

City of Springdale Council

November 15, 2017

President of Council Vanover called Council to order on November 15, 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 November 1, 2017 City Council meeting were considered. Mrs. Emerson made a motion to adopt; Mr. Hawkins seconded. Minutes were adopted as published with seven affirmative votes.

Committee and Official Reports

Civil Service Commission

Mr. Coleman: Good Evening. The Civil Service Commission met on November 9<sup>th</sup> and the following reports were referenced at the meeting. The Public Works Maintenance Worker vacancy – what was reported was that the interviews for this position were in progress, so that position, as far as filling a vacancy is moving forward. The Police Administrative Secretary position – those interviews have been completed and the selected candidate is currently in the background check process. The Police Violations Bureau Clerk position – those interviews are currently underway. In that particular position, there was correspondence presented related to an appeal for the typing computer test portion of the Violations Bureau Clerk certification process. Following discussion by the Commission members, we noted the letter that was received and the individual is part-time employee, who has been a part-time employee for about eight years. In recognition of that as well, the Commission made the decision that we did want to move forward with hearing the appeal. The appeal for that process, again which involved the computer typing portion of the examination certification period, is scheduled for November 21<sup>st</sup>. At that time, we'll hear the appeal for the individual and render a decision following that. Other than that, we didn't have any additional business.

Rules and Laws Mr. Diehl - No Report

Finance Committee Mr. Diehl - No Report

Planning Commission

Mrs. Harlow: Planning met on November 14<sup>th</sup> last evening at 7:00 p.m. All members were in attendance. We have two items of new business. The first item was Awa Ba, it's a daycare center and they want to be at 11389 Princeton Pike and this was a Public Hearing because it is a conditional use permit. They want to run a daycare center there and that is in the Tri-Center Building, which is, for those that might not know the address or the name of the center, it's where Chipotle is, it's on the end and they are proposing to have a large number of children, anywhere from up to 100 kids in the building. They have adequate space there for that. They're looking to have hours of operation from 6:00 a.m. to 11:00 p.m., Monday, through Friday and 7:00 a.m. to 7:00 p.m. on Saturday and Sunday. They have adequate parking and the delivery and all of the other issues that would go along with having a daycare center there have been addressed and that was approved with a 7-0 vote. The next item of business that we had was, I'll go back and talk about just one more thing on the daycare center. We approved the hours on that because there is not residential homes in that neighborhood. It's all business. There will be no outdoor play areas. So, everything will be inside. So that was, again, approved with a 7-0 vote. The next items of business was SCP Springdale LLC at 12110 Princeton Pike. This is the GEEAA Golf Course. We received an email on November 10<sup>th</sup>, asking for an extension on this for December 12<sup>th</sup> meeting. Since we'd already advertised a Public Hearing, we went on and protocol called for opening the Public Hearing and then noting that it would be postponed until December 12<sup>th</sup> and then it will be heard at that time. That would conclude my report unless there are any questions.

Board of Zoning Appeals Mrs. Ghantous - No Report

Board of Health

Mrs. Emerson: The Board of Health met on November 9<sup>th</sup> and in the Health Commissioner's Report, The Willows Work Group met on November 14<sup>th</sup> and they're continuing

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Mrs. Emerson (continued): to work on the Spring Sports Camp at Heritage Hill Elementary. That's scheduled to go off in April 2018. The Public Health Accreditation is still way ahead of schedule. They're doing great on that. The Springdale Hotel and Motel Committee is scheduled to meet on December 1<sup>st</sup>. The Springdale Mosquito Control program is all wrapped up. The final report was sent to the Ohio EPA. Springdale Nuisance Animal Control Program; we experienced a big decrease in the amount of animals because the weather is getting colder now. I had announced, last month I believe, that the total we expected was \$9,000 spent on that program. It turned out it was about \$7,000, but it was a great success and I believe we're going to do it again starting up next year. The Narcan report for October we had 8 mg of Narcan and they had two EMS runs for overdoses. The Nurse's Report stated that the Vaccinations for Children program (VFC). We had a site visit. That was conducted on October 25<sup>th</sup> and there were no citations. We did very well on that. The Influenza season during week 42 of October 15<sup>th</sup> through the 21<sup>st</sup>. The activity for influenza is still very very low. The most frequently reported virus type is the Influenza A. So far, all the influenza viruses that have been tested are sensitive to what's included in the vaccinations. Springdale Health Department continues to offer the flu vaccinations to employees and to individuals who have no coverage or do have Medicaid Healthcare coverage. November is National Diabetes Month. Nurse Jean Hicks just finished up the Healthy U Diabetes workshop. There were seven that attended that. It was very successful. She has run that several times and we've had a lot of interest in that program. Our next Board of Health meeting will be on December 14<sup>th</sup>. That concludes my report unless there's any questions.

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| Capital Improvements | Mrs. Emerson | - | No Report |
| O-K-I                | Mr. Shroyer  | - | No Report |

Mayor's Report

Mayor Webster: Just a couple of things. First off, as I indicated at the last meeting, our S.O.S. Christmas project is in full swing. We had a meeting today and it looks like as of this moment, we've got 52 families, which is down considerably from last year, but we suspect that will grow. Last year we had 72 families. This year, right now we have 52 with 150 kids involved. We have 43 of those families adopted, so we're still looking for folks to adopt families. So, if you're so inclined out there to help us out, thrown down \$100 to adopt a family if you don't want to go through the shopping, all that kind of stuff, just a financial contribution will take care of it, and we've got some people that are eagerly waiting to hit the stores to do the shopping. If you're interested in helping us out, please call 346-5725. Debi down here will be more than happy to take care of you and put you on the list. Things are shaping up. I think we've got 32 food bins distributed throughout the City at various office complexes and retail establishments. Last year we had a lot of food and I think we'll even have more food this year. Smithfield has already indicated that they will supply the hams for however many families we have. Things are shaping up and if you'd like to get involved, please give us a call. The other thing, I think I'd be remiss if I did not mention the fact that last Tuesday we had an election. I'd like to take this opportunity to congratulate the winners and there are no losers here. The ones that are here, we appreciate your service. The ones that are here that were not successful; we appreciate you wanting to get involved with the City. While I'm talking about the elections, a couple of weeks ago someone or a couple of meetings ago, someone brought up the fact that we should have taken a look a re-districting. I looked it up in the Charter and the Charter says that Council shall be responsible for the re-districting of the districts in the municipality based on the voter registration. Now, when I look at the number of registered voters for this past election, well, let me back up a little bit. The Charter also says that the only time that Council can do that is if the disparity between the highest number of registered voters and the lowest exceeds 15%. Okay, then you may do it. If it hits 25%, you have to do it. So, in this particular election, there was a 13 1/2% disparity between District One and District Three. So, even if someone had looked at that earlier this year, it would not have fallen within the category where you need to re-district. I think everybody that plans on being here in 2021 needs to mark their calendars that that needs to be done early in 2021 before the District Council race, because I'm not going to be around here to remind you. The last thing, we have our Annual Tree Lighting Ceremony scheduled to take place Monday, November 27<sup>th</sup> at 7:00 p.m. out here in the Municipal Building in the rotunda. There will be treats and carols and "you know who" will be making a surprise visit. Mark your calendars, bring all the little kiddies out, and have some Christmas cheer with us. That concludes my report.

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Clerk of Council/Finance Director

Mrs. McNear: Our General Fund Year to Date Through October 31 receipts based on a net budget of \$17.183 million, we have received \$16.145 million, which is 94% of the budget. The major General Fund receipts sources are Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and Mayor's Court. That is \$15.004 million or 93% of the received budget. As always, our Earnings Tax is the number one source that is \$13.279 million of that \$15.004 million so it is significant. On the expenditure side, we have net budget of \$18.374 million. We have spent \$14.686 million or 75% of the budget and our ending General Fund balance as of October 31<sup>st</sup> was \$5.26 million. In addition to that report tonight, I also have received a letter that I wanted to share this evening from the Government Finance Officers Association. This is addressed to me and it states, "We are pleased to notify you that your comprehensive annual financial report CAFR for the year ending 2016 qualifies for the GFOA Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting and this attainment represents a significant accomplishment by a government and its management. When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individuals who are in department-designated by the government as the primarily responsible for having earned the certificate. This award has been sent to the submitter as designated on the application." It says, "We hope that you will arrange for a formal presentation of the certificate and Aware of Financial Reporting Achievement and that appropriately, publicity will be given to this notable achievement." A sample of release has been included and I'm going to read that as well. "We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting." This was signed by Todd Buikema, who is the Acting Director of the Technical Service Center. The news release out of Chicago, Illinois states, "The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the City of Springdale by Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual fiscal report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting and its attainment represents a significant accomplishment by a government and its management. The CAFR has been judged by an impartial panel to meet the high standards of the program which includes demonstrating a constructive spirit of full disclosure to clearly communicate its financial story and motivate potential users and user groups to read the CAFR." It's very appropriate this evening that Jeff Williams is present for another item, but I do want to publicly recognize Jeff. Jeff would you please stand up and take a bow and Jeff can you tell me how many years in a row you've received this now? I know it's in the teens.

Mr. Williams: I want to say 18.

Mrs. McNear: 18. So, quite an accomplishment to receive this year after year. Jeff, thank you to you and your team for excellent work. (Applause). That concludes my report. Thank you.

Administrator's Report

Mr. Parham -

No Report

President Vanover: We're going to do a slight detour here. We'll do Charter Revision Committee Report.

Mrs. Matheny: Good Evening. Charter Revision had their annual Charter Revision meeting prior to the Council meeting tonight in the room adjacent here. We had all four members in attendance. Basically, said hello, wished each other Happy New Year, good to see you, and we'll see you next year. So, per the Charter we're required to do that, so I wanted to report that we had, in fact, complied with the Charter. Thank you.

President Vanover: Thank you ma'am.

Law Director's Report

Mr. Forbes: Just one item on the legal front to update you on. As you remember, Council already authorized the City to participate in that coalition of municipalities to challenge the centralized collection portions of the budget bill. That's moving forward. The City has

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Mr. Forbes (continued): received the engagement letter from the special counsel law firm. I believe it's been executed and returned and, as I understand it, I believe their intention is to file the litigation; I'm going to say it, tomorrow. Now, we'll see, but the last communication I had is that they are on track to have it filed tomorrow. As it progresses, I will likely have more to report. That would conclude my report for tonight.

### Engineer's Report

Mr. Shvegza: Regarding the State Route 4 ODOT Urban Paving Program. Basically, the contractor has completed some final punch work items on that project, so it is basically complete. 2017 Street Program as far as the rehab portion of the project, final items consisted of the rejuvenator coating, pavement markings and those have been completed pending the final inspection, that project is complete. The maintenance portion of the project has also been completed. Cloverdale area resurfacing, the only update I have on that is regarding the trench excavation for the water main installation began on November 8<sup>th</sup>. We don't have a date yet as far as the completion for that work. Nothing new on Glensprings Drive Repair. Beacon Hills subdivision and Kenn Road project, the project is out to bids right now and the bid opening will be November 21<sup>st</sup>. Regarding the Police Department Roof, work on that started the week of November 13<sup>th</sup>. They obviously have had weather issues this week, but they do intend to work, weather permitting, tomorrow through Saturday and the completion will be the week of November 20<sup>th</sup>. Regarding Jake Sweeney Place Reconstruction, the roadway reconstruction. We were not successful in receiving SCIP funding on that, so we're putting together the final plans and specifications for bid on that. That will be advertised November 22<sup>nd</sup>. The bid opening on December 20<sup>th</sup>. That concludes my report.

### Communications

Mrs. McNear: This is from O-K-I, dated November 9<sup>th</sup>. The purpose of this letter is to notify us that the term of our current representative on the Ohio-Kentucky-Indiana Regional Council of Government Board of Directors for 2017 will expire January 11<sup>th</sup>. Our current representative is Mr. Shroyer. O-K-I is asking that we submit a name by, no later than January 5<sup>th</sup>. So we'll need to re-assign Mr. Shroyer if available to do that again or select a new person. We don't have to do anything this evening, but sometime next month, or I would say before the middle of the month we should make sure that somebody is assigned to this so I can send the letter in. That concludes communications. Thank you.

### Communications from the Audience

Mr. Dolfinger: I live on the west side of West Kemper Road.

President Vanover: Just a second. Can you state your name and your address please?

Mr. Dolfinger: My name is Douglas Dolfinger. I live at 233 West Kemper Road. I'd like to address the Council on one thing. Actually, two things. The Tri County Mall is one, is practically empty and I'd like to know why that is. There's no store, no grocery store up here in the City of Springdale. I haven't seen a grocery store up here at all. There's plenty of space up there where the old Walmart used to be out there by Target and Sam's Club. There's no sidewalks up there between 309 West Kemper Road all the way up to Lawnview on that side of the street and there's no sidewalk between where the end of Springdale Elementary School is and I'd like to know why the neighbors do not want sidewalks up there because that's unsafe up there. I've walked up and down that street so many times and nearly got hit several times by cars along that stretch of highway or roadway and I want to know why they don't want the sidewalks there because that is not safe. I've walked in mud, trudded through mud trying to avoid cars up in that area and you've only got about an inch or two of space to walk between the road and the side of people's yards to avoid the cars. Why is that? Why can't we get sidewalks put in up there? Up in that area? That is not a safe road to walk at night. Especially not at night when you're two to three inches away from a car and nearly get hit by cars up that way because the cars come out of there like 35 40 miles per hour going down that road; that's what I want to know and why we can't get a grocery store in the City of Springdale. Because Merchants Mart is gone, Border's bookstore is gone and places like that are leaving Springdale. Why is that?

Mayor Webster: If I knew the answer why we didn't have a grocery store, we'd already have one. We have tried and tried and tried to get a grocery store. No one wants to come in to town to compete against Kroger, that's number one. Kroger has a facility to the south of us

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Mayor Webster (continued): in Woodlawn and one to the west of us in Forest Park. We have written them, we have talked to those folks time and again and they have been very cordial, very polite at this point that they do not see the business opportunity of putting in and opening up a store in Springdale. We have several other, we have a Sam's Club, we have Costco.

Mr. Dolfinger: You've got to be a member. You've got to be a member at Sam's Club and Costco. I'm talking about stores you don't have to be a member at.

Mayor Webster: We have Sam's Club, we have Costco. We have several Hispanic grocery stores. We have a new one coming in where Thriftway used to be. It's a chain, I think this is the fifth one, I believe, fourth or fifth store they're opening up. They have one right now over on Kemper Road, close to Chesterdale. It's a very nice store and I'm looking forward to this one opening here where the Thriftway store is. We've had an Asian gentleman that was going to open a grocery store in Cassinelli Square. He sat right across the conference table from me and said, "Mayor Webster I used to rent this facility, I bought the facility, I'm going to open a grocery store there." Site is boarded up, the man has had some legal problems, and I don't think he's going to be opening a grocery store. So, I don't know what you would have the City do. The City's not going to open a grocery store. As far as "we want sidewalks", well who are the "we"?

Mr. Dolfinger: Me and my wife. Would like to see sidewalks up and down that area because my wife nearly got hit by cars on several occasions.

Mayor Webster: Okay, you and your wife want a sidewalk. You were sent a letter, when did we last do this? Last Spring, Winter? You were sent a letter by the City asking you if you wanted a sidewalk. It doesn't mean if you would've gotten it if you would've responded, but you didn't even respond to it. We had one person respond affirming they wanted a sidewalk, one out of 15 or 16 houses. Whatever we have on the South side of the street there. A couple of years ago, we had a big public hearing with everybody on the north side of the street, nobody wanted a sidewalk. So, then, one of the Council members suggested we take a look at the South side of the street. We did that. We spent some money for engineering so that we could tell the people exactly where the sidewalk was going to be and everything else. Gave Council a couple of options as to what type of sidewalk we could put in and so the next thing we did was we sent a letter to every single resident on the South side of Kemper Road. For you guys to come up and tell us why you wanted a sidewalk or whether you wanted one. We got one response and yours was not one of them. So, what are we supposed to do here?

Mr. Dolfinger: That I don't know, but I don't want to see somebody out front of my house getting hauled off in an ambulance.

Mayor Webster: I don't want to see anybody getting hauled off in an ambulance and no one else up here wants to see that either.

Mr. Dolfinger: I mean that's one of the worst streets that I have walked along. Especially at night. I mean would you guys want to be walking along that road out there and nearly get hit by car? I'm just taking my chances walking up and down that street at night. That's all I've got to say. I mean I nearly got hit by a car by about two to three inches because all you've got is that one little line between you and the street. That's not very safe to be walking along that street when you've only got two to three inches between you and the road. You're walking down the road here and you're two three inches away from getting hit by a car. I don't know what else to say. I do plan on running for Springdale City Council within the next two years and find out why they don't want sidewalks. What the reason for that is. Why don't you want a sidewalk? Some people saying it's too close to their property, but they care more about their property than they are about other people's safety. I care about other people's safety out there. I really do. That's why at night when I walk along that street I have to walk in the grass where there's mud, snow, and everything when it rains out here like that. I'm trudging in people's houses with mud on bottom of my shoes. I know they don't want mud tracked in their houses. I wouldn't want somebody coming along tracking mud in my house. So what else can I do?

Mayor Webster: Why didn't you respond to the letter?

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Mr. Dolfinger: I didn't realize what you guys were sending me really. I thought you guys were telling me that you was going to do some road repair work or something.

Mayor Webster: Council was willing to take a look at it, and had enough people shown up to say, "yeah we want sidewalks", maybe we would've considered it. Maybe we would've plugged it in one of these Capital Improvement Projects that you just heard our Engineer give a report on, but they didn't do it. So why should we, as a government, spend a quarter of a million dollars or whatever it's going to cost to put sidewalks in when we don't know that anybody wants them? One person out of 15 had said that she would like to have a sidewalk.

Mr. Dolfinger: Okay.

Mayor Webster: Where we had 13 out of 15 on the other side that said absolutely not.

Mr. Dolfinger: And why is that? Because they don't want to pay for it.

Mayor Webster: No, no, the City would have paid for it regardless of what side of the street we put it on. We never talked about assessing the cost of sidewalks to the property owners.

Mr. Dolfinger: So there's only one person that said they wanted sidewalks there.

Mayor Webster: One person.

Mr. Dolfinger: Okay. There was not enough people that wanted them and that's why you guys didn't put sidewalks out.

Mayor Webster: That's exactly right.

Mr. Diehl: You asked what you could do. Talk to your neighbors. That's what you can do. Talk to your neighbors, tell them how dangerous your experience has been walking back and forth and encourage them to come to Council and tell them they want sidewalks. You have enough people to come into the Chamber saying, "We need sidewalks", there will be sidewalks put in. Okay. I tried for many years to get sidewalks in there because it's a great safety issue. Your neighbors just don't want them. Why? I don't know. Talk to your neighbors. Get them to come up here with you and then you would have sidewalks.

Mr. Dolfinger: So I have to go door to door and ask people to come to Council meetings? That doesn't sound like a good idea because there's a guy in a wheelchair right across the street from me in a wheelchair and I have seen bicycles and those little disability carts going up and down the street and I've seen them nearly get hit by a car that way and that's a shame.

Mr. Diehl: It's a danger to walk on that sidewalk.

Mr. Dolfinger: On that road.

Mr. Diehl: Absolutely. We don't have sidewalks, but it's a danger to walk on that road. Talk to your neighbors and get them to talk to other neighbors.

Mr. Dolfinger: I've actually looked out my window at the house where I live at and there was a guy with a wheelchair ramp that comes out of his house in his wheelchair, come down his driveway and try and go down the road in his wheelchair. I've seen bicycle riders ride along that street out there and these cars going 90 miles a minute. I have seen the disability wheelchairs, people on walkers walking down the street on a walker. I've seen go down in disability scooters and I have actually seen where cars get right behind them and I've seen cars go "beep" at me going down the street on the left hand side of the road or on the right hand side of that street down there. I don't think you'd want to be in one of those wheelchairs or riding your bike along that stretch of road or down in that area riding on one of those disability scooters going down that road. There's a school down here that the sidewalk stops right there just in front of, Springdale Elementary with kids that don't have a sidewalk to walk on down there by that elementary school and down here around that insurance place down

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Mr. Dolfinger (continued): here; past Macedonia Living Word Fellowship. I don't know why they wouldn't want sidewalks there because that is not safe.

Mr. Diehl: Finally, I would like to thank you for coming tonight. It means a lot to the Council for people like you to come forward and express their opinions. Go ahead and talk to your neighbors. Convince them that you need sidewalks and have them come here.

Mr. Dolfinger: That would be a hard thing to do because these neighbors don't hardly get out much. They go to work and what have you and I don't want to see that guy in that wheelchair get hit by a car or one of them disability scooters getting rammed by a car because I've heard a lot about that on the news about things like that.

Mr. Diehl: You basically have about 35 people that are affected in this piece of land that the sidewalk would go on, either side. They can put them on one side, they could put it on two sides, but we desperately need them on one side. So, I don't know what side of the road you live on, but talk to your neighbor, just the guy next to you and ask him to talk to the guy next to him and tell him to come. Thank you very much for coming.

Mr. Dolfinger: You're welcome.

Mr. Hawkins: The main thing, Mr. Dolfinger, you just want to make sure and fully understand and I know maybe you didn't get the chance or you didn't give any input when we went through this, but we looked at this on two occasions in depth. Mr. Diehl spearheaded both of those discussions. The first time we went through that, both times the City, the Administration spent a lot of time and money going through, setting up stakes, and showing what that would look like if we had sidewalks there. The first time we went through, there have been two occasions while I've been here that this Chamber has been full. One of those times was when we were discussing the sidewalks. So there was a whole lot of input from the folks that live there on the North and South side of Kemper. This Council reacted to those residents. Those residents that were going to be the greatest impacted in terms of their yards being changed and trees being taken down and the poles being moved and what have you. The clear response when we've discussed this was they didn't want them. Now, here's the thing; and we said this at both times, things evolve, things change over time. There may be sidewalks there on Kemper Road at some point in time, but as you've been told by Mr. Diehl, if it's going to happen, it's going to happen because those residents that live there are going to be asking for it.

Mr. Dolfinger: How can I encourage them to say yes?

Mr. Hawkins: Well, you can't necessarily say. It's going to be what they want. Some of the things that you've talked about are some of the things that have been talked about by Council when we discussed them and safety is an issue and how easy it is to go up and down that roadway if you're in a wheelchair or if the weather's bad, those are things that get discussed. So, you can discuss those things with your neighbors, but if it's going to change, and it may change, but if it's going to change, it's going to change because those neighbors want it.

### Ordinances and Resolutions

#### ORDINANCE NO. 42-2017

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH CAPITAL ELECTRIC LINE BUILDERS, INC. FOR THE NORTH MALL MAST ARM REPLACEMENT PROJECT AND DECLARING AN EMERGENCY

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

Mr. Hawkins: I think when we possibly discussed it before, I asked about insurance for the driver. Was there any automotive insurance for that individual? Was that person cited, and was there any restitution ordered if they were convicted of any kind of traffic offense?

Mr. Parham: In this instance, the person did not survive the accident. We did engage the insurance company. Once we finish this project, we've already had conversations with them. They are on notice. Once we've had the project completed, then we will bill them, but we will have to pay for it up front.

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Mr. Hawkins: Thank you.

Ordinance No. 42-2017 passes with seven affirmative votes.

ORDINANCE NO. 43-2017

PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,320,000 REAL ESTATE ACQUISITION BOND ANTICIPATION NOTES, SECOND (2017) RENEWAL, BY THE CITY OF SPRINGDALE, OHIO IN ANTICIPATION OF THE ISSUANCE OF BONDS, PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH NOTES, AND DECLARING AN EMERGENCY

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

Mayor Webster: Just for a matter of information to the audience and TV land out there. This is renewing the note on the Sheraton property that we bought. The original note was \$2.6 million I believe and this is \$1.3 million. We're paying off the other half of it and we have a call provision in here in Section 3 that says that we do have the ability to call this bond in if and when we sell, or note I should say. If and when we sell the property in the next 12 months, we can pay this off and stop the interest meter. Hopefully that will happen. That's all I've got to say about it. Thank you.

President Vanover: Our bond counsel is present; I guess we give her a chance to speak.

Brenda Wehmer: Only if someone has a question.

President Vanover: I don't see any lights. You're off the hook.

Ordinance No. 43-2017 passes with seven affirmative votes.

ORDINANCE NO. 44-2017

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH DONALD W. WHITE TO SERVE AS MAYOR'S COURT MAGISTRATE FOR THE CITY OF SPRINGDALE, OHIO, AND DECLARING AN EMERGENCY

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

Mayor Webster: This is a renewal of our contract with our Magistrate. He's been with us for 10 to 12 years. He's always worked for the same salary, however, we have paid his Public Employees Retirement pension, the employer portion, which is 14%, and so he is retiring from PERS and so he's asked that we pay him what we're paying PERS, so we've added that. I think it was \$15,000 a year, so now it comes out to \$19,900 so at the end of the day. The City is paying the same amount of money that we've paid over the last 10 to 12 years, however instead of paying 14% of his salary to PERS, we're paying it directly to him, so that's the only change. I would appreciate you passing this ordinance. Thank you.

Ordinance No. 44-2017 passes with seven affirmative votes.

ORDINANCE NO. 45-2017

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH SETH S. TIEGER FOR PROSECUTING SERVICES FOR THE CITY OF SPRINGDALE, OHIO, AND DECLARING AN EMERGENCY

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

Mayor Webster: Here again, this is just a renewal. Same terms and conditions. I think this is the second renewal for Mr. Tieger and he's an Assistant Prosecutor down at Mr. Deter's office, so it makes it very convenient for cases that transfer downtown, so I would urge you to please renew this contract for Mr. Tieger.

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Ordinance No. 45-2017 passes with seven affirmative votes.

### ORDINANCE NO. 46-2017

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. Emerson seconded

Mayor Webster: Same terms and conditions as we've had in the last couple of years. Has done a good job. Please renew it.

Ordinance No. 46-2017 passes with seven affirmative votes.

Mr. Hawkins: I move to appoint Mr. Ken Nienaber to the Board of Zoning Appeals. I'm sorry, Dave Nienaber to the Board of Zoning Appeals. He has been serving on the board for some time now. I serve with him. His term is coming to an end and it's my understanding that he's interested in continuing on with his service.

Mrs. Ghantous seconded Mr. Hawkins motion to appoint Dave Nienaber to the Board of Zoning Appeals.

No other nominations were submitted.

### RESOLUTION NO. R12-2017

APPOINTING DAVE NIENABER AS A MEMBER OF THE BOARD OF ZONING APPEALS

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

Resolution No. R12-2017 passes with seven affirmative votes.

### Old Business

Mr. Parham: Council, on November 5<sup>th</sup>, I sent an email to each of you concerning the Community Development Block Grant Program that we discussed to some degree at the last meeting. We received further clarification after you identified the projects that you wanted to move forward with. Of the four that you identified, two of those were not eligible for funding. One being the message sign, the other being the cardio equipment. The other two were, or are, eligible for funding. One being the playground equipment, the other being the Home Improvement Program. Now, we can move forward with simply those two programs or, if you want to entertain any of the other projects. With that email, I did attach a document that outlined the remaining projects, all of those that, in speaking with the County Community Development Agency, are eligible projects. The eligible projects are the dog park, the sidewalk repair program, and the handicap ramp program. I will add relative to the dog park, the sidewalk repair program and the handicap ramp repair program, all of those would be programs or projects in which you would need to, or would qualify based on the area. An area being qualified as low income or low to moderate income. Because we only have now, I believe, if my math is right, eight days to submit the application. When you're looking at one of the projects that would qualify based on the area, you would have to perform a survey of the residents in the area to determine their income which means you would need to send information out to them, have them provide their income levels and then receive that information back. It seems to me there is not enough time for that sort of activity. So it really does leave the last two projects; the playground equipment and the home improvement repair program, unless you come up with others. In talking to the folks at the County, they did indicate, because I think this is one of the questions that came about, they did indicate that the City's threshold, if you will, they factored to be about \$86,000 over the three-year period. However, they do encourage you to simply apply. For instance, if you wanted to apply for a program that qualified and the combination exceeded your threshold, you never know if someone else decides, as they did last year to pull out of their project and the dollars become available.

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Mr. Parham (continued): Therefore, because you already have an application before them, they may reconsider that and approve that project. I just wanted to bring this back to your attention because of the discussion we had at the last meeting and then the information that we became aware of following that meeting.

Mrs. McNear: I would like to ask Mr. Jeff Williams to come to the podium to give an update on Open Checkbook.

President Vanover: We've got to finish this first.

Mrs. McNear: Sorry, I thought you were calling on me.

President Vanover: I thought you had something on the project here. So we're back on the projects? Council input? Mr. Parham?

Mr. Parham: I did receive an email from Mr. Hawkins that evening providing information of his support for projects. I didn't know if he was going to share that, but I will share it just in case. Number One, the Home Improvement Program, Number Two, the Playground Equipment, Number Three, Sidewalks and then, Number Four, Splash Park.

Mr. Hawkins: Mr. Parham, since there's not really time to do an economic analysis, we know that anything that's going to be around the Rec Center or around Ross Park qualifies. Is that correct?

Mr. Parham: Yes. We know that it has always qualified. Because the playground equipment we have identified for that location, they've indicated that that's eligible. If you were to identify a similar eligible project that fits into one of those zones, the answer to that is "Yes". But, then I go back to the statement I made that they shared with me relative to if we were to say we're going to put handicap ramps in that general location, then that very well, according to them, you'd have to have someone to survey. If it already qualifies as one of those areas, it seems to me that it should be eligible. I would probably suggest that, if that's the determination, that we simply complete the application, send it in and let them reject us.

Mr. Hawkins: Obviously, there's no issue with the Home Improvement or the playground equipment. If we're taking a shot, I'd probably take a shot on the sidewalk repair if it's thought that that's not likely to be something that we'll be granted, the other thing I'd be interested to see if doing a shelter of some sort would be something else that could be put on there that would be potentially approved. If we have to stay within the confines of the Rec Center versus worrying about doing a survey. Again, don't know that we're going to get the funds for that, but, like you said, sometimes other projects, other communities fall away and we might get that opportunity. That's my suggestion.

Mr. Shroyer: The Home Improvement funds have obviously been one of our more successful items through this process over the years. Is it assumed that we continue to ask for the same amount each time? Is that amount sufficient? Are we using it or are we short? Should we increase it?

Mr. Parham: Under the 2009-2011 three-year application, in 2009-2010, we received \$20,000. In 2011, we received \$30,000, plus another \$30,300 for the Chamberlain Park playground equipment. For 2012-2014, we received \$20,000 for the program each year. Then, in 2015, because we were trying to influence them to receive other funding, we reduced the amount of our request to \$15,000. The program right now has, I think, about \$3,000 remaining from the 2016 program. We have a lot of what we will refer to as frequent flyers. People who use it every year and we love that. The 2017 program, because those funds have just become available to the County, are just now becoming available to us. So we will not get a chance to use all those funds this year, because they (Hamilton County) have a cutoff date as well in which they will reimburse you. So when we move into 2018, we will probably spend this year, about \$3,000 of the previous \$2,000 to \$3,000 that was from 2016 and the \$15,000 that was approved as part of 2017. If the dollars are approved early in 2018, you will have a rather large amount of funding available in 2018 over maybe about \$28,000 to \$29,000. I think we're still getting a lot of residents that are taking advantage of the program. I think part of it was hindered because of what was going on in Washington and the delay of making a decision to award the funds. Usually, they are in around May or June. That is when the

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Mr. Parham (continued): program is taking off and beginning to move forward. However, in May or June of this year, we had no idea whether they were going to receive the funds. Perhaps, the real measurement will be as we move into 2018 and whether, as we've had in past years, the residents are pretty much lining up to put an application in to gain access to the funds.

Mr. Shroyer: But we have, up to this point, always been awarded what we asked for. We voluntarily decreased our amount the last time.

Mr. Parham: Yes, that's true.

Mayor Webster: If I might just add, it's been a very good program because if our property maintenance people are out there and they're talking to somebody about a violation or something's wrong, "I don't have the money" is not necessarily an excuse. Especially if it's an elderly person or somebody is low income, they can always direct them to this program. It's been very beneficial to us.

Mr. Shroyer: Is there a "per resident" limit on those funds?

Mayor Webster: Is there? Each year there is, right?

Mr. Parham: No, you have the ability to, until you spend the dollars. The individual can only receive up to \$1,000, but if we have 30 people taking \$500, you have a chance to service 30 people as opposed to 15 taking the \$1,000. We try to make the program very easy for individuals to take advantage. As the Mayor indicated, if someone says they don't have the funds, well, there's plenty of opportunities. You may not have the dollars yourself, but if you can find a contractor who's going to perform the work and the contractor is willing to bill us, we will receive the receipts from the contractor and pay the contractor directly. If you are able to get someone, such as S.O.S. to sponsor the program, we've been able to reimburse the dollars to S.O.S. So, we try to make it as easy as possible for individuals to take advantage of the program.

Mr. Shroyer: Well, my thought is with our aggressive street program over the next few years, I'm certain that we will continue to identify what I consider large ticket driveway apron issues. I would advocate that if we think the funds are available that we consider increasing that amount for the next three-year cycle based on the fact that we may have a number of driveway aprons that we identify and folks will need some help with.

Mr. Parham: That's an option.

Mr. Shroyer: Thank you.

Mr. Parham: Just to give you the history of our program since 2000. In 2000, we received \$105,000 for the Kemper Road/Springfield Pike roadway improvements. In 2003, we received \$100,000 for the Springdale Parks subdivision improvements. In 2006, we received \$100,000 for the Community Center building modifications; I think that was the Senior Center. In 2009 and 2010, we received \$20,000 each year for the Home Improvement Program, as I indicated earlier; we received \$30,000 for the Home Improvement Program and \$30,300 for the Chamberlain Park playground equipment in 2011. In 2012-2014, we received \$20,000 each year. 2015-2017, we received \$15,000 for each of those years and then in 2016 we also received the \$300,000 to assist with the demolition of the former Sheraton hotel. Overall, within that span, we've received \$810,000 worth of Community Development Block Grants. The Home Improvement Program has always been a very successful program because, although, they're maxed out at \$1,000 that they can receive, usually their investment exceeds that \$1,000. So, if they're doing a driveway apron or a driveway, that's at least a chip off of that amount. We have people replacing doors, windows, just a variety of opportunities for them. If you decide to increase the dollar amount of the application for the Home Improvement Program, it simply makes it available for residents.

President Vanover: Well, I kind of like Mr. Shroyer's point. In 2000, I had to replace a driveway and got a shock. That probably is not a bad idea because, as you were saying, doing the streets and going to invoke or affect more people potentially with that. That's a good thing. Increase that. Do you need direction on what amount?

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Mr. Parham: That would help. Yes.

President Vanover: Okay.

Mr. Parham: Twenty?

President Vanover: Yes.

Mr. Shroyer: Whatever you think the market will bear.

Mr. Parham: Well, part of it is, if we say we take it to \$25,000, they'll increase it by \$10,000 each year. Still we have to have the people who are willing to come forward to perform the projects. Maybe they don't have the \$1,000 and the program can take care of it, but when it begins to go above the \$1,000, that may slow some of them for that particular improvement. It does open the door for other opportunities.

Mr. Shroyer: Also takes some of the sting out of being told to replace a driveway apron and we would at least have the opportunity to offer some help.

Mr. Parham: Yes. A number of the aprons that were required to be repaired over the past couple of years some have been below the \$1,000. It would cover that cost for them.

Mrs. McNear: Yes, I did get one of those letters this year and mine was \$763 maybe, but perhaps when we send those letters out, we can add a little blurb to the letter saying, "Hey, you may qualify for this program" if we get it renewed. That way we'd have more people knowing that it was available. Thank you.

Mr. Parham: This year, because of timing and the projects ongoing, we did not get a chance, so those residents who were part of the improvements this year will have another year before they'll have to make their payments. We did not get a chance to bill them, so we can also include information on the program for those and it may assist them.

President Vanover: Well then, \$20,000?

Mr. Parham: \$20,000 and with the playground equipment as well. Okay.

Mrs. McNear: Now you could also use this for driveways, not just the aprons, correct. Because my driveway was \$7,000. If we have people who are required to replace their driveway, this would definitely take the sting out of it if you're eligible for \$1,000.

Mr. Parham: It'll be easier if you have to do your driveway, you still talk to the same department. If you have to do your apron, you have talk to another department, but they talk to each other.

Mrs. McNear: Yes, I talk to them quite often, thank you.

We had Ohio Checkbook. They came in and they did two presentations. The first time they came in, we just really were not very comfortable. It was relatively new in the process. We thought they still needed to do some enhancements before we wanted to take it on. Subsequent to that, we had a second presentation. At that point, Jeff and I discussed this and we were much more comfortable with it and I asked Jeff if he would give a brief update this evening on what the status is. We had decided to put this into play; however, it was prioritized behind a couple of things, like doing our annual CAFR, which we discussed tonight where Jeff has received this award for about the 18<sup>th</sup> time this year. It was also prioritized behind our funding that we needed for our streets, the \$8,000,000 we needed to borrow for our streets, so Jeff, if you would please, give us an update on where you stand. I know you've been working for the last couple of months with Ohio Checkbook to get things in line for the way we want to have things presented.

Mr. Williams: When I called them and said we wanted to move forward with this, there was a certain report in our financial system that I had to send to them. Upon sending that to them, after a while, they called back and said, "This is ready to go, ready for your review".

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Mr. Williams (continued): When I reviewed it, it, to me, it didn't make sense. It didn't reflect our system. I said, "I don't like this, let me send you a different report that at least breaks it down for when you see the General Fund and then it breaks it down into the Police Department, the Fire Department, and all the different departments in the City and then, under that, have all the other funds of the City, so when you look at it, it would make sense. I met with them. They came out yesterday and I think we're on track to getting these changes made. They're optimistic that this will be ready to go within a month. I told them, because they expressed interest in making another presentation to Council, before that happens, I want to make sure, at least it makes sense to me that I can explain it. That's where we are. Any questions? Thank you.

Mrs. McNear: Thank you Jeff.

New Business - None

President Vanover: Because of election results and we have a budget process that's ongoing and will benefit from continuity, I'm going to ask and appoint Mr. Hawkins to be the Chair of Finance Committee and I will also like to appoint Mr. Shroyer to be an Interim Member of the Finance Committee until such time we get new Council seated and make the permanent assignments. Mr. Diehl felt it would be better to have existing and continuing members involved in the process and I can appreciate that. That is what's going on.

Meetings and Announcements

Mrs. Zimmerlin: I just want to remind everyone that we are collecting leaves and that due to the volume of leaves and the weather that we are a little behind. We are still on the west side of the City. We plan on moving into the east side of the City next week. I also want to remind everyone that after December 3<sup>rd</sup>, don't bring any more leaves to the street. Bag them at that point and Rumpke will pick them up. I want to let everyone know that there is still Youth Sports Registration going on. There are a limited number of openings for Youth Basketball if they still want to play and winter registration continues for Youth Volleyball and Cheerleading and there is registration underway for Women's Volleyball and Adult Racquetball and leagues begin in January and you can contact the Community Center for that. Offices are closed on Thursday, the 22<sup>nd</sup> for Thanksgiving.

Mrs. Ghantous: Board of Zoning Appeals will meet on Tuesday, November 21<sup>st</sup> at 7:00.

Mrs. Emerson: Board of Health will meet on December 14<sup>th</sup> at 7:00 in the room adjacent to here.

Communications from the Audience - None

Update on legislation still in development

Mr. Hawkins: As you look at your Internal Memorandum, Item Number One was addressed with Ordinance No. 42-2017, an ordinance authorizing an agreement with the Capital Electric Line Builders, Inc. in the amount of \$52,651.70 for the State Route 747 North Mall Mast Arm Replacement Project and declaring an emergency. That passed with a 7-0 vote. Item Number Two was addressed with Ordinance No. 43-2017 an ordinance providing for the issuance of not to exceed \$1,320,000 of real estate acquisition bond anticipation notes by the City of Springdale, Ohio, in anticipation of the issuance of bonds providing for the pledge of revenues for the payment of such notes and declaring an emergency. That passed with a 7-0 vote. Item Number Three was address with Ordinance No. 44-2017 addressing magistrate Don White, Ordinance No. 45-2017 addressing prosecutor Seth Tieger, and Ordinance No. 46-2017 addressing public defender Justin Bartlett, putting those individuals and authorizing their annual contracts all of those matters passed with a 7-0 vote. We also had Dave Nienaber appointed to the Board of Zoning Appeals. That passed with a 7-0 vote. All other matters were forthcoming.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: For the next meeting, we have a request for two separate resolutions of appreciation honoring both Mrs. Marjorie Harlow and Mr. Robert Diehl for their many years of service of the City of Springdale.

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President Vanover: At this point, the December 1<sup>st</sup> meeting is scheduled for a start time of 6:30 p.m. Judge Marsh will be in attendance to do the swearing in. I guess with that, wish everybody a Happy Thanksgiving and we have Item 16 before us.

Mayor Webster: Do you want to go over the proceedings for the 1<sup>st</sup>. Dinner reservations.

President Vanover: Dinner reservations are made. We're going to SMOQ. So, if you would give me an indication of a head count that are going so we know. We have the reservation set and it's set for 8:00. We may push that up a little bit, but more than likely, with our numbers, there's not going to be anybody ahead of us, so we'll be able to move right in.

Adjournment

Mr. Hawkins moved to adjourn; Mrs. Emerson seconded the motion and Council adjourned at 8:30 p.m.

Respectfully submitted,

Kathy McNear  
Clerk of Council/Finance Director

Minutes Approved:  
Tom Vanover, President of Council

\_\_\_\_\_, 2017