

## City of Springdale Council

December 2, 2015

President of Council Vanover called Council to order on December 2, 2015 at 7:00 p.m.

The governmental body and those in attendance recited the Pledge of Allegiance.

Mrs. McNear took roll call. Council members Diehl, Emerson, Ghantous, Harlow, Hawkins, Shroyer, and Vanover were present.

The minutes of the November 18, 2015 City of Springdale City Council meeting were considered. Mr. Hawkins made a motion to adopt; Mrs. Emerson seconded. With a vote of 7 – 0, the minutes of the November 18<sup>th</sup>, 2015 City Council meeting were approved as published.

### Communications

Mrs. McNear: We do have one Communication item this evening. This is from Duke Energy and I know it will come as a big surprise to you, but they have filed for a rate increase. If anyone would like the details, it will be posted in my office. Thank you.

President Vanover: Council, before we jump into the Budget, we're going to pull a little quick readjustment here – we are going to bring Resolution No. R12-2015 and Resolution No. R16-2015 forward so we don't subject our guests to the Budget process.

### Resolutions

#### RESOLUTION No. R12-2015

COMMENDING KROGER'S SPRINGDALE ICE CREAM AND BEVERAGE PLANT ON THE OCCASION OF ITS' 50<sup>TH</sup> ANNIVERSARY OF EXISTENCE AND DEDICATION TO THE BETTERMENT OF THE CITY OF SPRINGDALE

Mr. Hawkins made a motion to adopt; Mrs. Emerson seconded.

Mayor Webster: I would just like to personally say congratulations to Kroger's. You folks have been great corporate citizens over the years and we really appreciate your contributions to the City. I enjoyed some of your ice cream at your Open House over there back in the fall – it was quite a gathering of folks. Seriously, it's a manufacturing facility right in the middle of Springdale but you'd never know it – there's no odors, there's no problems, there's no discharge of anything, nothing in the landfills and everything else. It's a model factory and we really appreciate your contributions to the City and hope you have 50 more. Thank you very much.

Mr. Parham: I would ask our Economic Development Director, Mrs. Christine Russell, to come forward so she can introduce our guest and she has a couple of words for you.

Mrs. Russell: Thank you. I just want to introduce the representatives here from Springdale Ice Cream and Beverage. We have Chris Amorello, the General Manager; we have Elizabeth Workman, she's the Assistant HR Manager; and, Michelle Brodbeck, who is the HR Assistant, and we have maybe a future worker in the audience. Again, as the Mayor said, they had a wonderful 50<sup>th</sup> Anniversary Open House here a couple of months ago. Any place you can go and get free ice cream, I'm good with. I've had a full tour of their plant; Chris has been very generous with his time and educating me and making sure that the City is doing everything we can to help them be successful as much as they are doing to help us be successful. So congratulations on your 50<sup>th</sup> Anniversary.

Mr. Amorello: Thank you.

President Vanover: I'll add too. I know for a long time, I was PTO President down at Heritage Hill Elementary and Kroger was always one of the first to jump in on our special events so we definitely appreciate that.

With a vote of 7 – 0, Resolution No. R12-2015 passed with seven affirmative votes.

President Vanover: Mayor, you have a presentation?

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Mayor: On behalf of Springdale, I present this Resolution, recently adopted. (Applause).

### RESOLUTION No. R16-2015

COMMENDING MR. JAMES SQUIRES FOR HIS DEDICATION AND SERVICE TO THE CITY OF SPRINGDALE

Mr. Diehl made a motion to adopt; Mrs. Emerson seconded.

Mayor Webster: You know, it's a bittersweet evening here as we bid Mr. Squires adieu from his Councilmatic duties but we certainly looking forward to him serving, later on in the evening, you will see where I have appointed him as a member of the Board of Health. I guess we won't have that on until December 16<sup>th</sup>, but anyway, Jim has agreed to continue serving on the Board of Health as a Board Member and so I'll ask for his confirmation on the 16<sup>th</sup>. Just looking over all of Jim's assignments here, Jim always did a great job, always showed up on time, well-prepared for the meeting. It was just like Jim performed at the Committee meetings just like I'm sure he asked his students to do – be on time, do their homework, and so forth, and Jim always did that. As far as being the liaison to the Board of Health, over the twenty years I've been Mayor and Chairman of the Board of Health, I probably had a half a dozen different Council members who have served in that capacity, and, no offense to anyone else here, Jim was probably the most outstanding member that we've had there. He always came prepared, and, as you know, always gave a very detailed report here and I've had people in the audience say if there's one report they look forward to, it's always Mr. Squire's Board of Health report. So Jim, great job. We will miss you and good luck on all of your future endeavors and we look forward to having you back on the Board of Health as a Member. Thank you. And Margaret, thank you too, for sharing him with us over these 16 years.

Mr. Diehl: Jim, I want to take this opportunity to thank you. You have been an inspiration to me all of these years. What most of these people don't know is if it weren't for you, I wouldn't be sitting here because one day you knocked on my door and asked if I'd be interested on serving on the Planning Commission and that got me started so I thank you once again and we are going to miss you. Thanks.

President Vanover: Well Jim, I'll echo a lot of the sentiments. Hats off; it's been a pleasure serving with you and at times, sitting right next door. You can't say more - you were just a consummate Council person; you were prepped and ready and you always a bit of a wit and humor that we enjoyed too. Again, thank you. I know we'll see you around so it's not like we're completely losing sight of you but good job. Thanks, Jim.

With a vote of 7 – 0, the motion was passed with seven affirmative votes.

Mayor Webster: Kathy, do we have a bound copy for Jim or are we going to have to get that to him?

Mrs. McNear: We're going to have to get that to him.

Mayor Webster: Jim, we'll get you a bound copy of that Resolution.

President Vanover: We'll put that in your Christmas stocking.

Mr. Squires: My goodness, and it was unanimous – you couldn't ask for anything better than that. Tom, I don't know how you did it, but you almost made a gender mistake here, because, except for Carolyn, you got all of the ladies on one side. Sixteen years has been nothing but a pleasure. Just off the top of my head, whatever hair is there, I was trying to think what are the highlights that I had in these 16 years. There are a lot of them but I think, if I had to pick one, I would have to say it was being on the team that developed downtown Springdale. Those were the days when we had the money to do it, when we bought all of that land and banked it and banked more with the idea that we were going to sell it to a developer. And thank goodness that, and there was some opposition to this, some Council members didn't want to go eminent domain and I did not want to do that and I don't want you to think that I had any type of feelings of what the Supreme Court was going to do later.

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Mr. Squires (continued): I didn't, but I just did not want to go eminent domain; I wanted the owners to get a fair price for their land and go from there. A lot of things have happened, that, if you just stop and think, we now have United Dairy Farmers there, where what we had there before was a filling station. Across the street from that, we had an old car garage, so to speak – it was a mess. And then across from that, we had one of those precision tune-up things, where White Castle now stands. Then the major part of it, of course, where the Springdale Cleaners used to be, and we went through a lot with them, to get that, as you well remember, and they did some things to the land that we weren't real happy with and it cost us some money to clean that up. In retrospect, I well remember, the Metropolitan Housing Authority wanted to buy the hotel and we said no. In a way, now I wish we had sold it. We had big plans for Pictoria Island and, at that time, it was going very well and things just didn't happen there the way we wanted it to happen but we did build Walden Grove down there and all the way from Sharon Road to the Veteran's Memorial, I've had just numerous people that have told me personally how well Springdale looks, particularly this time of year, with all of the lights that they put on there and the corridor, as we call it, is really something to behold and it's something that I'm personally very proud of that I served on the team to do that. Those of you were here at that time, it was a pleasure working with all of you for that. That's my highlight. There were other things, developing new stores, opening new businesses – those were very fortunate things too, but that is number one, was the development of downtown Springdale. I was happy to serve on the team, Mr. Mayor, with you and the Administration. I think Cecil Osborn was there at that time but it's there and I look at it with a great deal of pride. Margaret and I sometimes drive over the city and I look at this and think did I really do this? It's been worth it and it's a good Council here, Carolyn – you're in good hands and you're going to be a wonderful member here and Dan, your experience with the City of Springdale and the Fire Department is going to just add to your experience here. The people of Springdale are just very fortunate to have this. Within the Administration, the money that we had in 2008 versus the money we have now, is considerably less and yet, we are still able to offer our citizens the same services that we were offered back then and that's a credit to all of you and it was a pleasure serving with you; it really was. I don't have the words to adequately describe it but it was there and I was very proud to do it and I wish that every citizen would have that same opportunity – they would appreciate this government much more than perhaps they do appreciate government. The best government you can have is the one closest to you and this in Springdale we have. Hopefully we're able to keep it that way. There are some thing happening that's got a lot of us concerned but we just hope that we can keep it this way and with your leadership, all of you, it will happen. And I'm not going away so I will see you all from time to time. I love the parties after the meetings; I don't intend to give those up, so thank you for everything. You've meant a lot to me; you really have. I can look at each one of you and smile about it because you're all my friends. Thank you so much; I really appreciate it. (Applause)

President Vanover: I guess at this time then we'll go back on task of the Agenda – we've got the Presentation of the 2016 Budget. At this point, we'll turn in over to Mr. Diehl and the Finance Committee. Enlighten us.

### Presentation of the 2016 Budget

Mr. Diehl: Tonight we're going to review the 2016 Budget. We will do this in two parts – the first part will be a brief summary by Mr. Parham; we'll cover about 8 – 9 pages of the Budget and then we will go back and we will cover each item by each Department. This can be described as a very lean and very mean budget. At this point, I will ask Mr. Parham to give his summary.

Mr. Parham: Thank you, Mr. Diehl. Council, as Mr. Diehl pointed out, and I shared with the Finance Committee, it is a rather lean document. When I speak about being lean, there are a number of situations, as we (staff) start going through the beginning of the 2016 budget process, where we begin to reduce a number of line items. As you have had a chance to review the different Departments, you will see, in some instances, things are much lower than they were in the previous year. They are much lower than they were, in some cases, back a couple of years ago. We have had to reduce a number of items in order to try to achieve what we have always sought after, was a Year-end balance of about \$1.4 Million or \$1.5 Million. During the first go-round, we were not able to achieve it. In fact, we ended up, in this document, just about \$67,000 short of the \$1.4 Million. As we look through the experience, what we see is the Revenues again present somewhat of a challenge for us, not to the degree that we experienced back in 2009 or 2010. At that point, we were watching our revenues decline at a rather rapid pace.

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Mr. Parham (continued): Right now, what we see is that they are sort of steady and I say they are steady in that, over the last couple of years, we have noticed slight increases in the revenues, in particular in our Earnings Tax. Our Earnings Tax is our primary source of revenue for the City. But what has occurred over the last couple of years is that we have been very fortunate to have a number of the businesses in the community to make declarations, or make payments, which they did not necessarily owe. They would have a liability to the City of "X". Instead of paying simply "X", they paid "X" plus, and whenever they paid "X" plus, then, for the upcoming year, we were pretty much guaranteed not to receive the "plus"; more than likely, you did not even receive the "X". And so, that in itself, gave us a sense that our revenues were exceeding far in advance of what we thought they were. In actuality, we had a couple of situations that they, I think, in 2014, there was a company that located out of the community, but had a debt to the community and paid about \$300,000 that we were not expecting to receive. Then, in 2015, this year, we have had a couple of companies that have paid probably in the neighborhood of about \$600,000. I feel fairly certain that we are not going to receive the \$600,000 but if their liability is about \$300,000, we may not even receive the \$300,000 either.

Needless to say, we have some exciting things that are going on in the community. I think at our October 21<sup>st</sup> Council meeting, we had two organizations that have committed they will be relocating their operations to Springdale. One of those being Process Plus and the other is Macy's. I think that as those two organizations relocate their operations in Springdale and they reach their full potential, this will boost our revenues tremendously. There are a number of other situations and opportunities that are being presented to us. You saw our Economic Development Director, Christine Russell, up here earlier in the meeting and she is doing an outstanding job of making contact with a number of companies. There are some things that are on the horizon that I think will be very exciting if they truly do come to fruition, and I think they will. I think that will assist us as we continue to climb and try to achieve where we were back in 2007 and 2008. Still on the revenue side, and something that I did not harp on here in the Budget document, there are still a couple of challenges that we face on the revenue side. One of those challenges is this will be our first year that we will live under the new Municipal Tax Code that was forced upon us by the State Legislature. As we have talked about in previous meetings, as we take a look at the situation right now, you cannot determine what type of financial impact that will have on us. The future and long-term possibility is not that exciting. It could create challenges for us, but we will continue to move forward and see how that works itself out. In addition, the next item is the State Legislature continues to reduce the Local Government Fund as a part of their 2015 Biannual Budget. This time, we project we are going to receive probably about a \$40,000 reduction in our State and Local Government Funds between 2014 and 2016. What they have done, in this case, is that they have taken the dollars away from municipalities and they have given them to townships and to villages of 1,000 populations and less. I am not exactly sure why but that was the decision that was made in Columbus. Then the third item I guess is the one I talked about initially and that is the unexpected declarations. You know, it is exciting when we receive the dollars because it helps us during that period, but then when we come to the following year, when you know you are not going to receive those dollars again, that is when the bite hits you. It is sort of like, if you remember the last two years, we had a large amount of reimbursements, where we received reimbursements from the Bureau of Worker's Compensation, very large refunds and we did not get that this year. So if you look at that particular line item in the revenues, you will see a reduction.

At the same time, the expenditures in the organization, I have to give a lot of credit to the Department Directors and their employees. They have done an outstanding job of keeping our expenses down. We see very small increases in our expenses even in spite of Council granting the employees a 2% cost-of-living wage increase. The increase in the City's expenditures from 2014 to 2015 is about 4%. The personnel-related items are to our expenses what our Earnings Tax is to our revenues. It is the largest expenditure that we have in the organizations. Where our Earnings Tax is about 82% of the revenues, the personnel-related expenses are about 75-76% of our expenditures.

We have had quite a bit of turn-over the last couple of years due to retirements primarily. At the same time, we have had a number of our employees who have left our organization. The year of 2016 is one of the first times in at least three years that we have looked at bringing on a new employee.

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Mr. Parham (continued): In most cases, we have been replacing employees who have either retired or left our organization, but we have not added new positions. The only reason we are adding this new position now is because we know we have a police officer that is mandated by the State of Ohio Retirement System to retire in February 2017.

In order to have a new officer prepared for the road generally takes about nine to ten months. This is true especially if you have to send them to the academy for training. Therefore, in order to have the new officer going through training and the process where he rides with a senior officer, and learns the way that Springdale does it, we have decided to bring that person on earlier in the process and have them road-ready so they can be out on the road on their own by the time the February 2017 timeframe hits. At that time we do not project adding a new employee to replace the senior officer.

Capital Improvements – we have discussed how we have to unfortunately delay the replacement of machinery, equipment, in some cases, vehicles. We have done some unique things I would say over the last five years, with the financing of the large equipment, the street sweeper, the ambulance, and two new dump trucks, but we still have a lot of aging equipment. When I went through the budget process, the first submittal by the Department Directors, there were a lot of capital items that I had to eliminate from this process. Unfortunately, they are items we will continue to delay their replacement. I think that one of the statements that I have made here and in the document and I know I made at the Finance Committee meeting, I feel fairly certain, that at some point in time, in 2016, we are going to replace, or we are going to have to make a purchase of a piece of capital equipment that is not necessarily called for in the Budget. It is just a fact of life for us right now.

As far as Capital Projects, in this Budget, there is no Annual Street Improvement Program. We did have one this year, in 2015; however, unfortunately, the traditional part of the program did not get underway. It is scheduled to get underway in early 2016. The other phase, because, if you recall, we did something a little different this year, the other phase I think has worked out pretty well, where staff anticipated expenditures of about \$97,000. It came in about \$98,000. So I think they did an excellent job of identifying projects as well as potential contractors to perform the work. We do have, and we were very fortunate to receive funding for the State Route 4 Southbound Lane Addition Project, 80% funding in that particular case. That project is scheduled to get underway, I believe, in 2017, unfortunately. It is a project that is going to be overseen by the State of Ohio. Unfortunately, we did not receive the funding, or it does not appear that we are going to receive the funding for the Jake Sweeney Place Project that we used to have combined with Boggs Lane. Boggs Lane turned out very well for us. I think the engineer's estimate was about \$213,000. The bids came in at about \$197,000, I believe. The project actually finished at about \$183,000. If you recall, \$100,000 of that is going to be reimbursed to us from the House Bill 51 funding. So the City's share, for construction, will be about \$83,000 for that project. At the same time, there were a number of drive aprons that we improved over in the area of Boggs and a couple of property owners are going to reimburse us for that work to assist them with improving their drive aprons.

The Community Center Debt Fund, as we continue to celebrate that in 2017, December 1<sup>st</sup>, we will have paid the entire debt off. We have a payment that is due this year, in 2015 and then one in 2016. After the payment in 2016, we will only owe about \$300,000 plus the interest. There are some opportunities being presented to the City in the economic development area; one such opportunity being the Avon property. I think we pointed out the investments the current owners, the Highland Group, have made in that property. It has made it a very hot piece of property for this region. There are a number of organizations that are looking at relocating their operations there. Macy's, as we have talked about, will be locating their operations in about 110,000 s.f. of space. Then we have the GEEAA property, the property has gone through our process, before Planning Commission, before Council. It has a Planned Unit Development (PUD) that has been approved for a certain development on the property. There have been a couple of twists and turns but I think even with these most recent changes, I still feel fairly confident that something will happen on that property within the next two years. I think that has a tremendous opportunity to impact our organization and the community in a very positive way. I think the Planning Commission did an excellent job of putting in some parameters to try to protect the interests of the property owners to the east, in Heritage Hill, as well as trying to provide some buffering and screening for the residents that are engulfed within that property at the condominiums.

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Mr. Parham (continued): We all had to face the fact that something was going to happen at that property and I think where we ended up is probably one of the best opportunities of other potentials that could have occurred there. I think, as it began to shake itself out, if you will, I think we will be pretty satisfied with the outcome of that particular development. With that, I think I am going to try to keep it a little short. I am willing to answer any questions that you may have.

Mr. Diehl: Any lights? (No.) Thank you, Mr. Parham; we appreciate the Reader's Digest version. We're going to go through the Budget, Department by Department. When we get to the Finance number part, if you have questions on the Budget and so forth, I encourage you to look on the left-hand side of the Budget format; most of your questions will be answered. If not, just speak up. Let me know if there are any questions or concerns.

Police Department – no questions/concerns

Fire Department – no questions/concerns

Health Department – no questions/concerns

Parks and Recreation Department - no questions/concerns

Building Department

Mr. Diehl: The Building Department also includes the Board of Zoning Appeals and the Planning Commission. – no questions/concerns

Public Works - no questions/concerns

Administration

Mayor Webster: Derrick's head is getting bigger and bigger, with no questions here. He thinks he's produced a perfect document. Somebody's got to have a question.

Mrs. McNear: That's because we grilled him at the Finance Committee meeting already, for hours.

Mr. Diehl: You know, for those of us who look at financial numbers on a daily basis, like Mrs. McNear, that used to be one of my duties - looking at this Budget with all of the footnotes, it's just a pleasure because all of your questions are answered for you.

Economic Development - no questions/concerns

Finance Department - no questions/concerns

Legislative - no questions/concerns

Mrs. McNear: Just a comment about the Newsletter. Every year, I call up to the City to say are they picking up the trash on Thanksgiving Day? So I did send a note saying hey, can we add that to the schedule, because we have the pickup dates for Christmas and New Year's, but it's not listed for Thanksgiving. So just a point for the Newsletter that comes out in November.

Mr. Parham: Are you suggesting that it changes during Thanksgiving?

Mrs. McNear: No, not that it changes – just that we put it in the Newsletter.

Mr. Parham: For Thanksgiving?

Mrs. McNear: That we put the waste pickup in the Newsletter.

Mr. Diehl: Okay. We are up to Other Commission and Budget, page 69. – no questions/concerns.

Tax Department Budget - no questions/concerns

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General Administration Budget - no questions/concerns

Adult Sports Fund - no questions/concerns

State Highway Improvement Fund – no questions/concerns

Grants Fund Budget - no questions/concerns

Drug and Law Enforcement Funds - no questions/concerns

Law Enforcement Fund - no questions/concerns

DUI Fund Budget - no questions/concerns

Law Enforcement Training Fund - no questions/concerns

Insurance Trust Fund - no questions/concerns

Health Insurance Trust Fund - no questions/concerns

Housing Rehab Fund - no questions/concerns

Capital Improvement Fund - no questions/concerns

Recycling Fund - no questions/concerns

Vehicle Fund, page 163 is where we are now - no questions/concerns

Tri-County Mall TIF Fund – no questions/concerns

Parks & Urban Forestry Fund - no questions/concerns

Northwest Business Center TIF Fund - no questions/concerns

Unclaimed Money Funds - no questions/concerns

OBBS Assessment Funds - no questions/concerns

Community Center Debt Fund - no questions/concerns

And that brings us to the end of the expense section. On the revenue side, does anybody have any questions? Apparently, Mr. Parham, you must have done an outstanding job and I would like to thank you on behalf of Council for all of your efforts and especially the Department Directors that assisted you, not to mention the most important one, Stephanie.

Mr. Parham: Thank you, Mr. Diehl. I truly do believe that this document is not just simply my work. I think, and I know, that our employees put forth a lot of effort. The Department Directors receive their instructions in September. They immediately start working on the process and I have multiple meetings with them. You know, we have two new Department Directors this year and we have Christine, who has been with us for a little over a year, not two years yet but they all put forth the effort. The majority of them that have been here for a longer period of time understand the process, understand the challenges. We talk about it in our staff meetings. We try to make sure everybody is aware and is informed, because I just think it provides for a better work force, as long as we continue to communicate with them and share with them. When we share with them, they give back. We have always tried to make sure that, even as we have gone through the challenging times early on that the residents did not feel they were receiving less services. I do not believe that there has been a degradation of services to the residents. I thank them for their efforts; I thank you all for your leadership and giving us the opportunity and the funds to do the things that we do. Thank you.

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President Vanover: Just a quick – I notice on the revenues, we have the DUI Fund, 083, but on the revenue side, and I guess it's the game of semantics - they call it an OVI, I guess that's operating a vehicle impaired - is there any glitch that we're creating on that? I know it's linguistics but that just happened to catch my eye.

Mr. Parham: If you go to the DUI Fund, which I think is 083. It talks about that these revenues are received from fines and DUI convictions. That's how the revenue arrives in this particular fund. The OVI revenues that we have here are derived from when our officers work DUI traffic stops to assist another community they are working overtime. That community will reimburse us for our officer's time. Some their officers assist us as well. That is the OVI revenue that you see in the revenue section. So they are two separate things.

President Vanover: Okay, very good. Any other questions?

Mr. Shroyer: I would just like to commend Mr. Parham. Having been a Department head and been through that process so many times, it was always impressive to me that you not only can put together a budget for the City, but in order to do that, you understand running a Fire Department; you understand running a Police Department. It's obvious when we talk about the numbers that you understand where they go and you understand that each department is unique and you have a handle on each department. The fact that there are no questions obviously is a tribute to you but it's not a surprise to me, having been through that process. I know the time and effort that you put into it. I appreciate your effort and I appreciate having been through this process with you.

Mr. Parham: Thank you, sir.

Communications from the Audience

- None

Ordinances and Resolutions

### ORDINANCE No. 29-2015

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH JUSTIN BARTLETT FOR PUBLIC DEFENDER SERVICES FOR THE CITY OF SPRINGDALE, OHIO, AND DECLARING AN EMERGENCY

Mr. Hawkins made a motion to adopt; Mrs. Harlow seconded.

Mayor Webster: This is the final contract for our Legal Services associated with our Mayor's Court. You had previously approved the contract for our Magistrate and our Prosecutor. This is a new individual joining our legal staff down there. Mr. Bartlett is very, very familiar with our Court. He has represented several clients before the Magistrate. He's very familiar with the Magistrate and the people that run the Court. He speaks very fluent Spanish, which was very important to us and he represents a firm. I think there's eight attorneys in the firm, and so we can be assured that someone will always be there when they're needed so we're very excited about a new Public Defender so we'd appreciate your support for Mr. Bartlett. Thank you.

Mr. Hawkins: I will say that I see Mr. Bartlett on a regular basis in court, probably at least weekly. He does a fine job and I think we're fortunate to have him.

With a vote of 7 – 0, Ordinance No. 29-2015 passed with seven affirmative votes.

### ORDINANCE No. 30-2015

AUTHORIZING THE TRADE-IN OF A 2000 FORD EXPEDITION (VIN# 1FMRU1666YLC14560) DECLARED TO BE SURPLUS PROPERTY AND DECLARING AN EMERGENCY

Mrs. Harlow made a motion to adopt; Mrs. Emerson seconded.

Mr. Parham: Council, briefly here, unfortunately, this particular vehicle, it was the vehicle used by our Fire Captains – typically, when there is a fire or ambulance run call out, the Fire Captain goes out on that run in this vehicle.

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Mr. Parham (continued): I believe earlier this year, at some point, the vehicle had stopped working and it was deemed that it would cost us more to get it fixed than the value of the vehicle. The Chief and the Assistant Chief went on a hunt, if your will, for a new vehicle. We were able to identify a Ford Expedition off of the State Bid list for I believe, \$31,000 it is. The vehicle, if we were going to go and buy it from a dealer, it probably would be somewhere in the neighborhood of about \$60,000. So I think we have gotten a very good deal but we needed your authorization to trade-in the old vehicle for \$500. We ask for your approval. Thank you.

With a vote of 7 – 0, Ordinance No. 30-2015 passed with seven affirmative votes.

ORDINANCE No. 31-2015

Mr. Hawkins made a motion to read Ordinance No. 31-2015 by title only. Mr. Diehl seconded the motion. With a vote of 7 – 0, the motion to read Ordinance No. 31-2015 by title only was approved.

ORDINANCE No. 31-2015

ACCEPTING A BID AND AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH VOGELPOHL FIRE EQUIPMENT FOR THE PURCHASE OF SELF CONTAINED BREATHING APPARATUS EQUIPMENT AND DECLARING AN EMERGENCY

Mr. Hawkins made a motion to adopt; Mr. Diehl seconded.

Mr. Hawkins: I want to again just commend the Fire Department for getting this grant. Fantastic job; it saved the City a lot of money in doing so.

With a vote of 7 – 0, Ordinance No. 31-2015 passed with seven affirmative votes.

RESOLUTION No. R13-2015

COMMENDING MS. MARGE BOICE FOR HER DEDICATION AND SERVICE TO THE CITY OF SPRINGDALE

Mrs. Harlow made a motion to adopt; Mrs. Emerson seconded.

Mr. Diehl: I do not think we ought to allow this lady to retire. (Laughter) Truly it can't happen. She is such an asset to this City that I think we should demand her to retract her resignation and get back here. That's all.

Mayor Webster: The last time I talked to Mrs. Boice, she says I don't want one of those resolutions. I have a room full of those already. Mrs. Boice probably does have a room full of those - she's a real icon in this City. It's been my pleasure to be associated with Mrs. Boice since 1971 I guess and so it's been a real pleasure to not only work with her, but I consider her a very dear friend. She has probably made as much of a contribution to this City and its' history as anyone sitting here or that's ever set here. As all of you know, she served many years as a Council member; she has several terms on the Planning Commission. She'd take a break and then come back, and come back. Every time that I've really needed someone to help us out on Planning Commission, I've called her and she's always answered the call but she says this is it.

Mr. Diehl: Well, call her again.

Mayor Webster: Believe me, if the need arose, I certainly would do that and I would be surprised if she said no but as of right now, she wants to retire once again so I think we have to respect her wishes but we wish her well.

Mrs. Harlow: I've had such great pleasure in serving on Planning Commission with Mrs. Boice. It's always such a joy to be around her and the expertise that she brought to Planning Commission is going to be really hard to match. I won't be able to have her on Planning Commission with me anymore, but she's still my neighbor and we're still running in and out of each other's houses all of the time so I love that part of it. I have to echo what the Mayor said – I've known her since 1971 as well and she's always the same, she's always just friendly Marge and she will be missed a lot but she deserves her retirement if that's what she wants.

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President Vanover: Well, I will echo many, many of those sentiments. One of the highlights of my time was serving side-by-side with Mrs. Boice up here. I spent a number of years with her on Planning Commission and just thoroughly enjoyed the time and her character. I've always said that we may not always agree, but at least I knew where she stood and there was no doubt about that. It's just ironic that this year, with the GEEAA coming back, one of my most heart-felt statements still rings true today and I made that statement over 25 years ago that "Thank God for mom, apple pie, and Marge Boice" and, with that, I will shut up.

With a vote of 7 – 0, Resolution No. R13-2015 passed with seven affirmative votes.

RESOLUTION No. R14-2015

COMMENDING MR. GEORGE KELLNER FOR HIS DEDICATION AND SERVICE TO THE CITY OF SPRINGDALE

Mr. Hawkins made a motion to adopt; Mrs. Emerson seconded.

Mayor Webster: Mr. Kellner, as the Resolution indicates, has been with us since 2002. I didn't realize it was that long – for 13 years, he's been a real trooper. He very seldom missed a meeting, he always there promptly on time and always contributed. Just a little background - George was a technician in the Cincinnati Health Department so he brought a different perspective to the Board and one which will be sorely missed. We wish George well in his retirement. Thank you.

With a vote of 7 – 0, Resolution No. R14-2015 passed with seven affirmative votes.

RESOLUTION No. R15-2015

COMMENDING MR. EDWARD KNOX FOR HIS DEDICATION AND SERVICE TO THE CITY OF SPRINGDALE

Mrs. Emerson made a motion to adopt; Mr. Hawkins seconded.

Mrs. Harlow: I'd like to thank Mr. Knox for his service to the City and also his wife, Joan, because, as we all know, if you're sitting up here serving, your family is serving as well, so thank you, Mr. Knox.

With a vote of 7 – 0, Resolution No. R15-2015 passed with seven affirmative votes.

RESOLUTION No. R17-2015

COMMENDING MR. ROBERT WEIDLICH FOR HIS DEDICATION AND SERVICE TO THE CITY OF SPRINGDALE

Mrs. Harlow made a motion to adopt; Mr. Hawkins seconded.

Mrs. Harlow: I brought Mr. Weidlich's name forward to be nominated for the Board of Zoning Appeals back in 1999. I've known Mr. Weidlich since our kids were in Kindergarten together. He'll be leaving our BZA Board, but I know for a fact that he's going to remain very active with the Police Department - that's something that's very dear to his heart and I wish him well in that endeavor.

Mr. Hawkins: I also want to echo appreciation for what Mr. Weidlich has done over the years with regard to the Board of Zoning Appeals and he's been the Chairman for a number of years now. I remember when he first became Chairman, I don't think he was excited about taking on that responsibility, but he's done a great job with it and I appreciate his time.

With a vote of 7 – 0, Resolution No. R17-2015 passed with seven affirmative votes.

RESOLUTION No. R18-2015

CONFIRMING THE MAYOR'S APPOINTMENT OF MR. DON DARBY TO THE PLANNING COMMISSION

Mr. Hawkins made a motion to adopt; Mrs. Emerson seconded.

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Mayor Webster: Well, what can I say about Don Darby? He's right up there with Mrs. Boice. He's a real contributor to this City and here again, he's on his second or third term, I think, on Planning Commission. Most of you on the dais here have served with or under Don on the Planning Commission. He does a marvelous job of running the meeting. I whole-heartedly support his reappointment and I hope you would support it also. Thank you very much.

With a vote of 7 – 0, Resolution No. R18-2015 passed with seven affirmative votes.

RESOLUTION No. R19-2015

CONFIRMING THE MAYOR'S APPOINTMENT OF MR. TOM HALL TO THE SPRINGDALE PLANNING COMMISSION

Mr. Hawkins made a motion to adopt; Mrs. Emerson seconded.

Mayor Webster: This is the second of my appointments to the Planning Commission, or my recommendations at least. Mr. Hall, I think I gave all of you a little biographical sketch of Mr. Hall's qualifications, but just to highlight those, he's a retired police officer from the Village of Green Hills. He currently serves as the Chief Financial Officer for Todd Homes, LLC, a real estate builder and developer in West Chester. He currently serves on the Board as President of the Olde Gate Condo Association and Vice President of his FOP Lodge 74. He's been in the community several years, he and his wife Carol, well since 1993 as a matter of fact. He's been yearning to get involved with public service and he contacted me a year and a half or so ago and I've stayed in contact with him and so I'm very pleased to put his name forth for this appointment. Thank you.

With a vote of 7 – 0, Resolution No. R19-2015 passed with seven affirmative votes.

RESOLUTION No. R20-2015

CONFIRMING THE MAYOR'S APPOINTMENT OF MR. JOE RAMIREZ TO THE PLANNING COMMISSION

Mrs. Emerson made a motion to adopt; Mr. Hawkins seconded.

Mayor Webster: This is my third and final recommendation for the Planning Commission. I think all or most of you know Joe. He has served the City in the Parks and Recreation Commission for a number of years. He has most recently been serving I think for the last four years at least on the Board of Zoning Appeals so he's been involved with the City for a number of years, going all of the way back to his coaching his youngsters. He was a basketball and softball official for 25 years in the City and he's also worked at our Community Center I think for about ten years as a Building Supervisor so he's very involved with the city. It's with great pleasure that I recommend him as a member of our Planning Commission. Thank you very much.

With a vote of 7 – 0, Resolution No. R20-2015 passed with seven affirmative votes.

RESOLUTION No. R21-2015

APPOINTING A MEMBER TO THE PLANNING COMMISSION

President Vanover: First off, we need to take nominations.

Mr. Diehl: I would like to put in the name of Richard Bauer to be reappointed to the Planning Commission. Mr. Bauer has been serving for the last eight years as a very important part of the Planning Commission. Mrs. Ghantous seconded the motion.

President Vanover: Any other nominees? (None.) Seeing none, I guess by affirmation, read Resolution No. R21-2015 with Mr. Bauer's name in there.

RESOLUTION No. R21-2015

APPOINTING RICHARD BAUER AS A MEMBER OF THE PLANNING COMMISSION

Mr. Diehl made a motion to adopt; Mr. Hawkins seconded the motion. With a vote of 7 – 0, Resolution No. R21-015 was passed with seven affirmative votes.

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RESOLUTION No. R22-2015

APPOINTING A MEMBER TO THE PLANNING COMMISSION

President Vanover: I will now open the floor up for nominations for another Planning Commission position.

Mrs. Harlow: I would like to nominate Mr. Dave Okum. He's currently serving as Vice Chair on Planning. He has served on Planning for many, many years. He's also serving on OKI as well as a couple of different Hamilton County Regional Planning Commissions. Again, he is such an asset – he knows the codes inside and out and he works great with our developers and making sure that the City is very well protected when we move forward through Planning so that would be my nomination. Mr. Hawkins seconded the motion.

President Vanover: Any other nominations? (None.) Then, by affirmation, we'll read Resolution No. R22-2015 with Dave Okum's name.

RESOLUTION No. R22-2015

APPOINTING DAVID OKUM AS A MEMBER OF THE PLANNING COMMISSION

Mr. Hawkins made a motion to adopt; Mrs. Harlow seconded. With a vote of 7 – 0, Resolution No. R22-2015 passed with seven affirmative votes.

RESOLUTION No. R23-2015

APPOINTING A MEMBER TO THE BOARD OF ZONING APPEALS

President Vanover: At this point, I'll open the floor up for nominees for Board of Zoning Appeals.

Mr. Hawkins: I nominate Michael Wilson, who resides at 163 Ruskin Drive with his wife and two children. You all have copies of his resume before you. He is a long-time Springdale resident, grew up in Springdale. He spent many sports seasons playing down at the Recreation Center. He's a Princeton High School graduate, also played for the mighty Vikings football team and basketball as well. He's a graduate from Central State with a Bachelor's Degree in Business Management and he's working on his MBA and shall complete that I believe in a couple of quarters. He is currently an Account Manager for a company called Novations and he has grown up watching his father serve as City Councilman and he is now wanting to get involved with the City so it is with great pleasure that I nominate Mr. Wilson. Mr. Shroyer seconded the motion.

President Vanover: Any other nominees? (None.) Then by affirmation, we'll read Resolution No. R23-2015 with Mr. Wilson's name in there please.

RESOLUTION No. R23-2015

APPOINTING MICHAEL WILSON AS A MEMBER OF THE BOARD OF ZONING APPEALS

Mr. Hawkins made a motion to adopt; Mrs. Emerson seconded. With a vote of 7 – 0, Resolution No. R23-2015 passed with seven affirmative votes.

President Vanover: Before we leave all of these appointments, Council, this evening I passed out Committee assignments. I do need a vote, approval, of Council on BZA appointments of Mrs. Carolyn Ghantous and Mrs. Holly Emerson, so if I can get an affirmation; I need a motion.

Mr. Diehl: So be it. Mr. Hawkins seconded the motion.

President Vanover: Is there any discussion? (None.) Motion was approved by affirmation.

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President Vanover: Before we leave that – appointments to Planning Commission – Mrs. Harlow, continue on in her said position and we'll bring Mr. Lawrence Hawkins back in on Planning Commission so I need a motion on those.

Mr. Diehl: So be it. Mrs. Emerson seconded the motion.

President Vanover: Is there any discussion? (None.) Motion was approved by affirmation.

President Vanover: Okay, there we go.

### Old Business

Mrs. McNear: As you may recall, at the last meeting, I did mention that OKI is looking for a representative. Mrs. Harlow has been serving on that Board and we do need to select a person or reinstate Mrs. Harlow to this Board to notify OKI.

President Vanover: Mrs. Harlow did advise me that she would be interested in continuing so I guess we'll open it up for any nominations as such.

Mr. Hawkins: I nominate Mrs. Harlow. Mrs. Ghantous seconded the motion.

President Vanover: Any others? (None.) By affirmation, Mrs. Harlow, you are back at OKI.

Mrs. Harlow: Thank you.

Mayor Webster: Under Appointments, don't you have something with the Charter; don't you have a couple of Charter openings?

President Vanover: They're coming in the next meeting, the 16<sup>th</sup>.

Mayor Webster: Oh, okay.

### New Business

Mr. Diehl: It donned on me today when Mayor Webster was handing out the Proclamation - do we need a photographer to take pictures at certain occasions? And I was wondering if we could have that taken care of somehow.

Mr. Parham: We actually had a photograph here tonight to take a photograph for preparation of the website and at some point we will need a group photo of the new City Council but we will see what we can do to work on getting a photographer.

Mayor Webster: Do you want to hire a full-time photographer to be here just for the meeting? I mean, do you want one every meeting here?

Mr. Diehl: only when we have to take your picture. (Laughter) It just seemed to me that just for the Proclamations, somebody would like to keep that.

Mayor Webster: As Mr. Parham indicated, we'll see what we can do.

Mr. Diehl: I would appreciate it; we all would appreciate that.

Mayor Webster: You're moving too quick here for me but Appointments, I would like to read into the record what I've given all of you earlier. In addition to my three appointments to Planning Commission, or recommendations, which you have confirmed, thank you; I've also appointed to the Parks and Recreation Commission: Steven Brooks, Doug Stahlgren, Julie Wright, and Megan Wisecup and there will be another appointment, another recommendation, later on. Also, as of this date, I am appointing to the Board of Zoning Appeals, reappointing Jane Huber and also Carmen Daniels will be moving from Parks and Recreation up to that Board. On the 16<sup>th</sup> of December, you will have three resolutions for my appointees to the Board of Health – that being Lynn Jones, Scott Garrison, and Mr. Jim Squires. I think that takes care of all of the appointments.

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Mayor Webster (continued): And while I have the floor, I would like to just give everyone an update on our SOS Program this year. I just got this from Marsha today, Marsha Hocter, we have 55 families on our list; only ten of those families have not been adopted. We still have 33 kids that we need to care for. Our coat drive is completed; it was one of our biggest ones to date – over 100 coats were given out. I'd like to thank the lady here to my right for all of her work on there. She's been very instrumental in making sure all of these kids not only have a coat, but also hats and gloves.

Mrs. Ghantous: 111.

Mayor Webster: Oh, up to 111, wow. Calvary Church helped us deliver all of the Thanksgiving turkeys – over 20 families for Thanksgiving. Our Shop with a Community Helper Program is tomorrow. Chic-Fil-A is sponsoring that event for us. I think we have ten kids that have been invited to participate there. We currently have 101 families, employees, and business participating in the program in some shape or form. Our new Health Commissioner, Matt Clayton, and Mrs. Christine Russell back here have been very instrumental this year in trying to recruit new sponsors and new businesses and we have just an absolute ton of our food barrels out this year and also posters throughout the community so they've done just a great job of posterizing the community with those ads. It would be impossible for most people to work in this community not to know about the SOS. Mrs. Wyder is doing all the shopping for the supplies and Matt and Tom Lindsay from our Fire Department have started the food drive so we've received a lot of generous donations. John Morrell once again this year is stepping up to donate hams. They also this year have introduced another method of helping us – their employee dinner is Saturday or Sunday night at a hotel downtown- they've asked all of their employees to bring a toy and so they've not only, we thought we were going to have to go down to pick those up but they've said no, we'll make sure that we'll supply a truck and we'll bring those back to you. We greatly appreciate John Morrell's participation again this year. So, anyway, the program is in full swing – if any of you have not had the opportunity to participate, we certainly urge you to do so. We can still use donor families so please give us a call. Thank you very much.

Mr. Thamann: The Administration is currently in negotiations with the Firefighter's Union and there's a section in the Ohio Revised Code, 4117.14, which is Section G11, which puts stipulations on what a conciliator can do in case we reach impasse and have to go to fact-finding and Conciliation. In the past, we have signed a waiver of that section of the code, the G11 Section, which, if we do sign that waiver, it allows that conciliator the ability to go back retroactive to the beginning of the year in case there's any cost implications. We're asking that Council again do that with this set of negotiations. This one does have an expiration date of March 15<sup>th</sup>, but we ask if the motion could be passed in the event we go beyond March that the Clerk of Council/Finance Director is authorized to execute any extensions.

President Vanover: Do you want a voice vote this evening?

Mr. Thamann: Just a motion?

President Vanover: Can I have a motion to accept the G11?

Mr. Shroyer: So moved. Mr. Diehl seconded.

President Vanover: Is there any other discussion? (None.)

With a unanimous voice vote, the motion was approved.

President Vanover: You've got it. Any other New Business?

Mr. Forbes: It's a rare occasion that I ever get to talk during New Business. From time to time, my office has found it helpful to occasionally distribute things to Council. I have an information packet for you that I'd like to pass out to Council tonight. It's just a general summary of the role of the City Council member. It's a little summary about Executive Session, how that works. I figured as a new Council is seated, it's a good as time as any to remind folks about that so I'm going to pass that out.

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Mr. Forbes (continued): Feel free to take one and, as always, if you ever have any questions about anything like this, feel free to reach out to me and my office and we'll take care of it for you.

Mr. Hawkins: Mr. Forbes, along those lines, is it possible or are you planning on giving the Board of Zoning Appeals any similar information, since that's the fastest way to get us down to Hamilton County Courthouse?

Mr. Forbes: I'm happy to do that. I know in years past, we've organized things with BZA and Planning Commission and, at their request, at any time, we're happy to come in and provide anything like that; maybe we can coordinate that through Mr. Parham's office whenever you'd like. Typically I think we've done it with Mrs. McBride, in conjunction with their office but we're happy to do that at any request.

Mr. Hawkins: Thank you.

Mr. Parham: Speaking of Board of Zoning Appeals, I've been informed that there will not be a meeting this month. We will, since the appointments have now been made, we will gather the information from the new Board members, send out an email to them, post it on our Facebook page as well as on our website. Thank you.

Mayor Webster: Speaking of that, Mr. Hawkins, do you have anything you want to say this evening about the ?

Mr. Hawkins: I do not. All I did was relay what I was told by that individual with regard to that situation.

Mayor Webster: We checked it out – it was on the City's website.

Mr. Hawkins: That is what that individual has said. I'm just the messenger.

### Meetings and Announcements

Mrs. Emerson: The Board of Health will meet on December 10<sup>th</sup> at 7:00 p.m. in the quarters adjacent to here.

Mrs. Harlow: Planning Commission will meet on December 8<sup>th</sup> at 7:00 p.m. in these chambers.

Mr. Thamann: The Civil Service Commission will meet tomorrow evening at 6:00 p.m. over in the Administration conference room.

Communications from the Audience - none

Mr. Higgins: Thank you and I will sign in. It's tough to read after Jim. Three things. First thing I want to point out, if Council does not know, that Mr. Jacobs is an excellent photographer and has a very nice camera. I'm sure he just needs a phone call as to when there is going to be an ordinance that would require a picture.

Second thing I wanted to talk about real quick is I know that the Mayor has requested and appointed a CAP to look at the youth sports and a lack of participation and I recently had an issue with it. My son has played basketball since Kindergarten. Again, we went down this year and signed him up. He is now a fifth-grader. We signed him up very early on. We were approached by Coach Brooks who said why isn't Steven playing basketball this year? We said of course he is. He said no, I got my roster; he's not on a team. And I said well, he must be on the other team because in every year past, there's been two in his age group. Steve came back and told me that there is only one team this year and he's not on it. So my wife checked at the desk and they informed him he's not signed up; they're saying we didn't sign him up this year. So we went home, we dug up the receipt where we had gone and signed him up and we had paid. We called Coach Brooks and we said we did pay, he is on there. Coach Brooks told him our roster is full. He said at this point in time, even if he is, if they stick one more kid on my team, he's not going to play.

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Mr. Higgins (continued): I can't take the last one shoved on a team and hurt all of the other people for their playing time. The teams are full. We then found out at least five other kids that had been turned away, being told that the team was full. So we went back up and brought our receipt up and said, hey, listing, we did pay, we did sign him up. We understand there's a mistake. Coach isn't going to put him on a team. We want a refund. I received this letter from Springdale Youth Boosters: It said,

*"We received your request for a refund from Youth Basketball. After reviewing the request, the members of Springdale Youth Boosters voted that the request does not fall within our policy for refunds. While we understand there was a problem with the roster, the problem was quickly resolved and he was placed on the roster in a timely manner. He is currently on the roster and eligible to play this season."*

On a roster that the coach says he won't play. So, at this point in time, our request for a refund was even denied. So not only is my son not playing, a number of other kids, I would be hard-pressed to put him back in Springdale Youth Sports after receiving a letter and being treated like this. I know that you may get other recommendations from the Council, but I think to hear a parent up here telling one of the stories that they've had trying to put their kids through youth sports, and I know there's five or six other kids that tried to sign up that were turned away as well and that may be part of the reason why we don't have the participation in the youth sports that we do. I don't know if it's a lack of coaching. I've never seen anything where they've recruited for coaching, they've looked for volunteers or done any training, they've posted anything out there looking for coaching. That could be a potential but I don't know. I don't know what caused them to shut the program down like this but that's part of the reason why we don't have the participation in youth sports because when you turn people away or you treat people in a manner like that, I'm not inclined to want to go. I'll go outside the community and find other sports and activities to put him in. I'll stop on that before I go into the third one, if there's any comments?

Mayor Webster: Mr. Higgins, I'm not aware of your son. I know that there was a group of kids that signed up and no parent would step forward and coach the team. I'm not sure how many kids were involved here, but there were five, six, seven kids involved that had signed up for a team but no parent would step forward and coach. We contacted them and they said, no, no, no. So what we did, we moved those kids up to another team, which has been our practice over the years. Then one of the parents, and I don't know that this was you or anything else, but one of the parents wanted a refund because the practice time wasn't convenient for them. Uniforms had been ordered and everything else and the Youth Boosters, with no consultation with the City, said no, just because the practice time isn't convenient, that is not a reason for us to refund your money. That's the only refusal to refund money that I'm aware of and one of the Recreation Directors just shared that story with me yesterday but I'm not aware of this situation.

Mr. Higgins: Apparently, if it's a habit of refusing refunds, you know that may be spurring some of the parents to not be real excited about the youth sports.

Mr. Hawkins: After the denial of the refund, did you go back and talk to SYB and let them know the Coach had said your son's not going to be able to play? Has there been any more discussion since all of that information?

Mr. Higgins: No, once we received the refusal letter, I didn't take it any further with SYB. I'm sure that they're aware and, at this point in time, things may have changed even with the Coach and the team because there's a player now that's out for the season due to an injury. I don't know if that were to change anything, but at this point in time after receiving that letter, you know I'm not very inclined to go trying to move him in. I'm a little chaffed over the treatment from the Rec losing him. We actually had to go up there twice to prove we really did pay and that he's on there because at first they denied that we even paid to sign him up. It wasn't until we brought back the receipt that they said, oops, and then they went digging back and said, oh you're right – he did sign up. So it was levels of poor service and incompetence and everything else that really left us with a bad taste in our mouth.

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Mrs. Harlow: I know it's really hard sometime to get coaches and I was wondering if our Facebook page could be used to communicate when the Community Center or the Rec Center needs volunteers for coaching. I just hate to see a kid not be able to play because we don't have a coach and if there's a way of getting word out to the community that we could use some coaches, then have them contact the Community Center.

Mr. Parham: Mrs. Harlow, I see no reason why we could not. We post other opportunities, whether we are looking to hire a Park Patrol Officer, a Fitness Center employee; if we are looking for coaches and we want to try to get individuals come in and participate and volunteer, it is one of the tools that we have available to us.

Mrs. Harlow: Good, thank you.

Mrs. Ghantous: So it's been a few months since you've formed the committee to do the research on that – will we be getting a report on that, what have been the conclusions that have been drawn?

Mayor Webster: Last month they had to cancel their meeting. I think they meet again tomorrow night so hopefully I'll be getting some feedback but as far as a report, I did not impose a deadline on these folks. I told them I wanted them to take their time to do it and do it right. So I'm not sure; I'll get an interim report after tomorrow night but as far as a formalized report, I'm not sure when that's coming.

Mrs. Ghantous: Okay, thank you. I did, while campaigning, hear many, many stories that were not too off base from what Mr. Higgins has described here tonight so I am particularly interested in that topic.

Mr. Diehl: Mrs. Ghantous, I am on that committee, on the CAP Program. I will tell you we probably will have a report in 60 – 90 days. That's all I can tell you at the moment.

Mr. Shroyer: Maybe somebody could educate me as to whether SYB is the final say. It sounds to me like, at this point, the refund is probably the least we could do. Is their word final word or is there some other avenue that he can take to appeal that?

Mr. Higgins: I'm sure that I have other avenues of appeal. It's not even a matter of, the money is nominal, really, as much as it is the situation that you go through and I've had the conversation with my 9-year old son, telling him that after playing basketball every single year with all of your friends, there was a mistake and they left you off of the roster and the coach says that you can't play; the financial aspect was just kind of a little salt thrown in an open wound but the open wound is the more important part here.

Mr. Shroyer: I understand that but it's insult to injury at this point. You paid and you went through the process the way the process was designed and you're not playing basketball. The financial part, as you say, is not the main issue, but it certainly is a part of it.

Mr. Higgins: And I am aware I have other avenues that if I wanted to, to seek reimbursement on that, I probably could.

Mr. Shroyer: Thank you.

Mayor Webster: Let us look into it to see why the child was missed. Evidently something went amiss here with why his kid didn't wind up on his team. I'm not disputing what Mr. Higgins is saying, but let's get all the facts on the table and find out why his child wasn't properly placed. As far as the money is concerned, the City has nothing to do with that. If you sign your child up to play, I'm sure the check was not payable to the City of Springdale, was it Mr. Higgins?

Mr. Higgins: I believe we paid cash which is why we had a copy of the receipt but that's the letter acknowledging that it was a roster problem as opposed to the timing issue or something.

Mayor Webster: The Boosters are saying, and here again, I mean, you got to get all of the facts – the Boosters are saying while we understand there was a problem with the roster, the problem was quickly resolved and he was placed on a roster in a timely manner.

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Mayor Webster (continued): He is currently on the roster and is eligible to play this season. So maybe this is the individual they were telling me about. So what should the City do with this? I mean, the Boosters run the programs. We take the sign-ups, and if we dropped the ball when Mick's son signed up, then yeah, we need to find out what the heck happened there but it sounds to me like, according to Boosters, what they've been told, that the problem was quickly resolved.

Mr. Higgins: I don't think the Boosters conferred with the Coach because the Coach was pretty adamant at the time that adding another kid to the roster was going to affect their playing time and didn't want that.

Mayor Webster: Anyway, I don't think we can sit here and make a judgement; we need to get all of the facts. I don't think all of them have surfaced here.

Mr. Higgins: My third question is I had an opportunity to review the suit filed in Hamilton County on the 19<sup>th</sup> between Vandercar Corporation and the GEEAA Park. It is 19 pages; I won't review it and I'm sure that the members of Council know the gist of it, but after the change to the PUD has been done, that is actually for the property so that regardless of now who has ownership, everything that was done through Planning is a dead issue because there's no binding agreement between this new one and our residents out there.

Mayor Webster: Yes, there is. All the Planning Commission has done is that they've rezoned the property. Before a single building can be built over there, they've got to come back before Planning Commission and the rightful owner will have to go before Planning Commission on each one of those nine buildings and that's what Planning has approved, is a PUD, nine buildings, general industrial site. So regardless of who the owner is, they have to come back. What's been done is good for the previous owner, or the new owners or whoever is the survivor of the lawsuit.

Mr. Higgins: Does the City bear any – I know that there was an issue where they came back because of a financial hold-up on the last paragraph and it kind of got kicked back for planning and that was holding up their funding. There's no liability.

Mayor Webster: There's no financial hold-up there.

Mr. Higgins: They couldn't get the approval from the bank because of that language.

Mayor Webster: That's what they claimed, okay. That's what they claimed but we didn't get involved with the financing; it was strictly the language. They want the language changed. So that is being held in abeyance. The new owners will have to petition Planning Commission if they want that language changed.

Mr. Higgins: Alright, thank you.

Mr. Parham: As the Mayor indicated, the property has been zoned as a PUD and if John Doe Acme Company decides they want to construct buildings that fit within that plan, they would go through the regular process of submitting their plan, an application to the Planning Commission. The Planning Commission would evaluate it. The two Council members on Planning Commission will make a decision as to whether it is a change – a major change or a minor change. If it's in line with what has been previously approved, more than likely, they are going to say it is a minor Change and Planning Commission will address the issue. If it is something that is different than what has been approved, then they will decide, all they need is one of them, that it is a major change. It then comes back to City Council. So the fact that Vandercar may no longer be a part of this process really does not matter. Vandercar very well could have sold one of the lots to a third party. That third party would have made application to the Planning Commission with the signature of the owner, let's call it Vandercar in that case, that says that they have the ability to represent them and they present that plan to Planning Commission. Again, if it fits within what has been approved by Planning Commission and by Council, it moves forward as part of the development. If it does not fit, then it has to come back through the process.

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Mr. Higgins: And the major concern still is do the members of The Crossings still have what was promised to them initially through the process?

Mr. Parham: The members of The Crossings, the residents at Heritage Hill, everything that was approved by Planning Commission is still in effect. Whoever decides to build on that property still will have to meet those requirements.

Mayor Webster: And all of the covenants and restrictions are still in place so everything that has been hammered out with Vandercar is still in place.

Mr. Forbes: I think that that covers it, what the Mayor said and what Mr. Parham said. The fact is, the zoning change that happened runs with the land and whoever, whatever the result of this lawsuit is, to decide who the owner is, has absolutely nothing to do on the City's side of things. That property has been rezoned. The development plan has been approved. That's what has to happen unless it goes back through the entire process again.

Mr. Higgins: Thank you.

President Vanover: Is there anybody else who would like to address Council for any reason? (None.) Council, I forgot to start off, we are removing Item XIV – there is no Executive Session this evening.

### Update on Legislation Still in Development

Mr. Hawkins: As you review your Internal Memorandum, Item I was dispensed with Ordinance No. 30-2015, which passed with a 7 – 0 vote. Item II was addressed with Ordinance No. 31-2015, which also passed with a 7 – 0 vote. Item III was addressed with Ordinance No. 29-2015, which passed with a 7 – 0 vote. Item IV was addressed with Resolution No. R12-2015, which also passed with a 7 – 0 vote. Resolutions R13-2015, R14-2015, R15-2015, R16-2015, and R17-2015 with regard to commending residents for their dedication and service; all passed with 7 – 0 votes. Item VI dealt with Resolution R21-2015, appointing Mr. Bauer to the Planning Commission. Resolution R22-2015 addressed Mr. Dave Okum being appointed to the Planning Commission and Resolution R23-2015 addressed Mr. Michael Wilson begin appointed to the Board of Zoning Appeals. The rest of Item VI is forthcoming. Item VII addressed Resolutions No. R18-2015, R19-2015, and R20-2015, all addressing the Planning Commission and Mayoral appointments; all of those passed with a 7 – 0 vote. The rest of Item VII is forthcoming. Item VIII is forthcoming. Item IX and X also are forthcoming as well as Items XI and XII are forthcoming and Item XIII has previously been addressed.

### Recap of Legislative Items Requested for next Council Meeting

Mr. Hawkins: Requesting legislation for several appointments, resolutions for various Boards and Commissions, specifically regarding two for the Charter Revision Committee and one for Civil Service. Also requiring legislation for Mayoral appointments to the Board of Health; we need three of those with regard to Mrs. Jones, Mr. Garrison, and Mr. Squires. Also requiring a resolution for adopting the Final Appropriation and Transfer Ordinance for 2015; an Ordinance Accepting the Bid Authorizing the Mayor and Clerk of Council/Finance Director to Enter into a Contract with Rumpke of Ohio, Inc. for Waste Collection and Recycling Services and declaring that an Emergency; an Ordinance Setting the Employee Pay Rates for 2016 and declaring that an Emergency; an Ordinance Adopting a Temporary Appropriations Ordinance for the period of January 1<sup>st</sup>, 2016 until the Fiscal Year 2016 Appropriations' Permanent Ordinance is adopted by City Council; and an Ordinance setting the Compensation for the Elected Mayor and declaring that an Emergency. I believe that addresses all issues unless there is anything else from Administration.

Mr. Parham: I think you indicated there were two resolutions for our Charter; I believe there is only one.

President Vanover: Actually there are two. We've got one that just resigned, Mrs. Pardieck, so we will need two.

Mr. Hawkins: Thank you, Mr. President.

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President Vanover: Do we have everything covered?

Mr. Parham: Yes.

Adjournment

President Vanover: Council, we have Item XVII before us.

Mr. Hawkins: Move to adjourn. Mrs. Emerson seconded the motion.

Council adjourned at 9:00 p.m.

Respectfully submitted,

Kathy McNear  
Clerk of Council/Finance Director

Minutes Approved:  
Tom Vanover, President of Council

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