

City of Springdale Council

September 6, 2017

President of Council Vanover called Council to order on September 6, 2017.

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

Mrs. McNear provided the invocation.

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

The minutes of the August 16, 2017 City Council meeting were considered.

President Vanover: And additions corrections? I will accept a motion.

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

President Vanover: Minutes were adopted with seven affirmative votes.

Communications	Mrs. McNear	-	None
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Communications from the Audience

Mr. Ray: My name is Don Ray and I happen to be the current President of the Board of Directors for the Crossings at the Park condominiums for residents over 55 years of age. Recently the previous board and the present Board of Directors met to discuss probable impact of development of old GEEAA Park would have on the residents in the future. I want to say we really appreciate the City of Springdale the way they've worked with us on so many things. All the associations, every one of your, Police Department, the Health Department, everybody has been great. Going to be some changes that will be brought up tonight. We realize we do not own that property. Biggest concern is the creek that goes through part of the property. There's been tremendous change over the years and the amount of water goes through there. Originally, it was a creek trickling through there and we can show you pictures of after four-hour rain, not days and days of rain. The plan that's going to come up in the future is for a water basin on the property, which adjoins ours. We would like them to consider to make this basin larger or have it on our property so we can take care of the erosion and creek. The pond, which is going to take care of the overflow in that development, that pond, would go into some other ponds that we have. We just want them, go ahead and do what you're going to do or move it towards ours or make it bigger to include both of those. I thank you for the consideration. We would appreciate it in the future when things are decided we could have some input into it. Thank you very much.

President Vanover: We will have a public hearing on so this. Thank you, sir. Anybody else that would like to address Council for any reason. Second call. Third and final call. Close communications from the audience.

Mrs. Emerson: We had a Capital Improvement meeting today at 5:30 to discuss some SCIP applications. We're discussing two projects and the applications need to be in by September 15th. First project was State Route 4 Curb, Gutter Replacement and Catch Basin Reconstruction. The second project was Jake Sweeney Place Rehabilitation. I'm going to turn this over to Derrick and let him explain the details.

Mr. Parham: Relative to the applications Mrs. Emerson is speaking of, there is legislation this evening for Council to authorize the Administrator to complete an application for SCIP funds. One of the projects that we're looking at is the State Route 4 Streetscape Project, that was installed around early 2000 or 2002, where we have features of pavers, street trees, furniture, decorative street lighting, etc. There are a number of challenges to that stretch from Cameron to Glensprings. In 2015, we were seeking to acquire outside funding for both an Urban Paving Project as well as a SCIP application. Unfortunately, we were unable to link those two programs based on their timing. As a result, the Urban Paving Project has been approved. The funding has been approved and the project has been awarded to Barrett Paving who will begin their work on Monday the 11th. Relative to the streetscape project there are a number of components involved. We need to replace the curbs and gutters. We need to reconstruct catch basins, rehabilitate streetlights and street poles, and have LED upgrades to the streetlights.

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Mr. Parham (continued): Remove and replace various street trees, the rehabilitation of some pavers, sidewalks repairs, drive apron replacement and ADA curb upgrades. As a part of SCIP application not all components are eligible. Only the curb replacements, curbs and gutters, catch basins and the ADA ramps are eligible for the SCIP application. We pulled those things out of overall streetscape project and put them into a SCIP application. We intend to apply for 50 percent grant funding through OPWC. The estimated cost of the project is \$489,000. The City share will be 50 percent of that or 244,500 and the grant share would be for the same amount. This would be our number one priority project.

The number two priority project is the Jake Sweeney Pace Rehabilitation Project. We have applied for SCIP funding on this project on several occasions. Unfortunately, we have not been successful. Those who come out and grade that street tend to think the street condition is improving every year. The components of this project calls for curb replacement, catch basin reconstruction, storm sewer replacement and rehabilitation, the complete removal of the street and replacing it, the maintenance of traffic, and the construction layout. The project is estimated at \$939,676. The application is for 50 percent grant and 50 percent City share. Both shares would be \$469,838. The Jake Sweeney project is also included as a part of the funding that we received earlier this year for \$8.2 million. Those are the two projects that the legislation would authorize us to submit applications. Again, the State Route 4 project would be would be our first priority project.

Mrs. Emerson: Any questions?

Mr. Shroyer: The Jake Sweeney project funds are already there whether we received grant or not? They are part of what we already planned to do?

Mr. Parham: That's correct.

Mr. Shroyer: What about the Route 4 if we do receive grant funding had we anticipated the \$250,000 share and if we don't receive grant funding had we anticipated going ahead anyway?

Mr. Parham: If you were to take a look at the 2017 Five-Year Budget, in year 2018 we budgeted \$410,000 to cover this portion of the project. That was for 2018. We're just now getting into the 2018 Budget process, so none of this would take place until 2018. If successful and we'll probably find that out around November of this year, then we have to make plans if Council decides to move forward. If we are successful in receiving the funds, we will have to place that into the programming for the 2018 Budget.

Mr. Shroyer: It was tentatively there anyway?

Mr. Parham: Yes. If you go back to the 2017 Five-Year Budget you'll see in 2018 there was \$410,000 for a street scrape project. In 2019 and 2020 there was another \$170,000 budgeted for those years for the other elements of the project.

Mr. Shroyer: What about the timing issue? If doing paving starting Monday then we come back and do catch basins and gutters?

Mr. Parham: That was the question that those who were rating the project mentioned to Jeff Agricola as well. They raised those same concerns. Normally, you would complete the curbs and gutters, and then come back and do the paving. We have about \$400,000 that we're going to receive from the State to do the paving work, now. I think we would want to take advantage of that opportunity and use that \$400,000 for the paving work. For us, we have decided to move forward with the Urban Paving Project and then we will have to make adjustments when it is time to do the paving. If we to receive the SCIP funds to do the curbs and gutters, then at that point any adjustments will have to be made.

Mr. Shroyer: Thank you.

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### Ordinances and Resolutions

#### Ordinance No. 33-2017

AMENDING THE ZONING CODE AND ZONING MAP OF THE CITY OF SPRINGDALE, OHIO, TO PROVIDE FOR THE REZONING OF PROPERTY LOCATED AT 1391 E. CRESCENTVILLE ROAD (HIGHER GROUND MINISTRIES CHURCH)

President Vanover: We have a public hearing scheduled for this item. I will open the public hearing and if we have a presentation to be made, I would ask that you come forward.

Mr. Thomas: My name is Brian Thomas with Graydon, Head & Ritchey. I represent Higher Ground Ministries House of Favor Church of God and Christ. Along with me is Kyra Graves, a board member for the church. We're here to answer any questions that you have about our PUD application. If there are any remaining questions from Council, we'll answer those now.

President Vanover: Please do a quick synopsis.

Mr. Thomas: The Higher Ground Church facility is perfect for a daycare center. The church wants to open it up to both the congregation members and the community as a service. The church is designed as a service oriented institution. In moving into this church there is a great worship facility on the first floor. If you go down to the lower level, I said perfect before but it's an apt description. Facilities are great for a daycare. It would allow us to use that space and in our estimation that's the best utilization of that space. There is an existing playground area on the outside. In the initial application, the Planning Commission expressed some request, which the church looked into. One was to enforce the time from 6 a.m. to 6 p.m. Another was to provide screening. We looked into screening for the facility so the neighbors don't have ambient noise or lessen the noise. We looked at arbor vining screening, natural screening. The Church also looked into striping the parking lot, and looked at seal coating to get it up to better condition so everyone knows what those parking spots are. Also looking at the daycare and church facility won't operate at the same time. It won't impact the traffic patterns in any negative way. We view this as a win win, a net win for the community, and a net win for the church. We ask that you allow this PUD modification to the church.

Mr. Hawkins: Is there any estimation in terms of timing for the blacktop, the screening?

Mr. Thomas: We just got an estimate for that. August 28th. We'd like to get it done before the weather changes. When we get this approved, if it's the Council's mission to get this approved we can get that done quickly because we do have the estimate for that.

Mr. Webster: You indicated the hours of operation 6:00 a.m., 6 p.m. Is that Monday through Friday?

Mr. Thomas: Yes.

Mayor Webster: No operation on Saturday or Sunday?

Mr. Thomas: We don't have operation during Sunday for the church and right now, we're trying to do Monday through Friday, yes, that's correct.

Mayor Webster: We've had situations before where daycare centers operate on weekends and kids playing outside interrupting the residential area. Monday through Friday is not so bad but if trying to enjoy your backyard on Saturday or Sunday is a little different.

Mr. Thomas: We understand that concern, that's why in putting this together looking at Monday through Friday as being the best use of this space. Other thing we didn't want to do is there are some other events that are weddings sometimes at the church or funerals at the church happening on the weekends and we didn't want that to interfere.

Mayor Webster: Is that part of the Planning Commission's approval?

Mrs. Harlow: Yes.

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Mrs. Emerson: What size are we looking at? How many children?

Mr. Thomas: 85 children would be the max. It's based on their ages.

Mr. Shroyer: Would the daycare be owned and operated by the church or some third party?

Mr. Thomas: It would be a third party. That's the reason for going through the PUD application.

President Vanover: Open it up for anybody else that might want to address Council on this issue. Speak for or against. Second call. Close the public hearing. Council, you have before you the second reading for 33-2017.

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

Ordinance 33-2017 passes with seven affirmative votes.

Mr. Thomas: You very much.

### Ordinance No. 34-2017

APPROVING A PRELIMINARY DEVELOPMENT (PUD) OF THE PROPERTY LOCATED AT 1391 E. CRESCENTVILLE ROAD (HIGHER GROUND MINISTRIES CHURCH)

President Vanover: We had the reading of 34-2017 does have a public hearing attached to it. I will open the public hearing and ask if anyone would like to address this issue, for or against, please come forward. Second call. Close the public hearing. Council you have heard the reading, what is your pleasure?

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

Ordinance 34-2017 passes with seven affirmative votes.

### Ordinance 35-2017

APPROVING A MAJOR MODIFICATION TO THE PLANNED UNIT DEVELOPMENT (PUD) AND PRELIMINARY DEVELOPMENT PLAN TO CROSSINGS AT THE PARK PUD (TRI-COUNTY COMMERCE PARK)

President Vanover: We have a public hearing attached to this ordinance. I open the floor up for discussion dealing with the issue. If there's a presentation, I ask you to come forward.

Mr. Cumming: My name is John Cumming. I'm with Strategic Capital Partners and I appreciate the opportunity to present our proposal for the modification of this development plan to City Council. I have prepared a fairly brief overview of our company and our development that we're proposing and look forward to answering any questions along the way. Strategic Capital Partners are based in Indianapolis, Indiana. Formed in 2005. We have a bit of heritage in Cincinnati, two of our managing partners were with Duke formerly, and one lived in Cincinnati. They developed a lot of office and industrial real estate here in the Cincinnati market, including two buildings that we now own in downtown Cincinnati. Typically, we are a developer and acquire office and industrial real estate as well as student housing and other product types, but industrial and office are our main force. Our footprint is mainly midwest and then southeast mid-Atlantic states. Markets that we are active in or we hope to be active in include, the Midwest, Cincinnati, Columbus, Indianapolis, and Louisville. In the Southeast, Charlotte, Nashville, Raleigh, Durham, and Northern Virginia. We're a company but we're not looking to spread out to be everywhere across the country. We want to stay in these general areas and what we do we want to do it well. Here are a couple of quick projects that we've owned and/or developed. I mentioned buildings in downtown Cincinnati, 312 Elm, 312 Plum, roughly 600,000 square feet of office space acquired two years ago and we put over \$2 million of re-development into those office buildings. If you had a chance to see either of them recently you would see a lot of changes to those buildings on the interior. Patriot Park is a business park industrial we've launched in the Raleigh Durham area. Somewhat similar to Cincinnati, both very vibrant industrial markets with great job growth. This is a 96-acre park developed in two phases with buildings ranging from 100,000 feet to 200,000 feet. This project is starting this fall. Metro Area

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Mr. Cumming (continued): Business Park in Indianapolis we've been involved with since 2006. We're getting ready to start two buildings next month at this project and this is located near the airport in Indianapolis. University of Indianapolis, downtown Indianapolis this is an example of office product as well as student housing we've done in Indianapolis. North Ridge at the Westfields is in the northern Virginia market, office building existing as well as land to be for future office development. Forty 540 is a 200,000 square foot spec office building. We recently completed also in Raleigh and it opened up in May. We already have 70 percent of it leased. Again, another very hot market. Parkwood Crossing is in Indianapolis, a 1.2 million square foot office park on north side of Indianapolis, we purchased about a year ago. In the process of adding about \$11 million worth of improvements to this park, really a Class A location, and a Class A park.

This brings me to Springdale. Working name for this project is Springdale Commerce Park. We tend to seek what we call in-fill locations in these markets. In-fill locations are ones where the labor will be readily available, where amenities are already there and we are not betting on the next ring of development further and further and further out. So, we view this location as a terrific in-fill location with those amenities, that access to the interstate and what we believe is a good labor story to bring in top quality employers into the area. Cincinnati industrial market has been doing very, very well. First quarter of this year, the market in just the first quarter alone absorbed 4 million square feet of new space in the industrial, which is really a record in Cincinnati. So, 2017 is probably going to be one of the best years in market history in terms of absorption of new space. We think our timing is really good. It's hard to find good sites in the locations I described as in-fill locations. We feel very positive about this opportunity. So here is the site everyone knows well. It has been known as GE Park. The site outlined in blue consists of 130 acres. I'll mention and show on the master plan coming up there's a creek running through the southern corner on the site of the previous plan which showed development south of that creek and up against I-275. Our plan is not to develop south of the creek and leave open as green area.

I thought it would be helpful to lay out basic facts about our plan versus the 2015 plan we are proposing to modify. Just for comparison, in terms of the number of buildings the previous plan had nine buildings total with five industrial and four office buildings. Our plan is to develop six buildings, five industrial and one office/retail would be located along 747. In terms of total square footage old plan at 1,285,000 square feet. Our plan consists of 1,035,000 square feet. About 250,000 square foot less with the plan we're proposing. We are certainly looking to live within the max building height, max building size that was approved with the previous plan. The largest size building within our plan is the same 374,000 square feet. Max building height would be no higher than 44 feet, which is the same as the previous plan. I mentioned earlier the previous plan showed two office buildings and one industrial building in the area south of the creek along I-275. Our plan calls for no development, vertical development of that land. Remain open green area. There will be a traffic signal installed at Crescentville Road and that's the same for us. I mentioned building height and building size. We are also looking to maintain the setbacks both for building setbacks, pavement setbacks, buffering, landscaping, lighting all of the things that were negotiated and finalized on the previous plan approval. We're not looking to change any of those things with our plan. So here is the master plan. Our plan is this, I'll mention the buildings. Buildings are numbered one, two, three, four, five and up, starting at the upper left and moving to the right and then down. One being upper left, five being lower right. Building number one is a 180,000 square foot building as proposed. Building two, a 207,000-square foot building as proposed. Both are called rear load or single load buildings where they have docks on one side of the building and offices on the other side, as opposed to having docks on both sides. You can see on the right side of building one and the left side of building two where those docks would be located matched up against each other. As I continue to move to the east, the north east, what we call building three, which is the 374,000 square foot building, that is what's called a cross-dock building with, docks on both sides. Moving south from there, buildings four and five, would both be single load or rear load buildings, building four being 134,000 square feet, building five being 108,000 square feet. That's the layout. In terms of infrastructure. One other thing I'll mention, I skipped over the office/retail outlot, the three acres just south of building one along 747. We would not plan to spec a building on that. We would look to potentially do a build-to-suit, to potentially sell that land and we believe the highest and best use of that would be for an office or retail type use, commercial use for that site. In terms of infrastructure, it's important to talk about phrasing of the infrastructure and how we would propose that will occur. Let me talk about building phasing first then talk about infrastructure. Our plan on the

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Mr. Cumming (continued): building phasing is this. Buildings two and three, at the top end of the page, top middle and top right; our plan would be to build those buildings at the same time. There are two buildings that would appeal to different size tenants, different types of tenants. One at 207,000 feet only has docks on one side. Typically, those buildings will have higher office component percentage within the building. Building three with a cross dock of 374,000 feet. Again, a different type of user, different type of tenant that would take that. We think we can appeal to tenants that maybe from 30 to 40,000 square feet that would go into building two, to tenants that might be as small as 100,000 feet on up that would go into building three. The plan would be to build those two first. The infrastructure that would go in at phase 1 to be able to serve those buildings would be really the L shape that you see coming from 747, the cul-de-sac that serves the senior living parcel six-acre to the southwest as well as Crossings at the Park centered at the south. So our plan on infrastructure phasing would be the portion of the road starting at the north end from Crescentville where the stop light is going to be, coming south and then turning left, going to the west, and then the cul-de-sac would be phase 1. During that phase of construction, how we phase this so that the residents, our neighboring residents are able to access in and out of their homes and businesses during construction. Our plan would be to build the cul-de-sac, connect to those properties all the way to the senior living parcels as well as to Crossings At the Park so they would have access and they would actually utilize existing pavement to go north from their location and this kind of illustrates what we think is a good temporary traffic plan during construction. You can see I have the aerial photo showing little bit better, see the condos to the right and the senior living parcel to the left and south of the yellow access. There's existing pavement there today to use as temporary access going up to the road that comes in from 747 and allow residents to come in and out of the park from 747 back and forth along that route. That would occur while building the phase 1 infrastructure, which would be the cul-de-sac and the area connecting up to Crescentville. So, once the phase 1 construction is in, which again would be that L shape coming from Crescentville south and actually coming south towards the south end of the park. Once that is complete then the residents at Crossings At the Park would be able to use the new road, be able to access new streetlight at Crescentville and come in and out of the park that way while we're then finishing what we'll call phase 2 of the infrastructure which is the small strip out to 747. Our goal is to minimize disruption that as much as possible. This again is the master plan. Really the same building and road layout. This is obviously hard to see but it does detail then landscaping plan. Again, we're not looking to in anyway minimize the buffer and the setbacks that were agreed to in the previous plan. We look forward to meeting with the staff, moving forward as we get into more detail, planning our final drainage plan, final architectural and engineering plans and making sure we're detailing living up to the landscaping requirements, setback requirements, etc. Again, just a little bit more detail. You can see extensive landscaping along all of the public streets. I should mention our plan is to build these roads to public specifications, have them be public streets throughout the park. You can see the extensive setback landscaping and berm along the east side. We know along the east side of this park is a very important buffer zone to the neighborhood to the east. As you can see this landscaping plan, the setback, the berm, et cetera that would be installed, all that landscaping on that would be installed all the way to the south at day one. Even though we wouldn't be building four and five until later but that goes in with the first phase. We spent a lot of time again with the line of sight study from the east, from the various points, from the neighborhood to the east to portray what the line of sight will be from those homes to the buildings. What this shows is that you can see the houses on the far right, you can see the property lines, you can see the setbacks, the berming that takes place with landscaping on top of the berm. Then you see the pavement setback and finally what the building height would be. The line of sight shows and we've got six points running from the north side of the site to the south. The landscaping that's shown at that those heights on top of the berm is the height of that landscaping when it goes in, not what it grows to be in 3 years, 5 years or 10 years. We've been very careful to make sure that really the buildings, once the berming and landscaping is in at the building heights that we said we would live within are not visible for the most part from the houses. We've taken a lot of time and effort, a lot of discussion with staff and with Planning Commission on this point. These are the points farther south you go that I'll call them points four, five, and six, but as you work your way south you can see their buildings are not visible. Again, this is our master plan as it sits today.

During our meetings with staff and last presentation with Planning Commission there has been as everyone knows a discussion with a five-acre parcel that sits within the interior of that site. Gregg knows the site well. That is not owned by the owner that we are buying the land from today. Our plan has been to make sure we plan around it, that we wouldn't do anything

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Mr. Cumming (continued): with our plan that would make it impossible or more difficult to develop that site. But surprisingly to us we think there's maybe a better than 50 percent chance that the owner of the ground we would be buying the 130 acres from may be acquiring that five acres so we could incorporate it into our project. We view that as a real positive. I'm not saying it's going to happen but certainly is on the table right now and things seem to be moving into the right direction from that standpoint. I wanted to share that point of information with you. I can tell you that we think it's a positive in a lot of ways if it were able to happen. Possibly reduce the phasing, the amount of time to develop the overall park, traffic congestion during construction, etc. I put together two plans you can compare this plan to so if we are able to incorporate that five acres into our plan, what we think the plan would look like. We've got a couple of options. Really, what you'll see is the buildings at the south end of the park would grow. We know that there would still need to be buffer up against Crossings At the Park. There would still need to be landscaping and shielding of that property from the rest of the park. There will need to be a road still continuing to the south and stopping before it comes to the creek, but we're able to gain approximately in this scenario about another 120,000 square feet of space between those two buildings. Instead of 250,000 less than the previous plan we'd still be in the 130,000 square feet less than the previous plan if this scenario went forward. I call this kind of alternative 1B where instead of doing two buildings that would be larger, that we would just do one larger buildings rather than two smaller buildings. In this scenario, we look at purely a two-phase development building two buildings at a time and it provides us some diversity of product appealing to smaller tenants as well as larger tenants. We know that the size and height again of, whatever we end up doing if we're able to and acquire that land we'll live within the height restrictions, we'll live within the size restrictions, landscaping, buffering, etc. I wanted to show that as a point of information and certainly not a done deal, but it's a new piece of news that's come up within the last couple of weeks. I wanted to show you that. The project timeline standpoint. We're working our way through the process, we had Planning Commission approval on July 11th, City Council first reading on the 16th, we have our presentation here tonight. We know we will be coming back with Planning Commission here in the next few weeks to iron out details. We are working right now with the City on a TIF application to pay for public infrastructure and improvements associated with the development. Our plan will come back in and meet with City staff and consultants relative to architectural engineering on a site-by-site basis. We will be finishing up drainage, we look forward to working with Crossings at the Park with regard to existing erosion and overflow and to the extent that we're able to improve that, that would be in our best interest as well. I would definitely commit to continue discussions with the homeowners adjacent to us to resolve or improve any existing conditions. From a construction start standpoint, we hope to be in position by second quarter of next year to be able to start construction of the road infrastructure and the first two buildings. Be done with infrastructure in the third quarter and complete the first phase of buildings beginning of 2019. With that I'd be happy to answer any questions.

Mr. Hawkins: When did it come to your attention that the five acres may be something that may be acquired by you guys?

Mr. Cumming: Approximately three weeks ago. We're not a party to the negotiation. It's the seller that we're dealing with and the owner of that but we were notified about three weeks ago of that possibility.

Mr. Hawkins: If those five acres are not acquired by you guys the first phase is still going to, it looks like, have roadway built towards that five acres so that there's access to those folks, they're not land locked?

Mr. Cumming: That's right. We would build infrastructure. We would build infrastructure to the property line so that we would not prohibit or land lock those five acres.

Mr. Hawkins: With regard to your alternative plans for those five acres, have any of those been gone over by City staff?

Mr. Cumming: With the previously plan, yes, which showed a second scenario with the larger building, cross-dock building at the south end. Not with our plan so far. I think if it's going to happen, we're going to know it's going to happen within the next few weeks. Our plan would be to pick up with the next step in the process working with the City and then on the detailed plans once we know whether that five acres is in or out. Then would look to make an

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Mr. Cumming (continued): amendment, slight amendment to the plan. It really is very, very similar to the 2015 plan with the exception that we're not looking to develop south of the creek.

Mr. Hawkins: And for the Administration, if they make these dedicated public streets, we're responsible for plowing them?

Mr. Parham: Yes.

Mayor Webster: My biggest concern is the residents having to use only 747 way to get in out of the homes there. How long would that be the case? When your infrastructure is complete third quarter next year, does it mean the road to the north would be accessible to these folks?

Mr. Cumming: Yes. Phase 1 of the infrastructure we think will take 3 to 4 months to build. Once that's complete then they would be able use that.

Mayor Webster: When would you shut off access of that to these folks? The present road that's there?

Mr. Cumming: It would be at the beginning of construction. Road infrastructure that starts at the beginning of our overall construction.

Mayor Webster: Total elapse time would be three or four months they would have to be.

Mr. Cumming: That they would be using 747 and then complete that in 3 to 4 months, then once that's complete, they can use it and it would not take us as long to build the smaller strip connecting to 747. The cul-de-sac coming in out of their property will be in with phase 1. They will be using the cul-de-sac and all the way up to Crescentville.

Mayor Webster: Building 3, loading docks, are those on the east and west side or north and south?

Mr. Cumming: They are north and south. We know that we have landscaping, tree planting along Crescentville to shield those docks. There is also a significant drop off in elevation from Crescentville, as you know leading south. That works in our favor to be able to shield the building from Crescentville.

Mayor Webster: On your site line drawing there, is there identical to what Vandercar presented back in 2015?

Mr. Cumming: It's not identical. As we positioned the buildings exactly at the location that we have them, we went back and looked very closely to make sure it was lining up with our building plans and that we were able to shield the buildings effectively from each point along.

Mayor Webster: You think you've got as good of a shield there as they had?

Mr. Cumming: We do.

Mayor Webster: From the outset here we've had two major concerns and I think they're both number one and that's the shielding of the residents to the east, Heritage Hill and also making sure these folks have the proper shielding between The Crossings and any development whether it's the five acres going in there or not. So I think from what I see from this and from the comments from the people from Heritage Hill I think we've done, the City and you guys have done a great job of providing some protection there. I guess what I would like to ask is maybe for Tom Wall to step forward and tell us. I'm sure you guys have been privy to what they're going to do, screening wise and so forth. Are you guys satisfied with the screening they're going to provide for The Crossings?

Mr. Wall: Actually Don Ray who is now the new president of the Crossings At the Park. My term and Ken Rusick's term ended about a month ago so they've taken it over. I would like for one of them to speak on behalf of the association.

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Mr. Ray: As new president one thing I want to say is we are extremely happy with the adjustments that have been made. Seems like three major adjustments in the last few months and from our standpoint we couldn't be any happier, the reduction of the buildings and trying to make the vision site for us too so we're not going to be looking at the buildings, all that's really good. I really hope it works out they can get that additional ground which is past one of our ponds. Our major concern right now and Ken step forward and mention about the water system.

Mr. Rusick: My name is Ken Rusick and I was part of the board but now I'm no longer part of the board but I was asked to speak to the issue. I'd like to begin by stating our conclusion first in the Crossing at the Park board and community fully supports the plans laid out by Viking Strategic for the development of the former GE Park. Since our community will be significantly surrounded or bordered by the development, we look forward to working together with new neighbors. This evening we would like to comment only on the impact of the north south creek as it relates to us. The creek itself while gathering water shed from property to the north across Crescentville and in Butler County as well as from the park grounds presently terminates on our property, that be Crossings At the Park property. There has been significant erosion to our property over last several years from this creek. According to the original approved PUD from more than a decade ago there was supposed to be a retention pond behind one of our four buildings, which we call, building 21. This is clearly indicated in the architectural site plans of a decade and a half ago. When our developer went bankrupt, that pond was never built causing an open creek bed, which is now dramatically eroded. That water shed also serves as a significant source of water for our larger additional pond three behind Lisbon Lane. It is noted the strategic plan intends to build one or more retention ponds in the vicinity of the above-mentioned pond, which was never completed. We would like the support of the City of Springdale and developer Strategic to consider building their retention pond in whole or in part on our property to complete the original intent of the 2005 PUD. This would capture the North-South creek water flow and continue to source pond number three. Two important things would be accomplished if this were done, it would eliminate erosion of our property and two, it may open up some additional land for landscaping, etc., on Strategic's or developers property. We fully realize a decision on this suggestion cannot be made at these meetings. We are not engineers and both developer and the City would have to study the feasibility of the suggestion. We are only asking the suggestion be given consideration and development of the future detailed plans and that our board and community be made part of any discussions of this proposal. I think John has already indicated he certainly does want to work with us and allow us to work with him. So I think we're very, very satisfied.

Mrs. Harlow: I've had conversations with Mr. Wall and Mr. Rusick in regards to the creek. Are you satisfied with what's going to be happening at the creek? Are you satisfied with what you heard from the developer?

Mr. Rusick: We haven't heard any detailed plans with the retention ponds so we're neither satisfied nor dissatisfied at this point in time.

Mrs. Harlow: Could you stand up and tell us about the creek because I think that is one of the major concerns.

Mr. Cumming: We need to provide final detail drainage plan for the overall park. That's part of our next step. If we're able to acquire the five acres or not able to acquire the five acres that will have some impact on that drainage plan. We'll try to get to that answer first, incorporate whatever that answer is to our final drainage plan and do whatever we can to improve existing conditions and work with our neighbor to improve those conditions as we can within final drainage plan.

Mrs. Harlow: Do you think that would happen with your pond holding some of the access water and then slowly releasing it? Is that a possibility?

Mr. Cumming: I wish I could tell you definitively one way or the other tonight. I don't know until we do our final plan but we'll certainly make our best effort to do that.

Mrs. Harlow: I was going back through the other plans I've seen for your site and I don't recall ever seeing dock doors, docks on the Crescentville side; is that correct? Planning

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Mrs. Harlow (continued): Commission has never seen the second set of drawings that you had up there for the what if's.

Mr. Cumming: Unfortunately, we had the Planned Commission presentation and the possibility the news came out that we might be able to acquire five acres after that Planning Commission presentation. So, we would need to come back and show the amended plan if that happens. Actually at that point if we're able to incorporate that five acres it more closely resembles the previous approved plan that we're modifying from 2015 because it's utilizing that five acres and showed a larger building to the south. With the exception of we're not building anything south of the creek. North of the creek, if we're able to acquire that five acres it's much more similar to the previously approved plan that Planned Commission did see and City Council saw.

Mr. Shroyer: I guess my question or thoughts would be if we act on this tonight. I'm wondering if any issues are going to arise although you and The Crossings obviously would like to work together if there's required water retention for your development whether it can be on somebody else's property or if The Crossings is willing to enter into some type of an easement agreement or something that would occur of that nature. My question I guess for our staff would be is if we act on this tonight do we still have any control over that or does that strictly become an issue between them at that point.

Mr. Parham: They still have to go for a final approval where all the details will be ironed out. So I think we still have the ability to address those issues and those concerns. Whether they are or are not able to acquire the five acres, they still have indicated that they're willing to study the possibility of combining their detention with the detention for The Crossings at the Park. Whether they acquire the five acres, they still have the ability to have that discussion and all that still comes before the Planning Commission for final approval.

Mrs. Barbara Boyd: I live in building 21, which is directly in back of the creek, and one resident and I in that building before have worked very hard on making it look like a garden. I understand that you're going to do what you can and I appreciate everything you're that they are trying to do for our area. What I would like them know I would like them to consider that my condo is their home and when they sit on their patio, they have a nice place to look at. We bought that property for that area for the trees and the creek and I just wanted you to hear my opinion. Thank you very much.

President Vanover: Can I get your name and address please?

Mrs. Boyd: I'm Barbara Boyd. I'm at 506 Salzburg Lane in building 21.

Mr. Graph: My name is Andy Graph. I represent NES Commercial. They are the owner of and what the developer referred to as the Senior Living Parcel. Our concern is just that our parcel and our needs be considered when developing infrastructure. I know there's been a lot of talk and a lot of work with the condo association. Our needs are similar in many respects to the condo association as far as roads, utilities, drainage. We're in a unique position because we're the other undeveloped part of this project. I know when the original PUD plans came in and were approved it was more of an integrated development. I would stress to Council and to the developer that we're still there and still need to be included and taken into consideration to allow for our development when it comes through.

President Vanover: Do you have any timetable on moving and developing that?

Mr. Graph: We don't at this time. We acquired the property about a year ago and it's on a wait and see type of basis. There's been no formal plans, no proposals.

President Vanover: So you just acquired it from the previous owner for that proposed.

Mr. Graph: Right.

Mayor Webster: And Gregg has outlined that for us.

President Vanover: Okay.

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Mr. Graph: The other question I had while we're thinking of it here, the cul-de-sac coming in, would that physically touch our parcel there, the senior living so that we would have frontage all along that cul-de-sac?

Mr. Cumming: (Spoke off mic).

Mr. Graph: The one consideration we had with it being kind of rounded and we're speculative at this point, no plans, just making sure that we have an access entry on to that road that makes sense and that their plans allow enough flexibility to come in so that we're not just a little sliver.

Mr. Diehl: I just have a couple of quick questions for you. Most of them are easy ones. The green space you're allocating in the back, are you going to maintain that green space or who is going to maintain that?

Mr. Cumming: We're not planning to build a bridge over the creek or anything like that. So in terms of maintenance I don't think we have a confirmed plan on that. We're not sure how much maintenance it's going to require if it requires maintenance we will maintain it but we're looking to leave it undisturbed.

Mr. Diehl: I know you will be very, very successful and you're going to sell out the five warehouses overnight. Then what are you going to do? What I'm asking is, are you going to come back here and say well, we did a great job, can we go back on the green space and add some more buildings?

Mr. Cumming: No, we'll commit to not build on that land.

Mr. Diehl: Okay. You did great. Thank you.

President Vanover: At this point, we talked about the water retention and looking at these plans here, you're referring to the ponds but my understanding was that they are going to be dry basins?

Mr. Cumming: That is the plan as of now with the engineering being that's been done to date, which will need to be confirmed with our final drainage plans and whether the five acres is incorporated or not incorporated. So Patrick Warnerment with Kleingers, our engineering group is also here and probably could answer any detailed engineering questions. The pond that would be located north of The Crossings At the Park is anticipated to be dry detention at this point.

President Vanover: In talking about the condo association's issues, a dry basin is only going to feed that for a short period of time and the creeks evidently, when I've been there there's a decent flow through it at dry periods but obviously, at wet periods it picks up. So what are your plans or thoughts on that?

Mr. Warnerment: I'm Patrick Warnerment, 6305 Center Park Drive, West Chester, Ohio. So, there's really two separate things going on here. That pond really is intended to pick up flow from the site and that existing north/south stream takes flow from north of Crescentville Road through. We plan to intercept that from north of Crescentville Road into a pipe system and bring that around to the existing pond at Crossings At the Park which would basically eliminate the erosion issue and the site runoff will go to that pond and be controlled to keep it dry. So basically, there will be two separate things altogether.

President Vanover: As I had stated before Planning Commission I'm not a huge fan of dry basins because of maintenance issues that go on because over time they fill in and become bogs and that adds another layer of issue. So what's your plan on that?

Mr. Warnerment: Sure, and wet basins have maintenance issues as well with geese, mosquitos and so on. Dry basins to me if I was living next door is mowing and keeping the outlet control structure free of debris and everything so it functions the way it's supposed to and that type of thing. Wet basins, like I say, you get geese, mosquitos and other undesirable things. If it's maintained properly, it shouldn't be an issue.

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President Vanover: I spent some time talking to an owner at the peak there on Crescentville Road and there is a fairly sizeable erosion issue where the property lines coming together there. That's my neighborhood so I know. And the people along Ledro that are on your eastern border pick up quite a bit of water from the property now so what are you going to do to take care of that problem and also control that runoff because when they put the with mounds up then we also another downhill slope into play.

Mr. Cumming: That's a good question. Patrick, why don't you explain a little bit more detail the water engineering there.

Mr. Warnerment: Sure. We have a 25-foot no disturbance area so coming off the property on the first 25 feet nothing will change. Coming into the site, that mound actually will help that issue to some extent because the amount of that land that drains toward that direction will actually get smaller and then we will put in some small plastic drains close to that 25-foot no disturbance line. Just pick up any little yard drainage and run it back over to the pond and the site to try to help mitigate that issue as much as we can. Anything that happens in that 25 feet we can't really do anything about, but the amount of water that you get off 25 feet is so minimal it shouldn't make any difference.

President Vanover: I assured him that you would play nice and be good neighbors so I'll hear about it if I don't. The other question I have in that plan B, the what if, it looks like that building is going to be roughly the same size as building number 3 that's there?

Mr. Cumming: Correct. If we build one building to the south versus two, yes, it would be roughly the same size. Certainly no larger and within the maximum square footage cap of 375,000 feet.

President Vanover: Going back onto the water then your retention basins are set to handle that?

Mr. Warnerment: Yes, there will be a second pond to the south of that cul-de-sac near the bottom there that would serve that area.

President Vanover: Well, much like the Crossings, the creek that comes into theirs I'm backing up to the creek that exists and that is a concern and 35 years, 36 years of living there I've seen two 500-year storms so I've seen her at her worst. That answers my questions. Is there anybody else that would like to address Council?

Mrs. McBride: Just for the record, Anne McBride, your City Planner. One additional item that I would like for Council to consider this evening. We have been working with the applicant on preparing a set of covenants for this property. The prior developer, they were never recorded; they were never finished so we really need to get this completed. What we would ask is consideration by Council to add an additional condition to any approval you might be considering that would require before the City issues any permits on this project that those covenants would be reviewed and approved by your staff, by your law director's office, that they would be fully executed, that they would be recorded and a copy of the recorded covenants would be supplied to the City so that we would have those for our record. There's another case that will be coming before you shortly that Planning Commission has made that as a part of one of the recommendations coming to you. It was not made a part of this one but we would like to ask the Council to consider adding that.

Mayor Webster: I have a question for the developer. You say you're not going to develop across the creek and the creek I guess would be roughly on the right-hand side there of the drawing.

Mr. Cumming: The creek is the bottom edge of the page coming across.

Mayor Webster: So the cul-de-sac is right at the creek bank almost?

Mr. Cumming: It comes close to the creek but we'll obviously stay as far away from it as we need to.

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Mayor Webster: If you dispose of that property south of that creek, then someone could build a bridge across there at the end of the cul-de-sac and get over to their property.

Mr. Cumming: I suppose, but we would make the commitment and if we were to sell the property there would be a commitment to not to develop south of the creek.

Mayor Webster: You would make a commitment that you wouldn't develop it but if you sold it to someone, they very well may develop it. If they weren't going to develop it why would they buy it?

Mr. Cumming: You're talking about just buying just the area south of the creek? Yeah, we haven't even contemplated selling that land south of the creek.

Mayor Webster: So your plan is to just let it lay there the way it is?

Mr. Cumming: First of all, we think it adds to the overall ratio of green space to the development. We think that's a positive and helps residents to the northwest and east of the property to leave that natural. From a financial standpoint, the cost of building a bridge over that creek and to developing that land which it would be costly land to develop it. We can't make financial sense of it anyway and we don't think anybody else could either. We don't have the economy of scale that it would be worth trying bear that cost to develop it.

Mr. Shroyer: If I understand what you initially were alluding to is if you sold the whole development, you would agree that part of that sale would be a restriction that a new owner couldn't develop that land?

Mr. Cumming: Yes, right.

Mrs. Emerson: You've added this whole thing with the extra five acres and it hasn't been presented to Planning Commission yet; is that correct?

Mr. Cumming: That's correct.

Mrs. Emerson: Is that something we all need to here tonight before voting on this if this goes back to Planning Commission, let them look at these changes and then come back?

President Vanover: It's going to go back to Planning Commission any way.

Mr. Parham: It's going to go to Planning Commission. Let's say they're able to acquire the five acres and so they then come to the Planning Commission and say we'd like to modify the plan that has been approved. Very similar to what has occurred back in 2015, they're attempting to modify it. Now, at that meeting, the two members of Council or simply one of them, if they determine that that change is a major change then it would then come back to Council, but if they determine it's not a major change then it doesn't come back to Council. I think that's part of the reason that he is presenting this information to you tonight. He is perhaps proposing that he's not going to change the use. He simply is going to perhaps increase the size of the buildings and he's going shift the road based on the two alternatives that he showed you there. Again, it depends on those two members of the Planning Commission, either of them, to simply say that is a major change, a major departure from what's been previously approved. You're not going to sell this property I would imagine all at once.

Mr. Cumming: It would be unusual to sell it all at once for sure.

Mr. Parham: You're going to more than likely sell each lot to individuals?

Mr. Cumming: Our plan would be to build buildings on a speculative basis to lease them up to tenants conceivably it could be a ten-year lease and we own that building for ten years and we're their landlord and beyond. Conceivably one of these tenants could decide they want to own the building instead of us. They could own the building, but it would much more typically be on a building-by-building basis rather than all five or six buildings at the same time.

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Mr. Parham: Then I go back to the Mayor's comment as relative to the property to the south of the cul-de-sac and the south of the creek more than likely if I'm not going to have the ability to build on it then more than likely I doubt I'm going to pay you the money to own it.

Mr. Cumming: I think you're right about that.

President Vanover: Anybody else? Second call? I will close the public hearing. Council, you have heard of the public reading of Ordinance of 35-2017. What is your pleasure?

Mr. Diehl: Move to adopt.

Mr. Hawkins: Second.

President Vanover: Discussion. And there was a point Mrs. McBride made that I think we ought to consider that issue is that A, the covenants are approved and finalized before any permits are pulled. So Council what is your thought on that?

Mr. Forbes: At this point, you have a motion and a second on the floor. If that's what Council is interested in doing.

Mr. Diehl: Simply send them back to City Planner, I'm sure she can take care of that on the next go around; is that correct?

Mrs. McBride: It would really need to be a part of any action that Council takes so Planning Commission can enforce that.

Mr. Hawkins: Based on that, I'll go back and rescind my second if we need to go back and add that on.

Mr. Diehl: I'm in agreement with that.

President Vanover: The motion in second has been rescinded.

Mr. Hawkins: No permits on the site shall be issued until fully executed and recorded copy of the final covenants with exhibits is provided to the Building Department.

President Vanover: That's a motion.

Mrs. Harlow: Second.

President Vanover: A motion second on amending Ordinance No. 35. Is there any further discussion? A motion to amend Ordinance No. 35. Mr. Forbes, will you tag this on, correct?

Mr. Forbes: So you've made a motion to amend the ordinances reflected by Mr. Hawkins that passed and now you'll be adopting the ordinance as amended?

President Vanover: As amended. We have ordinance 35-2017 amended.

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

Ordinance No. 35-2017 passes with seven affirmative votes.

President Vanover: I want take a brief minute to thank all of the residents and my neighbors for coming go out and staying with us through the process. I know at times it's been contentious but I think we're good.

Ordinance No. 36-2017

AMENDING VARIOUS SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE ZONING CODE

President Vanover: For the reading 36-2017. This is the first reading. Discussion. We have a public hearing set for this, Mr. Parham?

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Mr. Parham: Public hearing set for the September 20th meeting for both Ordinance 36 and 37.

President Vanover: This is the first reading, Council. One more time, any discussion? Seeing none, we'll move on to Ordinance No. 37-2017.

### Ordinance No. 37-2017

AMENDING THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO TO AMEND SECTION 153.254 OF THE SPRINGDALE ZONING CODE RELATED TO MEDICAL MARIJUANA.

President Vanover: Again, this is first reading of the public hearing for later this month. Is there any discussion at this point in time? Seeing none, we will move down the line. For us now to Resolution R9-2017.

### Resolution R9-2017

AUTHORIZING THE CITY ADMINISTRATOR TO FILE AN APPLICATION WITH THE OHIO PUBLIC WORKS COMMISSION FOR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (LTIP) FUNDS AND/OR STATE CAPITAL IMPROVEMENT PROGRAM AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO EXECUTE ALL CONTRACTS AND OTHER DOCUMENTS

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

Resolution R9-2017 passes with seven affirmative votes.

### Old Business

Mr. Parham: Council, just wanted to give you an update on our discussions with the folks from Simple Recycling. At last meeting after the presentation we indicated to you that we would get a copy of their contract, review their contract, and if possible, perhaps try to have legislation at this meeting for you or at the next meeting. We did receive a copy of the contract document. We suggested a number of changes to the folks at Simple Recycling and they agreed to all of our changes to their document with the exception of one. And the language that is in dispute, I would call it, is language that states, "The City shall continue to not limit what it's regular waste collection hauler picks up under its existing and any future municipal contracts." The language just preceding that says, "The City will not contract with any other parties for the sole and exclusive purpose of collecting soft recyclables in a City's service area." That language is consistent in their contract. That language essentially says, The City of Springdale will give Simple Recycling the ability to collect what they refer to as soft recyclables. It's very clear they're going to be the contractor that is going to set out the orange bags, the residents will fill them with soft recyclable items, and this will be the only contract that we allow that type of program. However, we clearly know, as he indicated, not every one of our residents are going to participate in their program. Second of all, we know we have a contract with Rumpke Waste Removal to pick up all waste and there are soft recyclables included in those collections. I would have to say to you, during his presentation, which I thought he had a very good presentation and answered all of our questions. I left here thinking that what we were speaking of was clothing and garments. What their definition in the contract says, "soft recyclables means items of an individual weight less than fifty (50) pounds and can be carried by one person. Soft Recyclables include primarily men's women's, and children's clothing as well as items such as jewelry shoes, purses, hats, toys, pictures, mirrors, blankets, drapes and curtains, pillows, rags, sewing scraps, sleeping bags, small furniture, small appliances, irons, radios and audio equipment, TV's and video equipment, camera's, lamps, hairdryers, tools, toasters, microwaves, coffee makers, computers and other household electronics, silverware, dishes, pots and pans, glasses and the like. The definition of soft recyclables is subject to modification in the discretion of Contractor based upon the experience gained during the term of this Agreement." So it is not simply clothing. It is a lot of other things that if they weigh 50 pounds and can be carried by one person out to the side of the curb and placed in the orange bag. Those are a lot of things Rumpke collects now. I don't think we want to try to modify the contract with Rumpke. Not

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Mr. Parham (continued): everyone as he shared with us is going to participate in his program. We wanted to share that information with you because based upon that my response back to them either the language stays in or we're not going to enter into the program with you.

Mrs. Ghantous: I was not as impressed as Mr. Parham with this gentlemen's presentation. There were several things that didn't sit right with me. I asked him specifically to say who his partners were and thrift stores and he couldn't tell me. I thought that was odd and he couldn't tell us those answers that evening when asked him who their partner thrift stores were. I'd like to read the response. The collected pair is sold across various market channels which can change our list on market demands. Our customer market is proprietary however; I have included a list of examples for your information. Here are three examples of partnerships. Value Village which is a for profit thrift store in case you didn't know that, Dress For Success is a nonprofit and NCJW. I don't know what that is. I don't believe that's around here in our area. So, I've given so much thought and certainly convenience of his service would be beneficial to some folks but I am really concerned about convenience over shadowing donations going to the organizations that specifically serve our community like Tri-County Soul Ministries, Vineyard, certainly Goodwill and Princeton Closet. All of those organizations will suffer with reduction of donations. They cannot perform their mission without donations. So, my overall feeling is that although convenience would be nice I am more concerned with the overall impact on our service organizations that I'm not in favor. He couldn't tell me where the goods go. There can't be a good reason for not being able to direct me after he said he would answer and he did not answer it. There is something not right about that. That's just my opinion and I wanted to mention it to give you guys a little bit of time as you're considering how you're going to vote. Also, what you're saying about the language in the contract kind of speaks to the vein I was getting to about something was not exactly right with what he was implying it to be. He makes his money off selling those items for salvage. That's fine, I get it, that's fine, but, if he had any real intent of really taking the good stuff out and allowing it to be sold by non-profits I have no faith of that at this point. I bet a certain percentage is really being filtered down to the non-profits that are in greater Cincinnati let alone just the ones that service our area. So I'm uncomfortable with it.

Mr. Hawkins: I think the whole idea of looking at Simple Recycling and giving that consideration is, is it something that enhances our resident's trash and recycle pick up along the lines of the contract. Going back to Rumpke, I would agree with Administration, I have zero interest in going back to try and change that contract. They want to adopt the language presented to them as the City, that's fine, I agree with Council, but I don't have any interest in changing, getting into that, and trying to change that with Rumpke.

Mrs. McNear: If we did adopt the language as suggested does this mean there is something in the Rumpke red container and falls under the definition of 50 pounds, would they would be able to help themselves.

Mrs. Ghantous: That's the way it reads.

Mr. Forbes: I suspect they could but I also suspect that once you put your red Rumpke bin out there, just about anybody can come by and take something out of it.

Mrs. McNear: We've addressed that before, the City ordinance that's occurred.

Mr. Forbes: I just saw the response this evening. I don't think that's their intention. That's why we have tried to make our language clear back to them. I guess we'll just have to see if they find that acceptable.

Mr. Parham: So the Rumpke, the orange or red containers, those are going to be products that are not going to fall into this program. It's the other stuff, it's all your other things that you're going to place out. If you all are in agreement with us if you want to proceed with the project, we will give them an opportunity to have a discussion and express to them we have no interest in changing the agreement but we will try to reach some language that will fit and work for both parties. If they take the position that has to be the language then we'll thank them for their opportunity, but again, I'd like to hear your feelings.

Mr. Diehl: It would be very nice for somebody to come to my house and pick up all the stuff that I don't want, that I don't need to put out on the curb on a specific date that I know when

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Mr. Diehl (continued): to do it and then the certain items that I have to drag down to Goodwill or call someone to come pick up that would be a big plus. My mind is that we are taking funds away from St. Vincent DePaul and Vineyard so I'm not going to support this at all.

Mrs. Emerson: Mrs. Ghantous, you made some very good points. I think we need to consider taking away from own community resources and would not like to see this go into action.

President Vanover: I will second that. I think that and Mr. Diehl to your point about there are operations that will come to your house according to their advertising, you point, they load it up and haul it away. Some of them do some form of recycling within that operation but Mrs. Ghantous makes a very good point. I don't quite understand the secrecy of who their partners are. As they would say something is not right in Denmark. If Council, the majority wants to throw it back to the language to see if it will amend the language the Administration is asking for some direction.

Mrs. Harlow: I say we let it go.

Mr. Hawkins: I don't have a problem with it coming before us for a vote. Sounds like there's probably at least four individuals who are not interested in voting for it so it's academic at this point.

Mr. Shroyer: I think based on tonight's discussion I would not support it. I wouldn't see a reason for Administration to involve the time and exchange back and forth if it's not supported.

Mr. Vanover: I know Mr. Parham would definitely like to have more time to work on the budget and I'd hate to deprive him of that. Does that answer your question Mr. Parham?

Mr. Parham: Yes, it does.

President Vanover: Any further old business? All right. New business.

New Business

Mr. Parham: There are a number of things I'd like to share with you. I did receive an e-mail and have a telephone communication this morning with a representative from the Council on Aging. Apparently, they have a ballot issue this November 7th to focus on their senior services program. They would like to come before Council to make a presentation at your October 4th meeting if you're in agreement.

Item number 2, you should have received a letter from the Planning Commission dated August 25th and just as we had the first reading of the two amendments, one for Medical Marijuana and one for miscellaneous Zoning Code Amendments. The third item they had to address was regulating of small cell wireless towers or small cell towers. We would propose a first reading of the ordinance which would take place at your September 20th meeting and the second reading and Public Hearing at the October 4th meeting. So scheduled.

Third item I have for you is Tuesday, September 5th, bids were received for the replacement of the roof at the Springdale Police Department. We received six bids that ranged from \$67,400 to \$108,079. There was an alternate bid including the replacement of the roof over the parking garage. We believe the alternate is appropriate to add on to the bid and that would take the bid to \$75,000 with the lowest bidder. Currently the engineer's office is reviewing the numbers of the bids as well as checking references and we hope to have a recommendation along with the ordinance at your September 20th meeting.

Finally, the Hamilton County Planning and Development Department, which administers the Community Development Block Program, has notified us that they have apparently received approvals to proceed with the next cycle of years, which would consist of 2018, 2019, and 2020. They have asked that if communities are interested, and since we indicated earlier that we are interested in participating in the program, that we are now required to hold two public hearings as well as present to them our projects. I've asked our City departments to

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Mr. Parham (continued): provide me with a list of projects with their associated cost so we can present those to Council. As you know, the last probably 12 years it seems, we have had the Home Improvement Program which continues to be successful. We've had other opportunities such as a contribution towards the finishing of the senior center at Community Center and a couple of upgrades to our playgrounds in parks. So the directors are scheduled to provide something back to me by the end of this month. We are proposing the public hearings be scheduled for Wednesday October 18th and Wednesday November 1st. Our proposed projects are scheduled to be to the County by November 22nd. The County has also indicated that if we were to meet their deadlines of scheduling our public hearings and notifying them of the dates of our public hearings, they would then pay for the legal ads. Based on if you [accept](#) these proposed Public Hearing dates, our deadline is September 14th. So, if Council is in agreement that we schedule the public hearings for those two dates October 18<sup>th</sup> and November 1<sup>st</sup>, then we can notify the County and they will handle the legal ads and that will save us a few dollars. That's all I have.

### Meetings and Announcements

Mrs. Zimmerlin: Youth sport registration is underway with basketball, volleyball, and cheerleading. Basketball is offered to boys and girls from kindergarten through 12th grade, volleyball is grades 3 through 8, and cheerleading is first through fifth. You may contact the Community Center for more details or to register. Family movie night. The Springdale Youth Boosters will present a free family movie on September 22nd which is a Friday in the amphitheater at the community center. You can bring a blanket or a lawn chair and come and enjoy a G rated movie free of charge. The boosters will have the concession stand open for snacks and refreshments. There's Active Aging Week and seniors can look forward to celebrating the week of September 25th through 29th with a host of activities planned at the Community Center. There will be programs each day to celebrate activities, adults age 50 and over and promote the benefits of leading an active, healthier lifestyle.

Mrs. Emerson: Board of Health returns from its summer session and we begin, have a meeting on September 17th at 7:00 in the room adjacent to here.

Mrs. Harlow: Planning Commission will meet on Tuesday September the 12th, at 7 p.m. in these Chambers.

Mayor Webster: Don't forget the Springdale Bash this Saturday, 3 to 9, Mud Fest I believe at 1:00.

President Vanover: Update on legislation still in development. Communications from the audience. Floor is open for communication. Second call, third and final call.

Communications from the Audience

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None

### Update on Legislation Still in Development

Mr. Hawkins: As you review your Internal Memorandum Item Number One was addressed as Ordinance 35-2017 and ordinance approving a major modification to the planned unit development and preliminary development plan at approximately 130 acres at the GEEAA Park, which passed with 7 to 0 vote. Item Number Two was addressed with Ordinance No. 33-2017 an ordinance approving a zone change from residential single household high density to planned unit development to allow a daycare facility at 1391 E Crescentville Road Higher Ground Ministries House of Favor Church which passed with 7 to 0 vote. Item Number Three was addressed with ordinance No. 34-2017 an ordinance approving a preliminary development plan to allow a daycare facility at 1391 E Crescentville Road Higher Ground Ministries House of Favor Church which passed with 0 to 7 vote. Item Number Four was Ordinance No. 36-2017 an ordinance amending various sections of the codified ordinances of the City of Springdale zoning code. We had our first reading on that. Item Number Five was addressed with Ordinance No. 37-2017 an ordinance amending codified ordinances to amend section 153.254 of the Springdale Zoning Code related to medical Marijuana, that was also a first reading. Item Number Six was addressed with the resolution authorizing the City administrator to file an application with the Ohio Public Works Commission for local transportation improvement program funds and state capital improvement funds and state capital improvement program funds and authorizing the Mayor and Clerk of Council and Finance Director to execute all

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Mr. Hawkins (continued): contracts and other documents. That was addressed with resolution R9-2017 which also passed with a 7-0 vote. All other matters were forthcoming.

Recap of Legislative Items requested for Next Council Meeting

Mr. Hawkins: There was a request for a second reading and public hearing regarding the ordinance amending various sections of the codified ordinances of the City of Springdale zoning code. There's a request for a second reading for an ordinance amending the codified ordinances of the City of Springdale, Ohio to amend section 153.254 of the Springdale zoning code related to Medical Marijuana. There's also an ordinance requesting authorizing a contract with the best bidder for the replacement of the roof of the Springdale Police Department and declaring emergency and resolution accepting the amounts and rates as determined by the budget commission authorizing necessary tax levy for 2018 and that's all based on the discussions we had tonight.

Adjournment

Mr. Hawkins moved to adjourn. Mrs. Emerson seconded the motion and 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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