

City of Springdale Council

October 21, 2020

President of Council Vanover called Council to order on October 21, 2020

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

Mrs. McNear provided the Invocation.

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

President Vanover: Mr. Ramirez advised me earlier that he would be out this evening, earlier this week.

The minutes of the October 7, 2020 meeting were considered. Mrs. Ghantous made a motion to accept the minutes; Mrs. Emerson seconded. The minutes were approved with six affirmative votes (Mr. Ramirez was absent).

Committee and Official Reports

Civil Service Commission

Mr. Coleman: The Springdale Civil Service Commission met on October 1st. All members were present; Mrs. Nienaber, Mrs. Darby. Also present was Mr. Joe Braun, and Mr. Brian Uhl, along with Ms. Christina Ingle. The meeting primarily consisted of updates on the hiring for the various positions. The position at the Fire Department, which was the Firefighter/Paramedic. There were two candidates that were extended conditional offers so those positions are moving forward. We had the Police Sergeant promotional exam and that process is continuing forward as well. We had Administrative Assistant position in the Building Department. The typing test has occurred, so that is moving forward as well. We have Parks Maintenance worker position and those interviews have concluded; I do believe and we should be getting an update on that. The final position was the Maintenance worker in the Public Works Department. That is moving forward as well. Again, that part of the meeting primarily consisted of those updates as indicated. First, I want to say that we are so fortunate to have Mr. Joe Braun, Law Director to be accessible to the Commission. We run into situations from time to time where legal guidance is, in fact, necessary and it's just a tremendous benefit to have Joe there present and to walk us through it. Again, thank you Joe. We also make sure that any time that there's a rules revision, or changes, that we believe it is important to have Joe (Braun) present in order to guide us through that wording and to make sure that we are within the rules of the Civil Service Commission. To that extent, we did vote on a rules change revision and this revision will allow the participants in the promotional processes to receive their examination scores via their City email addresses, whereas, in the past, the scores were mailed to them and, again, with social media being what it is now today, it just made sense that we should be able to send those scores to those individuals a lot quicker and, at the same time, save a few dollars. So, again, we approved that change and, again, we think that was a good thing to occur. Finally, as I close with the nephew of Ms. Gladys Dunn, the nephew was, I.M. Dunn. (laughter). Thank you. Any questions? (None).

President Vanover: We need a rim shot someplace. (laughter). Thank you Mr. Coleman.

Rules and Laws	Mrs. Emerson	-	No report
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Finance Committee	Mr. Hawkins	-	No report
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Planning Commission

Mrs. Sullivan-Wisecup: Planning Commission met on October 13th. The only thing that we had was Springrose Meadows subdivision. It was a minor modification to a PUD, and it was about adding a fence along Kemper Road for all of those houses in the front yard, and they ended up withdrawing it. They're going to re-think, and possibly re-submit something that they think might be more favorable. That is all I have.

Board of Zoning Appeals

Mrs. Ghantous: Board of Zoning Appeals met on September 22nd. We only had one item on the agenda. There's a new owner of the Knolls Apartments. 11777 Rose Lane. Did everyone know that? Well, I think it's going to be good news. So, that person came to the

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Mrs. Ghantous (continued): Commission requesting a variance to construct a new 1,351 square foot clubhouse within the 50 foot setback. This item passed with a 7-0 vote. The two special conditions that contributed to the affirmative vote were the fact that the property is set on two separate parcels and also the new building would allow them to install a handicap-accessible restroom which is required by ADA (Americans with Disabilities Act). So, the Board did vote in favor of that 7-0. Any questions? (None) Anything to add Jeff (Anderson)?

Mr. Anderson: Sounded perfect.

Mrs. Ghantous: Then that concludes my report. Thank you.

Board of Health

Mrs. Emerson: The Board of Health met on October 8th. For the Health Commissioner's Report, we had 246 COVID-19 cases, five deaths in Springdale and that was as of September 30th. The Public Health Accreditation (PHAB), normally they come out and they do a site visit to the Health Department, but because of COVID-19 this year, they are going to do a virtual visit and that's going to be November 30th through December 2nd. Through Medicaid Administration Claiming (MAC), the Springdale Health Department received \$8,718 for participating in August. They received \$8,552 for participating in June. The next study will be in December of this year. We had a couple of flu vaccination clinics. We had one on October 12th and that was for Springdale residents and that was in partnership with Walgreens. That was held at the Springdale Community Center. We had another one on October 9th and that was for employees of Springdale and families. A couple of things on the food program. Chick-fil-A is now open. It re-opened on October 6th. Culvers Frozen Custard, the ribbon-cutting, I believe is October 23rd, and Home2Suites has food service plans that have been re-submitted and they're looking at opening late in 2020. Springdale Offering Support (SOS); they are working with Princeton Closet to provide coats, hats, and gloves for the children with needs at the Heritage Hill Elementary and Springdale Elementary School. They're just now in the process of planning for the Adopt a Family Holiday Program. We had three Board of Health Regulations read, first reading. It was R1-2020; that was for food program licensure fees, R2-2020 was for swimming pools, spas licensure fees. R3-2020 was for hotel/motel licensure fees. All of those, in accordance with the fees of last year have only gone up about two percent. For the Nurse's Report, we had two doses of Narcan given in September. The Childhood Immunization Clinic is already booked now through March of 2021. The Health Fair was cancelled because of COVID-19. The Latino Coalition of Southwest Ohio has been cancelled until further notice, and the (Latino) Expo has also been cancelled. They are working on when the vaccine for COVID-19 comes out, they're working on a mass vaccination planning so they can get everybody vaccinated quickly. That concludes my report, unless there's any questions.

Capital Improvements report Mrs. Emerson - No

O-K-I

Mr. Anderson: O-K-I met for its Executive Board meeting on October 8th. There are two items of note. The first one was a vote to include a new section in TIF (Tax Increment Financing) Funding that's available through O-K-I and now we can include things like pedestrian access and bicycle paths as being eligible for funding through O-K-I. It's important just to think about as we get into our comprehensive plan that more communities are starting to embrace this type of modification to its infrastructure. It's not just one car, one person; it's more this multi-use idea so that funding is available, or will be available in the future. The other item I think has also been reflected in the Engineer's Report we voted on. The TIF funding that included Springdale's item for Northland Boulevard reconstruction, which was around a \$5 million dollar ask and that was approved. Thank you.

Mayor's Report

Mayor Webster: I have several items. First off, just to let you know what's coming, our three contractual contracts expire at the Mayor's Court at the end of November. We will have those on the agenda for next meeting. All three individuals, the prosecutor, the magistrate, and the public defender have agreed to return under the same conditions, compensation wise, as before. So, it will be just a renewal of those. Also, we have two Board of Health members expiring, but those don't expire until the end of the year. This is Mrs. Hart, and Dr. Ketring, so

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Mayor Webster (continued): those will be coming out later on in December. Would just like to reiterate that we will be celebrating Halloween here in Springdale on the 31st of October from 6:00 p.m. until 8:00 p.m. We urge everyone to go out to the City's website, or Facebook page and review those safety precautions that the State has issued. Just be safe and drive slow out there on the 31st. Also, I'd like to report on Veteran's Day Ceremony, which will take place, naturally, on November 11th. Our ceremony will take place down at the Memorial site at 1:00 p.m. If there is inclement weather, we'll move it up here in the Council Chambers as we did, I guess it was last year.

President Vanover: Last year.

Mayor Webster: It worked out very well. We will not have the choir from the elementary school. The school has informed us that due to COVID-19, they will not have the children here for Veteran's Day, and they will not have them here for the tree lighting ceremony. So, the Veteran's Day Ceremony we're going to continue to have, but the tree lighting ceremony we have cancelled because that's where all the kids come from and the parents and everything else. So, it will be sort of useless to have it without the kids. So, that event has been cancelled. As Mrs. Emerson alluded to the SOS (Springdale Offering Support) Program, in the coats situation, I am pleased to report that we had 107 requests for coats, and the Princeton Closet, thanks to Mrs. Wyder, was able to come up with all 107 of those coats and gloves and hats. So, all of those kids have what they need. We also elected today, we had our SOS monthly meeting. We also elected today to reimburse the Princeton Closet for a \$500 cash donation just to help them going forward. Also, the SOS program is in full swing now, so we are expecting the worst this year as far as donations. A lot of companies are not allowing us to put out food bins this year, and so we know we are going to take in a lot less food items this year versus previous years, so we really need to step up the donations so we beg you, if there is any possible that you can help us adopt a family, please do so. If you want to help in any way, shape, or form, please call this lady over here (addressing Mrs. Boggs) to my left, Debi at 346-5725 and sign up and help us out. We sure would appreciate it. That concludes my report.

President Vanover: Thank you sir.

Clerk of Council/Finance Director

Mrs. McNear: I have an update for the General Fund through September 30, 2020. Net Receipts are \$22.359 million dollars and we have received \$17.127 million dollars which is 77% of the anticipated receipts. Those receipts are made up of five major general fund resources which are Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and Mayor's Court for a total of \$16.078 million dollars, which is 94% of our receipts. For expenditures, we have a net budget of \$20.172 million dollars and we have spent \$14.825 million dollars, which is 72%. Our ending General Fund Balance as of September 30, 2020 was \$3.487 million dollars. That concludes my report.

Administrator's Report

Mr. Jones: Just wanted to do a final report on the census. October 15th concluded the census reporting and data collection. The figures that are being provided are the final self-response reports that were self-initiated by the residents and not just here, but nationally and these are not the numbers that have gone out where the folks are going out soliciting door-to-door and things of that nature. So, nationally, it ended up at 67%, Ohio was 70.7%, Hamilton County was 68.2%, and Springdale was 71.7%, and interestingly, 58.6% of those self-responses from Springdale were done by internet. That concludes my report. Thank you.

Law Director's Report

Mr. Braun: I had been asked by Council to provide an update to you in relation to the rental occupancy inspection program, which is embodied in Chapter 123 of our Code of Ordinances. I just wanted to report to Council that I have reviewed that, along with recent case law, and do believe it's constitutional and enforceable. Like all of our City policies, which I periodically review, either because Council asks, or because of decisions and things, we are continuing to look at those and review them and I'm working with Mr. Lamping and would anticipate at your next meeting bringing a few revisions to the program for you all to consider. But, again, I did look at it, and feel that it's definitely enforceable, but, obviously, we found a few things that we just want to update and we'll be bringing those to you for your consideration. That's all I have.

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Engineer's Report

Mr. Shvegza: On both Landan Lane, and Beacon Hills, both projects are completed and as soon as we get the final paperwork from the contractors, we will be able to recommend final payment on those projects. Community Center re-roofing; the contract was awarded to Kelley Brothers Roofing at the last Council meeting. Reconstruction meeting was held on September 23rd and the materials were delivered on October 14th, and work has since commenced. There's some additional work that they're finding they have to do in regards to lifting the HVAC units up, so, we'll get a cost on that for that particular work so that they can do the repair work underneath the HVAC units. East Crescentville Road; the only new thing on that is we are scheduling a coordination meeting with Cincinnati Water Works on November 3rd and this is to go over their location for the new water main that will be constructed within the pavement area through there. We just want to make sure we plan for that as far as maintenance of traffic and those kinds of issues. As Mr. Anderson mentioned, Northland Boulevard Reconstruction; the OKI grant was awarded from what was passed at the Board of Directors meeting final approval, and that amount was \$5,340,949, and we could expect probably a scope meeting with ODOT sometime in February or March of next year. That concludes my report.

Communications - None

Communications from the Audience

Mrs. Matheny: Hello. How are you guys tonight? Julie Matheny, I'm here on behalf as the Chairperson of the Charter Revision Committee. As you know, we have five members made up of our Committee. Mr. Knox, who has informed me that he would like to be off the Committee immediately and he instructed me to find a replacement if possible. His term is up December 31st (2020), but we really need to get someone filled and then whoever we fill it with, have them reappointed for that appointment. We also have another vacancy. Sheila Seiter, whose term is up not until December of 2023. She has moved to Florida, so we have that vacancy as well. So, I do have two people that have agreed to, and, would like to serve actually. Michelle Gilmore would like to take the place of Mr. Knox, and then, hopefully be reappointed when the technical term is up in December. Then, Marci (Diehl) Haungs would like to replace Sheila Seiter. So, I guess what I'm asking is we have our annual meeting every year. We always wait until the end of the year to have that meeting just to see if there's anything that Council wants us to look at. So, we have not had our technical meeting this year that we are required to do by Charter, so, I'm asking respectfully if you guys could please fill these with these two people, or, if you want to consider someone else, that's fine too, I guess, but, at the next Council meeting so we can arrange to have our annual meeting. Is there any questions? (None)

President Vanover: I don't see any lights.

Mrs. Matheny: Okay. Thank you.

President Vanover: Council, just for expediency, let's just plan on voting on that at our next Council meeting. We've got two. If somebody else has anybody that they'll bring in, then we'll consider those, but, because they're short, and time is short for them as far as by Charter Direction.

Mr. Morgan: Good Evening. I have been a citizen of Springdale since 1995 and a homeowner for the past 13 years. I received, I guess we have a new, I don't know the technical term for the person that rides around visits all the residences and verifies what's going on. I just started a business; wasn't aware of this ordinance that was, I guess, been in place for I don't know how long. The gentleman obviously didn't know, and I don't know if he lives in the City or not, but I abided by the ordinance, which was he said, "No trailers", but the trailer is attached to my truck, which was in my driveway. I abided by it, no problem. Moved my truck to the street, which, he said, the ordinance is basically a cosmetic ordinance. Well, in the process of abiding by that "cosmetic" ordinance, my work truck has been hit twice now. Once, by a 16 year-old who was a hit and run, fortunately, my neighbor had a camera, and I was able to see them, and track them down, talk to them, and get it taken care of. The second time, this past Saturday, (the truck) got hit by an uninsured motorist, possibly undocumented immigrant as well. Now, possibly the person is in the wind, and I have an

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Mr. Morgan (continued): immobile truck and trailer sitting outside of my house that I don't know what to do with it. Just wanted to let it be known that this ordinance, I don't understand it considering the fact that it's attached to my truck and it was sitting in my driveway, which I pay a mortgage for, which, I don't know what to do now. I'm a small business owner. COVID-19 has affected me some, but not as much as this has. Now, I'm stuck with a truck and trailer sitting outside of my house because it was hit by an uninsured motorist.

President Vanover: Can we get your name and address.

Mr. Morgan: I live at 701 Cedarhill Drive. My name is Antwan Morgan.

Mr. Anderson: Mr. Morgan, I think I've seen your truck. I've been down that way. What type of trailer is it? How long is it and how is it identified?

Mr. Morgan: It is a six by twelve and it's, according to, when I purchased it back in 2007 or 2008, I think it's 1,000 pounds.

Mr. Anderson: What kind of a trailer is it? Is it a box-type trailer?

Mr. Morgan: It's not enclosed; it's a utility trailer.

Mr. Anderson: So, it's like you'd roll up things into it, like a lawn trailer.

Mr. Morgan: Yes. So, he came to my house and I didn't speak to him. I was out working and my wife was there. My wife said he was kind of (rude) with her. I wasn't there, but, I've lived in Springdale since 1995. I love the City. I moved it and have parked it on the street ever since. This was probably in June and in the past two months, my trailer has been hit.

Mr. Anderson: The reason I ask is several months ago, we started looking at that section of the ordinance to see if we should update it, especially around commercial vehicles. But, there was also some discussion of trailers. I just want to make sure that, as we look at that ordinance again that situations like what you are talking about are considered. Especially, for people who have home or small businesses the ability to park a commercial vehicle or trailer in their driveway it seems like something we should allow. So, I know I certainly support those changes, and it's something we've looked at. So, thank you for coming in and sharing that. I think we need to look at it again, and make sure it's covered.

Mr. Morgan: My business is affected now because of it, because the truck is old. Insurance wise, I can't find a truck for what they're going to give me.

Mr. Anderson: Thank you.

Mr. Morgan: Thank you.

Ordinances and Resolutions

Public Hearing

Ordinance No. 34-2020

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT TO REZONE THE PROPERTY LOCATED AT 540 RAY NORRISH DRIVE FROM RESIDENTIAL SINGLE HOUSEHOLD-ESTATE DENSITY TO PLANNED UNIT DEVELOPMENT

President Vanover: At this point, we will open a public hearing on this and, actually, we're going to have two. This one, and then the next one. We have to keep them separate. I would invite a presenter, if they have a presentation to make their case.

Father Wessman: Good Evening Mr. President. Thank you so much, and thank you to the other members of the Council. My name is Father Aaron Wessman. I'm the First Vice President of the Glenmary Home Missioners. We own the property which is being considered at this time. Glenmary has been in this area since the 1930's actually. We've been carrying out our ministry in mission not only in this area, but we primarily do throughout counties in the southeastern part of the United States. We go into poor, rural counties where there is a minority

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Father Wessman (continued): of Catholics and oftentimes, a very, unchurched population, and we try to go build up the lives of people there. One of the things we oftentimes consider is how to care for creation and the environment wherever we go. Whether we're in the rural south, or whether we're here in this area of Springdale and so our community has put forth this plan to put in solar panels as a way of reducing our carbon footprint and trying to keep this area of Ohio beautiful as it is, and, so, we had to go through this process in order to get this change in the zoning and we had a very wonderful hearing with the Planning Commission, which we appreciated very much. There's a number of people that came from the area that asked questions and I thought it was very enlightening and it was great to meet some of our neighbors as well. We just thank you all for considering this proposal and thank you all for your time this evening. I don't know if you have any other questions, or Seth, who is with the solar company has anything he might add or he might have some information or answer some of your questions as well. Thank you very much.

President Vanover: With the Public Hearing, the floor is open for anybody either for or against. You're welcome to speak.

Mr. Webster: I am speaking as a resident. I'm not necessarily authorized by the homeowner's group to represent them, but, I was at the Planning Commission meeting and Father (Wessner) is right, there were several residents of the Gables were here and their comments from the meeting and also just day to day contact with them, I detected no one in the subdivision up there that is against this project. Once again, I am a little disappointed that we don't have some visuals up here so that Council could see exactly what we're talking about. I thought I made that very clear last time that we need to take advantage of the technology that we've got here and I think it's a shame that we're going to ask these Council people to approve this tonight and they're not even going to be able to see what the hell they're approving. So, that's not good, that's not a good image for the City, and we've got the technology not going to let that happen. Anyway, all I can say to Council is that I detected absolutely zero opposition to this and I don't think it's going to devalue your property values or obstruct anybody's view or anything else. Please support it. Thank you.

Mrs. Sullivan-Wisecup: Just for the record, all of the City Council members did receive a packet and it does have the pictures in here that we saw during the Planning Commission. It does show what the panels will look like, as well as, what the ground covering near there will look like. There were a lot of questions about that, prairie grass. It will look very, very similar if not exactly like these pictures, and, the fencing that is going to be around it, as well as, the emerald green shrubs. Everybody seemed, very, very, positive during the Planning Commission as far as the residents and we did have a thing up on the screen during that time, but, everything that was on the screen, we do have in our packets here. I also am in favor of this. I think that everything looked very good and the neighboring community received it very well. Thank you.

Mr. Anderson: I know I mentioned this last time, but, I'll say it again with more people here. I think this is a wonderful project. I think more people should explore using solar even if it's more visible than this. You've done screening. I don't even think that's required. I think having people see that we're leading the way in doing this type of work is important. So, anything like this, this environmental impact is great. So, I certainly support it; more than support it. I advocate more people doing it. Thank you for doing that.

President Vanover: I guess I just have one quick question. Are these fixed panels? (Was confirmed by an off-mic "yes").

Mrs. Ghantous made a motion to adopt Ordinance No. 34-2020; Mr. Anderson seconded.

Ordinance No. 34-2020 passes with six affirmative votes. (Mr. Ramirez was absent)

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Public Hearing

Ordinance No. 35-2020

AN ORDINANCE APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 540 RAY NORRISH DRIVE

President Vanover: This is a second reading. At this point, I'll open a public hearing. Is there anybody that would like to speak either for or against this issue? (None)

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 35-2020; Mr. Anderson seconded.

President Vanover: I just have one quick point that there was a comment at the last meeting about streamlining the process. Yes, sometimes, our processes are arduous, but, we get into a slippery slope on picking and choosing favorable this, not favorable that, I sit there, Mr. Hawkins is there, Mrs. Sullivan-Wisecup is there, I think our Planning Commission does an excellent job and a yeoman's work and I just think that we have to take the necessary steps. Sometimes, it seems extremely arduous, sometimes it's drawn out, but, at the end, we're ensured that we've got a solid product. So, that's just my comment.

Mr. Anderson: Just a reaction to that as well, I had made comments about streamlining the process because some of these projects can take a while from the end user's perspective. In this case, it's a major change, and there is work that needs to be done. My comment is not intended to say that Planning Commission or the Building Department aren't doing a great job. It's just that sometimes they're called on to do jobs with long lead times that I think we could find ways to make faster. Especially, when you start talking about some of the minor modifications to PUD, specifically. In this case, we're converting to a PUD, which can make things more difficult to make changes because now there's more lead times if you want to make other changes on your property. I believe that we should look at ways to streamline it in cases where we can give the Building Department more discretion around the minor changes. So, if a PUD has already gone to Planning Commission and been approved, if during that development time, the building time, there's some small changes and the spirit of the change hasn't been affected, right now, the rules do require them to go back completely and start that process all over again, which could lead to several months of down time for a business. I think there's cases where the Building Department, who we trust to do a lot of work, and are experienced, and have a lot of background, can make some of those decisions in that small change, and not cause that lead time to extend. I'm not saying we should make those changes tonight, but I think, as we go through comprehensive plan work, we should look at some of those examples and decide if all of those gates are really required for every type of change that goes through Planning Commission and then City Council. That was the point of the comment, so, take it for that. Thank you.

Mrs. Ghantous: I agree with Mr. Anderson. Over the years, we have seen some very minor types of things drag out, and we've seen business owners become frustrated and even angry at the length of time of our process. So, I agree that this is a separate situation. But, I believe there are situations that we could cut the time down, and, I am in favor of taking a look into those as well.

Mayor Webster: The only ones that come to Council are the ones that are major changes. If either member of Planning Commission says it's minor, it never makes it here. So, I'm not sure how we would streamline that.

Mr. Anderson: I was referring to the entire process, not just the major changes that come before Council. So, if you look at even the minor PUD changes that require notice and multiple meetings, and that's after going through staff reviews, I think there's opportunity for projects that have already been approved that have minor changes after construction starts, that they don't have to go back through, and I think that happens. So, I'm not saying we should solve tonight, I do want to put a flag in the ground and say, "I've gotten feedback from business owners that are frustrated with that process". And, I think if we want to maintain this idea of business friendliness, and as we review our comprehensive plan, that if we look at that, there might be opportunities to improve it. I'm not saying it's bad, or broken. I'm saying there's opportunity for improvement. Thank you.

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Mayor Webster: So, you're saying give the Building Department some discretion as to what they can and can't approve and not have it go back to Planning (Commission)? Is that what you're suggesting?

Mr. Anderson: Maybe an opportunity for a side process that doesn't involve a monthly time to get a response back from the entire Planning Commission. So, for example, the City Council people that sit on Planning have the opportunity to say if a change is major or minor. Right now, that waits until the Planning Commission meeting for them to make their solo decision. In those cases, either one of them could say, "This is a major change". Then it gets kicked. Is there a reason that that has to happen after a month's notice or can there be a different way to do that? The other part of it is minor changes to projects that have already been approved, is there a way to streamline that process. So, if a business has come through, had a major or minor change, it's been approved, then there's a change to that because of construction realities. Do they really have to go through the whole process again just to continue the work that they started that wasn't approved?

Mrs. Sullivan-Wisecup: In my time on Planning (Commission), I'm not speaking for the whole entirety of Springdale, but in the time that I have been on Planning, if there's little tweaks in it, sometimes we don't see it. If it's something that's big enough, when we approve something, there's sometimes the stipulation where it has to be approved through staff. So, like their lighting; if we don't have a complete lighting plan, they'll say, "make sure that it is approved through staff". So, that doesn't come to us again. Or, sometimes, if they haven't submitted their complete vegetation plan, we will just put in there, "vegetation to be approved by staff". I don't want to speak out of turn here, but that's kind of the way that we do it Mr. Lamping? So, as far as that's concerned, some of those things get through, but, if it's anything that is structural, or anything that is not addressed in the initial approval, that doesn't say that staff can take care of it, or if it's a modification on something we specifically stipulated that it does come back before us. Then, when they do come, if it is a major change, and they come with their final plan, then sometimes it's different than what we saw originally as well. So, we'll see their final plan and they have to come for that anyways. But, as far as the little tweaks; if it's something that is minor enough that it falls under one of the things that we say that the staff has to agree on, then it doesn't come back before us. It doesn't have to start over in the process. Only the bigger things, the more major things or things that need to be approved in general. I invite Mr. Lamping to come up and correct me if I'm wrong, but that was kind of the way that I have always taken it is that as long as it's the things we say go through staff; it goes through staff. The bigger things only can go through us, if I'm correct.

Mr. Lamping: Thank you. I wasn't going to speak on this because I'm looking to find out some of your input. But, this is a very timely discussion because earlier this week, I received a modification to a plan that was already approved. It's called a "tweak"; I like that word. It's not a minor modification. It meets the intent of the overall development plan, and, this morning, the planner and I discussed about whether or not it needs to go in front of Planning Commission or not. So, the guidelines for what can be approved administratively is not very clear to me. That's kind of what I think this discussion is about; not "Is it wrong?" or, as Mr. Anderson said, "It's working". We're looking for ways to expedite it; to make it better. So, I'm stuck trying to think of this new screen wall that they want to build at Chick-fil-A meets the intent of what was originally approved with the development plan and, I'm of the opinion that it does meet the intent and, in the planner's opinion, it doesn't. So, we have to figure out the best way to bring that forward. I think that's what this discussion is about. Something as simple as a "tweak" to the development plan.

Mrs. Sullivan-Wisecup: You know what I'm talking about how sometimes we say that they have to back with you.

Mr. Lamping: This is a new thing. They didn't show this on the plan. It's not something that we could slide in that way. Because, it is a "tweak", it doesn't change the intent of the plan, in my opinion.

Mr. Anderson: So, in that case, if there's a disagreement, the presumption would be that it would need to come back to Planning under the current rules, and that would require a notice for Planning, a hearing...

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Mr. Lamping: A five week period

Mr. Anderson: A five week period, and that's if that's determined to still be a minor change, adding a screen, and then if it's not, because either person decides, "Hey, this is beyond what was originally approved", because now there's a wall, that there wasn't before, then you're looking at another five weeks for notice to the first Council meeting, and then, depending on where that fell on our Council schedule, either one to two months before they could move forward, meanwhile the business is stuck.

Mr. Lamping: That's just an example for today.

Mr. Anderson: I understand that. I don't want people to get defensive. I think the process and the people working on it are doing great work. We obviously have a vibrant community in our businesses. I'm saying I think we can do better with these types of things, and I just raised that point last time because now we're introducing a new PUD to accommodate a great project, but with that, comes baggage that they might not be aware of that, if they want to make changes, it could have longer lead times for them to do their normal business, and it just triggered that thought last time is maybe this is an opportunity that we can talk about it and do better.

Mr. Hawkins: I think anytime there's an opportunity to be more efficient, I think that's obviously something that benefits the City, the Administration, and ultimately the residents. An example with regard to the recent one that was just given in terms of Chick-fil-A, maybe there's something we can put in place with regard to giving some discretion to the President of Planning to look at something like that comes up to see, "Is this something that falls in line with what the Commission had voted on, or not"? If not, they bring it back in front of the full Commission. At the same time I say that, there is an important thing to keep in mind that if you're bringing these applications before the Planning Commission, you need to be prepared. So, stuff shouldn't be popping up after the fact. I understand some things happen, but, in that example, that's a multi-million dollar corporation that my kids love to eat at, so I'm not trying to bash them, but at the same time; be prepared. If there is a fence, you should have had the fence taken care of when you came through the first time. So, those kinds of things, to an extent, and I want folks to be able to move as quickly as they can with their businesses, but there's another side of it too. With something like that, you should have had that in there probably, right? So, there could be a compromise with regard to maybe you incorporate between the Administration, the Building Department, and the Planning Commission President, or Chairman, if they think, "Hey, this is in line with what we voted on and what we supported.", they can get with you and say, "Let's move forward." Or if they say, "Whoa, whoa, whoa, this is beyond the scope of where we were thinking, bring it back to the Commission and go and address it again." So, I think that being efficient; it's great in saving time, I think it's great. I also think if you're coming before them, it's not a mom and pop thing, they need to be prepared. Things like that shouldn't happen. If I was the CEO, I would not be happy with whoever went through and did it. As my franchise, they should have had that done before hand. So, if that means that I've got something that's holding the wind for another month, or two months because someone had messed that up, I'm not going to be happy about it. Thank you.

Mr. Anderson: I agree that Planning is good, and for big companies that may be easier, but the majority of businesses are small businesses and they don't have that luxury of necessarily having a "deep bench" to go back on and some of those processes, people are going through for the very first time when they come before Planning the first time. We see it at BZA (Board of Zoning Appeals) too, where people could have more preparation. It would be easier and we try to help them. I just don't want our Planning Commission process that serves a valuable purpose in the City to become punitive and sometime it feels like it is. To some of those people it feels like it to some of those people because they feel like they missed the deadline they should have been prepared for. So, again, I think we should look at it. I don't think we'll solve it tonight, but I think as we go through our planning, or maybe it's something that we kick back to Planning Commission and the Building Department and say, "Are there things you can do to change your rules"; let's do that. I'm just encouraging that change. If they come back and say, "No, everything's great", that's fine, but I felt like I needed to ask because it seemed like the situation has come up, and I want to react to them when we have an opportunity. Thank you.

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President Vanover: Well, and one of the other overarching concerns is the action of Planning Commission and transparency, and sunshine laws we all have to live and die by those, so, if there's something possibly, I know we do, Mrs. Sullivan-Wisecup's right, there's a lot of finalized plans that, well, landscape has to meet staff's approval and that, that issue if Planning is willing to subjugate that to a Committee, so be it, but, you can get into a slippery slope and end up in trouble and then we're having to back up. I don't have a problem making efficiency, but, just tread cautiously, and tread lightly.

Ordinance No. 35-2020 passes with six affirmative votes. (Mr. Ramirez was absent)

Old Business

Mr. Anderson: I was hoping we could get an update on the Comprehensive Plan we approved. They billed the administration for a contract two meetings ago. Could we get an update on that and then is that something we maybe should track as part of our regular agenda for the next twelve months?

President Vanover: Mayor? Administration?

Mayor Webster: We have had our kickoff meeting. I'm not sure where we stand with a contract. Brian or John? Forget everything I said.

Mr. Kuchta: Good Evening. Thank you. I do have a copy of the signed contract in my in-box from the contractor. I just got it yesterday. So, expect to have that for you to sign soon. I have to look at it to see who signs it. I've been having some email communication back and forth. We have the planned springdale.org website secured. There is a "bare-bones" homepage, I think, that is in place now. We just gave access today to Liz Fields with McBride Dale Clarion to be able to get on there and start inputting and editing the content of the website. They did provide a content for the resident newsletter that we had the deadline for to get the content in. That's going to be coming out in December, I believe and so that's going to be prominently on the front page of the newsletter; information about the comprehensive plan with a note to residents to go to the website to take the very first survey on what they'd like to see covered with it, so, we're making progress on that. We're in the weeds now with some of the small things before we can really get going with any other committee meetings, like, figuring out what the logo is going to look like. They want to have an actual separate logo for this planning effort and so they have a couple of options and they want to go over that with Administration soon. So, it's progressing, and I think you're going to see a lot of activity really kick off after the resident newsletter goes out and we give a few weeks for residents to complete the survey and then I think we're going to have a little more direction on what some of the main topic areas are going to be that residents want to see covered in this process.

Mayor Webster: We will be asking for volunteers throughout the community and that will be very clear in the newsletter. We've had some discussions about committees and so forth. Nothing has been decided on that. We have asked Mr. Vanover to join us and Mr. Hawkins to join our Executive Committee. So, we'll take it from there. But, I think we're off to a good start.

Mr. Anderson: Would it make sense to add it to our Committee and Official Reports agenda going forward. How are we going to get updates? Is that a good place to do it? If it's just me that's interested, that's fine. I can harass them on my own (laughter). Do people want it on the Committee Reports?

Mayor Webster: I couldn't understand you with your mask.

Mr. Anderson: I said would people like to add this to our Committee and Official Reports agenda going forward so that it's not just an Old Business request. Is that something we should do? If it's just me, that's fine.

Mayor Webster: No, I think it's a great idea. We should have it on there.

Mr. Anderson: Sorry. One more item. With the discussion tonight about commercial vehicles and parking, I was wondering if it would be possible, I know that went to Rules and

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Mr. Anderson (continued): Laws for review several months ago. Is that something where the current state of that proposed changes could get sent out to everyone, or is it kind of “stuck”? How do we “unstick” it?

Mr. Braun: Okay. While he was talking, I pulled my file up, because I happen to have it with me tonight. I reviewed where we were in that process and it looks like we were looking at some changes that I had marked up the last time. If Mrs. Emerson wants to call a meeting of the Rules and Laws Committee, I think we could probably update that and continue the dialogue we were having. But, I did have a marked-up version in there, so, it’s been a while, but it was my recollection that I had compiled what everyone had said, so, whenever Rules and Laws are ready, we can continue that.

Mr. Hawkins: Along those lines, so, currently the ordinance is indicating that if you have a trailer, you can’t park it in the driveway. You’ve got to park it either in the side or the back yard, or on the street. Is that what we had switched to?

Mr. Braun: The Committee was discussing a variety of things. Right now, the way it works is it’s based on size, length, axles. We were looking at trying to simplify that. I can say that I definitely think there was a desire by the members of the Committee to relax some of those requirements and recognize that, Mr. Morgan, he had indicated that are certain types of work trucks that may not be offensive to the intent of the ordinance and that those could be revised to take into consideration the fact that there are some people that have work trucks that might be appropriate for parking in a residential driveway. So, we were looking at changing that from a “one size fits all”, to something a little more personal. Right now though, yes, you’re correct. They can’t park them in the driveway. They would have to be on street parking.

Mr. Hawkins: Or, in the back?

Mr. Braun: Or, in an enclosed shelter. There was various other options, but, I think the intent of the revision would be under certain circumstances to allow them. Mrs. Emerson might want to expand on that, if she wants.

Mrs. Emerson: I believe if it’s parked in the street, it has to be connected to the vehicle. There’s just a lot of tedious things to look at to make sure that we’re including everyone. This has been adjusted, I can’t tell you, how many times. So, we’re trying to look at everything and have it be inclusive of everybody.

New Business - None

Executive Session – Economic Development

Mrs. Emerson made a motion to go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(2) to discuss the sale of City property and to discuss Economic Development issues under Article 2 of the Charter 121.22(G)(8) to consider confidential information related to plans and strategy of an applicant for economic development assistance which is necessary to protect the interests of the applicant. Mrs. Sullivan-Wisecup seconded the motion. The motion passed with a 6-0 vote to go into Executive Session. Council departed chambers at 8:01 p.m. Council returned to chambers at 9:19 p.m.

Meetings and Announcements

Mr. Hawkins: The Finance Committee is going to meet on October 26th at 4:30 p.m. in the Administrative Conference Room.

Mrs. Sullivan-Wisecup: Planning Commission will meet in these chambers at 7:00 p.m. on November 10th.

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Communications from the Audience - None

Update on Legislation Still in Development

Mr. Hawkins: As you review your Internal Memorandum, Item Number I was addressed with Ordinance No. 34-2020; An Ordinance Approving a Zoning Map Amendment to Rezone the Property Located at 540 Ray Norrish Drive from Residential Single Household-Estate Density (RSH-E) to Planned Unit Development (PUD) (Glenmary Home Missioners). That passed with a 6-0 vote. We also had Item Number II which was addressed with Ordinance No. 35-2020; An Ordinance Approving the Preliminary Development Plan (PUD) for the Property Located at 540 Ray Norrish Drive to permit Solar Panels (Glenmary Home Missioners). That passed with a 6-0 vote. All other matters were forthcoming.

Recap of Legislative Items Requested for Next Council Meeting

Mr. Hawkins: An Ordinance Accepting a Proposal from CT Consultants for Stage 1 Design Engineering Services for the Northland Boulevard Reconstruction and Declaring an Emergency. There is also a request for an Ordinance Amending Ordinance 7-2019 and Converting the Advance from the General Fund (010) to the Capital Improvements Fund (090) into a Transfer from the General Fund (010) to the Capital Improvements Fund (090) for the City of Springdale, Ohio During the Fiscal Year Ending December 31, 2020. As well as An ordinance Providing for the Issuance of not to Exceed \$1,270,000 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. I don't know if this is required legislation, but we also are going to fill two Charter Revision seats when we come back as well.

Mr. Anderson: And then there is the rental inspection program ordinance that we're going to review.

Mr. Hawkins: Yes, and the rental inspection ordinance. I think that concludes unless there's anything else from Council or the Administration (none).

President Vanover: Mrs. Emerson, did you announce the Board of Health?

Mrs. Emerson: The Board of Health will meet on November 12th at 7:00 in these chambers.

Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Ghantous Seconded the motion and Council adjourned at 9:23 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

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