon Road, go through the park, go across Glensharon and go into the park.

On August 11 they had the ribbon cutting at the Princeton Middle School. It's a marvelous facility. It's a much needed improvement and I can't wait until the senior high school is open. Being part of the Princeton City School District is something we can all be very proud of.

Clerk of Council/Finance Director

- none

Administrator's Report – Mr. Parham said towards the end of July, I was contacted by our consultant for the aggregation programs, Eagle Energy, indicating that our natural gas provider, IGS, mistakenly charged a rate of \$9.99 per 1,000 CF of natural gas in July. The rate they should have charged is \$5.13 per 1,000 CF. Somehow IGS' billing system called up their rate from July 2007. Following a lot of discussions with Eagle Energy/IGS on how to make the residents whole we finally settled on a two-part process. They thought it would be very labor intensive to calculate the amount of usage times the new rate and then reimburse the residents the difference. Instead, they preferred to charge a lower rate of 80 cents per 1,000 CF during the month of September. Our other concern involved residents who were here in July and then may have relocated out of the City. If that is the case, IGS will write those residents a check for the actual difference. Duke Energy would not allow IGS to provide a credit on the bill so instead they will charge the 80 cents rate.

Mr. Parham stated the Springdale Charter provides that property the City wants to dispose of that has a value of \$500 or more has to come before Council for authorization to dispose of it. Anything less than \$500, the Clerk of Council/Finance Director must declare that the value is less than \$500 and the Administration is able to dispose of that property. Quite frankly, there are things that are just trash, garbage, and junk which needs to be tossed out, but they are still City property. Our Charter does not speak to what we are able to do with trash that is property. Generally in these instances, we revert back to the Ohio Revised Code (ORC) to see how things are handled when our code is silent. The ORC states it is City Council who determines how such items are to be disposed. To address this issue for us, we are proposing that Council adopt legislation to permit the Administrator to identify those types of items that are trash/garbage and that we have the ability to throw them in the trash can without identifying the item and then writing a letter to the Clerk request her to declare it less than \$500. Over the years we have accumulated a number of things and have stacked them in the basement. For example, there is a chair in the basement similar to the one Ms. Thetford is sitting in that is completely covered with mold. It should be tossed in the garbage, but it is City property. In an effort to try to expedite these things, if you are in agreement, we will begin to dispose of a number of these things. If it has some value it will go through the normal process so we can dispose of it properly.

Mr. Hawkins asked is there a working, legal definition of trash or is it subjective to the Administration?

Mr. Forbes said the Revised Code says it would be a Council determination for items that are obsolete or unfit for any municipal purpose or have no value. There is no definition of what no value means. Mr. Parham and I discussed this a little bit and I think I know what he is going to tell you and I would agree with that. We're looking at the process in the Revised Code but having a local ordinance that would modify that so that every time they want to throw away a moldy chair they don't have to come before Council.

Mr. Parham said if the item is something that can be used, then it has a value and would go through the normal process. However, if it is a broken stapler that has no function, that will go in the trash. Items which are identified as trash, will go into the trash. There is no opportunity for an employee or anyone else to take that item and put it to use. If we determine it to be of some use it should go through the regular process. If it goes in the trash it goes to Rumpke.

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Mayor Webster said that was the point I wanted to make. This ordinance should have something in it that states if the Administrator says it is trash, that's the end of it. No one uses it. It goes to Rumpke dump. You can't give it to a City employee, elected official, your brother, sister, etc.

Mr. Parham stated: the Mayor spoke about the update on the hole in the City building. We have taken proposals to have the building repaired. If you recall earlier this year, it was determined that our threshold for requiring items to be placed out to bid is no longer \$25,000, but instead it is \$50,000. We have received three proposals from contractors and were very impressed that the best bid of the three was \$38,458 and was received from a local contractor called ZSR Construction. ZSR is the same group that came out and sealed the wall for us the morning of the event. We have paid them for doing that work. This work would be to clean out the area and reinstall the proper steel as well as put the bricks back in and make it look new, again. Unfortunately, the new bricks will not match the 20-year old bricks on the wall. In any event, ZSR is in the process of signing off on the contracts and securing their required performance bond and insurance. Apparently, prior to getting the job, ZSR purchased the brick. It is believed that they have secured the steel, as well. They have indicated that they are looking to start construction on the project around the first week of September. We will be very happy to get that work underway. Since the incident occurred, the Mayor had received a number of concerns from citizens and others relative to the expedition of our Police Department solving this case. We have asked Captain Tom Wells to come this evening and share with you some of the challenges the department faced. They had to do a lot of work and unlike the television shows it takes more than an hour to hopefully solve the case. I think they did an outstanding job of sifting through this process to identify the individual. I'm going to have Captain Wells present additional information to you.

Captain Wells stated this was a high priority case for us as it was for the City. A person driving a vehicle on SR 4 came down the connector road and ran right into the City building causing extensive damage. That occurred on April 26 and as Mr. Parham said I think it is very common for people to feel that "CSI effect" where people don't understand why it takes a long time to investigate and solve a case. Typically in our line of work, cases are either solved right away where we apprehend the person right at the scene or if you don't apprehend them at the scene or have a significant piece of evidence that points us to a person, there are often many hoops we have to go through to do that. The person we have arrested has been indicted but the case is still pending before the courts and I'd rather not get into the details of how we would investigate a criminal investigation. However, I am happy to share with you a basic timeline and how we went about conducting this investigation..

The crash occurred on April 26 about 3:42 a.m. Officers arrived within two minutes of that and found the vehicle unattended. The vehicle as well as the building was heavily damaged. The officers immediately fanned out and began checking the immediate area and open businesses. Our on-call detectives were notified. We towed the car to the Police Station and over the course of that day we obtained search warrants for the vehicle and personal record information. There was quite a bit of blood in the vehicle and we collected DNA evidence and the car was fingerprinted and processed over the next couple of days. We collected paper items such as receipts from inside the vehicle to see what we could learn from those. We learned that the car was registered to a dealership and we had to track them down and find out who the actual owner was as the car had been sold. We made contact with the owner that day and got an interview as well as a DNA swab. As a result of the interview, the owner stated that his car was stolen from a party he had the night before. We were able to rule him out, as he didn't have any injuries that a person driving the car would have had. On May 2, we submitted fingerprints from the vehicle to the crime lab as well as some DNA. Once we submit our DNA to the law enforcement authorities that we work in partnership with, it goes into a prioritized bank of other people's DNA and it wasn't until July 8 that we received a hit on it. On May 7 we interviewed potential witnesses who had been at the party and who may know something, plus we sent more DNA to the crime lab. We were able to develop a potential witness and interviewed that person on May 20. Also in late May, we were able to find out that the owner of the car was ruled out based on the DNA sample that we had in the car and the submission he had given to us and there was no hit on the State

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database as to the blood that was in the car. The DNA is then entered into the national database to see if that person has anything on file either through an arrest or something else. In early June we attempted to interview a possible suspect but the suspect went to great lengths to avoid our officers despite the fact that we were conducting days of surveillance on the place where this person was hiding but without the specific probable cause to go into that place we were unable to just go in and get that individual. On June 21 we received word that there was no hit on the fingerprints we submitted. On July 2 a federal agency that was investigating this person also showed up at the same location. They have different rules that they operate under and can compel people to submit to, and we were able to work with them and we were able to determine that the suspect we were looking at had DNA on file from an Alabama case that was on file in an Alabama prison. The crime lab was notified of this information and in the meantime they had received a hit back from the FBI. They just hadn't received the actual person's name yet. On July 3 we interviewed that individual. On July 8 we found out that the crime lab had matched that individual's DNA to the DNA found on the car in the steering wheel area. The next day we obtained warrants for that individual's arrest and on July 12 we did a swab of that person's DNA with a search warrant to ensure that the person we had was the same individual. On July 15 that DNA was submitted to the crime lab. On July 23 we received verbal notification that was a hit and a search warrant was sought to obtain some phone records from that individual. That person has been indicted. I know it's frustrating. It is for us as well. We want to bring people to justice as quickly as we can but we are very happy to bring this case to a successful conclusion in identifying and arresting this individual.

Mr. Parham said: So as you can see it took from April 26 to July 23 for the crime lab to confirm the identity of our suspect. That is not a process under the control of the department. I think the officers did an outstanding job in closing this case.

Mayor Webster said I want to express my thanks to Captain Wells for explaining this tonight in great detail. Another thing people need to realize is when you send these samples away, these labs are overworked and understaffed so things have to be prioritized. Someone leaving the scene of an accident is pretty low priority.

Mr. Squires asked if the person was incarcerated.

Captain Wells replied I don't know if he is actually incarcerated right now. It's not unusual for local residents who prove they have ties to a community, because of the lack of jail space in our area, to not necessarily be held. He was initially so my presumption is that he still is but I'd have to confirm that.

Mrs. Harlow asked have we thought about putting a barrier up on that side of the building so that we might not suffer that type of damage in the future.

Mr. Parham responded I'm not sure how high you are going to put it. The individual who hit the building on April 26 actually hit the curb and went airborne. If you had a four to five foot bollard up there they may have actually cleared it. They hit the curb and didn't stop until they hit the building.

Mrs. Harlow said that is something we should look at because of the way the road is situated there. That could certainly happen again in the future.

Mr. Parham said I've thought about it for many years. Unfortunately, I had to be here when it occurred.

Mayor Webster said we survived twenty-one years without that happening so I think the odds are in our favor that it won't happen again.

Mrs. Emerson asked who bears the burden of cost to repair this.

Mr. Forbes replied from a civil standpoint it's typically the person who owns the property, not necessarily the person who is operating the property. From a criminal standpoint it's the person directly involved.

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Mr. Hawkins asked do we know if the car was insured.

Mr. Forbes replied no, it was not insured.

Mr. Hawkins said it's great to see our police department do such a great job.

Mr. Parham said relative to repairs, the owner did not have insurance. There was a temporary tag on the vehicle and the owner indicated he was waiting for his next paycheck to obtain insurance coverage. The cost of repairs to the building will be covered by MVRMA, our insurance. We have a \$2,500 deductible that we are responsible for paying. They will cover the expense of the \$38,458 we talked about along with the work that had been previously completed. With our insurance group, it stays with us for a four-year period. A number of cities have gone through these kinds of losses. Losses are capped at \$100,000. I would strongly believe that neither the owner of the vehicle nor the suspect has anything we would be able to retrieve from them in order to cover the expense.

Mr. Squires said I thought you had to have insurance before you drive off the lot.

Captain Wells said in Ohio, when people have a vehicle there is a requirement that the car be insured but there is no law enforcement ability to enforce that. It's done administratively by the State. If we make contact with people on the street at a traffic stop who are not insured we can't take action on the actual violation of being uninsured. We can take action on a moving violation; then the State takes administrative action against that person as a result of our contact that we forward on to the State.

Mr. Diehl asked Captain Wells, in your expert opinion, if somebody had been inside the building, would they have sustained injury?

Captain Wells responded I wasn't here the night it occurred but the potential for flying debris would have been an issue if they were down in that lower area. Where the vehicle struck the building there usually isn't anybody there so it's unlikely that anyone would have been injured by the vehicle.

Law Director's Report - no report

Engineer's Report- Mr. Shvegza said the contractor on the street program has made good progress. The sidewalks in the Glenview Park area and Cameron Road are substantially complete. The curb work in Oxford Hills and off Glensprings is underway and is anticipated to be complete by September 20. The overall milling and paving of these areas have not started yet but are anticipated to be done by October 11 as well as Northland Boulevard. Regarding the ODOT paving project, ODOT had the contractor go back and grind off the asphalt in the areas that are bad and repave that. The SR 747/I-275 infield drainage correction project, ODOT had granted an extension to the contract and both areas north and south have been completed.

COMMUNICATIONS - none

COMMUNICATIONS FROM THE AUDIENCE - none

PRESENTATION – COMEUNITY BASH – Greg Karle

Mr. Parham stated at earlier meetings we talked about planning for a major event to bring the community together. We've asked Mr. Karle to come this evening and present some of the events that are going to take place on Saturday, September 14.

Mr. Karle said our last major community event was in 2008. I believe there was a lot of feedback in the community that there was a desire to have an event like this. Beginning early this year our staff was tasked with the goal of creating an event that would bring friends and neighbors in the community together for a day in the park, an opportunity to enjoy life in Springdale. We put together a series of fun, family entertainment, and

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music. We will have food available on premise offered by our service organizations and clubs but people are welcome to bring a picnic basket or cooler as well. The event is smaller in scale than what we've done in the past. We will not have fireworks, we will not have shuttle busses. Parking may be at a premium. I suggest that people try to car pool or walk to the Community Center if it's convenient for them. The activities offered will begin at 3 p.m. We will have a petting zoo featuring 25 animals, pony rides for children, family entertainment with giant games until 7 p.m. There will be two circus acts at 4 p.m. and 6 p.m. Those will feature an acrobatic act, fire show, unicyclist and strongman. There will be a trackless train for little children. On field 4 we will have a stage and there will be bands performing throughout the day. They are Ticket to Ride, Danny Frasier Band, and Second Wind. As dusk falls we are planning a balloon glow. Earlier in the day, we have planned another event. We will have our first ever "Family Mud Quest." It will be a half mile ten station obstacle course. It is not a competition. It's an opportunity to complete challenges and help each other. It is designed for all ages five and above. Registration is limited. If you complete the challenges and you are signed up you get a T shirt. Some of the obstacles are a hay bale mountain, mud features where you slide down, things you crawl through, over and under. I did provide a handout that contains an itinerary for the day. Several of civic groups will be providing food and refreshments. It's well within our budgeted amount for this year. There are details on the mud quest and a map on the back.

Mr. Parham said hopefully we can have the details of the mud quest and itinerary placed on the website and Facebook page. The front cover is on the Facebook page and we have had a number of hits where individuals are trying to find out if there is a cost, age restriction, etc. It sounds like there is some excitement stirring.

Mr. Karle said in the next few weeks you will see a street banner and yard signs promoting the event. It is open to the public but our goal is to focus on Springdale citizens.

Mayor Webster said everything is free except the food. We encourage everyone to come on down.

Mr. Knox said there is a rinse off area.

Mr. Karle said we let people know when they sign up that they will get dirty. We appreciate the school allowing us to use one of their spigots at the school and we are creating a shower where people can rinse off.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 24 -2013

AUTHORIZING THE CITY OF SPRINGDALE'S PARTICIPATION IN THE OHIO MUNICIPAL LEAGUE 2014 WORKERS' COMPENSATION GROUP RATING PROGRAM AND DECLARING AN EMERGENCY

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

Mr. Thamann said the City has participated in the Ohio Municipal League's Workers' Comp program since 2011. As in 2013 we participated in the Group Rating Program and we would like to do so in 2014. By using this mechanism and participating in the League's program it is projected we would save over \$10,600 in our Workers' Comp premiums.

Ordinance 24-2013 passed with seven affirmative votes.

RESOLUTION NO. R7 -2013

AUTHORIZING THE CITY ADMINISTRATOR TO FILE APPLICATIONS WITH THE OHIO PUBLIC WORKS COMMISSION FOR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (LTIP) FUNDS AND/OR STATE CAPITAL IMPROVEMENT PROGRAM (SCIP) FUNDS, AND

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AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR
TO EXECUTE ALL CONTRACTS AND OTHER DOCUMENTS

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

Resolution R7-2013 passed with seven affirmative votes.

OLD BUSINESS - none

NEW BUSINESS

Mrs. McNear said there is a liquor license request for a D5-1 license for Dos Amigos at 11305 Princeton Pike. There were no objections.

Mayor Webster said I was going to speak to the letters you received from Planning Commission. As all of you know we've had a Farmers Market at the Towne Center parking lot for five years. The first four years it was at the north end of that parking lot. Since they rented out the corner space and one of the major tenants there complained about the parking, Mr. Cooper, who owns the center, asked that the Farmers Market be moved to the south end which is where it is this year. Unfortunately, some of the tenants at the south end are complaining about parking, and also there is a prospective tenant in an out building directly across SR 4 from PNC. If that materializes, then the market will be asked to move again. We're looking at various alternatives for the market and one of the logical choices would be to move the market to the church parking lot which is a City owned municipal lot. The only caveat is that as long as that building houses a religious organization, we have to provide parking. It appears it would be a great location for the market and everyone thinks the market could function there very well. We'd like to get the market moved this season so the patrons of the market know where it is so there is some urgency to get that done. The public hearing is September 18 and the ordinance would go into effect thirty days later giving the market two weeks in the new location. We appreciate Council scheduling the public hearing. There are two ordinances, one authorizing the Farmers Market to be an accepted Conditional Use in a business district and the second to rezone the parking lots. The parking lots now are part of a residential district and we've never gone through a rezoning since we purchased that property. We're asking the lots to be rezoned GB.

MEETINGS AND ANNOUNCEMENTS

Planning Commission	-	Sep 10
Board of Zoning Appeals	-	Sep 17
Basketball, volleyball and cheerleading registration	-	Sep 1-30
Springdale Jr. Olympics	-	Sep 7
Millcreek Recreation Celebration, Twin Creek Preserve (Contact Annie Rahall – 563-8800 for information)	-	Sep 28

COMMUNICATIONS FROM THE AUDIENCE - none

UPDATE ON LEGISLATION STILL IN DEVELOPMENT

Reducing Special Assessments at Pictoria	-	Sep 4
Amending Zoning Code – Farmers Market	-	Sep 4
Zoning Map Amendment – Parking lot at Walnut and Peach	Sep 4	
Accepting Amounts and Rates as determined by the Budget Commission and Authorizing Tax Levies for 2014	-	Oct 2
Mutual Aid agreement for police protection	-	TBD

RECAP OF LEGISLATIVE ITEMS REQUESTED

Authorizing CDS engineering on Kemper Road	-	Sep 4
Trash Disposal	-	Sep 4

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Also scheduled for September 4 is a presentation from Cincinnati Metropolitan Housing Authority

Council adjourned at 8:30 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Marjorie Harlow, President of Council

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