

City of Springdale Council

March 16, 2022

President of Council Vanover called Council to order on March 16, 2022.

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, Ghantous, Hawkins, Jacobs, Ramirez, Sullivan-Wisecup, and Vanover were present.

President Vanover: Council, first, before we get to the minutes, I have received a request from the Administration to remove Ordinance No. 12-2022 this evening, so that has been deleted from our agenda.

Mrs. McNear: Don't we need to vote on that?

President Vanover: Joe, do we need?

Mr. Braun: Yes, Mr. President, I was just going to explain. First of all, I think you should vote to remove it from the agenda, but I just wanted to explain that we're asking that that be removed from the agenda. It is certainly nothing to do with the project. There's not an issue with the project. There was an issue with the legal description though that was provided in the Development Agreement, and, on the advice of our bond counsel, and, quite frankly, the title companies that are involved in all the transfers, when the City takes title to this for the brief period that we will, we need that legal description to be accurate because when we ultimately pass our TIF legislation, we need to have the same legal description. The Hamilton County Recorder's Office and Auditor's Office flagged it because there was a defect in it. After our office reviewed it, we discovered that the prior owners of the property had that defect in it. We're going to repair it, and (the) Developer's Counsel will then correct it in their documents, then we'll correct it in your documents, and it will be right going forward. So, our anticipation is to bring it back as an emergency at the first meeting in April, and the reason for the emergency is we want to be able to pass that TIF legislation. We decided that passing it as an emergency was less onerous than having a special meeting or doing something like that. In the absence of an objection, you'll see it on your next agenda.

President Vanover: I'll entertain a motion to remove Ordinance No. 12-2022 from the agenda this evening.

Mrs. Sullivan-Wisecup: I'd like to make a motion to remove Ordinance No. 12-2022 from the agenda.

Mrs. Ghantous: I'll second that.

Motion to remove Ordinance No. 12-2022 from the March 16, 2022 agenda passes with seven affirmative votes.

The minutes of the March 2, 2022 meeting were considered. Mrs. Ghantous made a motion to accept the minutes; Mrs. Sullivan-Wisecup seconded. The minutes were approved with seven affirmative votes.

Committee and Official Reports

Civil Service Commission

Mr. Coleman: Good evening Council. The Civil Service Commission did meet on March 3rd. All the members were present. A couple of different items of business that I wanted to make you aware of. Within the Custodian position here at the City of Springdale, we initially thought there was one position, but, as a result of an unexpected resignation, it actually turned out to be two positions. So, early on in the process, we were interviewing for one person, and, as it turned out, we now need to hire two people, and so we approved the process to continue interviewing individuals until we can accomplish that objective of hiring two custodians. So, instead of just looking at one, we ended up looking for two. And, at this point, we're still accepting applications. Also, the annual report of activities for calendar 2021 has been

City of Springdale Council

March 16, 2022

Mr. Coleman (continued): submitted to the State Board of Personnel Review by myself, and that was done on March 2nd. We looked at the position of Firefighter II/EMT, and Firefighter II/Paramedic for the Fire Department, and we approved a timeline for moving forward with that process and we're going to continue to use the National Testing Network for this process as that will continue to cut down on the timeframes for sourcing candidates. In addition, it will give us candidates that are truly interested in being here because they have to pay for their own processing and application. They've already been certified at that point. So, again, it cuts down on some of the steps necessary to try to move that process forward. We will continue to move forward with filling those positions. And, I think that's all that I needed. There was a request to waive a two year requirement and a written test score for current part-time Firefighters in the hiring process. And, we certainly wanted to approve that request so that those individuals who have been here on a part-time basis, we can move them forward recognizing that they do have some level of experience working here for the City of Springdale. So, we're going to waive that two year requirement and try to keep those folks moving through the system, through the pipeline, so that we can get them in here. As you probably know, this has become a very competitive situation. If you get the (Cincinnati) Enquirer, for example, you'll notice that there's probably three different cities in the Enquirer that are looking to hire Firefighters right now. And, so, again, it's very competitive, so we're going to do everything we can in order to try to move the process forward and keep the people that work here as part-time Firefighters. And that concludes my report. Any questions? (None) Alright.

Mr. Hawkins: And this maybe for Administration, or Mr. Coleman. I know with regard to the first position, we were going to fill, with regard to our Custodian, he was going to be staying on for a bit. Do we know how long our two current Custodians are going to be staying while we make that transition?

Mr. Uhl: So, Bob Ellerman will be leaving us the end of this month. The initial plan was to replace him with a part-time position. The Community Center has had some difficulties hiring part-time people as custodial staff in the evenings, and, we had a meeting with Charlie Wilson and he requested that we maybe consider hiring this person in full-time, and then splitting duties between the City building and the Community Center. So, that was the decision we went in order to move forward. The full-time Custodian at the Community Center actually tendered his resignation in mid-February, and is pursuing a position at Amazon. So, that created an unexpected vacancy, but, we're hoping with both of these positions being full-time we'll get some good candidates. I believe they conducted six interviews so far, and I think they're moving forward with three.

Mr. Coleman: And we have 16 new applications too.

Mr. Uhl: And some new applications too. So the process is continuing, but we're hoping to get that person selected so that they can spend a little bit of time with Bob Ellerman before he leaves, but he has agreed to come back on a part-time basis until we get staff in place.

President Vanover: Thank you Mr. Coleman.

Rules and Laws Mrs. Ghantous - No report

Finance Committee Mr. Hawkins - No report

Planning Commission

Mrs. Sullivan-Wisecup: We met last week and the first thing we had was 1280 Kemper Road, Sweeney Auto Body. It was a Development Plan Conditional Use. And after some discussion, passed with a 6-1 vote. Then, we had 975 East Kemper Road, Auto Zone for a Minor Modification to a PUD, and that passed with a 7-0 vote. That is the old Dick's building. Auto Zone is going to be moving in there. I think that's a really great use for that. They will be sending out parts from there to auto body shops, and shipping out from there. They will have some retail there as well, but it's like some of their other larger stores where they're going to mostly be shipping out from that location. That's all that I have unless there's any questions.

President Vanover: No questions.

City of Springdale Council

March 16, 2022

Board of Zoning Appeals

Mrs. Ghantous - No report

Board of Health

Mr. Jacobs: The Board of Health met on March 10th. Similar to last month's report, I have great news to share. After all the numbers were crunched over the last few months, it was what people thought it was. It was a shocking spike in COVID numbers, followed by a really shocking drop in every indicator. The focus is shifting to disease and death as opposed to spread and transmission focus, whether it be local departments or State. Mask mandates beyond healthcare facilities and public transportation are pretty much gone. The Nurse's report included that we have still a supply of tests, shots, and boosters available for residents. There was a consensus that, at this point, we're heading into possibly another phase where even boosters could start to lose their effectiveness and that people should consider definitely getting a booster if they haven't yet, and at some point going forward there might be recommendations for a fourth shot or a second booster depending on how you describe that. The only other topic was accreditation, which is proceeding. After hearing the Commissioner, it basically sounds like we're on the five yard line. The Mayor double-checked to see if they need any more assistance to make sure that they reach that goal. The deadline for that is August, and there seems to be no concerns that we will reach that goal by August. Unless there are any questions, that concludes my report.

Capital Improvements

Mrs. Ghantous - No report

O-K-I

Mr. Anderson - No report

Mayor's Report

Mayor Webster: I am pleased to report that our newest fast food restaurant opened on Monday. I had the pleasure to cut the ribbon. Some of the City folks were joining me in that event, so we welcome Arby's to our City and wish them much luck. But, you all just today stand back and look at what's happened in that block of Kemper Road in the last say three years. We started with Bank of America, then we got Culvers, then we got Arby's, and we got Zips Car Wash, and then we had Juicy Crab, but, unfortunately, it came and went. So, as I understand it has closed its doors. But, four new businesses right along the strip there, so that's pretty amazing. Also, last Tuesday on the 8th, we presented the Rec Center concept of moving to the Tri-County Mall area to the Senior Citizens group. They had 68 people in attendance, which was really great. We thought the presentation went pretty well. I think most of the people there at the end they applauded. They seemed very happy with it. I know one lady said she came there with a whole bunch of questions and we answered all of them. So, I'd say it went very well. There was no real opposition to the move. Some great questions were asked, and were able to handle those, so we're looking forward to the next public meeting. With that, that's all I have today. Thank you.

Clerk of Council/Finance Director

Mrs. McNear: I have a General Fund update through February 28th. For receipts based on a net receipt budget of \$21.218 million dollars, we've received \$4.402 million dollars, which is 26%. Those receipt sources are Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and Mayor's Court for a subtotal of \$4.051 million dollars, which is 92% of our receipts. For expenditures, we have a net budget of \$21.349 million dollars, and we have spent \$3.001 million dollars, which is 16%, and the general fund ending balance through February is \$7.256 million dollars. I also have something I wanted to read this evening. It seems like this is something I do every year, which is a really wonderful thing, but, it's a letter from the Government Finance Officers Association. It states,

City of Springdale Council

March 16, 2022

Mrs. McNear (continued):

"We are pleased to notify you that your Annual Comprehensive Financial Report for the fiscal year ending December 31, 2020 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement, AFRA is also presented to the individual or individuals, or Department designated by the government as primarily responsible for having earned this certificate. This award has been sent to the submitter as designated on the application. We hope that you will arrange for a formal presentation of the Certificate of Award of Financial Reporting Achievement and give appropriate publicity to this notable achievement. A sample of the news release is included to assist with this effort. We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence, and financial reporting. Sincerely, Michelle Mark Levin, Director Technical Services."

I do have that news release with me as well. I did congratulate Mr. Williams earlier today via email, but when the award comes in we'll have him come in so he can be appropriately recognized by the entire group. That concludes my report this evening. Thank you.

Mayor Webster: I just wanted to echo the same sentiments. That's quite an achievement. Twenty straight years.

Mrs. McNear: Twenty plus.

Mayor Webster: It shows a lot of integrity, a lot of consistency, and so please pass our congratulations on to the whole Finance Department.

Mrs. McNear: It's 20+. It used to be easy. I would go in and count the plaques on the wall before the meeting and I would know what number we were at, but since we've remodeled, they've been moved, so, I think it's 25+ at this point, but it's been very consistent year after year. Kudos to the whole department for the very hard work they achieve.

Mayor Webster: A fine achievement.

Mrs. McNear: Thank you.

Administrator's Report

Mr. Jones: Both Brian (Uhl) and I have reports this evening, so, please bear with us. As Mr. Coleman alluded to, we do have a couple of custodian positions open, and we're going to keep those open until which time they are filled because we obviously need those. We're also, at that point, we're hiring seasonal and part-time positions. Public Works, Parks, Community Center, and so forth. If you know folks, or you're interested and you're listening to this this evening, please contact Stephanie Morgan in HR (Human Resources) and she'll see what she can do to help you out. We have an Account Clerk I position available, and we're accepting applications through the 23rd of March. Firefighter/Paramedic position is open. We're accepting applications through March 31st. Moving on, we have our citywide newsletter. As all of you know, we send those out periodically, and they are in the final stages, and they'll be at home in the very near future and into our businesses. A couple of other announcements. I mentioned this previously, but just a reminder that the Shred Day Event, again, it's on-site. It seems like we get questions about that every year. They do the shredding on-site. April 9th at 9:30 a.m. until 12:30 P.M. and that is at the Community Center. Another reminder the Jaycees Easter Egg Hunt, that is April 16th at 12:00 at Ross Park, ten and under. Sorry Mr. President. The last thing we have, and then I'll turn things over to Brian is we recently had fact-finding with our Police Union. It was part of our third wage reopener, so it was the only item that was being discussed. The union asked for a 3% cost of living. The City went in with a 1.5% stipend, with the idea to make things as sustainable as possible moving forward with some uncertainties with the work-from-home and so forth. After going back and forth to fact-finder rule that a 2% cost-of-living

City of Springdale Council

March 16, 2022

Mr. Jones (continued): would be the award, the union voted to accept that. If we're okay with that, we can do nothing, and allow that just simply to go in and then that will be the third and final year of the wage reopener. The Administration's recommending that we do that, and if there's no objections to that, then, again, no further action is necessary. Am I hearing no objections?

President Vanover: Council? Any comments? (None)

Mr. Jones: Okay. Thank you very much and I'll turn things over to Mr. Uhl:

Mr. Uhl: Just to dovetail off of Mayor Webster's comments about the Community Center Relocation Feasibility, we will have our first public engagement next Wednesday, March 23rd at 6:30 p.m. back at the Community Center. I believe we're going to have the Auxiliary Gym set up for that. The second public engagement session will be April 13th, again, another Wednesday at 6:30 p.m. as well in the same location. Just a quick reminder of the timeline. Mayor Webster will be prepared to make a recommendation one way or the other to Council at the April 20th meeting. If favorable, we'll have legislation prepared in advance to provide on the dais that evening if we choose to move forward. And then, May 4th would be a second reading and authorization. Secondly, the peer-to-peer car rental zoning amendment, or zoning code amendment. We tried to space some things out since it wasn't an overly pressing matter. That's going to be on the April 12th Planning Commission agenda. With that, Council will receive a recommendation letter on April 20th if Planning Commission so approves, and it will be before you on May 4th for a first reading, and then May 18th for a second reading and a public hearing. That's the end of my report.

Mr. Ramirez: Brian, how do we communicate to the residents of the meeting at the Rec Center?

Mr. Uhl: So, so far we have posted that on the (City) website, if it's not already posted, it will be posted again. It's posted through Facebook, there's also a banner across Springfield Pike announcing both dates and times.

Mr. Ramirez: It will be on the marquee as well?

Mr. Uhl: Yes, we'll see what we can do to get that up there. Are you talking about the 275 marquee?

Mr. Ramirez: No, I'm talking about the marquee at the Rec Center.

Mr. Uhl: Yes. We'll get that up there.

Mr. Ramirez: Alright, thank you.

Mrs. Ghantous: Do you think we could put them on those mobile sign things as well?

Mr. Uhl: We had some early discussion about doing that, and we didn't know if the message would be too long and you'd have to loop two or three times around to get the full message, but we'll see what we can do to condense that and maybe get those out somewhere.

Mrs. Ghantous: It would be good especially to get over to Heritage Hill because they're not going to see maybe the Springfield Pike things, or the marquee at the rec, so, it would be good to go in maybe some other neighborhoods that would be less likely to come down this way.

Mr. Uhl: Okay. We'll see what we can fit.

Law Director's Report

Mr. Braun

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No report

City of Springdale Council

March 16, 2022

Engineer's Report

Mr. Riggs: We'll start with the Community Center Reroofing Phase II. We're just waiting on weather. Hopefully all the snow is behind us and we can get this thing wrapped up here in the next month, or maybe in a few weeks. The Salt Dome Roof Replacement, we're having a pre-construction meeting on March 17th, that's actually tomorrow and the contract was awarded to Mid Miami Roofing. That's the same company who's actually doing the Rec Center roof. The contract has the completing date to be August 31st, but I believe we're going to be completed well before that. East Crescentville Road Improvements, the Butler County Engineer's Office had a pre-construction meeting on February 23rd. You'll see some more utility relocation work continuing. That's all part of the roadway contract. The Northland Boulevard Reconstruction, we received ODOT's Stage II comments and right-of-way plan approval on February 18th. So, we're moving along there. The (Route) 747 Curb Replacement/Catch Basin Repair Project, the contract was awarded to Adleta on February 16th. We had a pre-construction meeting on March 7th, and Adleta looks to begin construction on May 2nd, and looks to complete in early to mid-July this year. The East Kemper Road/CSX Railroad Bridge Repair Project, we're just working through the final plan specification estimate package. We're still kicking around the bidding schedule. The issue is because the project is expected to take about eight months to complete. That puts us right there in winter and the last part of the project would be paving, and you can't really pave in the winter, so we're trying to figure out the best time to bid. Do we do it now and put a longer construction duration, or do we wait and maybe get more favorable pricing? Or, would it be worse? So, we're just thinking through that now. And, the State Route 747 Urban Paving Project, that's the resurfacing that takes place after the curb and catch basin repair project, and that's with funding through ODOT (Ohio Department of Transportation). Stage III plans are expected or, draft Stage III plans are expected to be submitted to Public Works for review in early April. That's all I have.

President Vanover: Mr. Riggs, this afternoon I was over on (Route) 747 across the front of formerly know Tri-County Mall, and they were putting up, it looked like cameras. There were two; there was one up towards BJ's, and one towards the main entrance, and then one down in front of the old Macy's tire garage, whatever you want to call it down there. Is that part of like for a traffic study?

Mr. Riggs: I believe that may be part of the signal replacement work that TEC was doing. I'm not sure. It may be part of another project and it also could be part of the traffic counts. A lot of times the consultants that do traffic counts especially for the mall, they use video cameras so you don't have to manually do counts. So, it could be that. I'll look into it.

President Vanover: Yes, I didn't see any trucks with any identifying marks, but he was out there strapping them to some of the existing poles.

Mr. Hawkins: Not to digress too much, but, I know we had some kind of conversation with Administration on the idea of if the developer might put up time lapse cameras while they're going through making their changes. Is that anything that's been discussed with the developers?

Mr. Jones: One of the things that they talked about when we brought that up was that they intended not only to take pictures, but they hired professionals to record the progress so some of the meetings, some of the initial meetings, some of the progression as they go along, so, it looks like they're planning on doing a very detailed part of that so when they get to the end, they have a film and plenty of pictures and all that. So, we've been to a couple of meetings where they actually have professional video cameras going and also pictures taken.

Comprehensive Plan

Mr. Uhl: I think it's probably the last time it should or could appear on our agenda, but, just a quick update, the link is posted on the planspringdale.org site, and then we're going to find a home for it with a link somewhere on our existing website.

City of Springdale Council

March 16, 2022

Communications

Mrs. McNear: I do have one item this evening. I received an email from Mr. David Gleaves, and it's addressed to:

*"Mayor Webster, City Council Members, Clerk of Council, City Administrator, Assistant City Administrator, Police, and Legal Departments of Springdale, Ohio:
We want to say 'thank you' for your outstanding work on this ordinance."*

I don't know if I mentioned this, this is for the car rental ordinance.

"This was a perfect example of citizens working together with City government to keep our City safe and up to speed with the changes in technology. Everyone mentioned treated my wife and I with the utmost respect. The Police men and women that responded to our calls were professional, positive, and gave us their full attention every time we called them. This is what makes our City great. This is Springdale, Ohio. Sincerely, Mr. and Mrs. David and Sheila Gleaves at 12145 Springdale Lake Drive."

Mr. and Mrs. Gleaves, they made numerous phone calls when this peer-to-peer first started rearing its ugly head and they've been to quite a few meetings and brought some other neighbors into the meetings as well just so it was more well know about what was going on, so I want to thank them for doing their civic duty and letting us know that this problem existed, and Mr. Gleaves wanted to appear this evening, but, he's out celebrating his retirement today. He retired today. So, congratulations to them. That's all for my report.

Communications from the Audience

- None

Ordinances and Resolutions

Ordinance No. 10-2022

AN ORDINANCE APPROVING A MAJOR MODIFICATION TO THE TRI-COUNTY COMMONS PLANNED UNIT DEVELOPMENT AND APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 600 KEMPER COMMONS CIRCLE

President Vanover: Alright Council, this is a first reading this evening. We have a public hearing set for April 6th. Is there any discussion this evening? (None)

Ordinance No. 11-2022

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE OHIO ATTORNEY GENERAL'S OFFICE FOR THE COLLECTION OF UNPAID FUNDS OWED TO THE CITY OF SPRINGDALE

President Vanover: Alright, Council, this also is a first reading this evening. Is there any discussion at this point?

Mr. Jones: Just to give an example how this has become important to us, and how it impacts us. We have difficulties at times trying to track people, especially people that commit offenses within our Community, and then they relocate. So, that will be one of the tools that we'll use, but today, I was informed by our Public Works Director that we had a gentleman who decided to drive intoxicated from out of state, and hit one of our, I haven't told you this yet Brian (Uhl), hit one of our light poles that we put in four days ago, and they cost about \$10,000 each. Of course, he's intoxicated, no driver's license, no insurance, so this will be an example that we'll be able to turn over to them and we'll ask them to go after and help us collect that money. That example came up today by Mr. Agricola.

City of Springdale Council

March 16, 2022

Old Business - None

New Business - None

Meetings and Announcements

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

Communications from the Audience

Mr. Coleman: Just real quick here, in regards to Ordinance No. 11-2022, my question is, is there a minimum amount targeted for this collection?

Mr. Braun: There's not. And, I would also want to add, because I was going to add it earlier, but I didn't think it was relevant, but you might be interested to know this, right now we contract with a third party who takes a percentage of what they collect. The nice thing about the Attorney General's office is they pass those costs on to the individual debtor. And, I would also point out, I think Mr. Jones was kind of alluding to this, in addition to the fact that we have the state doing this free service for us, they can also, because of their position in their ties to the State, they can automatically take this from people's tax returns and remit that money back to us. So, there's a lot of benefits to using the AG's (Attorney General's) Office. Now, the downside to that is they're doing this for lots of communities, and sometime it might take a little bit of time, but, I can tell you that when someone for a small debt or a big debt gets a letter from the Attorney General, it usually gets your attention.

Mr. Coleman: Thank you Mr. Braun. I appreciate that.

Mayor Webster: I didn't want to have get up and walk down to the podium. I'd just like to announce that, I know Julie (Matheny) has stood up before and talked about our SOS (Springdale Offering Support) Scholarship, and we've got two more weeks before we close off applications and we're still taking applications; a \$1,000 scholarship to a Springdale senior, regardless of what school you go to, or whether you want to go to college, or trade school, a \$1,000 scholarship is available to you, so we will stop taking applications the end of March, so, that's two more weeks. Thank you.

Update on legislation still in development

Mr. Hawkins: As you review your Internal Memorandum, Item Number I was addressed with Ordinance No. 12-2022; that will be addressed at our next meeting as that was removed from the agenda. Item Number II was addressed with Ordinance No. 10-2022; An Ordinance Approving a Major Modification to the Tri-County Commons Planned Unit Development and Approving the Preliminary Development Plan for the Property Located at 600 Kemper Commons Circle. We had a first reading on that matter. Item Number III was addressed with Ordinance No. 11-2022; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with the Ohio Attorney General's Office for the Collection of Unpaid Funds Owed to the City of Springdale. That was a first reading.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: We will have Ordinance No. 12-2022; An Ordinance Authorizing the Execution of the First Amendment to the Development Agreement with Respect to the Tri-County Mall Redevelopment Project, the Execution of Ancillary Related Documents, and Declaring an Emergency. There will be a second reading and Public Hearing regarding Ordinance No. 10-2022; An Ordinance Approving a Major Modification to the Tri-County Commons Planned Unit Development and Approving the Preliminary Development Plan for the Property Located at 600 Kemper Commons Circle. There will also be a second reading of Ordinance No. 11-2022; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with the Ohio Attorney General's Office for the Collection of Unpaid Funds Owed to the City of Springdale. That would conclude legislative items unless there's anything else from Council or the Administration.

City of Springdale Council

March 16, 2022

Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Sullivan-Wisecup seconded the motion and Council adjourned at 7:39 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2022