

City of Springdale Council

June 2, 2021

President of Council Vanover called Council to order on June 2, 2021.

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

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

The minutes of the May 19, 2021 meeting were considered. Mrs. Ghantous made a motion to accept the minutes. Mr. Hawkins seconded. The minutes were approved with six affirmative votes.

Mayor Webster: Good evening everyone. It's nice to see a packed house here. We have a couple of very exciting events going to take place tonight. First off, this is somewhat of a bittersweet event, as I said last week when we had the little reception out here for retiring Chief Hoffman. It's always a bittersweet event when you have to say goodbye to someone that you really love and you really like working with and has done a marvelous job for your City. But, at the same time, it's sweet from the standpoint that you know that he's accomplished something; lifelong dream. He's going to retire in good health and many, many years of happy retirement. Okay, I'd like to read the following proclamation.

“WHEREAS, following in the footsteps of his father and grandfather, Chief Michael Hoffman was inspired to begin what would become a 40-year career in the fire service as a third-generation firefighter; and

WHEREAS, Chief Hoffman started his career as a volunteer firefighter for the Withamsville Fire Department in 1980, becoming full-time with the department in 1986; and

WHEREAS, just two years later in 1988, Chief Hoffman was promoted to Captain, serving in that capacity until 1990 when the agency was officially dissolved;; and

WHEREAS, the misfortune of the Withamsville Fire Department turned out to be a great gain for the Springdale Fire Department as Chief Hoffman was hired part-time that same year; and

WHEREAS, Chief Hoffman was selected as full-time Chief Fire Inspector for the Springdale Fire Department in 1996, a position which had been vacant for many years; and

WHEREAS, recognizing his leadership potential, Chief Hoffman was promoted to Assistant Chief of the Springdale Fire Department in 2008; and

WHEREAS, in 2012, Chief Hoffman assumed the role of Acting Fire Chief, and his extensive job knowledge and conscientious handling of the department led to his appointment as Fire Chief of the Springdale Fire Department in 2013; and

WHEREAS, during his career, Chief Hoffman has upheld the Springdale Fire Department's mission of preserving life and property by maintaining a corps of professional, properly trained, and fully-equipped personnel capable of providing fire prevention, fire suppression and rescue, and emergency medical service to those in need; and

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WHEREAS, upon his retirement on May 28, 2021, Chief Michael Hoffman faithfully and honorably served the Springdale Fire Department for 31 years.

NOW THEREFORE, I DOYLE H. WEBSTER, Mayor of the City of Springdale, do hereby proclaim

Wednesday, June 2nd, 2021 as

Michael Hoffman Day

In the City of Springdale and commend this observance to our citizens.”

Mayor Webster: Chief Hoffman, congratulations.

Chief Hoffman: Thank you sir. (Applause) Thank you very much. I appreciate it. I'm going to keep my part of it very short, because we've got some very exciting things coming after me. But, I just wanted to thank everybody for the opportunity to serve the City of Springdale for 31 years. I cannot imagine being at a better place to work. This place has been fabulous. It's treated me and my family well. I know I've told Mayor Webster a few times, and I'll tell him again, if it wasn't for him back in '95 when he got elected in as Mayor. Two weeks later he put an advertisement in the paper for Chief Fire Inspector and I was fortunate enough to compete and get that position, and, later on promoted to Assistant Chief and, then Fire Chief, so, things have been great for me in Springdale, and, once again, I appreciate it and thanks to every one of you. Thank you. (Applause)

Swearing-In-Ceremony – Springdale Fire Chief Anthony Stanley

Mayor Webster: Now, for the other business at hand. So, we have a couple of pretty big shoes to fill at the Fire Department. I feel very fortunate to be standing here tonight as a Mayor that, just 13 months ago, or 14 months ago maybe, had the honor to do the same thing with our Police Department. We had an outstanding internal candidate that stepped into that job, and I'm pleased to say that tonight, we have another outstanding candidate to step in to Chief Hoffman's shoes. So, Mr. Stanley, would you please step forward. This young man here was hired on April 12, 1999. That's when he began his firefighting career with the City of Springdale. It took him a little over ten years before he was promoted to Captain of Unit # 1. Three years later, he was promoted to the Assistant Fire Chief. As of last Friday, officially today, he is being promoted to the sixth Fire Chief in the history of this great City. It does me a great pleasure to say, "Congratulations Mr. Stanley".

Interim Chief Stanley: Thank you sir.

Mayor Webster: That's the last time he will be referred to as Mr. Stanley. From now on, it's Chief Stanley.

Interim Chief Stanley: Yes sir.

Mayor Webster: With that, I would like to administer the oath.

Mayor Webster administered the oath of office for Springdale Fire Chief Anthony Stanley. (Applause). Before I turn the podium over to our new Chief. I'd just like to say I wish he was, I don't see him in the audience, but Lenny French, oh yes he is. Lenny is the one that shared this with me, and I'm sure I'm going to mess it up Lenny, but you can come up and straighten me out. But, Lenny once told me that a firefighter makes the sacrifice when they take the oath of office. After that, everything else is duty. I've never forgotten those words. Is that close?

Mr. French: Yes sir.

Mayor Webster: Okay. Very good. Chief.

Chief Stanley: Thank you sir.

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Mayor Webster: The podium is all yours.

Chief Stanley: Thank very much. Thank you Mr. President, Council, elected officials, City Administration, thank you very much. I'm very humbled and grateful for the opportunity to be the next Fire Chief. Thank you Mayor Webster, Mr. Jones, Mr. Uhl, for the confidence that you have in me and entrusting me with this responsibility. I want to thank Chief Hoffman for the many years of dedicated service that he has given and specifically thank him for the amount of time that he's invested in me. Thank you. I owe a tremendous amount of debt to each and every person that has aided in my professional development over the years. I've worked with some great supervisors, peers, subordinates, all of which I have learned and continue to learn a tremendous amount from. Lastly, but certainly not least, I'd like to thank my family. My wife is here tonight, all four of my kids, my mother-in-law, and my mom, and my sister. I appreciate them coming. I appreciate everybody coming out to support myself, Chief Hoffman, and the other individuals that will get introduced tonight. Later on, we have some very talented men and women in the Fire Department, so I'm just very honored to serve alongside of them and help lead our department. Our department is really young. Over half of our department have five years or less with our Department of full-time service and four of our six line officers have less than 18 months, so we're really young. We're going to focus on some training, and really continue to progress the Department forward, which Chief Hoffman did that in his tenure, and Chief Shroyer did that prior to Chief Hoffman. We have a lot of room to grow. It's a very exciting time in the Springdale Fire Department. Again, I'm honored to serve with such a talented group of men and women. I want to thank you all for the support that you give the Fire Department. Your support is the backbone of not only the Fire Department, but our entire organization. So, I just want to thank you for all the support that you consistently give the Fire Department and we have some bright days ahead of us. Again, thank you guys for the opportunity to serve in this position, and I really look forward to doing the best job I can. Thank you. (Applause)

President Vanover: Well, I will say both Fire Department and Police Department make our job easy, because you guys are the face of this City. You are the most interacting groups that we have, and you make us look good. I thank you for that. I thank you for the long-term service. Part of the reason that the Fire Department at this point is young is we get them in, and we hang on to them. That's a blessing at times, and sometimes it's a bane, but we'll work through it. I had forgotten the number. We had six Chiefs, and I guess I've been blessed to work with four of them. They've done us proud. So, congratulations Chief Hoffman. Enjoy your retirement. Chief Stanley, we're with you.

Chief Stanley: Thank you.

President Vanover: Thank you.

Mayor Webster: I'd just like to add a few comments to what I alluded to before about the Fire Department and swearing in the new Police Chief 13 or 14 months ago. In the case with the Police Department and also with the Fire Department, needless to say not only did we have external candidates, but we had internal candidates. I tell you, you couldn't help but come away from those interview sessions but be overly impressed with the depth of leadership that this City has, not only in the Police, but also in the Fire Department. The decision was not easy. We had some good strong competition from inside and outside, but the depth of what we had; our Captains and our Lieutenants now in the Fire Department speak very well for the future of that department under Chief Stanley's leadership, and the same goes with our Police Department under Chief Wells' leadership. So, even though maybe you didn't make Chief; hang in there guys. You're doing a great job, and the City certainly appreciates your contribution.

Communications

Mrs. McNear: I do have one item. What I have is a customer comment card and this was related to the Tax Department, so, let's all get the "boo's" out, everyone hates the Tax Department. But, it's just so refreshing that someone comes in to the Tax Department and gives such a rousing "hurrah" to everybody who works there. Just to give you some

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Mrs. McNear (continued): examples of what was said is, "Did you receive prompt and courteous service? 'Yes'. Did the employee assist in satisfactorily solving the problem? Was the employee professional? Were you satisfied with the service?" The handwritten comment was, "Your group is the best. Thanks again for the great service." Not something you'd expect to see in the Tax Department, especially the week or two before taxes are due, so I just wanted to shout out to the Tax Department for all the hard work that they do. That concludes the report for tonight. Thank you.

Communications from the Audience

Chief Stanley: Thank you Mr. President, Council, Elected Officials, City Administration. Due to the pandemic, we had some new full-time employees, and you know it is customary that we bring them to Council and introduce them to everyone. Unfortunately, due to the pandemic, we went an extended period of time without the opportunity to do that, so, we're going to play "catch up" a little bit. We're going to get you some new employees here to meet tonight, and later on in August, we're going to bring some more back, along with some of our recently promoted supervisors in the Fire Department. First, I'd like to bring up Kelsie Yarbrough. Kelsie is a Firefighter Paramedic. She was hired and started on November 10, 2020. She is on Unit 3, assigned under the supervision of Captain Sarver and Lieutenant Joe Parks. Kelsie was born and raised in Kansas, where she graduated with honors from Kansas State University, and earned a Bachelor's Degree in Education. Soon after college, she moved to Cincinnati, where she later pursued education in fire and emergency medical services. She graduated at the top of her class at Colerain Township Fire Academy and Paramedic Program. Kelsie considers herself a fitness and outdoors enthusiast. So, she's really interested in those areas, and when she's not doing those things, you can find her teaching local EMT and Paramedic classes at Cincinnati State. So, she's finding ways to give back to the community doing that, which is great. When we interviewed Kelsie, she left the room, and we all just looked at each other and said, "Wow". She just really impressed us in the interview and we knew right away that we had an opportunity to possibly hire someone that was really going to add to our organization and was very professional, and a very good attitude, very respectful. So, we appreciate that and we're very lucky to have her as a member of our Fire Department. (Applause)

Ms. Yarbrough: Thank you. I will also keep it brief because I believe my partner after me has prepared a lovely solo for you all (laughter) that we discussed at dinner. Thank you Council, thank you to the City, to the citizens that have entrusted me to join the ranks of Springdale. I was excited to apply here and be a part of something special, but I don't know that I fully appreciated that until I walked in the doors my first day at Springdale. Everybody from the part-timers up to the Administration, they're the real deal. Even though I'm far from home, being from Kansas, I feel like in Springdale, I've found that "home away from home" that I really hadn't found yet in the fire service. To my Unit 3 guys, my officers, my crew, you guys are wonderful. I can't tell you enough how much I thank you for welcoming me into your family. Thank you. I look forward to a long career with the City and serving all of you citizens, Administration. Thank you. (Applause)

Chief Stanley: Thank you Kelsie. Next, we'll have Chase Brinson come up. Chase is currently a Firefighter EMT, but he is in paramedic training as we speak, and he is slated to graduate around September 10th of this year. He'll be a paramedic pretty soon, and I know he will be grateful for that, and finish all of his training because it's a lot of time and effort that is put into that. Chase was raised in Fairfax, where he graduated from Mariemont High School. In his free time, he enjoys archery, hunting, and fishing. He has a very strong work ethic. He does a lot of work outside of the Fire Department for himself, and he's brought that work ethic into the Fire Department, just quickly adapting to what we do around there, volunteering for different projects and just keeping himself busy. Going above and beyond by sprucing up the department, and doing some different things that fall into a skill set. He's done a really good job, has a really positive attitude, which is good, and has done a great job, so, we're really lucky to have Chase as well. (Applause)

Mr. Brinson: Just want to say thank you very much for the opportunity to come work for the City of Springdale. I've been here a year and a couple of months. It's been quite a privilege so far just coming into Unit 3, and these guys taking me in like family. It's pretty

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Mr. Brinson (continued): awesome, and I was going to sing for you, but I figure you all probably just had dinner, so I'll leave that alone (laughter), but I just want to say thank you all very much. I look forward to a long career here. With medic school, I've got to thank my wife, my babies for putting up with me. It's been a bunch of long nights, but, we're looking forward to getting it over with, and being able to be a better servant here, and have more experience, and knowledge, and just looking forward to it. Thank you all very much. Appreciate it. (Applause)

President Vanover: Thank you.

Chief Stanley: Chase is also assigned to Unit 3 under the supervision of Captain Steve Sarver, and Lieutenant Joe Parks. Frank Puglielli is the next full-time person that we'd like to introduce. Frank was hired on November 14, 2020. He's assigned to Unit 1 under the supervision of Captain Williams, and Lieutenant Ron Lang. Frank graduated from Bishop Fenwick High School where he played soccer and lacrosse. He completed his fire training at Butler Tech, and his paramedic training at Cincinnati State. Frank is very passionate about fitness. He gets the guys up in our workout room in the firehouse, and helps people, and kind of motivates people to work out and stay fit. Obviously, you can look at him and tell he's really fit, so, he works out a lot, and he's very passionate about that, and does a good job with that. In his free time, he enjoys playing the guitar, which I haven't had the pleasure of listening to him yet, but hopefully, one day I'll get to hear him play. In addition to that, he just likes hanging out with family and friends and enjoying time with those people. Frank has a lot of positive energy, a lot of enthusiasm, and he always has a smile on his face. He's not smiling now, but, trust me, he always has a smile on his face. Always has a good attitude, is always respectful, and we really appreciate the short amount of time that he's been with the department, he has made an impact, and we really appreciate him being a member of the department. (Applause)

Mr. Puglielli: Well, first off, I'd just like to congratulate Chief Hoffman on his retirement, and Chief Stanley on the promotion. Ladies and gentlemen of Council, Mr. Mayor, I've been blessed. When I got hired, I got hired on Unit 1 under the supervision of Captain Williams, and Lieutenant Ron Lang, and I think that I've looked forward to building myself up under their supervision. You have amazing leadership in this Fire Department, and it gives us hope as your young new recruits that are coming in, that we have something to look forward to. We're learning every day from these amazing people and I've been surrounded and blessed with these firefighters and I'm just happy to be a part of it, and I come here with a great spirit of humility and gratitude, so, thank you all very much. (Applause)

Chief Stanley: Our last introduction, certainly not least, we have Josh Fraser. So, Josh come on up. Josh started his full-time employment with the City of Springdale on June 15, 2020. He's approaching his one year anniversary full-time, but Josh actually worked for us for four years part-time, so, when he was in paramedic school, and was doing his training, as part of that training, you're required to do a certain amount of ride time in an ambulance. He did the majority of his time with the City of Springdale. So, he really liked the guys that he ran with, he like the department. Once he got certified, he applied, we hired him part-time in 2016, and he hasn't looked back. We're fortunate enough last year to be able to hire him full-time, and he does a terrific job for us. Very knowledgeable, very smart with all the paramedic stuff and like I said, we're really happy to have him. So, he was a graduate of William Mason High School and he finished his Firefighter EMT certifications in 2012. He graduated with an Associate's Degree in Fire Service Technology in 2015, and, in his free time, he enjoys spending time with his family, taking cruises (Pre-COVID), and watching and playing sports, especially hockey is what he's interested most in. So, he really made a seamless transition from working that amount of time part-time. He was very well versed in our policies, our procedures, the way that we do our business in the Fire Department, so, it was really a seamless transition and he's assigned to Unit 2, under the supervision of Captain Losekamp, and Lieutenant Coleman. So, like I said, he does a great job for us. We're very fortunate to have him, and look forward to working with him for many years. (Applause)

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Mr. Fraser: Council, Mr. Mayor, thank you for this opportunity. I actually served two years previously for a different municipality just south of here, while serving here for the City consecutively, and I always kind of kept my toe in the water here to make sure that I had an opportunity to work for this great organization, because I fell in love with it. I had some previous contacts when I was in school, came here, met the people that I met, worked hard to be able to put myself in the best position to get hired part-time, and then stay readily available when a position opened up full-time, and then, obviously, we had a lot of older senior firefighters that were here for a long time move on in the past five years, and I finally got my opportunity to work side by side with these great individuals for these two great Chiefs recently, and then the pandemic hit, and we never really looked back. We looked forward to this day that we're here right now, and we're thankful for it. I just cannot thank the officers, leadership across all three units here that have worked with me throughout my time here. The Chiefs that saw the potential in me, and gave me the opportunity to allow me to stand here in front of you today. You all are residents, this is what we're here for. We are here to serve you guys first, and the name on our shirt is way more important on the patches, than it is on our chest. That's just there so you guys know who we are, but, I thank you, again, Chiefs thank you, again. You guys really don't know what it means to me. Thank you. (Applause)

Chief Stanley: So, as of now, that's everyone getting introduced and sworn in, and wished goodbye and everything, so thank you all for this opportunity to celebrate our department. Chief Wells, thank you for coming. We have a wonderful working relationship with our PD, so we want to continue that. Again, on behalf of the Fire Department, thank you all for the support, thank you for the opportunity.

Chief Wells: Stay right here for a minute. I want to add something when you're done.

Chief Stanley: Uh oh. Okay. So, I just wanted to just thank you all for the opportunity, like I said, to recognize the Fire Department and give us this moment in your meeting tonight. Thank you very much.

Chief Wells: Mayor Webster, members of Council, City Administration, I feel like I'd be remiss by not adding this tonight. One of the things we've always prided ourselves on in this City is hiring good people. We can train people to be good firefighter medics, we can train people to be good police officers, but I was just blown away by how outstanding this new crop of firefighter medics are, the relationships we have between the Police and Fire Department is incredible. It's never been tighter. So, I just wanted to tell you how much we treasure our relationship with the Fire Department, and again, we publically wanted to tell Chief Hoffman how much we wish him well in his retirement, and that we're standing with Chief Stanley as partners in public safety here.

Chief Stanley: Thank you Chief. Appreciate it. Thank you. (Applause)

Mr. Gleeves: My name is David Gleeves. I live at 12145 Springdale Lake Drive. First of all, I'd like to say congratulations to you two again, and thank you for your service. Like I said, I live at 12145 Springdale Lake Drive. Thank you for the opportunity to share this story. Roughly, two years ago, I noticed a black convertible Mustang that had been parked for several days unattended and I informed my wife about it and we were concerned. This is odd. I've been living in my house for over 25 years and have never seen anything like this. So, the pandemic came along, and the activity with this vehicle had stopped. Now that the pandemic has basically ended, in a sense, we have three vehicles that have been parked on Ray Norrish Drive. My house, front door, you overlook Ray Norrish Drive. I have two of my neighbors with me, and my wife that live on Ray Norrish Drive. We are all dealing with the same problem. What we are finding out that it is at all times of the night, there is a gentleman who, I believe owns the black (Ford) Mustang. He has two other vehicles. He has a (Toyota) Corolla, and he also has a Chevy Cobalt. Just now recently my neighbor Cindy and I have found that there was another vehicle involved. It's a black older model car. What they're doing is they're rotating these vehicles, and it's a new thing that's going on. I'm out of this loop. It involves apps. What's happening with this app is you can rent your own car on this app. What they're doing is they're bringing these cars up, indiscriminately, and they're parking them. There's all of these different people that don't live in our neighborhood that are coming up to rent these vehicles at all times of the night and day. My biggest concern, my family's biggest concern, is

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Mr. Gleeves (continued): safety. We have a shed that's eye distance of where these people are meeting. This is on a daily basis. I'm just really concerned about the fact that I have worked with Corporal Lyons, have called several police officers. They have come. They have been very gracious. They have done a good job. They have investigated and I would say two weeks ago I gave them a call and they were able to talk to the one gentleman that owns, presumably owns the black mustang where this all started from. He stated, according to the officer, that my neighbor Cindy knew what he was doing. She'll speak to that. I'll let her take care of that. But, that's not the case. So, what Officer Lyons has done, he worked with the Building Department, Carl Lamping, and a couple of other people looked into this. What we're finding is there's really nothing on the books that can really be done about this. It's a very new issue; someone renting a vehicle with an app. I use Hertz, Avis; old school. But, I don't think anybody should be negated of doing this, it's just on private residential streets where you bring in people indiscriminately to a neighborhood. Something should be done about that. I would rest assure that there are several neighborhoods in our City that would not stand for this. I deeply believe that ours won't either. That's basically what's going on. I wanted you all to be aware this is a new thing with this app. Basically, what we're looking at is someone who can move from Ray Norrish Drive to another street. Maybe your street. I have my neighbor, Cindy. She'd like to expound on this information that we have for you. Thank you.

President Vanover: Thank you.

Mrs. Miller: Hi. My name is Cynthia Miller and I live at 535 Ray Norrish Drive. Our contact with the gentleman and the crew that are renting the vehicles is the guy came to my door. My sister answered and he said he wanted to let us know that they were going to be renting out vehicles and she said, "Well, I'm not the owner. You probably need to talk to my sister." He said, "No, that's not necessary because what we're doing is legal." Then, the other thing that happened was we received an insurance claim that came to my address. It did not have my name on it, but came to my address. Somebody was claiming some type of an accident with one of their vehicles, but the documentation came to my house to my address. Now I did then return it to the individual who sent that documentation. Unfortunately, I didn't keep a copy of it. But, anyway, so that's what's been going on. Now I did witness on Saturday there were three vehicles there. There was the black mustang, the blue, I think it's a Chevy, and another vehicle, and what I witnessed is you know the blue car is parked there, the mustang comes up, they unload some kind of duffel bags or something, and they put it in the other car. Another car comes up, they unload stuff and put it in another car, and then they all like kind of rotate out. So, my question is, I understand that they're renting vehicles, but what else are they doing, and they do come up. I don't see them at night, but I do see them during the day. I have grandchildren that we watch at my house, and so sometimes there's a lot of kids there. They're there multiple times during the day. Sometimes, not all the time. So, yes, we have a little bit of concern with what is going on in our neighborhood. Thank you.

President Vanover: Thank you.

Mr. Jones: We were aware of this and we're aware, thank you for being here by the way folks, and bringing this to our attention. We've been communicating with our Police Chief, and our Building Department, our Law Director, Joe Braun, and also with our Tax Department. Because, if somebody's conducting business, then we're going to make sure they're going to pay taxes. Mr. Braun has been looking into this and he's working with Police and Fire, so we're clearly aware of it, but I'm going to let Joe (Braun) kind of tell you where he's at at this point, but again, thank you for being here because if somebody doesn't bring it to our attention, we don't know about it, so thank you very much.

Mr. Lucky: My name is Angelo Lucky. I live at 525 Ray Norrish Drive on the corner there. I have noticed some cars there too. I really didn't pay attention because the guy came and said, "Excuse me sir. We have no place to park where we work at and we just park our car here." I said, "Okay." But then, like I said, it seemed like my other neighbor said, "If you notice, it's been going on a good while now." So, my grandson, I've got a granddaughter. My son passed away about a year and a half ago, so we are taking care of his two kids, and one of is 14 and one is ten. My wife said he opened the door and a guy

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Mr. Lucky (continued): said, "Excuse me, is this 525 Ray Norrish Drive?" She said, "Yes." He said, "Is y'all renting one of these cars out here?" She said, "No." And this is a big old guy. Then, my truck has been broken into. I'm not saying they did it, I'm just saying my truck has been broken into and then three or four years ago, the weirdest thing. We were in our bedroom and somebody was peeping in my bedroom. And, they jumped off my back and ran down through there, but I'm just saying, it's just kind of strange, it's kind of nerve-wracking because I have cameras up now, because I'm watching those cars out there, and like she said, they do be switching out bags and stuff. We don't know what they're doing. Like I said, I've got grandkids that play outside and it just gets to a point you don't know what's going on anymore. I think this happened last year. It was like 2:00 in the morning. This girl came out of nowhere. She was screaming and hollering to the top of her lungs. She said, "They're gonna kill me. They're gonna kill me". She was trying to break into my house. I said, "Ma'am, I cannot let you in. I don't even know who you are." She was screaming, so I called the Police, and there were four police cars that came up there. She had no shoes on, and it was like ten degrees. It was snowing. She had no shoes on, she had no coat on, and she said she was at a party and somebody brought her up there and somebody must have been trying to rape her or something, and she got away. I called the Police and I said, "I can't help her because you just can't let anybody in". I just wanted to let you all know what has been going on up in that area. Thank you.

President Vanover: Thank you.

Mr. Braun: Thank you. Just to expound upon what Mr. Jones said. My office has been looking at this issue and I will let Mr. Gleeves, Miss Miller, and Mr. Lucky know that we will be taking some kind of action on behalf of the City. I don't want to elaborate on what our plan of action is, but we started doing some research at my office and the short of it is, you can't operate a business in a residential district. I won't go into all the details, but we intend to address the problem aggressively, and when Mr. Jones brought it to our attention, we started to look at it kind of creatively because just because it's a new thing, does not mean that there's not an old solution. So, we have a solution and I talked to Chief Wells before the meeting, I'll be talking to Mr. Lamping and we will be coordinating our response to address the issue. Someone from Administration will get back to you.

Mayor Webster: I'd just like to say to all the Fireman before you get out of here, mark your calendar for August 18th because at that meeting, we're going to honor all the people that have been promoted in the Fire Department over the last couple of years. I know there's several of you, and we look forward to recognizing you at that meeting, August 18th.

Ordinances and Resolutions

Ordinance 19-2021

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CSX TRANSPORTATION, INC. RELATED TO PRELIMINARY ENGINEERING FOR IMPROVEMENTS TO BE MADE TO THE EAST KEMPER ROAD CSX BRIDGE AND DECLARING AN EMERGENCY

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 19-2021; Mrs. Ghantous seconded.

Mr. Hawkins: With regard to further ongoing decisions that Administration is going to have to make, is there anything else that we would anticipate any other costs beyond the \$16,500?

Mr. Riggs: Yes. This is the first agreement. There at least will be one more agreement for final engineering and construction for items like, when we go into construction, they'll do another plan review as well as say flaggers or inspection for their tracks while we're working on the bridge. So, there will at least be one more agreement. That cost hasn't been determined yet.

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Mr. Hawkins: I guess I asked a poor question. What I really was trying to get to in terms of the authorization for administration. Is there any threshold with regard to the things that will have to come back to Council with regard to other financial issues, or is there a financial threshold or will Council not address anything else with regard to these things? Administration will just take care of it?

Mr. Riggs: I don't know if there's a dollar upset limit I'm not aware of.

Mr. Braun: To address Mr. Hawkins' question, we put that authorization in there strictly for the fact that there will be small documents that will be needed to be signed by Administration, and in talking to Mr. Agricola, we didn't want to bring all of them back, but the authorization for the expenditure money will still come to Council.

Mr. Hawkins: Okay. Thank you.

Ordinance No. 19-2021 passes with six affirmative votes.

Ordinance No. 20-2021

AN ORDINANCE APPROVING A ZONE CHANGE FOR THE REAL PROPERTY LOCATED AT 11911 SHERATON LANE IN THE CITY OF SPRINGDALE

President Vanover: Council this is a first reading, and as it was noted, we have a public hearing scheduled for June 16th. Do you have discussion or questions at this point? (None)

Ordinance No. 21-2021

AN ORDINANCE APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 11911 SHERATON LANE

President Vanover: Council you have heard the reading of Ordinance No. 21-2021. Is there any discussion at this point? (None) Also, we'll have a public hearing attached on June 16th.

Ordinance No. 22-2021

AN ORDINANCE APPROVING THE SUBMISSION OF AN AMENDMENT TO THE CHARTER OF THE MUNICIPALITY OF SPRINGDALE, OHIO AT THE NOVEMBER 2, 2021 ELECTION RELATED TO THE ELIMINATION OF THE ELECTED POSITION OF CLERK OF COUNCIL/FINANCE DIRECTOR AND CREATION OF THE APPOINTED POSITION OF CLERK OF COUNCIL

President Vanover: Okay, this is a first reading, well, actually I guess we're going to have three readings on this. Any discussion at this point? Questions?

Mrs. Ghantous: What's the history behind this? What was your thinking that brought this to be?

Ms. Matheny: Well, we looked at a lot of different charters throughout various cities, and for the entire process, we did. We met numerous times. So, we looked at different communities and saw that a lot of the communities, and I'll yield to Joe on a few of them, that he is aware of, have basically just one person. It's a full-time position within the City like the Tax Department, whatever, that handles all of those duties. We just felt like the history, I mean the Finance Officer, Mr. Williams' office, does a lot more than what was going on back in the 60's, in the 70's, and so forth. So, we felt like it was really a position that really wasn't needed to be anymore, and that could be replaced with just a simple Clerk of Council who could read the legislation and read the ordinances and so forth. Then, I'll adhere to Mr. Braun for some more detail.

Mr. Braun: I would just add that there was a discussion amongst the members of the Charter Revision Committee that they wanted to eliminate some duplication, and highlight some of the duties in the position that now exist that Mrs. McNear has, that they think are

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Mr. Braun (continued): imperative and important to the operation of Council and to the City. And, what you see here is kind of what they instructed me to draft that would get rid of what they viewed as some of the duplication and assign other duties to the Finance Officer/Tax Commissioner. It creates this new position of Clerk of Council recognizing that you as a Council definitely need a clerk. You need someone who is the official signatory and certifier of documents, and will be responsible for official correspondence and communications. I think that was the main thinking. There were numerous community charters that they brought in to the meeting that the committee looked at where they had done this. Some of them were local, and they decided that that was what they wanted to do. There is a cost savings to the City obviously because you are taking two positions and merging them into one, and there's some cost to compensating a Clerk of Council, but it's significantly less than all the duties that the position would hold now. I think, without putting words into the members of the committee, I will tell you there was a lot of discussion about what the position does. There was some discussion about how Mrs. McNear felt, there were discussions about what parts of the job were so important that they needed to be not only retained, but placed into this new position to make sure that they could get done. So, does that fairly encapsulate some of the discussion? (Addressing Ms. Matheny)

Ms. Matheny: Yes it does, and I do want to bring up that both of these amendments before you, as I said, the committee met several times and all of this was unanimous. So, there's five members of our committee, and all five of us voted unanimously in support of these. I think the only other thing is that Mr. Braun, as he said, we brought in different charters, and looked at different ones, but you're aware of different cities that you work with directly, is that correct? (Addressing Mr. Braun)

Mr. Braun: Yes, it's not an uncommon thing to do, but it's something that is definitely worth debating. The one thing I will emphasize that Ms. Matheny talked about is that there was definitely a lot of discussion amongst the members of the committee about how this would change the structure in the government because you're eliminating an elected position in doing this. But, it is something that some communities choose to do, some do not, and it's something that, as a charter city, you are uniquely able to do. Because as a statutory community, you would not. So, it is something though that other communities have done. Some of them have done them in a different fashion where they've used just like an Administrative Assistant inside to be your Clerk of Council on things, but, as you can see, the Committee wanted to have this designated position to fill those other duties.

Mayor Webster: I'd like to first start with a question Mr. Braun. I thought this was going to be a resolution.

Mr. Braun: I can answer that as well. So, that same question was raised by staff. In the past, it's been done by resolution. What I will tell you is that if you read the charter for the City of Springdale, it expressly defers to the ORC (Ohio Revised Code), Ohio law, for how you handle these. So, then you need to look at the Ohio constitution, and without boring you, I brought a copy of it tonight so I could give you a quick tutorial on why we did this as an ordinance because I knew that question would be asked. And, if you look at Article 18 of the Ohio constitution, it specifically provides that amendments to a charter can be framed in two ways. This will also educate newer Council members who've not been through this process and for those watching at home as to how it works. There's two ways charter amendments make it to the ballot. Number one, a two thirds vote of this Council would send these changes, both of the ordinances that are before you, to the voters to consider. The second way is that a petition signed by 10% of the registered electors of the municipality, can send something to the ballot for consideration by voters. Then, Article 18 states that the process for the submission of this to the electors is governed by Section 8 of this same amendment, and when you go back to Section 8, it specifically makes reference to ordinances being authorizing this going forward to voters. So, in light of that, it would need to be done under Ohio law, as an ordinance and taken to the voters. I've also been advised that we're going to do three readings of these so that we can make sure there's plenty of public participation, and notice so that if we did a resolution, we would hypothetically really only need one reading, but we'll be fine as far as the number of readings, but, the amendments to the Ohio constitution make reference to a process that, in the past, you may not have followed in the same way, but, as my sworn duty, we'll make sure we follow it.

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Mayor Webster: Okay, if we're going to do it by ordinance, then don't we need it to be an emergency clause in this so it can be effectively immediately upon its passage at the third reading? We would not need to. I checked with the Board of Elections, and the fact that we will have our third reading before it goes to the Board of Elections is really not their concern. Us being a charter city, there's nothing in there that prohibits that, and, since we're going to have three readings, obviously, it would go into effect 30 days from that third reading. But, the Board of Elections was not concerned about whether or not we had 30 days pass after our last reading before we submitted to them.

Mayor Webster: So, is that going to give you enough time to file it? If we wait 30 days for it to go into effect, then file it?

Mr. Braun: I intend to file it immediately after we pass it. With the Board of Elections.

Mayor Webster: So you're saying you can get an amendment on the ballot that's really not official.

Mr. Braun: Well, if you play that out hypothetically, and let's assume there was a referendum on the ordinance within 30 days of passage, the Board of Elections would remove it from the ballot. That's how it would work. If the Council is more comfortable on that, my suggestion would be that we only have two readings, and maybe you as a Council might want to decide that process, and in 30 days, it would definitely pass after that second reading. But, being on your summer schedule, we had kind of looked at when you were meeting, and decided to have three readings, but, obviously, we could go ahead and vote after two readings if you would like if that would give Council more comfort in knowing that there was definitely not going to be any challenge or anything like that.

Mayor Webster: As a point of reference, the last time we had our charter amended was for the earnings tax. We had a resolution; read it three times, and so I thought there was a process here where we use a resolution, read it three times, and then immediately after passage it could be filed. I would hate to see all the time and effort that has gone into this for it to be thrown out on a technicality, and the Board (of Elections) saying, "No, you can't file this because it's not an official document yet."

Mr. Braun: I would just point out on the income tax, we're not under the same restrictions, because we're not governed by the Ohio constitution when it comes to that process, so we definitely can do other matters as a resolution. But, if this Council has any concerns at all that it could be challenged, or someone might take some adverse action to it, then I would just recommend we do two readings. That would be the easiest solution.

Mr. Hawkins: Before I get to my question, just piggybacking on the issue most recently on the floor, so, you're indicating though, Mr. Braun, that if we had three readings, and if Council were to approve this, then you can immediately notify the Board of Elections, the Board of Elections will then act, and you're saying if there was an issue with regard to somebody taking exception to it. As the Mayor is concerned about you're saying that the remedy would be simply that the Board of Elections then would pull it from the ballot. Right now, we'd be voting at our July (21st) meeting?

Mr. Braun: Correct.

Mr. Hawkins: That would be the third one? So, you're just saying that if something were to go awry, they would just pull it from the ballot for November?

Mr. Braun: They indicated to me, and I know this because it's happened in other communities I represent, that oftentimes you'll authorize something to go to the ballot, vote on it, but the ballots aren't actually printed on that August 3rd deadline. The Board of Elections does meet mid-August and certify the ballot matters, and it would be well within the 30 days that they did that certification. I think to the Mayor's point though, I think it should seriously be considered if there's any hesitation whatsoever that you may want to consider, especially since you're on a summer schedule, just doing two readings.

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Mr. Anderson: I just wanted to make sure we finish that item. My item's a new question.

Mr. Hawkins: I have another question, unrelated to that issue.

Mr. Anderson: Is it still me? Okay.

Mr. Hawkins: If I may.

Mr. Anderson: Sure.

Mr. Hawkins: With regard to this change of this new position. I'm hearing you say it would be a full-time position? Is that right?

Ms. Matheny: Well, I think that's going to be up to the needs of the City Administrator and so forth. A lot of the duties would be turned over probably to the Finance/Tax Commissioner, Mr. Williams' office, and then someone else would have that job. That job could be to a full-time person that's already employed here. I mean, they could be, perhaps they're going to get a \$5,000 a year annual salary increase to come to the meetings, and read ordinances. That would be under the decision of the Administration.

Mr. Hawkins: And, along those lines I guess my question is what would we anticipate compensation might look like for someone who's taking on these duties that's already here, or if someone was coming in new, part-time, to take on these duties. I'm not saying that necessarily a job description has been made and they've been put on the pay scale, but, do we have an estimate as we're talking about a cost difference. Would it be different than what we're already committing in our budget to our Clerk of Council/Finance Director?

Mr. Jones: We haven't gotten that far. We're talking somewhat down the line, so, something we would look at and evaluate and just see how the needs are met. A lot of times, jurisdictions, as has been pointed out, just put the duties on with someone else. In Trenton, for example, when I was there, what we did is we had a full-time employee do the duties and the Council paid a certain amount to them for doing those duties. So, it was just attached on to their regular job duties. So, we haven't gotten that far yet, so, I'm sorry I cannot answer that.

Mr. Hawkins: The last thing I'll say is, and I'm not going to put Mrs. McNear on the spot tonight. At some point, I would love to hear her viewpoint on this. Thank you.

Mrs. McNear: My light is on.

Mr. Anderson: So, as I understand the current charter has an elected position of Chief Fiscal Officer, which I know I take comfort in, that that's an elected position that covers Treasurer, Auditor of the City, in addition to Clerk of Council. I understand the changes here would address largely that Clerk role. I'm not sure that, at least the first time reading it, that I'm entirely comfortable losing an elected position that's beholden to the public for the roles of Treasurer, and Auditor of the City. So, can you help me to understand how those positions are covered because it seems like if the new position is part of the Administration, and appointed by Administration, it loses part of the checks and balances that the charter created. So, what happens to those roles? Is that something that folds into Mr. Williams'? I don't understand that.

Ms. Matheny: Right. I mean, I think Mrs. McNear would probably, when she gets her light called on, she can probably tell you that Mr. Williams does a lot of this stuff already. So, I don't think that that's going to be an issue. We discussed that as a Charter Committee, but we did not feel that that was going to be an issue. If we did not have a full-time Finance Director/Tax Commissioner over there, we definitely would never have looked at such a thing.

Mr. Anderson: But that's not required for Administration to maintain and that position is beholden to Administration directly. So, the Tax Commissioner is not an elected position and that could change any time. Is that right?

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Ms. Matheny: Correct. It's not an elected position.

Mr. Anderson: So, I guess I need to, and maybe Mrs. McNear when she talks about this, can explain then a little bit more. Because it feels like that's part of the checks and balances that the charter created, especially around that fiscal officer side of things that's so important today. Thank you.

Mrs. McNear: I just want to start off with a little history lesson; my history, also with this position that I'm elected to right now. In 1971, I was sitting at Princeton High School in trigonometry class learning about the City of Springdale's elected process. My then teacher, Mr. George McNeil was the current Clerk of Council, not Clerk of Council/Finance Director, but Clerk of Council, and he had a contender, Mayor Webster, who beat him in that election. Now, I will tell you I did not learn a lot of trigonometry, but I did learn about Springdale elected process. For me, it's chalking this all up to the changes would be progress, and automation. I mean, the pandemic is something that really taught us a lot about quick change and how we can improve things. You hear me a lot of times say, "Oh, that will be on file in my office". Let me tell you what's on file in my office until we got new furniture just a couple of weeks ago. We have minutes of our meetings that are handwritten on onion skin paper. We have manual ledgers in that office. These things go back 50, 60, 70 years. Now, we don't do business that way now, and we are a business, and we have to constantly be evolving. I think we've gotten to the point where, you know, there's enough automation; there are enough checks and balances. We look at a lot of cities where you see another Clerk of Council is going to prison because they've embezzled money. But, there's just no way here that anybody could write a check, because there are so many checks and balances. I don't feel that the elimination of this position puts us in jeopardy there. Mr. Williams is the 8-5 face of the City when it comes to the Tax Department and Finance. So, I think we're well covered there. We also have a full-time professional administrative staff. There are enough checks and balances that I feel comfortable with that. Obviously, you can tell, from what I'm saying, that I do support this, and I think it's time that we make another change. We made a change from not having a Clerk of Council, to having a Clerk of Council/Finance Director, and now I think it's appropriate that we absorb some of the tasks that I do and the responsibilities that I do into the roles that we have for Mr. Williams and his staff, perhaps Administration. I mean, if you think about it, we really want to do some cost-savings, who could read these ordinances and resolutions and take the role when I'm not here? I think it's the Vice President of Council, whomever that person may be sitting there. I don't personally think we need to hire another person to read them because we have somebody else up here who could do it. I know in many cities, Mr. Braun could confirm this; that in many cities the Law Director reads the ordinances and resolutions. So, personally, I don't think we really need to hire a clerk. I think we could absorb that work somewhere else, but, this went to a committee, and they've researched it. Maybe somewhere down the road they say, "Well maybe Kathy's right. Maybe we don't really need to hire another clerk. Maybe we can absorb the work". But, I think all those finite details are something that we can look at over the next two and a half years that we have before we put all of this in place, but I fully support this and I think we're ready for this kind of move. Thank you.

Mayor Webster: I'm not sure where to start. But, what's taking place here is we're trying to look ahead to the future of the City of Springdale, and modernize the operations. I think in order to figure out what kind of direction we're going in, I think it might be worthwhile for me to give you a little background on where we've been, and how we morphed into this position. Back in 1960, Ray Norrish was elected Treasurer of the Village. He was the first Treasurer. Then, later, they added the title of Clerk of Council to that. So, when I first ran for office for that position in 1971, it was Treasurer/Clerk of Council; that was the title. Okay, so then at the time, we had one part-time person in the Finance Department, she worked 20 hours a week. When I was elected, we had one full-time and one part-time person in the Tax office, and a part-time Tax Commissioner. I was the financial staff, if you will, for the City of Springdale. Several years Elaine Ranieri worked 20 hours a week part-time. She did the payroll, and the minutes and so forth. I did the minutes, but she typed them up. But, so then we decided that it needed to be a full-time job, so, Elaine Ranieri became a full-time City employee; took the civil service test, and all that kind of stuff. So, there was just myself and her for a long time. Then in 1990, a lady named Valerie Hiley was the Tax

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Mayor Webster (continued): Commissioner. So, at that point, sometime in the 90's, I'm not sure what year, but it was pretty evident that we needed somebody here day-to-day to oversee the financial dealings of the office over there. I mean, I was still part-time, so the Finance Director, if you will, so we named Valerie as the Financial Officer, and since she provided the day-to-day management supervision of the Finance Department, and the Tax office. So, that job then has morphed into what it is today, and now Kathy has two full-time people over there. Jeff has six or eight people in the Tax office, and so we have a very professionally run operation, contrary to what we had when I took over 50 or 49 years ago. It's grown a lot, as far as oversight, and the audits that we get today from bona fide CPAs, authorized by the State Auditor's Office, they put the ones to shame that I endured when I first came to the City. It was absolutely pathetic in the oversight that we didn't get from the State of Ohio. Compared to today, there's just no comparison to it. So, a few years ago, the State decided not to do the audits themselves, and they authorized the cities to go out and hire certified public accounting firms to do those audits. That's where we are today. The other thing, if you read the Charter; if you're a strict constitutionalist, and you read the Charter, we've got two separate chains of command in the City. We've got one for the Finance Director, Finance Officer, and all the people in the Tax Department, and in the Finance Office report to her. All of the rest of the City employees report to John and the Administration. Now, we've been very fortunate over the years that's not presented a problem. I had a very, very close relationship with the Mayor, and along with our first and second City Administrators. It was never a problem. When I vacated that office, Mr. Knox came in for 12 years the same way. It was seamless; no problems at all, and the same thing has been true for Mrs. McNear. But, you could have somebody tomorrow that was elected Finance Director and he decided that he was going to run the Finance Department the way he wanted to do it. He was going to have his own rules, regulations, policies, and everything else. There's absolutely nothing in the Charter that would allow the Administration to intervene in the operation of the Finance Department; pure and simple. So, there's a problem there that needs to be taken care of, and I think that we've been very fortunate over the years that we've had a very good working relationship between the Finance Department and the City Administration. It isn't necessarily always going to be the case. So, I have very little concern about not having the dual responsibilities, or overlapping responsibilities and double-checking one another. That just doesn't happen. Maybe, back in 1960, 1965, 1970 it happened, but that doesn't happen today.

President Vanover: Well, we've reached the pregnant pause. I guess one of the issues that we need to talk about is do we do two readings, or do we do three readings?

Mrs. Ghantous: It seems safer to do two.

Mr. Anderson: I agree it seems safer to do too, I'm just concerned that we've announced that we will do three at several meetings now, and if anyone's counting on that, it might pose a problem. Do you think that's an issue that we've announced at the last two meetings, we'd do three, and then switch to two now? I know, not legally, we aren't required to, but is that fair to people who are expecting three at this point?

Mayor Webster: Remember a couple of meetings ago, we sort of polled Council as to vacation schedules and so forth to make sure we were going to have a full complement of people here on the July 21st (meeting) I believe was the scheduled date for the final passage, because we will need five votes, five affirmative votes for this to pass. So now, we've got to pull that date back to....

Ms. Matheny: June 16th; that is two weeks from tonight. June 16th.

Mayor Webster: What day would that be?

Ms. Matheny: June 16th.

Mr. Anderson: It's in two weeks.

Mayor Webster: That's two meetings from now.

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Mr. Anderson: That's two weeks.

Ms. Matheny: One meeting from now. It's the next meeting.

Mr. Anderson: Right, it's two weeks from now.

Ms. Matheny: Two weeks. Yes.

Mayor Webster: So is everyone going to be in attendance at the next meeting that they know about?

President Vanover: I plan on being here.

Mayor Webster: Anyone want to speak for Mrs. Emerson?

Mr. Anderson: I wouldn't dream of speaking for Mrs. Emerson.

Mayor Webster: I guess if someone is out, then I guess, well, we'd have to have the first meeting in July.

Ms. Matheny: Right.

Mr. Hawkins: I guess, with our summer schedule, we're set for July 21st? Is that right? So, I guess more opportunity for potential public input, I would be in favor of. I don't know if we had a meeting on July 7th where we could have three readings; at the same time, get it done earlier makes a difference. I don't know what people's schedules are in terms of that, but I'd be in favor of trying, if it's workable, to have three readings. If we don't, I don't think it's the end of the world, but, if I had a choice.

Mayor Webster: You'd be in favor of three readings?

Mr. Hawkins: I would if I had a choice, based on Mr. Braun saying that it would still be okay to through and pass. I'm saying personally, I can't speak for everybody else, if that meant coming in on July 7th, I'd be willing to do that to scoot it up from our July 21st meeting that we have to make sure that there's more time in advance. But, again, this is based on the idea of what Mr. Braun is saying, even if we went July 21st, and we had a meeting and approved it, if there's not an issue legally, but I'm just saying, personally, I'm willing to come in if we need to on July 7th.

Mayor Webster: Let me ask you another question. Could we add an emergency clause to this?

Mr. Braun: We absolutely could. That's something Council can do.

Mayor Webster: We can leave it at three readings, and pass it on the 21st with an emergency clause?

Mr. Hawkins: I'd be fine with an emergency clause being added on to it.

Mayor Webster: Let's do that.

Ms. Matheny: Yes. That's easy.

Mr. Anderson: I mean I'm usually the vocal one against emergency clauses. I think in this case, we're giving enough notice and if it's just a question of adding that clause at the end to give us comfort that it would pass, we can certainly make that amendment on the third. I'd just like to follow through on the commitment we made in the last two meetings to have three readings, so, I'd rather keep that promise, and then add an emergency clause on the third meeting if necessary. That would be my preference to keep what we said to be true.

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Mr. Braun: We can easily add an emergency clause. I can also tell you that there's another issue to the other ordinance that Council is going to hear about that the Committee would like to have you add to it that they decided to recommend to you after they had their last meeting. So, I foresee at least an amendment to that anyway, so, adding the emergency language would be very easy to do.

President Vanover: Well, before we jump, Council, are you comfortable with three readings and adding the emergency clause on the third? (Council nodded in agreement)

Mrs. Sullivan-Wisecup: I was just going to ask are we going to have to wait until the third reading before we add the emergency clause or can we do a motion to add the emergency clause now?

Mr. Braun: What I might suggest to you is at the next reading, I'll bring one prepared so that we're not guessing what the language says, and then you can approve it.

Mrs. Sullivan-Wisecup: Okay. Thank you.

Ordinance No. 23-2021

AN ORDINANCE APPROVING THE SUBMISSION OF AN AMENDMENT TO THE CHARTER OF THE MUNICIPALITY OF SPRINGDALE, OHIO AT THE NOVEMBER 2, 2021 ELECTION RELATED TO VARIOUS ADMINISTRATIVE CHANGES

President Vanover: Council this is the first reading of three. Discussion?

Ms. Matheny: Thank you. I just wanted to go over. We labelled these administrative items because some it is language cleanup in the Charter, some of it is small things that were added, requested by the Administration. So, I just wanted to go through them individually with you. Under the "Members" portion, "C" in the Ordinance, we added non-partisan because we our Charter states that we are a non-partisan community, so we wanted to have that specified in there. And, under the "Meetings" portion of it, when you go into Executive Session, one of the things that Mr. Braun had brought up that some of his other communities, I believe, are adding, is potential litigation is when you might have something happen in your community for instance, and you're like, "I wonder if we're going to get sued" or kind of worried about this or whatever and you'd like to have the ability to discuss with your legal representative privately about that. Right now, based on the way that the Charter is written, you can't legally go into Executive Session to discuss that. So, we felt that was important to give Council that option, so we added that possible or potential litigation. Under "Publication", I don't know if anyone has their Charter there right in front of you; probably not, but basically what we did here is we kind of gave the Administrator some, per his request, a little bit more latitude since right now it states it has to be advertised in the newspaper, and I know many of the people do not read the newspaper anymore, first of all, and second of all, it's costly. It's cost the City a great deal of money through the years to be forced to advertise things in the newspaper, so, that's why we added where it could be on the City's website since more people are going, the whole world's going electronic, and get their information that way, so we still left the newspaper in there, general circulation, but, basically, what we did was add the word "or", so it gives an option for the Administration. Under the "Initiative and Referendum", as well as under the "Recall" procedures, we had a lengthy discussion about that. We felt that our Charter made it too easy for that to happen, because right now it states that you can recall someone or do a referendum, or anything like that and you can base it on the previous municipal election. Well, if you have a local district race, there's not many people voting in that, compared to an "at-large" Council race. Well, we ran across some Charters in our research, and one in particular is Montgomery, and they had theirs up to 25%, and they had it based upon the previous gubernatorial race, the number of votes. So, we didn't take it to that extreme. We didn't think that was necessary. What we did is we wanted to make it just a little bit more challenging for someone to do that since we're trying to upgrade things a little bit. Joe (Braun), you can elaborate on that if you want if you get any questions on that.

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Mr. Braun: It was definitely that there was a lot of discussion about what was the proper percentage for referendum and initiative and it was ultimately decided that 15% was appropriate. I wouldn't say that it was to make it more challenging. I think what one of the members of the committee pointed out is that if there's something as serious as changing a law that Council did, or literally removing someone that voters put into a position, they felt that 10% was too low, 25% was too high of a burden, and they felt that 15% was the appropriate burden, and that's how they came to that, and so those numbers were adjusted. There were numerous examples locally of other communities that had numbers all in that range and they were all charter communities. So, we felt that we didn't go to the high end of that number, we went right in the middle, where most of them were.

Mr. Anderson: A question on the recalls and the counts there in Section E. It talks about "15% of the total number of electors who voted in the preceding gubernatorial election". Four of our positions are not based off of an entire city's vote. It's based off of a district's vote. So, if one of the four district's reps were acting out and the citizens wanted to have their voice heard, it's not just 15% of that person's district that would be required, they could take 15% from the entire City.

Ms. Matheny: Well, that's what it is now. It's the previous municipal election. That's the way our charter reads now. Regardless of if it's a district race or it's an at-large.

Mr. Anderson: I understand that. I want to make sure that we're fixing it completely to make it, if we're talking about the voice of the electors, is it appropriate for 15% of that district to be the count that's required as opposed to 15% of at-large? It seems like you'd be in a situation where a different set of Springdale districts can override the district rep that may be very popular where they live, and the point of the district representation is to maintain that. So, should we update the recall to be specific to the district voters or not?

Ms. Matheny: Well, if I can ...

Mr. Anderson: Please. I'm curious if you guys talked about that.

Ms. Matheny: Well, we didn't talk about necessarily that specific scenario that you just gave, but we did talk about district-at-large, and different things like that. And, what the thought process was, is that if we made it all uniform, that's what we were trying to go for, uniformity here, is to keep the percentage the same for all three actions, initiatives, referendums, and recall. And, to keep it the same that it's based upon the previous gubernatorial race. That 15% has to be of a previous gubernatorial race regardless if it's a recall for a district council person, or an at-large council person, or anything, so, that's what we were going for, so I don't really know that we would need to change that or not.

Mr. Braun: The only thing I'd point out. There was not a discussion, like Ms. Matheny said, as to changing the Charter to say what you're doing. I think that's something you as a Council can have a discussion about. But, the current charter does not do that. I guess, the current charter would do what you're talking about. I understand what you're saying that people in other districts would have the ability to remove someone that they basically don't vote for. So, if you want to change that; that would be a material change to the Charter, and that's something I think you should discuss. But, the committee did not discuss that.

Mr. Anderson: And I'm not asking to make that change tonight. I'm just asking that we think about it. Because it seems like silencing that district's voice; it doesn't feel right. It's like the last one, I've got to think about it a little bit more, but the first reaction is it feels like we might be silencing a group of voters that we've given that voice to before, so I think it's something to think about. A separate question. On Section g "Publication", we say that publication on the City's website is the goal. I do like that we're giving flexibility to not just restrict to a printed newspaper, which we're not even doing now, we're sending it to a mail drop that doesn't even get published. It's in a newsfeed, which is not good enough, and we've talked about that before. I've appreciated that we've been posting things on the City's website. I just want to make sure the intent of the language is captured. When we say, "on the City's website", we mean Springdale.org. We don't mean the Facebook site that some people might belong to. It's the City's own domain only, is what was required, right?

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Mr. Jones: Correct.

Mr. Anderson: Facebook would not be sufficient or whatever social media.

Ms. Matheny: Right. That was our intention. The City's website. Not the Facebook page.

Mr. Anderson: Great. I prefer that too. Thank you.

Mr. Braun: Just to provide some clarity there as well, we left the option in. Not a single member of the committee, when asked, said they got their information from the newspaper about Springdale. We thought that was telling. Julie (Matheny) challenged them at the next meeting to each go talk to a certain number of people and ask them and they got the same result. The only reason that we even left the newspaper as an option is technology could disappear, we could have some catastrophic loss of the grid, and we don't have electricity, but we'd have the ability to maybe print something in ink on paper. So, we left the old form and the new form, but tried to modernize it and we were very specific not to use the term Facebook or Twitter, because those could change in time, but the word website is the City's website. And, whatever the City's official website is, in 30 years after I'm gone, or 40 years, whatever form that is, is where they could potentially advertise it.

Mr. Ramirez: For the record, I pretty much agree with what Jeff had to say about the 15% and people maybe not in your district have a vendetta, or the person that is in that district is looking to get rid of somebody in another district. Certainly with only 15% they could override a sitting person in their own district, even though maybe 100% of the people in his own district are for him, there's enough voters out there to remove him. Understand?

Ms. Matheny: Just to clarify, that 15% is that you have to get 15% of people that voted in that election to put it on the ballot. This is not to get a person recalled, or referendum, so, the vote would still go to everyone. It's not that 15% that gets to say so. They just get to put it on the ballot.

Mr. Hawkins: I agree, it does make sense when we're talking about the recall with the electorate for district reps being just that district that it would make sense that the 15% albeit, well, if it's necessarily going to line up for gubernatorial election, but it makes sense that the 15% come from the district if those are the people that would be voting for that individual.

Mayor Webster: Fifteen percent is based on the last gubernatorial race or general election?

Ms. Matheny: Well, the way the Charter reads now is it's the previous general municipal election. Municipal; so, it's local election. What we're recommending is to have it changed to 15% of the previous gubernatorial election.

Mayor Webster: Okay, and I have to agree, it should be 15% of the district, but then you'd have to go back to the last gubernatorial race, plot those districts, and get those numbers. It makes a lot of sense. The only fly in the ointment is what if you re-district the City in the meantime? Which, if you're going to re-district, you have to do it before the district Council races. So, that would be something that you have to make some allowances for, but I totally agree with you. I think it should be 15% of the people within that district, not city-wide.

Mr. Braun: Based on the consensus I'm hearing, since we're going to be making a change to the emergency clause, is Council comfortable with Julie (Matheny) and I working to come up with an amendment that limits that to that district. I think that's just the fair thing to do. Meaning that the recall numbers would be the voters in that district, and also making it clear that the recall is by the members of that district to Mr. Anderson's point. Would you be comfortable with us bringing back a "red line" version along with that emergency language for you to consider?

President Vanover: Yes.

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Mr. Braun: Okay. We'll do so.

Mr. Ramirez: Another thought on that, for those that are "at-large", they do draw from all districts. So, the people who are in their own district are much safer than the people "at-large". If there's some reason that the people all over the City are wishing to get rid of a person, because their vote would count for the people "at-large", where, if you're in your own district, only your district people could get you on that referendum.

Mr. Anderson: Thank you. Can I give a different topic a different question? Did we finish that?

President Vanover: Sure.

Mr. Anderson: Thank you. So, in Section D for "Meetings", I do recognize the biggest changes, potential litigation. Is there some definition that's used in the legal world that helps define that and prevent that from being abused by future Councils? It seems like anything could be attempted or brought up as potential litigation like, "I wonder if they did this", and then we end up with this flurry of Executive Sessions that has spurred that round of litigation that's happening in cities now as abuse of Executive Session. Is there any boundary for potential litigation? And, why does that have to be an Executive Session? Why can't we just have meetings with Council when we need them?

Mr. Braun: That was actually not my suggestion I should point out. That was brought by a gentleman on the committee, and I liked it, and I don't think you should define it for the very fact that what it was really designed to do is when, and this was discussed in the committee, when there's a situation where Council wants to talk with its legal advisors, it should be able to do so about a matter that either they want to initiate litigation, or that they're worried could create liability and litigation. And, so we came up with the term "potential litigation" for that reason. They did feel that there would be times when it wouldn't be "pending" or "imminent" litigation, where Council, meaning you all, might want to talk to your legal counsel about a matter. If it's going to be abused, it's going to be abused by the members of Council and you would have the ability to vote "No" on going into Executive Session if you felt it was being abused. But, they wanted Council, and this was the discussion we had. Council should have the right, meaning you all, to speak to your attorney, privately, about a matter where you think there's liability for the City.

Mr. Anderson: The challenge, in that moment, voting against going into Executive Session is you're not going to announce on the dais what the potential litigation topic is.

Mr. Braun: Correct.

Mr. Anderson: And you won't have had an opportunity to pre-meet with anyone on Council saying, "Hey, we need to have an Executive Session about this thing", because that's a violation, so, there's no bar for what potential litigation is, it's just whatever a Council member thinks is the potential, they now have the right to do that based on Charter.

Mr. Braun: Yes, I think so, but, if you think about it like in (G)(1) right now, you've got discipline, hiring. There's a lot of interpretation left that could be interpreted. The language which specifically came from the members of the committee, they liked it. I think they also, I don't want to put words in their mouth, I'm being very careful, but, I think they liked the idea of Council having some discretion. Their key comment was if you want to talk to your attorney about a matter that you think the City might be facing some liability they felt there should be a "catch-all" to allow you to do that.

Mr. Anderson: In situations where that Council person felt it was necessary that the entire body be a party to that.

Mr. Braun: Correct.

Mr. Anderson: Okay. That was interesting.

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Mr. Braun: That was the thrust of the conversation.

Mr. Anderson: Okay. Thank you.

Mr. Hawkins: Just following up on that. The main question I have, sort of piggy-backing on Mr. Anderson's is Mr. Braun, you feel that's defensible. That language is defensible is the main thing that I care about.

Mr. Braun: I do, because it's Charter and if it's in Charter, courts obviously defer to the Charter when interpreting it. I also think that if a member of Council thinks that there's potential litigation, I mean there's always a lot of trust here about going into Executive Session. One of the things that we all value more than anything is transparency. I think you have to have trust that your legal counsel is not going to let you abuse it. And, I think the public has to trust that you're not going to request an Executive Session on a matter and, to Mr. Anderson's point, if it's a continual problem, I imagine some member of Council will speak up and say, "I'm tired of going into Executive Session, I'm voting 'No'", and that might stop any abuses that were occurring. But, I do think there's some trust involved there, but, I think the phrase "potential litigation" is defensible.

Mr. Hawkins: Does it need to read "potential litigation" and "litigation"?

Mr. Braun: I'm sorry, what was your question?

Mr. Hawkins: Does the language need to read "to cover potential litigation" and "litigation" that would otherwise be pending?

Mr. Braun: No, because we still have the protections of 121.22 (Ohio Revised Code). This is in addition to everything that's in 121.22.

Mr. Hawkins: Thank you.

Old Business

Mrs. McNear: At our last meeting, the General Fund update was not available. I do have it this evening to share with you. This is for the receipts through April 30, 2021, based on a net receipts budget of \$22.941 million dollars. We have received \$8.889 million dollars, which is 38% of the anticipated budget. Those receipts are made up of five general sources which are Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and Mayor's Court for a subtotal of \$8.405 million dollars, which is 95% of that revenue. On the expenditures side, we have a net budget of \$21.372 million dollars and we have spent \$6.883 million dollars, which is 33% of the budget. The ending balance for the general fund through April 30th, was \$4.748 million dollars. That concludes my report. Thank you.

New Business

Mrs. McNear: Council, you have a liquor license request. This may look familiar to you. We did have the preliminary document that we get now when there's a request for a liquor license. So, this one is Culinary Innovations, which is the former SMOQ building. So, this is a transfer D5 D6. We have visited this previously and approved this. Any questions going forward?

Mayor Webster: I guess we don't know anything about the place?

Mrs. McNear: This is the SMOQ building.

Mayor Webster: Please?

Mrs. McNear: SMOQ.

Mayor Webster: Oh, this is SMOQ?

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Mrs. McNear: Yes. We did discuss this one a couple of meetings ago, but this is the official request from the liquor board, so I just wanted everyone to know that we've got it, and that it was approved previously, but that's where we stand with this one and we'll go ahead and file the official report unless there's any objections. (None) Thank you.

Executive Session - Property

Mr. Ramirez: I'd like to make a motion that Council go into an Executive Session as a Committee of the whole to discuss possible real estate matters, economic development, personnel issues, and/or legal matters.

Mrs. Sullivan-Wisecup: Second.

Mr. Braun: We do not need personnel matters to be included on that request for Executive Session. We just need Economic Development and the potential purchase of property.

The motion passed with a 6-0 vote to go into Executive Session. Council departed chambers at 8:55 p.m. Council returned at 9:15 p.m.

Meetings and Announcements

Mrs. Sullivan-Wisecup: Planning Commission will meet in these chambers at 7:00 p.m. on June 8th.

Communications from the Audience

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None

Update on legislation still in development

Mr. Hawkins: As you review your Internal Memorandum, Item Number I was addressed with Ordinance No. 19-2021; An Ordinance Authorizing the Execution of an Agreement with CSX Transportation, Inc. Related to Preliminary Engineering for Improvements to be Made to the East Kemper Road/CSX Bridge and Declaring an Emergency. That passed with a 7-0 vote. Item Number II was addressed with Ordinance No. 20-2021; An Ordinance Approving a Zone Change for the Real Property Located at 11911 Sheraton Lane in the City of Springdale. That was a first reading. We had Item Number III which was addressed with Ordinance No. 21-2021; An Ordinance Approving the Preliminary Development Plan for the Property Located at 11911 Sheraton Lane. That was a first reading. We had Item Number IV, which was addressed with Ordinance No. 22-2021, and Ordinance No. 23-2021; Two Separate Ordinances Approving the Submission of Amendments to the Charter of the Municipality of Springdale, Ohio at the November 2, 2021 Election. That was also a first reading. All other matters are forthcoming.

Mrs. McNear: Just one correction to Item Number I. That passed with six affirmative votes.

Mr. Hawkins: I'm sorry. Six affirmative votes. Thank you. So used to all of us being here.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: There will be a second reading for Ordinance No. 20-2021; An Ordinance Approving a Zone Change for the Real Property Located at 11911 Sheraton Lane in the City of Springdale. There will be a second reading for Ordinance No. 21-2021; An Ordinance Approving the Preliminary Development Plan for the Property Located at 11911 Sheraton Lane. Two Separate Ordinances Approving the Submission of Amendments to the Charter of the Municipality of Springdale, Ohio; Ordinance No. 22-2021, and Ordinance No. 23-2021. We also will have An Ordinance Authorizing the Execution of a Development Agreement With Respect to the Merchant Street Redevelopment Project, the Consummation of Real Property Transfers as Set Forth Therein, the Execution of Ancillary Development

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Mr. Hawkins (continued): Related Documents, and Declaring an Emergency. Also have a Resolution Adopting an Urban Redevelopment Plan for the Redevelopment of 134 and 144 Merchant Street. There's a request for A Resolution Authorizing and Requesting the Warren County Port Authority to Provide Bond Issuance Services in Support of the Merchant Street Redevelopment Project. There's a request for A Resolution Adopting an Urban Redevelopment Plan for the Redevelopment of 11911 Sheraton Lane. There's a request for a Resolution Authorizing and Requesting the Port of Greater Cincinnati Development Authority to Provide Bond Issuance Services in Support of the Sheraton Lane Redevelopment Project. There's also a request for a Resolution Adopting the 2022 Tax Budget of the City of Springdale for the Year January 1, 2022 through December 31, 2022. That would conclude requests unless there's anything else from Council or the Administration.

Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Sullivan-Wisecup seconded the motion and Council adjourned at 9:19 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2021