

City of Springdale Council

October 17

2012

President of Council Marjorie Harlow called Council to order on October 17, 2012, 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 October 3, 2012 were approved with seven affirmative votes.

COMMITTEE AND OFFICIAL REPORTS

Civil Service Commission - Mr. Thamann said on October 4<sup>th</sup> the Commission was given an update on the recruitment process for the public work employees and also they received several correspondences regarding some of the activities we have had regarding the hiring of two police officers. There was a request for a new name to be certified for firefighter since we had one firefighter announce his resignation. And since then we had another firefighter announce his resignation so we'll be requesting another name from the Commission. Also discussed was the recruitment process for the administrative secretary to the Tax Department since Diana Nickley will be retiring at the end of this year.

- Rules and Laws - no report
- Finance Committee - no report
- Planning Commission - no report

Board of Zoning Appeals – Mr. Hawkins said the owner of 212 West Sharon Road submitted application for a variance to replace two existing ground signs with two 27 s.f. ground signs with 0 foot setback. That was continued with a 6-0 vote and will go through Planning Commission and then come back for a vote. The owner of 370 Glensprings Drive submitted for a variance to allow 603.75 s.f. of signage. That was denied 3-3.

Mrs. Harlow said it is with regret that I accept the resignation of Mr. William Reichert from the Board of Zoning Appeals. Mr. Reichert has some family issues and needs to prioritize his time right now. I would like to thank him for his service to BZA and request a resolution for him.

Board of Health – Mr. Squires reported the Board of Health is working on food fees for the coming year. The City of Springdale received the Ohio Healthy Community gold award for this year. There are no active cases of the fungal meningitis in Springdale. One hundred fifty-two flu vaccines were given at the Health Fair, eighty-six to those over 65 and sixty-six to those under 65. The Healthy U Diabetes Workshop is being offered again and only four people have signed up for this class.

Mr. Knox asked is this form of meningitis communicable? Mr. Squires replied no.

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

O-K-I – Mr. Knox said a big portion of their meeting on October 11 was dedicated to the second bridge that is going to cross the Ohio River into Kentucky. The new bridge has a budget of nearly \$1 billion and with the rehabilitation of the Brent Spence Bridge the cost proposed would be \$2.5 billion. The bridges will be toll bridges with EZ pay passes. They will not have any toll booths. The work is to begin in 2015 and completed in 2020.

Mr. Vanover said I find it hard to believe that visitors passing through would have EZ pay. There would have to be a booth somewhere.

Mr. Knox said they are talking about license plate readers.

Mrs. Harlow said in Chicago on the expressway you can go off to the right and pay your tolls. At some point there was a toll booth on the roadway. If you don't pay the tolls they have license plate readers and will send you a ticket if you do not go online and pay immediately.

Mayor's Report – Mayor Webster said we had a ribbon cutting at Firehouse Subs last Monday. We kicked off the SOS holiday program this afternoon. If anyone would like to participate we have a growing list of needy families. We are up to 54 families already and I'm sure that list is going to grow substantially. If you just want to accommodate a bin to collect food that would certainly be helpful. Anyone who wants to adopt a family please contact Barbara Thetford at 346-5725. I'd like to ask for legislation for renewal of contracts for our magistrate, Don White; prosecutor, Mark Piepmeier; and our public defender, Jonathan Smith. All the terms and conditions will be the same as the existing contracts that expire November 30. I will be abstaining from any discussion or decisions on Ordinance 32 as I have a conflict of interest.

Clerk of Council/Finance Director –Mrs. McNear said at the last meeting we talked about getting a new PA system for the Council Chambers. I just wondered how soon that was going to come because tonight the sound system sounds really odd. We have the third quarter financial results. Through the end of September our earnings are \$13.15 million, 84 percent of our anticipated budget of \$15.737 million. Our top sources of income are earnings tax at \$9.958 million, real estate tax of \$978,000, local government funds of \$278,000, estate tax at \$622,000 and paramedic services of \$393,000. Our ending general fund balance is \$5,430,000. Our net expenditures through September is \$11,603,000, 70 percent of our anticipated expenditures based on \$17,379,000. We are below anticipated expenditures and above our anticipated earnings for the year.

Administrator's Report – Mr. Thamann said one item that came up at the last meeting was the large bins for recycling and I said I would check the specifications of our contract. You can rent a 96 gallon bin or a 64 gallon bin for \$1.50 a month, or you can purchase the 96 gallon bin for \$75 and the 64 gallon bin for \$70. As for the \$4 switching fee for the gas aggregation, Don Marshall of Eagle Energy provided me with some information. There is no switching fee if a customer goes from an alternate supplier to an aggregation or from an aggregation to an alternate supplier. If an aggregation is involved, there is no switching fee. If a customer goes from alternate supplier to alternate supplier there will be a switching fee. Duke charges that fee and they said that is a tariff that has been approved by PUCO. A lot of alternate suppliers have cancellation fees that are very significant compared to the electric aggregation. They could be well over \$100. If you switch from alternate supplier back to Duke to go to the aggregation, don't drag your feet. If you wait a couple of billing cycles and then call IGS, you will be charged the switching fee. If you have been charged the \$4 switching fee you can call IGS at 800-280-4474 and they will assist you with getting that charge credited back to your account. If you have any difficulties with that, don't hesitate to call our administrative offices and we can assist you with the process.

Mrs. McNear said if you are a Duke Energy customer today and you did not use an alternate service there should be no switching fee. My letter says there will be a fee.

Mr. Thamann said if you are charged the \$4 fee, you should call IGS and they will assist you in getting that credited back to your account.

Mr. Hawkins said so essentially, they just sent these letters to everybody without checking to see if they were already with Duke.

Mr. Parham said I believe Duke sent it out to all their customers. Amberley Village began their program at the same time we did. Amberley's Village Manager and I have been sharing information on the program since we started. He copied me on an email sent to Eagle Energy where he indicated that their residents had received a copy of the letter referencing the \$4 switching fee.

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Mr. Thamann said the Veteran's Day program will take place November 12 at the City's Veterans Memorial. The program details are being finalized by the Recreation Department. For more information, you can call Jackie at 346-3910.

Law Director's Report - no report

Engineer's Report- Mr. Shvegza said the SR 747-I-275 ramp modification project is substantially complete. Century Circle North will be approximately \$48,000 under the contract amount. Merchant Street concrete work is completed. Pavement repair work is supposed to start tomorrow. The asphalt work is scheduled for next week. The signal system upgrade is complete and operating. The curb replacement work in Oxford Hills has been completed. There are still some areas around the catch basins that need to be finalized and there is some sidewalk repair work to be completed also. The SR 4 sidewalk work is not complete yet.

COMMUNICATIONS

Mrs. McNear read a letter from Time Warner Cable dated October 1, 2012 about internal restructuring involving the Ohio State Video Authorization (VSA) pursuant to which TWC provides cable services in your community. . . The cable operations will now be conducted through seven regional entities designed to create a more geographically rational structure. The local system and franchise serving your community will now be held by Time Warner Cable Midwest LLC. The transaction will not result in the transfer of control. TWC has retained ultimate ownership and management authority over the cable system. This internal transaction will have no impact on the cable service in your community. . . If you have any questions please contact me directly at 386-5908 or by e-mail at [pam.mcdonald@twccable.com](mailto:pam.mcdonald@twccable.com). Pam McDonald, Vice-President of Government Relations, Time Warner Cable, SW Ohio

Mrs. McNear read a letter addressed to Mayor Webster and City Council: "Thank you very much for the certificate of service received upon my retirement from Springdale's Board of Health. I greatly enjoyed my tenure there the past few years. It was an honor and privilege to work alongside dedicated civil servants as yourselves. My life is greatly enriched by being with all of you. May God bless you and all your endeavors in Springdale. Noreen Mocsney"

COMMUNICATIONS FROM THE AUDIENCE - none

ORDINANCES AND RESOLUTIONS

Public Hearing

ORDINANCE NO. 32-2012

AMENDING THE ZONING CODE MAP TO REFLECT REVISED BOUNDARIES FOR THE ROUTE 4 CORRIDOR DISTRICT AND AMENDING SECTION 153.421 OF THE ZONING CODE

The public hearing was opened and closed with no participants.

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

Mrs. Harlow said we are tightening up the corridor. The previous zoning had the corridor out into the residential areas and that was having an impact on some of our residents in that they were having to adhere to the strict zoning colors, etc. along the corridor. This moves a lot of the residents out of that.

Ordinance 32-2012 passed with seven affirmative votes.

ORDINANCE NO. 33-2012

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AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH PL CUSTOMS FOR THE PURCHASE OF ONE 2013 MODEL YEAR F350 FORD CLASSIC AMBULANCE UNDER THE OHIO COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

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

Mr. Parham stated the manufacturer will begin to construct the chassis in the spring and we can then expect delivery of the new unit in late summer or early fall. This will replace the 2006 Ford Classic.

Mr. Squires said I was under the impression we were going to purchase a 2012 model in order to save money.

Mr. Parham replied no sir. This is a 2013 model. The savings still exist. If we hold off and purchase this post 2012, then additional charges will be added on. That is why we are purchasing it now in 2012, but it is a 2013 model.

Mayor Webster said last year we bought a new ambulance so we will have a 2011 model and 2013 so this should put us in pretty good stead.

Ordinance 33-2012 passed with seven affirmative votes.

ORDINANCE NO. 34-2012

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$1,900,000 OF BONDS BY THE CITY OF SPRINGDALE, OHIO, FOR THE PURPOSE OF REFUNDING BONDS ISSUED IN 2002 FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTING THE COMMUNITY CENTER EXPANSION IN THE CITY OF SPRINGDALE AND DECLARING AN EMERGENCY.

Mrs. McNear said this a bond issue. The City had been looking into the possibility of refinancing the bonds we have on the Community Center in an effort to save interest payments. We had offers from multiple banks and we did end up with a rate of 1.21%. Overall, it will save us over \$140,000 in interest over the life of the term.

Mr. Hawkins made a motion to read by title only. Mr. Squires seconded.

Mr. Squires said I notice we have bond counsel with us in the audience. In the event that Council may have questions, they could be directed to her.

Mrs. Harlow asked is anyone opposed to having this read by title only. No one opposed.

Mr. Diehl said I think it's important to point out that even though we are refinancing, the terms of the loan remain the same.

The motion to read by title only passed 6-1.

Mrs. McNear said the interest rate is 1.21%. We would have paid a total of \$220,800 in interest. We will now be paying just over \$140,000 over the life of the loan. We do have to pay bond counsel a fee of \$10,000 and bank set up fees of \$1,900. The term of the payoff has not changed. Payoff is scheduled for 2017.

Mr. Parham provided one point of clarification that the amount the City will pay in interest goes from \$220,000 down to \$68,849. The savings will be around \$140,000 after the Bond Council's fee. We are scheduled to close on the new bonds on October 25, 2012. We will still be required to make our payment of \$489,600 scheduled under the current bond (\$400,000 is for the principal and \$89,600 is interest).

Mr. Squires said it's my understanding that we will pay the same principal.

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Mr. Parham said the balance after this year's payment of \$489,600 will be \$1.9 million. We will pay the same amount of principal we were originally scheduled to pay. We're simply saving on the interest.

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

Mayor Webster asked Brenda Wehmer to speak.

Brenda Wehmer, Bond Counsel said I do think most everything has been covered. We have been discussing for several months the possibility of refunding the Community Center bonds and we've talked to various financial institutions about their proposals and your options, and you have selected to refund with US Bank with a rate of 1.21 percent. The outstanding balance on the principal is the same. You are not borrowing any additional funds. You're simply seeking to reduce your interest rate on the outstanding bonds. The term is not being extended either. They will still be paid off according to the original schedule. The closing papers have been prepared and delivered to the City for execution pending approval of the actual refinancing by the ordinance in front of you tonight. It will be a current refunding for tax purposes. You are only allowed one advance refunding on any particular set of bonds. This will be a current refunding because the old bonds will be paid off within 90 days of your incurring the new obligations. So for less than 90 days, both issues will be outstanding. While the new bonds are issued on October 25, the old bonds cannot be called until December 1, which is one of the reasons you will be continuing to make your scheduled payments on your old bonds this year. You will make the regularly scheduled payment on the outstanding bond and then call the balance of those bonds on December 1 using the proceeds of this issue to pay the old ones off. After December only one issue will remain outstanding, the new bond. Should circumstances permit in the future that rates go down even lower, you have preserved your one opportunity to advance refund wherein you may have a call provision on an outstanding issue that doesn't allow you to call the old bonds within that 90 day period. That makes it an advanced refunding that both bond issues would be out for more than 90 days. It's unlikely that scenario will occur given the current new interest rate but none of us can predict the future.

Mayor said as I told the Finance Committee this is a bold suggestion that came out of our cost savings ideas that we solicited from City Council back in early 2009. It's one of those things we could not act upon until December 1 this year. It was a great idea and the City is going to benefit handsomely.

Ordinance 34-2012 passed with seven affirmative votes.

OLD BUSINESS - none

NEW BUSINESS

Mrs. Harlow said we need to appoint a new member to BZA to complete Mr. Reichert's term that expires November 30, 2013. We will open the floor for any candidates to BZA.

Mr. Diehl nominated David Nienaber. Dave and his wife Kathy have lived in Springdale over twenty-five years. They have two grown children. Mr. Nienaber attended Thomas Moore College and he has an MBA from Xavier University.

There were no other candidates.

Mrs. Harlow said I do want the people in the television audience to know that all the Council members were advised that Mr. Reichert had tendered his resignation about a week ago and I gave them an opportunity by telephone so they could be thinking about who they wanted to bring forward as a candidate. It might look like something that is happening right here and now but everyone up here had an opportunity to think about candidates to bring forward. Everyone was in agreement that we were okay to go forward with Mr. Nienaber as the only candidate we had to offer for this position at this time.

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Mr. Diehl made a motion to nominate Mr. Nienaber and Mr. Vanover seconded. The motion passed with seven affirmative votes.

MEETINGS AND ANNOUNCEMENTS

Mr. Hawkins said I got Mr. Reichert's permission to discuss his situation with BZA. His grandson, who is 2 years old and also lives in Springdale, is suffering from leukemia and the entire family is pitching in to help the family care for Noah and his sister, Natalie. A benefit will be held October 27<sup>th</sup> at the Evendale Shelter House to help with the costs.

Planning Commission	-	Nov 13
Board of Zoning Appeals	-	Nov 20

COMMUNICATIONS FROM THE AUDIENCE	-	none
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UPDATE ON LEGISLATION STILL IN DEVELOPMENT	-	none
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RECAP OF LEGISLATIVE ITEMS REQUESTED

Contracts for magistrate, prosecutor and public defender	-	Nov 7
Resolution for Bill Reichert	-	Nov 7

Council adjourned at 8:00 p.m.

Respectfully submitted,

Kathy McNear  
Clerk of Council/Finance Director

Minutes Approved:  
Marjorie Harlow, President of Council

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