

City of Springdale Council

November 6, 2019

President of Council Vanover called Council to order on November 6, 2019.

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 October 16, 2019 meeting were considered. Mr. Hawkins made a motion to accept the minutes; Mrs. Ghantous seconded the motion. The minutes were approved with seven affirmative votes.

Communications	-	None
Communications from the Audience	-	None

Ordinances and Resolutions

Ordinance No. 41-2019

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH CLARK, SCHAEFER, HACKETT AND CO., FOR PROFESSIONAL ACCOUNTING SERVICES FOR THE AUDIT OF THE CITY OF SPRINGDALE FOR THE YEARS ENDING 2019 THROUGH 2023

Mrs. Emerson made a motion to adopt Ordinance No. 41-2019; Mr. Anderson seconded.

Ordinance No. 41-2019 passes with seven affirmative votes.

Ordinance No. 43-2019

PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,320,000 REAL ESTATE ACQUISITION BOND ANTICIPATION NOTES, 2019 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. Ghantous made a motion to adopt Ordinance No. 43-2019; Mrs. Sullivan-Wisecup seconded.

Mr. Anderson: I just have I think it's one question that is more probably for others on Council; I'm looking for your opinion or viewpoints. So this is a renewal of the bond notice or of the bond that we had for the property that we renewed, I think it was last year. Two years back, we retired half of the debt to reduce it to this number. So, we have this piece of property that the City owns that has some undetermined value as it hasn't been developed or sold and we're going to carry it for a period of time. I guess my question is, should we start planning to start reducing the debt in our coming budgets to account for this annual renewal that we are seeing that's becoming a reoccurring event? So, if we're renewing it today at \$1.3 (million dollars), should we start making plans to reduce that as part of our new budgeting process that we're going through so that next year, if it still hasn't developed, it's less and then less? For me, it feels like we should start chipping away at it again. We were in a worse position two years ago and retired it. I feel like that with the income tax levy passing, we should be in a better position to shore this up. I didn't know what other people thought about that.

Mr. Hawkins: Mr. Anderson, I agree with you wholeheartedly. I think part of it's going to be a matter of seeing, for me personally, I want to see what the income tax increase yields and what that looks like. Obviously, we have ideas and projections and I don't think we're likely to see any of that before July of 2020. I agree with you 100% that it should be something that we are fiscally planning to do, I think, in terms of how much and what those numbers look like. It may be something that we have to wait until we get deeper into 2020 to probably be able to gauge, but I agree with you.

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Mr. Anderson: I appreciate that. It's just I feel like, I support it this year. We need to continue to maintain it. I just want to make sure we're positioning ourselves to reduce it in the future.

President Vanover: Well, we have Mr. Williams here.

Mr. Williams: We are looking to reduce it in the future. One thing with this; this is the last time we can roll it before we have to start paying down more principal. Next year, the amount that we have to start paying down is 1/30th of the note value. So, what we did to account for that, which represents about \$42,000, we have accounted for to pay down \$50,000 for next year's budget and then we'll see, when we're at that point, how the earnings tax, how much that actually brings in, to see what Administration is comfortable paying down at that point.

Mr. Anderson: Thank you for that.

Mr. Williams: You're welcome.

Mayor Webster: Yes, I wanted to give a report on the property. I was going to summarize it as Jeff did that this is the residue of a much larger amount. It was \$2.6 (million dollars). Three years ago, we paid half of it off as he indicated. The good news is that, at the last Council meeting, I informed Council that we had two signs up there and we have gotten some legitimate calls. We've gotten a couple of good bona fide calls; not "lookie-loos". We're asking those people for some additional information. So, hopefully, our sign is generating some interest and something will happen and we won't be sitting here this time next year talking about this.

Ordinance No. 43-2019 passes with seven affirmative votes.

Ordinance No. 44-2019

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AMENDED AGREEMENT WITH MEDISYNC MIDWEST, LLC RELATED TO A JOB RETENTION AND CREATION INCENTIVE AGREEMENT AND DECLARING AN EMERGENCY

Mrs. Ghantous made a motion to adopt Ordinance No. 44-2019; Mr. Hawkins seconded.

Mayor Webster: Briefly, I think all of you received a detailed explanation of this from Mrs. Russell on Friday. She's here to make a presentation and answer any questions that you might have. But, MediSync has submitted a very aggressive program for job creation and so forth, so, we wholeheartedly endorse the adoption of this and we apologize for rushing it through here, but MediSync would like to get this done while they're working with someone that they're very familiar with, being Mrs. Russell. By the way, this is her last Council meeting. I think tomorrow is her last day of employment with the City. While I've got the floor, I'd just like to say, "Christine, we've enjoyed your time here, about five or six years, right?"

Mrs. Russell: Five and a half.

Mayor Webster: Five and a half. You've accomplished a lot for the City of Springdale, and we'll be forever grateful to you. Don't be a stranger.

Mrs. Russell: I will not.

Mayor Webster: Good luck to you in all your future endeavors.

Mrs. Russell: Thank you so much. Thank you. So, I also want to mention that MediSync was actually the very first incentive agreement that I brought to you (laughter) when I just joined the City, so, it is extremely fitting that this will be my last and we're just closing the loop here. So, as the Mayor and Mrs. McNear mentioned and read, we have an ordinance to approve an amended incentive agreement with MediSync. Just as a refresher for maybe those of you that weren't sitting up there in 2014, MediSync is a physician management services company. They moved here in 2014 from Norwood. They're located at 25 Merchant

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Mrs. Russell (continued): Street which is Executive Center III. The same building that Cincinnati Bell is in. They're launching a new product. This product will help physicians provide better care to patients with chronic diseases, like diabetes and high blood pressure. As part of this, they're going to be significantly increasing their employees and their payroll as you see on the attached spreadsheet. They currently have around 80 employees and an annual payroll of \$7.4 million dollars which is a growth over where they started in 2014, so they have been growing since then. This new product though, really positions them to grow at a faster rate. You'll see over the ten years of the amended agreement, they expect to grow to over 300 employees and a payroll around \$32 million dollars. Significant growth and definitely becoming one of the higher payroll companies in our City. So, we're extremely excited about those plans. I'd like to introduce Bob Recker, he is MediSync's Chief Financial Officer and he'd just like to say a few words.

Mr. Recker: First of all, MediSync's been around for about 20 years. When we started the company, the first 15 years, we were in Norwood; we moved out here to Springdale about four or five years ago. At that time, we had a payroll of about a little over \$4 million dollars that we brought to the City. Right now, we're at a little bit over \$7 million dollars. I think what Christine said about the software development, both the development we got it in beta in two different locations. We hope to get that out in 2020 for general release and that's where a lot of the growth is going to come from. There's an additional product line or service line that we've implemented since we've been here and that's in the clinical research area. We operate and manage clinical research centers around the country. We're up to about five now. We expect to continue to grow that. Obviously, the value to Springdale there is, obviously these centers are in other states. However, all of our home offices as well as the recruitment of those participants in those studies, all that work is done here at the local office as well. So, for those two service lines, we hope to see the growth that you see in front of you over the next few years.

Mrs. Russell: Thank you. To the Mayor's point of bringing this in at the last minute; as you know, we usually like to introduce these several meetings in advance to let you know that they're coming. The timing for this, in addition to my departure, was also due to the fact that we were trying to time to a Jobs Ohio incentive that they were given that got dragged out a little bit longer. They finally did just close on that, so we wanted to get this also in place quickly so that it aligned with the Jobs Ohio incentive that they received. If there's any questions, Bob and I are here to answer them.

Ordinance No. 44-2019 passes with seven affirmative votes.

Public Hearing for Resolution No. R18-2019

President Vanover: Next up we have a public hearing. At this point, we will open the public hearing. At a point, we will open the floor for comments either for or against. We have a presentation.

Mrs. Russell: So, at our October 2, 2019 Council meeting, Council approved a petition to establish the Springrose Meadows Community Authority and established a public hearing date of November 6, 2019. Tonight, we are asking that you consider legislation to create the Springrose Meadows Community Authority and to appoint four members to its Board of Trustees. I want to start off by just reminding everybody what a new community authority is and exactly what the petition did that you approved on October 2, 2019. First of all, a new community authority is a separate organization that can be established under Ohio law. They cover a defined geographic area, which, in our case, is the Springrose Meadows subdivision. It is governed by an independent board and it does have the ability to levy fees. The petition that was submitted for October 2, 2019 did a few things. First of all, it established that boundary of our new community authority as being Springrose Meadows. It described the zoning and the plans for redevelopment of the property. We actually attached the approved development plan from Council so that it was very clear and it matched exactly to what had been approved. The financing structure for the project was also described in detail in the petition. Again, this was, bonds will be issued by the Port Authority in order to repay the developer for the cost of the public infrastructure that has been and the small bit that is remaining on that project. Then, the homeowners will be charged \$4,950 a year to

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Mrs. Russell (continued): repay those bonds. That charge will be off-set by the community reinvestment area property tax abatement that we approved earlier this year or late last year. Lastly, the petition established the size and make-up of the community authority board. There is some leeway on how big those boards can be. We opted for the smallest option, which is three Council appointees, three developer members and one representative of City administration. So, what you will be considering tonight, if you do approve the creation of the new community authority, the Board will hold its first meeting tonight after the Council meeting. At that meeting, that board will consider two resolutions. I wanted to give this information to you so you kind of have the complete picture of what you were voting on if you are voting to create this community authority. So, the two resolutions that the Board will consider; the first will be to appoint officers and to establish the bylaws of the organization. The bylaws do exactly what you would think that they would; they establish terms for the board members, how meetings will be advertised, and how the meetings will be conducted. It is fairly boiler-plate language for any kind of board. The second resolution that the board will consider is the Declaration of Covenants and Restrictions for the Community Authority. In effect, this document will formalize what was presented in the petition that Council approved. I want to point out a few things though. The goal in creating this organization was to give it the ability to assess the fees that needed to be assessed, but to limit the other powers that new community authorities are given through Ohio statute. We really wanted to give them just the powers that they need, and not a lot more. That is written into this document. It really limits them to being able to charge this fee and then puts restrictions and hoops to jump through should they want to try to expand that authority. There are several ways that we're doing this. First, and we had mentioned before that the initial board appointments would be replaced over time with residents of Springrose Meadows. We have changed that and the declaration now requires that the Board maintain the same composition as it will upon appointment tonight. Obviously, not the same individuals, but three from Council, three from the developer, one from City Administration. We felt that this would allow the Board to be more efficiently managed into the future and the intent is that this Board and this organization would exist only for the duration of the bonds being outstanding. Second, City approval is required to make any significant amendments to the declaration, so the City will be well aware if there are any desires to change the way that the Authority is being run or change the powers that it has been given. Then, third, the charges to the homeowners automatically stop once the bonds have been paid off. So, if the Board wants to continue those charges, those have to come to the City. We would have to review those, so there's no way to automatically keep those charges going forward for some other use. They are there to pay off the bonds. Once the bonds are paid off, those charges stop. The second thing I want to point out that is a difference from what we have spoken about in the past is that the charges will flow through the Hamilton County Auditor, very similar to a special assessment. We had thought that they would be billed more like a homeowner's association fee where the homeowner really would see a separate bill; have to make a separate payment. We have since learned and feel that it's much more advantageous to have it be along with your property taxes. We think the homeowners will benefit from that. It will be easier for them and if their property taxes are escrowed, this can be added on to that. So they're paying monthly instead of maybe one larger bill that they have to pay. It also eliminates the Community Authority from directly having to handle the money. It flows from the homeowners to the Auditor and then it will flow from the Auditor to the Port (Authority) to pay off the bonds. Which, we think, there is more efficiency in that also. So, I just want to address timing and the schedule. We know that it's asking a lot to create this organization and then turn around and have the first board meeting in the same evening. The quick timing is because there are homeowners that are waiting to close on their homes and this has to be in place and those charges have to be enacted in order for them to close on their homes. So, we are trying to respond to that and move this along. We just wanted to explain why we were asking for all of this to happen in one night. The builders have already pushed off some of these homeowners several weeks and I know they're eager to get into their homes. Tonight, you are looking at a resolution that will create the authority and appoint the members to the Board, and I wanted to talk just briefly about the Board members. You will appoint four; two of the Board Members will have one-year terms; the other Council appointment and then the City Administrative appointment will be on two-year terms. The developer appointees also have staggered terms. This is one of the, I would call it kind of an awkward vestige of this organization typically managing much larger and more complex projects where you want to see that turnover because maybe there's a lot of additional development going on; there's new players that want a chance to be on the Board. But, the

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Mrs. Russell (continued): rules are the rules for this type of organization, so there will just be re-appointments as we go on. As I said, the composition of the Board will not change over the fifteen years until the bonds are paid off. Another thing on the Board appointments; there is no requirement that it be a Council member; in fact the statute says that it just needs to be a resident of Springdale. We believe though that appointing an elected official makes it more efficient, easier to manage the organization. But, that does mean that any elected official is eligible, so I would say any of the elected officials up at the dais are eligible to be on this Board. It does not have to specifically be a City Council member. I just wanted to point that out. Lastly, one; it is suggested that at least one of the appointments be familiar with Roberts Rule of Order and leading a public hearing/public meeting. When it comes to appointing the officers later tonight at the Board meeting, I just want to assure you that City staff will be available to help with secretarial, financial and preparing for the meeting. We are not asking you to be on this Board and then kind of "fly blind". Also, this Board will not meet very often. There will be one meeting in the near term. When the Port (Authority) is ready to issue their bonds, the Board will have to approve a cooperative agreement very similar to cooperative agreements that we have brought to you for TIF bonds. After that, there's a requirement that it has to meet at least once a year unless there is another reason that the Board needs to act on something. It will not be a Board that meets frequently. I just want to highlight a few things that I have highlighted every time we have met together and talked about this, but, I think these are important. Forgive the repetitiveness, but moving from the special assessment plan to the new Community Authority does not negatively impact the homeowners and, actually, now that we know it can flow through the Auditor's office, the homeowner's very well may not really notice a difference. The amount of the payments stay the same and the length of the term stays the same. The new Community Authority will have no impact on the Community Reinvestment Area Property Tax Abatement. Still eligible for all the homeowners. Just like under the special assessment structure, the City is not on the hook for any of the homeowner payments, even if the homeowner does not pay their fee. Similarly, the Port Authority will issue the bonds and the City is not on the hook for repayment of those bonds. The Port Authority will take the lead on compliance; making sure that the money is flowing from the Auditor and, obviously, our City finance staff will help with that also. With that, I'm here for questions. We have both the City's bond counsel, Brenda Weimer; we have the developers counsel, Andrew Spoor here and are available to answer any questions.

Mrs. McNear: I don't have a question, but I would just like to throw my name in the hat that I would like to volunteer to be on the Board since there is such a financial component to this. Thank you.

Mr. Anderson: I think I just have two questions right now on the ordinance itself. So, one of the things you mentioned when you were going through the overview is City approval be required to make changes to the declaration. I know in draft documents that used similar language; how is that done in a practical standpoint. Is City approval an administrative function? Meaning, it would flow through to one of the (City) Departments or the Mayor, or would it come back to Council for consideration for any declaration changes?

Mrs. Russell: I'm going to turn to our legal counsel if either Brenda (Weimer) or Andrew (Spoor) can come up and address that. Or Joe (Braun)?

Mr. Spoor: Thank you Council members. To answer your question specifically, the Declaration is pretty vague on that topic and just gives a broad approval to the City. What would happen in that situation is the City Administration would be approached about it and then it would be however the City wanted to handle it internally. Ultimately, if the City Administration felt that it was something that needed to come back to Council, it would be brought back to Council. There's no statutory requirement one way or the other. It's really entirely within the City's court, at that point, how it chooses to grant approval.

Mr. Anderson: So, by that, it means it would be up to the discretion of whoever you happen to approach if they should escalate it or defer? So, they could go to a Department Head, who felt comfortable speaking for the City, and then that would be sufficient?

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Mr. Spoor: With respect to the people getting approval of the declaration; yes. If the City chose, however to establish an internal procedure that said that you can't do that, then that would obviously be binding internally.

Mr. Anderson: And that's helpful. So that means we have to have a follow up item to do that if we do pass this tonight to make sure we've got a process for it? Is that the take away? We would need a process for approving these that would go into the handbook?

Mrs. Zimmerlin: Yes. If Council decides to pass this tonight, we could, internally. It would come back to Council.

Mr. Anderson: I just want to make sure that that gets codified I guess is the point that it would show up. It would be in the employee manual or in a formal procedure so that it wouldn't be discretionary. Whatever the process is. Be it coming to Council or it being done through Administration.

Mr. Braun: Yes. It's my preference that it come back to Council and I think it should. You're talking about amending the document itself, right? I mean in Section 13 it says, "The organizational documents of the Authority, including, without limitation, the Petition and this resolution, may not be amended unless each of this City Council and the Board of Trustees of the Authority consents to such amendment." I think that is pretty clear that it has to come back to you and to their Board. I don't think that's unclear. I think it has to come back to Council.

Mr. Spoor: That is a good point also. The petition itself, so, to be very technical, any amendment to the Declaration doesn't require an amendment to the petition. The petition is what you approved previously. But, changes of a significant nature of things that would be involving changing what the new Community Authority's purposes are, what they're going to go purchase, and that change would be amending the petition and that does come back before Council.

Mr. Anderson: I appreciate the "call out" for Section 13. I guess my concern is that that language typically flows through procedural documents for a new Community Authority. So, for example, in draft documents that I have seen, it refers to 'approval by the City' on its own for things like "release" or "change in use for community property inside the NCA". So, if this in this development specifically they wanted to re-appropriate part of the area that's used for mailboxes, that would require the City approval and those type of approvals aren't in this, but it still uses that same language. So, I want to make sure we're consistent in how we're doing that. So, in this case, we would still want to make some notation in the manuals if we pass this tonight.

Mr. Braun: Again, I think what we can do, why don't we just make that more clear where it says, 'City' in those documents, we'll say, 'City Council'.

Mr. Spoor: We can put that into the Declaration itself. The one potential reason to not do that is just in case there is any reason that the City otherwise chooses that they would rather not elevate everything to a legislative level. It goes back and forth, but it could be put into the document I guess.

Mr. Braun: I think there's going to be multiple references in the documents to the City. The question is how involved does this Council want to be in those decisions? That's something that I think, you, as a Council, have to decide. At some point, you do delegate to your staff, the ability to do some of that.

Mrs. Russell: I suspect that this document will not be revised often and that it would not be an undue burden on either staff or Council to bring changes to you if that is what you wanted.

Mr. Anderson: And that would make sense to me. I just want to make sure we have the conversation before we approve it. The other two places I can recall it being in the draft

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Mr. Anderson (continued): documents were around easement approvals and then change in use of any community property inside of that Community Authority. There weren't a lot of things that required City approval, but easements, and things like that and that shouldn't happen often either, so, whether it comes to us or is approved, I'm fine with delegating that to City Administration. I just want to make sure that we decided before we vote on it what our intentions are.

Mr. Spoor: One other item I did fail to note. For what it's worth, the choice of the Board members, the City does have a majority on the Board, so, the NCA itself would still have to go through that City majority, the three citizen members plus the City appointee before it could make modifications to those documents.

Mr. Anderson: City appointed persons.

Mr. Spoor: Correct.

Mr. Anderson: And those City appointed people may change positions over time or may change direction. They could join a developer group and join a voting bloc. I don't know; I can't envision all the scenarios. I just wanted to make sure the controls are in place so that major changes that we didn't envision don't sneak through since we're doing this rather quickly.

Mr. Spoor: Just for what it's worth on that concern, because the statute does address the concern of, basically, a citizen appointee becoming a developer, the citizen appointees cannot be financially interested in the development. So, there is a disabling factor on that as well.

Mr. Anderson: Including immediate family and relatives?

Mr. Spoor: It's not particularly set forth in the statute in that level of detail like it is with the Ohio Ethics Rules, but it's essentially no financial interests are supposed to go across. I can pull up the specific language for what it's worth, but it's supposed to control for that situation.

Mr. Anderson: And that's based on the current ORC (Ohio Revised Code) 349?

Mr. Spoor: 349. Correct.

Mr. Anderson: So, in the situation where that might change; that Code has changed four or five times in the last ten years, there's, and maybe this is changing topics, so I'm fine with that, but, if that Code changes, the debt and anything that's carried by the NCA, that is just borne completely by the debt holders?

Mr. Spoor: So, and I can defer to the City's bond counsel on this as well just for a separate take on the subject, but, once debt is issued, even if the statutes change, you normally can't impair that debt because of the prohibition on impairment of contracts. It would be that that debt would continue, essentially, in accordance with the prior existing rules and the declaration cannot be amended in such a way that the debt holders would be adversely impacted.

Mr. Anderson: So, if the NCA dissolves for reasons not foreseen, the debt would still be administered by the NCA?

Mr. Spoor: The charge would continue.

Mr. Anderson: Through the County?

Mr. Spoor: It would be certified at the County Auditor early on and there would be mechanisms in place to continue that along, essentially, for the benefit of the bondholders. I'd have to look at the specific methods for it because it rarely occurs, but, there are protections within the statute for debt holders so that they can't be damaged by that

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Mr. Spoor (continued): particular concept and, specifically, the law is set up so that the NCA can't just go ahead and dissolve itself to get away from its obligations essentially.

Mr. Anderson: Right. And this Section 12; is that the section that prevents them from issuing new debt? Is that where we're controlling? Because, typically, the NCA could issue bonds or incur more debt. Is this the only control that prevents them from, if the Board decides to take out new loans, and hold the money?

Mr. Spoor: I apologize, which reference?

Mr. Anderson: Section 12 where it refers to prevents collecting or "imposing community development charge on the basis of rentals received from leases of real property (as described in) Section 349.01(L)(2)". Is that the only way that we need to stop additional charges being imposed or collected?

Mr. Spoor: No. That actually has to do with a crossover to the tax increment financing rules. I would defer to your bond counsel if you had any further questions. But, essentially, there's a codicil in the TIF law that you can't have a TIF and a community charge on the same property. This is, essentially, a good drafting practice to make sure that the City doesn't disable itself from doing things in other situations. That's not the intent of that section.

Mr. Anderson: So, is there anything in this Resolution that prevents the NCA from incurring more debt after this initial bond has been issued?

Mr. Spoor: The limitation is within the declaration and the petition. So, the prior approved petition and then the declaration itself. This resolution does not contain, at least in my estimation, as the Counsel for the NCA, which to be specific, by the way, that's my role, not necessarily counsel to the developer, it's as counsel to the Community Authority itself. I don't want to advise you on this resolution because it wouldn't be within my purview, but I do not read this as having any limitation on that.

Mr. Anderson: But we can get that in? The prior approval prevents the issuance or collection of more debt so they can't buy additional property if another house goes for sale and add it to the community?

Ms. Weimer: They can, but they have to go through the process.

Mr. Anderson: With the City approval; approving after the Board approves and that would count also for issuing more debt. If they wanted to issue more debt, that would be a change in the declaration

Ms. Weimer: The declarations and prior petitions, so they'd have to go back through the process in order to change the declarations and increase the debt (inaudible) from the authority.

Mr. Anderson: In cases like that, I would want to make sure that City Council was the City approver for that type of change?

Mr. Braun: Yes, and I think Section 13 does address that because it talks about, again, the organizational documents which includes the petition. So that has to come back to you. I think there are protections in place for that in our resolution.

Mr. Anderson: Thank you.

Mrs. Russell: I just wanted to point out that we have not read the resolution yet.

President Vanover: Right. We are going to do that.

Mrs. Russell: I just wanted to make sure. Thank you.

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Resolution No. R18-2019

FINDING THAT THE CREATION OF THE SPRINGROSE MEADOWS COMMUNITY AUTHORITY WILL BE CONDUCIVE TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE AND WELFARE AND IS INTENDED TO RESULT IN THE DEVELOPMENT OF A NEW COMMUNITY; DECLARING THE AUTHORITY TO BE ORGANIZED AND A BODY POLITIC AND CORPORATE ; DEFINING THE BOUNDARY OF THE AUTHORITY'S NEW COMMUNITY DISTRICT; PROVIDING THE METHOD OF SELECTING THAT AUTHORITY'S BOARD OF TRUSTEES; APPOINTING FOUR MEMBERS TO THAT BOARD; FIXING THE SURITY FOR THOSE TRUSTEES' BONDS; PROHIBITING THE DISSOLUTION OF THE AUTHORITY WITHOUT CONSENT. PROHIBITING THE AUTHORITY FROM IMPOSING CERTAIN COMMUNITY DEVELOPMENT CHARGES; AND PROHIBITING AMENDMENT OF THE AUTHORITY'S ORGANIZATIONAL DOCUMENTS WITHOUT CONSENT

President Vanover: Okay Council, you have heard the reading (of Resolution No. R18-2019). We've got a quick housekeeping. Mrs. McNear has offered her name. Are there any other volunteers or nominees to fill the slots?

Mayor Webster: For the local government representative, I would like to see our Assistant City Administrator be represented there.

President Vanover: Is there any objection Council? (None). So, local government will be Mrs. Amanda Zimmerlin. Just a personal point, since Mrs. McNear just went through an election and she's now in for four years, it would make sense that the two-year term would be her appointment. (There were no objections). Then we need two more.

Mrs. Sullivan-Wisecup nominated Jeffrey Anderson; Mr. Hawkins seconded the nomination.

President Vanover: Any other nominations?

Mr. Hawkins: I am willing to do it unless you (President Vanover) want to in terms of some parliamentary.

President Vanover: No, that would suit me just fine. Any objection to that? (None). Well, since there aren't any other names, then we'll put Jeffery Anderson as one of the Citizen Members (one-year term), and Mr. Lawrence Hawkins on the other. Just for another housekeeping point, then I'll need a motion to amend the Resolution to include those names.

Mr. Anderson made a motion to amend Resolution No. R18-2019, Section 7 to replace the first blank for Citizen Member, two-year term with Kathy McNear, the second blank Citizen Member, one-year term with Jeffrey Anderson, the third blank Citizen Member, one-year term with Lawrence Hawkins, and the fourth blank, Local Government, two-year term with Amanda Zimmerlin; Mrs. Sullivan-Wisecup seconded.

Council approves to amend Resolution No. R18-2019 to include the names of the individuals to serve on the Board of Trustees of the Authority passes with seven affirmative votes.

Mr. Braun: I just wanted to remind you, Mr. President, that because we have a public hearing, we do need to give the public the opportunity to comment prior to the vote as amended.

President Vanover: The public hearing is still in process. Is there anybody in the audience that would like to address either for or against? (None) I'll close the public hearing.

Mrs. Sullivan-Wisecup made a motion to adopt Resolution No. R18-2019; Mrs. Emerson seconded.

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Resolution No. R18-2019 passes with seven affirmative votes.

Old Business

Mrs. McNear: I wanted to let everyone know that I got an email just a couple of days ago from Mr. Williams and I know he was as shocked to write it as I was to read it when I received it and this is regarding Ohio Checkbook that we've heard about over probably the last what, Jeff, two or three years. We attempted to enact this and implement this and we worked with the State of Ohio on it and then it just kind of fell by the way side. Jeff had worked with them very closely, gave them specifics about what he wanted to see before it was implemented and then it all went dark. We didn't hear anything for the longest time. Jeff followed up a couple of times. I followed up a couple of times, and then, nothing. Well, just out of the blue, Jeff got a notification the other day from Ohio Checkbook and they're up and running again. They have given Jeff some additional information to look at. So, probably over the next couple of meetings, we'll bring in some more information, but, wanted to give you an update that it's back on the table. Thank you.

President Vanover: Council, you've got on the back of our Internal Memorandum, we have appointments to committees and commissions coming up. We will address those in the first regular meeting in December. I will reach out to the individuals that are currently serving to see if they want to continue. At that point, when we get in the meeting and somebody has some other names, then we'll plug them in then.

New Business

Mrs. McNear: Council, you have two liquor license requests this evening. It may be a little confusing because both of them are for the same organization. The first one we received is from Sanitary Express LLC at 340 Glensprings Drive. This is for a D2, D3, and D3a. The second one we received, also for the same location, is for a D1. These are all new licenses. A D1 is a "beer only for on premises consumption or in original sealed containers for carry out only until 1:00 a.m." The D2 is "wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00 a.m." A D3 is "spirituous liquor for on premises consumption only until 1:00 a.m." And 3DA, is not on the list. No, it is not on the list. We have D3X. Now, I do have an older form that I kept; D3A is on the old one and that is "extend issued permit privileges until 2:30 a.m." Any concerns or questions about this other than the very bizarre name for a restaurant?

Mayor Webster: Do we know if the Police Department has investigated this? This is the site of homicide a couple of years ago. We had midget wrestling taking place there, we had some other activities that were not exactly "kosher" and I just want to make sure we scrutinize what's going in there before we grant them a liquor license. We don't grant it, but...

President Vanover: Whether we want to sign off on it.

Mayor Webster: Whether we want to sign off on it and this is just a technicality, if you will, but if you go on the Hamilton County Cagis, there is no 360 Glensprings Drive.

Mrs. McNear: It's 340.

Mayor Webster: There's no 340. There's a 360, where the old Applebee's was, but there is no 340. This wouldn't be the first time they submitted the wrong address.

Mrs. Zimmerlin: The Police Department has looked into the company, and they didn't find anything. I don't know the company, but they didn't find anything and I don't know if they're just based on the location. I'm hoping that the same type of operation doesn't move into there, but the Police Department didn't find anything in this case.

President Vanover: Is there any objection?

Mr. Anderson: So, it's at that same location. Do we know if they are affiliated with the company that was in there before or is it just that they are using this property? I don't want to

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Mr. Anderson (continued): cast a shadow on it just because. The property is not tainted, right? Do we know if this is a different company?

Mrs. Zimmerlin: To the best of my knowledge, they're not the same company.

Mr. Anderson: Thank you.

Mrs. McNear: Is this something that we want to go ahead and authorize or do we want further action?

Mrs. Sullivan-Wisecup: I don't have a problem authorizing it or wanting to have it go through the process, but, I just want to point out that these are two new ones and recently here, all the new ones have been getting rejected because we have all of our liquor licenses filled in this area, so there's not even a guarantee that they will get granted. These new liquor licenses, that's why we've been having the transfers, the TREX, and all that kind of stuff lately have been pretty much the only ones that have been getting through to my knowledge. Is that correct in saying that?

President Vanover: Yes.

Mrs. Sullivan-Wisecup: I just wanted to point that out that even if we said, "Push it to the next level", that there's no guarantee that this will even go through.

Mrs. McNear: If there are some concerns, we do have time. The first one has to be postmarked by November 25th and the second one postmarked by November 29th. So, if we need to have some additional research, we do have time to hold off and act on this at the next meeting.

Mrs. Zimmerlin: If Council is more comfortable, I can always circle back with the Police Chief and we can report on that at the next meeting.

President Vanover: Council, what is your preference?

Mr. Hawkins: It doesn't hurt to wait until the 20th.

President Vanover: Concurrency with Council?

Mrs. Emerson: I agree with Mr. Hawkins.

Mayor Webster: We can maybe ask our Law Director to take a look at the ownership and see if there's any connection between this and the previous owner.

President Vanover: Then, it's Council's concurrence that we will hold off on this until our next meeting.

Mrs. McNear: I will bring it up at the next meeting.

Meetings and Announcements

Mrs. Sullivan-Wisecup: Planning Commission will meet in these chambers on Tuesday, November 12th at 7:00 p.m.

Mrs. Emerson: Board of Health will meet on November 14th, Thursday at 7:00 in the conference room adjacent to here.

Mrs. Ghantous: Board of Zoning Appeals will meet on Tuesday, November 26th at 7:00 p.m. here in Council Chambers.

Mrs. Zimmerlin: Adult winter sports registration is underway. It is for racquetball and women's volleyball. The basketball skills and drills clinic will be on this Saturday, for seven

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Mrs. Zimmerlin (continued): to twelve year olds. It is from 10:00 a.m. until noon. You need to register by November 8th. You can contact the Community Center for both of those.

Mrs. McNear: I did receive a letter from OKI. Mr. Anderson's term on that board will be expiring on January 9th. I did speak with him earlier today. He's interested in continuing on to support this board, but I will bring this up the first meeting of December after our new Council is seated unless there is anyone else that may be interested. Thank you.

Mayor Webster: I'd just like to remind everyone that this coming Monday is Veteran's Day. We will have a ceremony over at our memorial starting at 1:00 p.m. So we'd really like to see as many smiling faces there as possible. If any veteran is out there that would like to participate, I could use someone to help me lay the wreath. Please contact me if you're interested in doing that, if you're a veteran, and you haven't done it before.

Mr. Hawkins: As under the idea of announcements, the Mayor announced earlier that this is Mrs. Christine Russell's last week. We, the City, and the residents are better off for having had you (addressing Mrs. Russell) spend your time here. While I wish it was longer, I appreciate the time you've been here. So, thank you.

Mrs. Russell: Thank you very much. I didn't come up to the podium to say this, but since you've opened it up, I just want to thank you all. I'm glad there's Kleenex up here, but, I'm really proud of everything we've accomplished together in the last five years and it's been a sincere honor to serve this City. So, thank you. Now, I'm going to compose myself and then I will say what I actually came up here to say. I just wanted to remind those of you who graciously volunteered for our new Community Authority after the adjournment of Council, we will take a short break and then we will convene that meeting so please don't run out of the building. Thank you.

Communications from the Audience

Mrs. Morgan: It's a new day. I just wanted to take this time to address everyone. Especially the community of Springdale for just being so gracious in the votes that I did receive. I'd like to say I will still be here. It's a new day in the community. Looking and hoping that everything that I stand for will be executed and those that have said what you were all going to do and all the literature that I did get in my mailbox, I hope you all do what you said, because I'm going to hold you to it and it was a pleasure running, knocking on doors, being able to communicate, and just being out here in the public. For a first-time candidate, I did well. I have to say it was a pleasure. The only thing that I had an issue with was how I was treated at Mapleknoll and one of my signs being taken off of a public site, I didn't understand it. I didn't understand what happened at Mapleknoll, but, being the person that I am, and how I was treated, I am calm, cool, and it was okay. But, thank you all. That's what I wanted to say.

Mrs. Sullivan-Wisecup: Mrs. Morgan, I just wanted you to clarify so that everybody knows it was not the City that treated you bad at Mapleknoll, and it was not Mapleknoll that treated you bad. I wanted to be clear on that because we had a good experience at Mapleknoll with the community; we just had a situation. Thank you.

Mayor Webster: I think that was all the candidate signs that were taken down, not just yours, but all of our signs were taken down.

Mrs. Morgan: It was a conversation that was inside.

Mayor Webster: I guess there's a recently enacted rule that if a place allows themselves to be designated as a polling place, they automatically have to allow signs. I don't think that word got passed on to Mapleknoll, but I know that happened down at the Community Center that someone took down all the signs and my wife reminded them that, "Hey, they changed the law". So, they came back down and they came back and put the signs up. I think somebody just needs to get that word to Mapleknoll in the future to leave those signs alone. If there's any other comments from the audience, let them go ahead and then I'd like to say a few things.

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Mayor Webster: Just to follow up. As you all know, we had an election yesterday. As I have said before, there are no losers in these things. I think that everyone that stepped forward and volunteered for public service or to be considered for public service is certainly a winner. Unfortunately, some people get elected and some people don't get elected, but there's certainly no losers in there and I personally would like to thank all the candidates that participated in all, whether it was Council, or Mayoral. We only had one for Finance Director, but, anyway, I'd just like to thank all the candidates for making themselves available. I'd also like to take this opportunity to extend my thanks to Mr. Shroyer and to Mr. Cassidy; both who challenged for the Mayoral position. This was one of the times where I thought it was a very well-run campaign; very clean campaign. There was no name-calling; no one's family was drug through the mud. I think all three of us should pat ourselves on the back for the campaigns that we ran. I think that's the way it should be. There's absolutely no reason why you have to do a lot of mud-slinging and so forth and so on and that did not happen in this race and I commend both the other two mayoral candidates. Even the Council. I'm not aware of anything that took place in the Council races either. Had a nice conversation with both Mr. Shroyer and Mr. Cassidy today. I think we, believe it or not, we all three did agree on one thing; we're damn glad it's over with. So, anyway, I think there's a lot to be excited about looking ahead to the City of Springdale and I think we're all very excited about getting to work on the comprehensive plan and there's lots of citizens' input that is going to be sought for that. We're anxious to get started with that. As usual, just let me say that the Administration is here to help with any projects and ideas that the Council may come up with. Believe me, we're not believers that all the new ideas start in Administration. We are looking to Council to help us with that. Anyway, thank all of you and thank the voters out there for participating. Whether you voted for or against me, I appreciate your participation. Thank you very much.

Update on legislation still in development

Mr. Hawkins: As you review your Internal Memorandum, Item Number I was addressed with Ordinance No. 41-2019; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter into an Agreement with Clark Schaefer Hackett for Professional Accounting Services for the Audits for Year-End 2019 to Year-End 2023. That passed with a 7-0 vote. Item Number II was addressed with Ordinance No. 43-2019; An Ordinance Providing for the Issuance of not to Exceed \$1,320,000 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 III was addressed with Ordinance No. 44-2019; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter into an Amended Agreement with MediSync Midwest, LLC Related to a Job Retention and Creation Incentive Agreement and Declaring an Emergency. That passed with a 7-0 vote. We also had Item Number IV was addressed with Resolution No. R18-2019; A Resolution Establishing the Springrose Meadows Community Authority and Appointing Four Members to the Community Authority Board. That also passed with a 7-0 vote. All other matters were forthcoming.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: There's a request for A Resolution Authorizing the City of Springdale's Participation in Financing Public Improvements in Cooperation with the Port Authority and Authorizing the Execution of Documents to Effectuate Such Financing, and Declaring an Emergency. There's also going to be a request for Three Separate Ordinances Authorizing Annual Contracts with the Mayor's Court Magistrate, Prosecutor, and Public Defender with Emergency Clauses. We will also have several resolutions regarding Mayoral appointments and Council appointments for various boards and commissions and committees. That concludes the request unless there's anything else from Administration or members of Council.

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Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Emerson seconded the motion and Council adjourned at 8:22 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2019