

City of Springdale Council

March 7, 2018

President of Council Vanover called Council to order on March 7, 2018.

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

Mrs. McNear took roll call. Council members Anderson, Emerson, Ghantous, Hawkins, Shroyer, Sullivan-Wisecup and Vanover were present.

The minutes of the February 21, 2018 City Council meeting were considered.

President Vanover: Council, before us this evening, we have the minutes of the February 21st meeting. Are there any additions or corrections?

Mr. Hawkins: On page nine, it's about down to I think the ninth section. It starts out "Mr. Hawkins...we go down to 'I just wanted to make sure that it's known and you heard from some residents at the Planning Commission that *they were* great concerns.'" I think that should be *there were* great concerns opposed to *they were*. That's all I have.

President Vanover: Any other corrections or additions? With the exception of that minor typo there, I'll entertain a motion.

Mr. Hawkins made a motion to adopt the minutes; Mrs. Sullivan-Wisecup seconded. The minutes were adopted with seven affirmative votes.

Communications - None

Mayor Webster: I'll yield the first part of this to Mr. Parham and then I'll have a few words to say afterward.

Mr. Parham: Council, from time to time, we have brought individuals or employees in when we wanted to introduce new employees to you. Also from time to time, we have brought one of the departments in to recognize the department or an employee for their efforts. Tonight we have a number of items on the agenda with the Police Department. So I want to ask the Police Chief, Mike Mathis, to come forward. He wants to recognize a resident. He also want to bring recognition to an award that the Department has received. This is sort of a regular award on their part for their excellent work. Finally, the Chief wants to highlight a couple of officers within the department. So at this point, I turn it over to Chief Mathis.

Chief Mathis: Thank you. Mayor, Council, Administration; thank you again for having us here. It's a blessing to work in this City. I tell people that all the time. I've been very fortunate. Mr. Frech would you like to come up here? I was just down at the University of Cincinnati yesterday. They were doing a career day and it was a recruiting opportunity for us to make contact with Criminal Justice students there and talk to them about our City, about our Police Department, and for especially the sophomores and the juniors to kind of give them some food for thought that in the next year or two, this would be a great place to work. One of the selling points that I make to them was how wonderful our community is. I'm blessed to work in a community that, by in large, when you drive down the street, people wave at us with all their fingers and that we have a great relationship with the citizens. We have a lot of citizen groups that we work with and we've always had a very good working relationship, I think, with the City and with our community. It's a blessing for us because we can't do policing with the citizens and citizens really can't do policing without us. It's a joint partnership. We need people to call us when there's a problem. We need people to be good witnesses and be willing to get involved and that's not something you find everywhere. Because, in a lot of places that relationship isn't established with their citizens and in some communities, people don't get involved and so, crime flourishes. We have Mr. Frech here today to recognize him for being a good citizen and a good community member. Back on February 14th, we had a number of thefts and theft-related issues that occurred basically in the western side of our town. Mr. Frech looked out, he did probably what a lot of people might do, but he alertly observed somebody who shouldn't be around his house. He just didn't ignore it, which, I will tell you, we've seen happen. He didn't just let it go by. He got involved. He went out and confronted the individual. Didn't listen to the guy and kind of detained him and grabbed a hold of him and detained him and the Police were called and we were able to get there and take this guy into custody. After he was taken into custody, we were able to take his observations and his work and build on it. Our patrol officers did a lot

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Chief Mathis (continued): of work that day and the next few days dealing with our citizens, getting reports, fingerprinting things, talking to community members and our investigators got deeply involved, did a search warrant at a home and recovered some property that was taken in these thefts. Interviewed the suspect and got some admissions. We were able to charge this individual with multiple criminal offenses and we feel very comfortable that he was responsible for a great number of issues that occurred on the western side of town. So, Mr. Frech, we'd like to present you with a Challenge Coin from the Springdale Police Department. It says, "On February 14, 2018, you became aware of a suspicious person near your home, you took action to investigate the situation, you made contact with this person, detained them, and then made contact with our Police Department. Your alert actions lead to the arrest of a person who had committed multiple thefts in your neighborhood, the actions of cognizant citizens such as yourself, makes our Community a safer place. The men and women of the Springdale Police Department commend you for your actions. On behalf of all of the members of our Police Department, Thank you."

(Applause)

Mr. Frech: Somebody's got to do your yard. There was a group of people out there; I heard voices in the morning and I thought, "Why do I hear voices?" and my motorcycle is missing. So, we went out and the guy cuts through the yard and I'm like, "These people want to talk to you." He didn't want to stay there. Not on our side of the town. We're not going to have that. Stick together and get him out of there. That's gotta happen.

Chief Mathis: We appreciate it.

Mr. Frech: Thanks a lot.

Mayor Webster: Chief, if I might interject something here while we've got Brian up at the mike. I go back a way with Brian. He and his family moved into Springdale about 45 50 years ago. I was fortunate to have Brian and his brother on my soccer team and my baseball team so that's how far back I go with Brian. I'd like to think that he took some very courageous action and I think that was due to his good coaching. (Laughter) I would like to take this opportunity to present you with a Good Citizen's Award. A little paperweight or memento showing our appreciation.

Mr. Frech: Thanks a lot.

Mayor Webster: Thank you very much Brian. (Applause)

Chief Mathis: Sergeant Zeek. I'll try to keep rolling though this. We do a lot of good work, so we could be here awhile. But, I'll try to keep it brief. Bill here is our Traffic Safety Supervisor and he leads our Traffic Reconstruction Unit, which is the group of individuals that he helps train in case there's a serious accident or a fatal accident that they can come out and help assist with that. Bill coordinates a lot of our traffic-related activities and traffic is a big issue for us because of all of the roadways we have and all the activity we have. Every year we submit for an AAA Traffic Safety Award. It started under Captain Wells, then it went to Sergeant Cumbo, and now Sergeant Zeek and he's done a great job with it. AAA looks at a large number of things. The three "E"s of Traffic Safety as we refer to them; Education, Enforcement, and Engineering. Bill does a great job coordinating all of that. We have the "Third Grade Safety Belt program that we do in the schools. We have bicycle safety programs in the community. We do the "Click It or Ticket it" or "Drive Sober or Get Pulled Over." We're part of the Hamilton County OVI Task Force, and he helps schedule directed OVI patrols. We do our OVI checkpoints. We do a ton of work and of course, our traffic unit; our reconstruction unit, they do their thing when it comes to accidents. Bill and his crew have done a great job and this year we were awarded for the 14th year in a row, the Platinum AAA Traffic Safety Award which is the highest award that AAA gives. I'll tell you that there's a lot of police departments around us that are way bigger than us, Cincinnati, they have a full-time Traffic Safety Section, but they don't get the Platinum Award. Hamilton County Sheriff's Office, they don't get the Platinum Award, or at least not as consistently as we have. It's a testimony to the work that these guys have done and it all trickles down to the work that the people there do also. Because we can put programs together, but they have to go out and implement them. Again, I just wanted to let the Department know I wanted to personally thank Bill for the work that he's done and have him recognized in front of Council for the work that him and the officers of the Department have done. (Applause) Unlike the Oscars, the shortest speech

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Chief Mathis (continued): doesn't get a Ski-doo. The younger they are, the fitter they look. We train a lot and these two guys went to the State Highway Patrol Academy. They still have not forgiven me for that. They went through probably about 18-20 weeks of training there. They come back and they go through about 14 weeks of field training before we let them go out and mingle amongst the citizens by themselves. We are constantly training. This is a great community to work in and I don't want to give anyone the wrong impression because this is a very crime-free community and it's a good community, but you can get killed in this community the same as you get killed anywhere. I just attended the funerals of two officers in Westerville not too long ago. It's a beautiful community. Things can happen anywhere. I think these two guys are heroes. I think pretty much everybody who works here is a hero, but I'm going to talk about them tonight. They got called in the early morning hours to a neighborhood for the report of a disturbance; a trouble run. They got there and it was a very chaotic situation. There's a person hiding behind a car, a woman from the house who's upset and concerned, there's a guy down the street who's obviously assaulted and there's an individual in the home, that they said, was potentially basically having a psychiatric issue. They're trying to sort everything out. The gentleman that was the suspect initially is a little bit outside of the residence and retreats inside the residence and then appears with a gun. This is one of those situations that we train for, but you can never understand how it's going to happen. It's scary and it's really up to him what happens more so than it is us. All we can do is respond in the best way possible and in the safest way possible to try to alleviate issues. They took cover, they made sure the other people there were safe. They issued verbal commands and, thankfully, the person dropped their weapon and they were able to take him into custody. I don't want to give anybody the wrong idea. I'm glad they didn't shoot this guy. I'm really glad for that. I know they are too. They're not heroes because they didn't shoot somebody. They're heroes because, they're willing to leave their homes and come out here in the middle of the night and confront people with guns to protect our citizens. If we weren't here, no one in the City would even know it happened, but it happens and it happens more frequently than most people realize. I think it's important that we recognize the people that take those risks and, I think just leaving your home, willing to take that risk, is heroic. So, I want to commend them for their dedication to duty, for their courage, for their tactics, and for their professionalism that they displayed that night. They did a great job. All the work they did afterwards in dealing with that situation with the people there was really well done. They're young, they're relatively new, they're the future of this agency. I think you guys are going to be in good hands long after I'm gone. I just wanted to publicly commend them. They've been issued Letters of Commendation from the Police Department for their service, but I wanted you guys to know what happened and to publicly commend them for their behavior. Thank you. (Applause). I don't want to give everybody the impression everything happens on third shift, that just happens to be what we're doing here tonight.

President Vanover: Hey, Chief. Can we get them to swing around and we'll get them some face time here on television.

Chief Mathis: So, at the end of January, our officers on second shift were dispatched to an apartment complex for the report of an armed robbery that had occurred. They got there and they did a great job talking to the victim, looking for evidence, coordinating with some of our other police agencies in the nearby area to look for the suspects and we weren't able to find the suspects at that time. So, third shift comes on and they get dispatched to the same apartment complex for now the report that the robbers are back in the complex. It helps when people are not smart and don't leave when they commit a crime. So, the victim saw the suspects back in the complex and they called us. These guys got on it quick. I've always been proud of the people here and I've always been very happy with the way, since I have started until now, but they're on it too, when something happens in one of our neighborhoods, you may always wonder why there's so many policeman here. Well, they're trying to catch the bad guys and a lot of times, the more people that jump on something, the better it works. So, they got over there, they spotted the suspect vehicle, called it in, got their backup there, made a very tactical stop on the vehicle, got everybody out one at a time at gunpoint, again, very controlled situation, it's what they train for and in that kind of show of force, a lot of time, prevents people, or keeps people from acting up. They got everybody in custody, recorded very carefully who came from what position in the car, recovered evidence out of the vehicle that, you know, linked them to the robbery and, this is an area of town, where, quite often we have people that are taken advantage of. They got the suspects in there, they got a hold of Detective Langevin here who came in and that began a series of interviews with the suspects and we have gotten confessions to five armed robberies that occurred; three in our City and two in West Chester that were involved with these individuals or one or more of these individuals. Their efforts that night, not

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Chief Mathis (continued): only solved the robbery that occurred that night, but it's always trying to take it to the next step, the next level and these guys are great professionals in that regard. They put cases together Chief Mathis (continued): not just on what happened that night, but also for a number of crimes that occurred here and in Butler County that I'm sure will be prosecuted. Again, I wanted to publicly commend them and let the citizens know that while you're sleeping, there's a lot of dedicated men and women out there who are taking the chances, taking the risks, and doing a very professional and very tactical and very safe job and taking care of things and also a very legal job because we don't want defense attorneys in Butler County challenging us on our stops and arrests. It's important, it's not just catching the bad guy; it's doing it the right way. I'm blessed that we have a very ethical and a very well trained group of guys and a group of women who have ethics and integrity in what they do. Again, I wanted to publicly commend them and let you know about some of these cases and again, thank you for your support. (Applause) Thank you.

Mayor Webster: If I may say just a few words. First off Chief, thanks for bringing all these find ladies and gentlemen in once a year for us to acknowledge them and I'd just like to say to all of you thank you, thank you, thank you very much for everything you do for the City keeping us safe and as the Chief says, we sleep well at night knowing that you folks are out there doing a great job. Keep up the good word and be safe. Thank you very much. (Applause)

Communications from the Audience - None

President Vanover: Before we begin, Mr. Parham identified on Ordinance No. 14-2018, this was not supposed to have an emergency clause. We have a couple of options. We can read it. It will be a first reading tonight regardless. If the Council so desires, we can leave it there, or we can have it omitted completely. I guess we deal with that question right off the bat. What is your thoughts? Leave the emergency clause in or remove it completely?

Mr. Anderson made a motion to remove the emergency clause from Ordinance 14-2018; Mr. Shroyer seconded.

Ordinance 14-2018 will be read minus the emergency clause. This is a first reading and we will have a second reading at our next meeting.

Mrs. McNear: I'll be taking out its Section 2 as well which refers to the emergency.

Ordinances and Resolutions

ORDINANCE NO. 14-2018

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO EXECUTE AN AGREEMENT WITH THE CITY OF FOREST PARK TO PROVIDE PRISONER CONFINEMENT AND DECLARING AN EMERGENCY

Mr. Parham: Just a couple of comments. The fact that the emergency clause was on this ordinance was not intended to counter what you have talked about before. The document was prepared very early on when we thought we were ready. Unfortunately, we brought it forward and we forgot to remove the emergency clause. That was my fault. Just to let you know, the City of Forest Park has completed their process. Their Council has approved the legislation and signed off on the document. Whenever we are ready, then we can begin enforcement of this particular agreement. Thank you.

Mr. Hawkins: Mr. Parham, I know we've discussed this before, it's slipped my mind. What's our cost per day, per prisoner? I understand what we're getting, but it's pretty much a wash, we're not making money.

Mr. Parham: No, actually our costs are like \$24 a day. We charge \$75 a day for an individual.

Mr. Hawkins: This one says \$70.

Mr. Parham: Is it seventy or seventy five? It should be seventy.

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President Vanover: This will be before us at our next meeting.

ORDINANCE NO. 15-2018

ADOPTING A SUPPLEMENTAL APPROPRIATION/ESTIMATED RECEIPTS ORDINANCE TO ADJUST APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES AND ADJUST ESTIMATED RECEIPTS FOR THE CITY OF SPRINGDALE, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018

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

Ordinance No. 15-2018 passes with seven affirmative votes.

ORDINANCE NO. 16-2018

AUTHORIZING THE PROVISION OF HEALTH CARE BENEFITS TO CERTAIN PART-TIME FIREFIGHTERS FOR THE CITY OF SPRINGDALE AND DECLARING AN EMERGENCY

Mrs. Sullivan-Wisecup made a motion to adopt; Mrs. Emerson seconded.

Ordinance No. 16-2018 passes with seven affirmative votes.

ORDINANCE NO. 17-2018

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH MURPHY TRACTOR & EQUIPMENT COMPANY FOR THE PURCHASE OF ONE JOHN DEERE 310SL HL BACKHOE LOADER AND DECLARING AN EMERGENCY

Mr. Hawkins made a motion to adopt; Mrs. Sullivan-Wisecup seconded.

Ordinance No. 17-2018 passes with seven affirmative votes.

ORDINANCE NO. 18-2018

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH UTILITY TRUCK EQUIPMENT, INC. FOR THE PURCHASE OF ONE BUCKET TRUCK AND DECLARING AN EMERGENCY

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

Mr. Anderson: Just one question and I realize it's a smaller portion on the bid, but there's a \$5,000 equipment allowance whereas everything else is specified on the truck. Do you have any idea what that would be for?

Mr. Parham: I do not know if that is something that we're necessarily executing. I know we have a \$6,000 light package that's purchased from another vendor. I don't know what this \$5,000 is to cover. What page are you on?

Mr. Anderson: I'm on page two of the bid. It's under "additional equipment". It says "tool boxes and additional equipment allowance from contract."

Mr. Parham: I'd probably suggest it's toolboxes for the unit.

Mr. Anderson: It's the additional equipment. I just didn't know if there was more there. In bids I've seen before, sometimes that's unspecified. I just didn't know if there was more, but if it's just toolboxes, I'm fine.

Mr. Parham: I would have to assume; I always hate to assume, but, that it's toolboxes and then any other accessories that are associated with the toolboxes.

Mr. Anderson: Okay. Thank you.

Ordinance No. 18-2018 passes with seven affirmative votes.

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President Vanover: We had the following ordinance waiting for us this evening

ORDINANCE NO. 19-2018

AN ORDINANCE AUTHORIZING A COOPERATIVE AGREEMENT RELATIVE TO THE CHESTERDALE ROAD IMPROVEMENTS PROJECT BETWEEN THE CITY OF SPRINGDALE AND THE CITY OF SHARONVILLE AND DECLARING AN EMERGENCY

Mrs. Sullivan-Wisecup made a motion to adopt. Mr. Shroyer brought up a question.

Mr. Shroyer: Just as a matter of procedure, do we need a motion to add this to the agenda? If so, I move that Ordinance No. 19-2018 be added to tonight's agenda.

Mr. Shroyer made a motion to add Ordinance No. 19-2018 to the agenda; Mr. Hawkins seconded.

Mrs. McNear: If we could just back up for a second, if we can ask Mrs. Sullivan-Wisecup to withdraw that. She did make a motion.

President Vanover: We can still; this is independent, so we can treat them at two different levels. So, we'll do the motion to add it and then continue from that.

Mrs. McNear: Well, that's what my intention was, but she made a motion to move to adopt. That's why I was saying she should withdraw.

Mrs. Sullivan-Wisecup: I withdraw my motion to adopt.

Mrs. McNear: So, Mr. Shroyer has made the motion to add to the agenda.

President Vanover: And the second by Mr. Hawkins. Is there any discussion on the addition? (No discussion)

Ordinance No. 19-2018 was added to the agenda with seven affirmative votes.

Mrs. Sullivan-Wisecup made a motion to adopt; Mrs. Emerson seconded.

Mr. Parham: Council, we've discussed this with you at the February 21st meeting that this, perhaps, would be coming. I didn't realize at the time that it is coming as fast as it is. We learned last evening, the exhibit that you have attached is an exhibit that we were able to draft up. I think it's one that's very simple in that it identifies the fact that there's a project that exists. The fact that the two communities share the road and that there is a need that we maintain the road for both communities in a very safe and efficient manner. The City of Sharonville apparently took this to their Law Committee last evening. My understanding is that the Law Committee agreed to the document and to the process and will be recommending adoption to their full City Council at their March 13th Council meeting which is next Tuesday. We've also learned that the plan is that the project is scheduled to go to bid on Wednesday, March 21st and they will then open bids on Wednesday, April 4th. Then sometime shortly thereafter, award a contract. In order for us to be able to meet those necessary deadlines, we thought that it was important to have this before you this evening and ask that you would take it into consideration for adoption. I am willing to answer any questions that you may have.

Mr. Anderson: I just have one question on the cost sharing. I know it says that we will share based on, I think last time, you said the footage that goes through Springdale. As I understand it, there are two lanes that are on the Butler County side and there's one lane on the Springdale side. Will Springdale funds be used to pay for; is it just split down the middle? Are we paying for part of the Butler County road or does it take that into account?

Mr. Parham: Mr. Anderson, this is the Chesterdale Project. The one for Butler County is yet to come. We haven't worked those details out just yet. This one is for information purposes because the road is split down the middle, this will be from the limits of Crescentville Road to Valdosta, which is a street in Sharonville and will just cover the Chesterdale Road section.

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Mr. Anderson: Got it. Thanks for that.

Ordinance No. 19-2018 passes with seven affirmative votes.

Old Business

Mr. Parham: There was one item that I did want to correct from the last meeting. When we talked about the Crescentville Project, I had outlined for you the associated cost. I shared with you that Springdale, once we were to add the construction cost for the project, as well as the design engineering cost for the project, that Springdale's share would be about \$402,000. After I went back the next day and was looking at the data and the information, it is true that the Surface Transportation Program funds will cover 80% of the construction and 80% of the construction engineering. The number that I had calculated for you was the construction and the design engineering. The design engineering cost will not be covered by the grant and so, because of that, I have recalculated the numbers and Springdale's share for the project is, instead of \$402,000, should be \$574,240. I wanted to make sure that everyone recognized that. Again, the funding application is this June. The actual construction would not be scheduled until 2022. Any questions, I am willing to address those. Thank you.

President Vanover: There was a couple of things last meeting. Just a reminder with the open meeting requirements. Be cautious of "side-bar" communication because those can and will be considered if it's on the issue before Council that is part of our open meeting minutes. Just be cautious of those issues everybody.

New Business

Mr. Parham: Council, the Cloverdale Area Pavement Project bids were opened on Thursday, February 28th. The City received three bids for the project. The lowest and best bid was submitted by Barrett Paving Materials, Inc. in the amount of \$686,132.42. There was also an alternate bid, as Mr. Shvegza had shared with Council in a previous meeting, to include which was for the rehabilitation of the Municipal Building parking lot. The alternate bid cost came in at \$79,616.80. When you add those two together, the total bid is \$765,749.22. If you recall, as a part of the 2018 Budget, the budget shows \$1,073,417 for the project, which is a difference in savings of \$307,667.78. As you see this is probably one of the better results that we've had with the bidding of our projects for the Comprehensive Capital Improvement Program. Also, as you recall, as a part of this project, there are certain portions of the project that the costs would be shared with the City of Cincinnati for the Greater Cincinnati Water Works water main upgrade project in the Cloverdale/Smiley area. The Engineer's office has been able to review the bids. They all appear to be accurate and appropriate. Based upon that, of the base bid of \$686,132.00, the City of Cincinnati share would be \$232,864, leaving Springdale with a share of \$453,268. Of course, the Municipal Parking lot would be our responsibility. Now, these numbers that I've just shared with you do not reflect the sharing of the design engineering cost which was a total of \$35,500. Also, it does not include the construction engineering estimate of \$20,000. I would have to also have a discussion with Mr. Shvegza to determine during their review, if whether or not, the bid covered the maintenance of traffic. I would have to think it was probably already added into those numbers. Finally, there was an estimate of about \$60,000 for the cost of the fire hydrants. The City would be responsible for that expense, as we are whenever there is a water main upgrade project with Greater Cincinnati Water Works. I know the Fire Department had provided Water Works with the vendor that we use who tends to have sold them a little cheaper than what some others would sell them. Hopefully they used that vendor and so we would ask that Council would consider an ordinance to accept the bid and award a contract to Barrett Paving Materials Inc. for the base bid as well as the alternate bid at your next meeting on the 21st of March. I am willing to answer any questions relative to that. I do have other issues.

Council, because we've recently gone out for the Beacon Hills Subdivision/Kenn Road Project and because we feel fairly certain there will be a requirement for residents that will need to repair or replace their drive aprons or driveways, as a result of that, it is necessary that Council adopt a Resolution of Necessity for that project. We would ask that that legislation also be available for the March 21st Council meeting. In addition to that, we're going to at some point in time, probably in the very near future also need to adopt a Resolution of Necessity for the

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Mr. Parham (continued): Glensprings Drive Project. For the Cloverdale Project, we don't need one because we're not performing any curb replacements/improvements there. If it is acceptable to Council, we would ask that the legislation be included for the March 21st council meeting.

Mrs. Emerson: I had one question since I live in the Cloverdale area. Where they have put the fire hydrants now. They have switched the sides of the streets. That has posed some parking issues with several of the residents because that this the side everybody parks on and obviously you can't park next to a hydrant. Has there been any discussion about changing parking to the other side of the street or anything like that?

Mr. Parham: Yes ma'am. Because unfortunately, they did change the hydrants and put them on the other side of the street as opposed to leaving them where they were and the reason that we received that they did that is because there were a number of utilities as well as the old water main on that side of the street and they just felt they couldn't fit them both in at the same place. As a result, they adjusted and put them on the other side. As a result, we will have to, in those areas, change the fire lane from the current location to the new location.

Mrs. Emerson: Thank you.

Mr. Hawkins: Mr. Parham, with regards to the ordinance to accept the bid for the Cloverdale Project, you need an emergency clause on that?

Mr. Parham: Yes sir.

Mr. Hawkins: And the first Resolution for Necessity regarding the drive aprons is for Beacon Hills?

Mr. Parham: For Beacon Hills subdivision and Kenn Road.

Mr. Hawkins: Thank you.

Mayor Webster: Getting back to this fireplug issue. I thought we had that resolved down to one fireplug.

Mr. Parham: On project number one, there's one fireplug that's a challenge for us. On project number two, we were able to get ahead of that one when we identified project one and they agreed to relocate them all where we needed them.

Mayor Webster: Okay, but we do not have to change the fire lane on the second phase, right?

Mr. Parham: On the second, yes, because they've moved them to the other side.

Mayor Webster: All of them?

Mr. Parham: Probably not all, but in key locations. What we did, once we observed their drawings is that we had the Fire Department take a look at them to make sure they were comfortable. We went through each, and where we found that you had an intersection, where, if they were on the right side and the entire length of the street. Now, at this intersection, the northern part of the intersection, they moved them to the left side of the street. Now we'll simply have to have a fire lane on the right side, south of that intersection, but on the northern part of that intersection, the fire lane will be on the left hand side.

Mayor Webster: So, some streets will have part of the street it will be on the right and then part of it on the left?

Mr. Parham: Correct.

Mayor Webster: That's absolutely stupid. That's the dumbest thing I've ever heard. I think we ought to lay down in front of this thing and make them put the fire hydrants on one side of the street. If they can't do that, then they have to move them all on the other side, I could live with that, but I think it's totally unrealistic for us to ask the residents to tell them on

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Mayor Webster (continued): this block you park on this side of the street, now you go to the next block you park down here and then you're back over here. That's absolutely ridiculous. I would think the Public Works Department would not particularly like that with trying to run snowplows and all that down the street and you've got parking over here, then here, then here. I think that's totally unacceptable.

Mr. Parham: I would agree that not only the Public Works Department isn't necessarily happy about it, the Fire Department isn't happy about it. I'm not happy about it; I can't find anybody who is happy about it, but at the same time just as we tried to fight in the beginning, the decision was made with us to move forward with the project because we thought we had the leverage. If we thought we had no leverage then, we clearly don't have the leverage at this point. The only thing we can do is we can ask them. We've already asked them to re-locate the one that we know is an issue for us that is mid-block. They've said they're not going to move that one.

Mayor Webster: Okay, but we told them before they started the second phase.

Mr. Parham: Correct.

Mayor Webster: That we didn't want this bouncing back and forth and they still went ahead and did it like that?

Mr. Parham: We had to sit down and try to get them to go along with us and to try to limit their, because they weren't going to change any. So, we had to reach some compromise on what we felt was livable and what we felt was livable, was the situation that we have right now. Other than that, they were going to leave them where they were.

Mayor Webster: I think what we've negotiated here is unlivable. I think we ought to legally put them on notice that we want this corrected and if it's not corrected, we ought to go out and correct it and send them a bill and if they don't pay it, sue them.

Mrs. Ghantous: I know I should probably know the answer to this, but I've forgotten. What is the plan on the curb replacement in Beacon and Oxford Hills?

Mr. Parham: It's full curb replacement.

Mrs. Ghantous: When is that going to take place?

Mr. Parham: I can't tell you when.

Mrs. Ghantous: Approximately.

Mr. Parham: This year.

Mrs. Ghantous: Cool. Thank you.

Mrs. Emerson: Not only is everybody else unhappy, I'm sure that mail delivery system is not happy either because they're having to dodge cars on both sides. My other question to that is, I know down on Kemper Road they put all the mailboxes on one side. Is that an option for us? Where you put all the mailboxes on one side so you're not going back and forth?

Mr. Parham: The mailboxes?

Mrs. Emerson: Yes.

Mr. Parham: The mailboxes or the hydrants?

Mrs. Emerson: The mailboxes. It's not Kemper; it's Cloverdale. Where they're all on one side.

Mr. Parham: Perhaps, if there's mailboxes that were relocated, those were probably relocated on a temporary basis. The mailboxes are more than likely are going to go back to

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Mr. Parham (continued): where they should be. The hydrants are the problem. The mailboxes aren't connected to a water main. The hydrants are.

Mrs. Emerson: Thank you.

Mr. Hawkins: With regard to the hydrants. It didn't sound like there's much of a position of leverage. Is there any reason we should think we have some kind of legal remedy if it came to us moving them and paying for the work that we have some standing where we're going to be able to recover that if there was some kind of lawsuit or is there any other means of a resolution to get to where we want to be. Besides them just saying, "Hey, we're willing to do it".

Mr. Parham: I'm not sure that we have the legal ability and right. We would surely be in court if we attempt to cut their pipe to go and put them on the other side. Because, once you cut them on the other side, then you have to go underneath the road, bring the extension to the resident's home on that side. I'm sorry, you got to bring the extension from the hydrants themselves to connect on the main which is on that side. I'm not sure that we have the legal right and ability to do so and that's why we've been trying to negotiate with them.

Mr. Hawkins: Thank you.

Mrs. Emerson: Back to the mailboxes that I clearly know are not connected to the water main. On Cloverdale, all the mailboxes are on one side of the road and the reason being is because you can only park so close to a mailbox because the mailman has to be able to get to the mailbox. So, if all the mailboxes are one side; that provides more parking. When you not only take away the parking because of the hydrants, and then you've got mailboxes also. So, I believe on Cloverdale, they were all put on the one side of the street, so that parking could go all the way up the one side of the street versus missing the mailboxes and parking far enough away from the mailboxes so that the mailman could pull up to the box on Cloverdale they are. I don't know if Smiley is that way also.

Mr. Parham: I would be shocked. . .

Mrs. Emerson: That's just a suggestion.

Mr. Parham: That was a suggestion?

Mrs. Emerson: To provide more parking on the one side of the street versus; because you're taking it away with the fire hydrants and now you've got the mailboxes and I believe that's why they did it on Cloverdale a long time ago. Because that way you can park all the way up on the one side with not having to be far enough away from the mailboxes, so the mailman can reach the mailbox.

Mr. Parham: Are you suggesting that the City put the mailboxes?

Mrs. Emerson: I'm just throwing it out there.

President Vanover: Food for thought.

Mrs. Emerson: Yes.

Mr. Parham: Okay.

Mrs. McNear: My mother-in-law lives on Cloverdale and her mailbox is across the street from her house. Now, I don't know if all the mailboxes are on the north side of Cloverdale, but her mailbox is definitely on the north side and she lives on the south side of the road.

Mrs. Emerson: Is it hooked to the water main?

Mrs. McNear: I don't think her mailbox is.

Mr. Shroyer: I think just for clarification, aside from the issue of where the hydrants eventually end up, which you can put me on the unhappy list as well, but, at this point, I don't

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Mr. Shroyer (continued): know that there is a real resolve for that. But, the fire lane signs will be moving to the side of the road that the fire hydrants will be on. So, there won't be fire lane on one side of the street and a hydrants on the other side of the street. What is now fire lane, where the old hydrants were, those signs will move across the street to the street that the hydrants are not on and parking will move to the other side of the street. That's my understanding.

Mayor Webster: Well, the mailboxes need to be moved on the other side of the street then.

Mr. Shroyer: That would create additional parking on the non-fire lane side. Yes.

Mayor Webster: I just can't believe that we allowed them to do that in phase two after we had all the issues in phase one and we got it all resolved except one, which we're probably going to go back in and re-do at our expense and then we turn around; we let them, we negotiated with them and we end up with half the street on one side and half on the other. It just blows me away that we would allow that to happen.

Mr. Parham: We allowed it to happen when you decided you wanted to allow them to move forward with the project.

Mayor Webster: Well, then I think we should have laid down in front of the project and brought it back before this body to say, "Do you want to continue with the project or not"? Instead of negotiating for them to bounce it back and forth from block to block. It just blows me away that we would agree to do that. So, I think if this is an issue, we walk away from it, then it will be here forever and ever and ever and right now it's something that the Water Works has done and they just completed the project up there and if we're ever going to try to get any restitution out of them, I think it's gotta be now. I don't think it's something we can wait two or three years and go back and do it. We may not be successful now, but our chances are better today than they'll be tomorrow.

Mr. Hawkins: If somebody is otherwise responsible or is in a position where we can go get money from them, if we went and did the work, I'd be fine with that. But, it doesn't sound like we're in a position where we can make somebody else reimburse us if we went and we fixed the problem. It sounds like we're in a position where it doesn't sound like we have any leverage for it. Unless someone can say we have some kind of legal basis to do that and we think we're going to be reimbursed, I don't want to just throw money out there in a lawsuit where we've got no basis to come back from. I don't like the situation either, but it sounds like we're unfortunately where we didn't have much leverage for it. If someone says, "Hey look, yes, you guys are in a position, you guys have a right to be able to do this" and we're likely to be successful if we brought an action for reimbursement after we went and did the project, I'd be all for it.

Mayor Webster: Well, we're not going to get reimbursed, we're just going to let it go?

Mr. Hawkins: What I'm hearing is, unless someone else has something to say, that was the first question I asked was, "Are we in a position where if we went and we fixed this, are we in a position where we're likely to be successful in getting that back" and the answer I got was, "No". So, I mean if someone says, "Yeah, we're in a position where we're likely to have success . . ."

Mayor Webster: So it gets back to my question. So if the answer is, "No", then we're just going to walk away and leave it.

Mr. Hawkins: I think then the next question is, "What's the cost for us, as a City to go and pay to make the change?" I mean, that's the question and do we want to go and pay the money to go make that change. If we go through and we make the change and we're assuming that we're going to get reimbursed, the information I'm hearing back is, "That's a bad assumption for us to make". So the question is do we want to go as a City and pay for this to happen and change. The question to that would be, "How much does that cost?" I can't answer that question without knowing what the bill is. I'm willing to entertain and look at that, but I've got to know what that cost is.

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Mayor Webster: I would urge that City Council direct the Engineer's Office to work up an estimate on what it's going to cost to correct these things to put all the fire hydrants on one side of the street all the way up and down.

Mr. Shroyer: I think beyond the cost there's two issues. The system belongs to Water Works up to the spur that they bring over to the fire hydrant. They put a shut off valve at that point. From that valve out, belongs to the City. We can do whatever we choose there. I don't know that we would get a contractor that would go in and start cutting and rearranging on water works' system. Cincinnati Water Works owns the mains and unless they give somebody permission to work on it, I think somebody's got a real legal issue at the point that they start cutting into Water Works' main. The other issue is that it's probably not physically possible to put them on the other side of the street at this point. What they do when they replace a main normally is abandon the old main. So, there's two mains down there at the same depth. There's the old main and the new main. On the old main, hydrants went off that way, on the new main, for the hydrants to go off that way, they would have had to remove the old main or cut in sections every place that they wanted to bring a hydrant through. So, they went the other way. At this point, you have two mains down there. Somebody's not only going to have to go down and cut into the new main and "T" it off in the other direction, but then they're going to have to remove the old main to get it out of the way to go that direction with hydrants. If we want to direct the Engineer's Office to look into it, I'm fine with that. I think we're going to find an estimate that's in excess of what the original project cost was to begin with. Thank you.

President Vanover: Well, Council, Mr. Parham.

Mr. Parham: As Mr. Shroyer indicated, they did simply abandon the old main, so it still sits there.

Mrs. Emerson: Was that to save money on the water works company's behalf? Was this a shortcut or were they able, like Mr. Shroyer said, could they have done this and they chose not to because it was too expensive?

Mr. Parham: Oh, I'm sure that any time that they can just simply leave the pipe in the ground; which isn't bothering anybody, they leave it there. It does save them more money.

Mrs. Emerson: But if it's not done right, what do you have?

Mr. Parham: In their eyes, they believe it's done right. Again, as he said, it's their main.

Mrs. Emerson: Okay. Thank you.

President Vanover: Well, Council what are your feelings on directing the Engineer to come up with some cost?

Mr. Hawkins: With what Mr. Shroyer said, again, unless someone is saying we're going to be able to go into their main, I don't know what we're doing. You have to have permission to go do that unless someone gives us some other data to say, "Oh no, we can go do that", we're going to have the legal authority to go do that, that becomes an issue. Now, maybe you have the City Engineer look into it and we can look at the numbers and then, with the idea maybe of Administration can see, "Hey if we take this project on, will you allow us to go in and do this", but before we go and embark too far down that road, if we're not going to have the permission to mess with their main for the project, it's all for naught. We're spinning our wheels at that point. I don't have a problem with the Engineer going and giving us an estimate on what that project would like, but we also, it sounds like, would have to have permission to go address the main.

Mrs. McNear: I think the request of the Engineer would be to ask how much it's going to cost for Cincinnati Water Works to make the change. Not to ask anybody, any vendor or anyone else to do this. It would have to be, "If you do this, what would you charge us"? I don't think we can involve anybody else other than the Water Works because they own it.

Mayor Webster: So, I guess at the end of the day we just got to thank our lucky stars they didn't decide to put a damn fire plug in the middle of street because we can't do anything

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Mayor Webster (continued): about it? That's what I'm hearing that we're at the mercy of the Water Works and whatever they decide to do, that's what we've got to live with. That's absolutely ridiculous.

Mr. Shroyer: I wonder if prior to moving in the Engineer's direction, if we shouldn't have the legal folks investigate whether we even have any legal options. If we involve expense in engineering to come up with an estimate to find out that even if we want to spend the money, we can't, then, as Mr. Hawkins said, we're spinning our wheels. I would advocate that we find out if there is a legal remedy and an avenue to pursue, and if not, we got stuck. Thank you.

President Vanover: Council, do we have a concurrence to direct the legal advisor to look at legality with their system? (Council nodded heads in agreement) Mr. Forbes, you've got your orders. I'm sure this will be back, so we'll let him do his work and we'll see what comes out of that.

Mr. Parham: I had just one more item. Mr. Shroyer stopped by my office earlier in the week and, I imagine just as he may perhaps, as many of the rest of you are quizzed from time to time by the residents as to the status of the former Sheraton hotel property. I indicated to him that what we would share with you and share with the public is that following the demolition of the former Sheraton, the Administration has had a number of discussions with a couple of different parties who have an interest in purchasing the property. We have not reached an agreement with anyone. We continue to entertain the discussions. We have received proposals, but nothing that, at this point, could finalize the process. That continues. We're still looking at the ultimate goal of not only selling the property, but also making sure that the City receives the development that we would prefer to see at that location as opposed to selling the property to someone and then waiting to see what they propose because all that's going to do is lead to a fight. Just to give an update on where we are.

Mayor Webster: But we have received, what we consider a credible offer and so we are still perusing the contract and some of the provisions of that. We're still, I guess you could use the term, negotiating with this one developer.

Meetings and Announcements

Mrs. Sullivan-Wisecup: On March 13th at 7:00 p.m., the Planning Commission will be meeting in these chambers.

Mrs. Emerson: The Board of Health will meet tomorrow at 7:00 p.m. in the conference room adjacent to these quarters.

Mrs. Zimmerlin: It is time for co-ed softball. You can sign up for that through the community center. Games are played on Tuesday evenings beginning in late April. The AARP tax help is still going on through April 6th. You do need to call the community center for an appointment. Technology 101 is being offered every Saturday morning in March. Participants can take advantage of the opportunity to learn about smart phones, Ipads, really anything electronic. The cost is \$3 and the appointments are 45 minutes long appointments are required so call the community center.

President Vanover: Just for public information, this Sunday is the time change so, the powers that be are taking an hour of sleep from us. So, those of you that don't want to walk into church late, so remember it.

Communications from the Audience - None

Update on legislation still in development

Mr. Hawkins: As you review your Internal Memorandum, Item Number One was addressed with Ordinance No. 17-2018; an Ordinance authorizing the Mayor and Clerk of Council/Finance Director to Enter Into a Contract with Murphy Tractor & Equipment Company for the Purchase of a John Deere 310SL HL Backhoe Loader and Declaring an Emergency which passed with a 7-0 vote. Item Number Two was addressed with Ordinance No. 18-2018; an Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter into a Contract With Utility Truck Equipment, Inc. for the Purchase of a Versalift SST-40 EIH Aerial

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Mr. Hawkins (continued): Unit Package – 2018 Ford F550 4x2 Chassis (Bucket Truck) and Declaring an Emergency which passed with a 7-0 vote. Item Number Three was addressed with Ordinance No. 15-2018; an Ordinance Adopting a Supplemental Appropriation/Estimated Receipts Ordinance to Adjust Appropriations for Current Expenses and Other Expenditures and Adjust Estimated Receipts for the City of Springdale During the Fiscal Year Ending December 31, 2018 which passed with a 7-0 vote. Item Number Four was addressed with Ordinance No. 14-2018; an Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Execute an Agreement with the City of Forest Park to Provide Prisoner Confinement. We had a first reading on that. Item Number Five was addressed with Ordinance No. 16-2018; an Ordinance Authorizing the Provision of Health Care Benefits to Certain Part-Time Firefighters for the City of Springdale and Declaring an Emergency which passed with a 7-0 vote. We also had Ordinance No. 19-2018 added; an Ordinance Authorizing the Cooperative Agreement relative to the Chesterdale Road Improvements Project between the City of Springdale and the City of Sharonville and declaring an emergency. That passed with a 7-0 vote. Item Number Six is something that will be coming up for our next meeting.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: We will have, again, an ordinance authorizing the Mayor and Clerk of Council/Finance Director to execute an agreement with the City of Forest Park to provide prisoner confinement. We'll also have an ordinance authorizing an Agreement with the Contractor with the Best Bid for the Cloverdale Area Rehabilitation Project and Declaring an Emergency. We'll have an ordinance to accept the bid from Barrett Paving regarding the Cloverdale Project with an emergency clause. We'll have a Resolution for Necessity regarding the Beacon Hills/Kenn Road drive aprons as well as Resolution for Necessity for the Glensprings drive aprons and that project.

Mr. Shroyer: Just a question for legal counsel. Do we think that we'll have some type of information regarding the Cloverdale project before the next Council meeting. I can't see that we would want to move ahead with a contract for the re-pavement.

Mr. Forbes: Yes, I can assure you we will. I don't know what the answer will be, but you will have an answer before the next Council meeting.

Mr. Shroyer: Thank you.

President Vanover: Mr. Hawkins, that completed yours?

Mr. Hawkins: That's everything unless Administration requires anything else to add.

Mr. Parham: The only difference is that we were not asking for the Glensprings Drive Resolution of Necessity at this point, but I'm not sure that timing, whether it really matters or not if we did it at this point. Thank you.

Adjournment

Mr. Hawkins moved to adjourn. Mrs. Emerson seconded the motion and Council adjourned at 8:19 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2018