

City of Springdale Council

May 18, 2022

President of Council Vanover called Council to order on May 18, 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.

The minutes of the May 4, 2022 meeting were considered. Mrs. Ghantous made a motion to accept the minutes; Mr. Hawkins seconded. The minutes were approved with seven affirmative votes.

Introduction of Charles Noble

President Vanover: Alright I guess at this point will turn it over to Mr. Jones. We have a department introduction.

Mr. Jones: Actually, I'll turn right around and turn it over to Matt Clayton of the (Springdale) Health Department and let our Health Commissioner do his thing this evening. Thank you.

Mr. Clayton: Thank you Mr. Jones, Mayor Webster, members of Council. It is my distinct pleasure to introduce Charles Noble. Mr. Noble began contracting with Springdale Health to provide environmental health services in December 2021. He accepted the position of Director of Environmental Health at the Springdale Health Department in April 2022. Charles comes to Springdale after serving 13 years at Hamilton County Public Health as a registered Environmental Health Specialist. Prior to his years at Hamilton County, Charles worked for the TMDL (Total Maximum Daily Load) Division of the Kentucky Department of Water as an Environmental Biologist. He has a Bachelor's Degree in Biology from Towson University in Baltimore, Maryland. He has been married to his wife Eileen for 37 years. He and Eileen have two children; Wesley and Kayleigh. Wesley is a graduate of Campbell University in North Carolina and played professional baseball in the Detroit Tigers organization. Kayleigh is a graduate of the University of Cincinnati. In Charles' free time, he enjoys fitness activities, hiking and fishing. We are very pleased to welcome Charles Noble as a member of the Springdale Health Department team. Charles, I'll give you the opportunity to say a few words to the Council.

Mr. Noble: I'd just like to thank the Council, ladies and gentlemen of the Council for allowing me to serve the people of Springdale.

Mayor Webster: Welcome aboard.

Mr. Noble: Thank you. (Applause)

President Vanover: Mr. Clayton, don't run away just yet.

Mr. Clayton: Yes sir.

President Vanover: I just wanted to give you a tip of the hat to our trapper, Tom. As you are aware, I took out a trap this week, and that was probably one of the most painless and enjoyable actions I have had. He is a phenomenal individual, and it just worked like a top, even though I signed my life away to get the trap. I wanted to give a tip of the hat to the (Health) Department, and also if you'd pass it on to trapper Tom I would greatly appreciate it.

Mr. Clayton: Thank you sir. I'll do that right now.

President Vanover: Thank you.

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Committee and Official Reports

Civil Service Commission

Mr. Coleman: Good evening Council. Well, I have updates this evening, and Matt (Clayton) just stole some of my thunder because I was going to certainly make note of the fact that Mr. Charles Noble was selected and began employment on April 25th, but Matt has already given that information, so, we'll move on. The Account Clerk I position; that individual started employment on April 25th also, so that position is now filled. Custodial hiring process; there are two open positions and both of them have now been filled. One is splitting time between the municipal building and the community center, and the other individual is actually full-time at the community center, so we're two for two in that regard. Firefighter II EMT, and Firefighter/Paramedic hiring process; two conditional offers have been made and it's in the background investigation process, so, we're optimistic there that those individuals will certainly be on board. As a matter of fact, one of them is a part-time employee currently, so he comes with some understanding and some knowledge of the City of Springdale as well as the Springdale Fire Department. The other good news is that the Patrol Officer hiring process; to date, we had 23 applicants that were received. That closed on May 6th. We are optimistic that there will be other individuals that will apply as well and, again, given short notice approving everything, we're really happy to be looking at these candidates and hats off to Brian Uhl for taking us in that direction that allows us to keep moving forward. So, again, this was the part of the meeting that occurred on May 5th all of the members of Civil Service (Commission) present. That concludes my report for this evening. I had to go "new school", new technology. I usually have my written notes, but I had to do it on my phone today when my computer wasn't working, so, I guess I have to get with the program. Thank you. Any questions? (None)

President Vanover: I don't see any lights. Thank you Mr. Coleman.

Rules and Laws

Mrs. Ghantous: Actually Dan (Jacobs) is going to give it.

Mr. Jacobs: Rules and Laws Committee met on the 12th of April. The topic at hand was the peer to peer car sharing situation in the City. If residents aren't aware, we had an experience quite a while back with the peer to peer car sharing business located in the City. We didn't have ordinances to address the concerns that residents had, so there's been a lot of work put into some new language to update our laws and rules to be consistent with something that can have a positive impact for our residents. We've been working with the language quite a bit. The City Administration had a couple of concerns with some of the draft language. Part of it was consistency with the Ohio Revised Code, the other part was just some enforceability questions, so they're taking their time, making it the best legislation that we can get. Rules and Laws is going to meet again on the first of June, and we'll finalize those changes and then present it to Planning (Commission) on the 14th. Then, forthcoming after that, it would be presented to us (Council), and that was the extent of the meeting. If there's any questions, I'd be happy to answer them (None).

Finance Committee

Mr. Hawkins

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No report

Planning Commission

Mrs. Sullivan-Wisecup: Planning Commission met on May 10th in these chambers. We had six members in attendance. We had Old Business for a Conditional Use for Creative Dreams Learning Center at 12117 Princeton Pike and that was a continued public hearing. That did pass with a 6-0 vote. Then we had New Business; Route 4 Corridor Review Plan; La Quinta façade at 12150 Springfield Pike. That passed with a 6-0 vote. That was to change from the yellow color that it is currently to, I don't know if you've seen the updated La Quinta that have more of a grayish cement color front and the new modernized, more inviting look to it. That was what we had approved was to go with the new brand. That is all I have unless you have anything Mr. Ramirez.

Mr. Ramirez: I have nothing to add.

Mrs. Sullivan-Wisecup: Thank you.

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Board of Zoning Appeals

Mrs. Ghantous: Board of Zoning Appeals met on April 26th. We had one application. That was the owner of 719 Cloverdale. He came requesting a variance from Section 153.252 Table 252-2 to locate a wheelchair ramp in the front yard, which does not comply with the setback requirements. The Board voted 7-0 in favor of that request. This house was built prior to setback requirements that are in today's Zoning Code, so the front yard wasn't very deep to begin with, and to accommodate the length necessary for him to maneuver from his car into the front door of his home, it needed to be out further than we would have liked. But we talked about it at great length and the Board felt like there were enough conditions that this was a reasonable request on the behalf of the homeowner. Jeff (Anderson) do you have anything to add?

Mr. Anderson : No, I think that was perfect. The only thing I would note is this was something that was funded by the VA (Veteran's Administration), and they also examined the other entrances to the building to see if he could go in through the side of the house, and those weren't an option either, so, this was really a situation where he either is able to get into his house, or he'd have to move, and I think that it's great that we're able to accommodate those types of requests when the buildings can't accommodate the current zoning code, so I think it's a good thing that we're able to do that.

Board of Health

Mr. Jacobs: Board of Health met on May 12th. Following that meeting we're going to be on hiatus until September 8th. Just random updates. The former Willows which was also known as Hunter's Glen, which is now The Park (At Springdale), that area is seeing a drop in police calls. They are seeing a drop in complaints through the Health Department, so that was some good news that I wanted to pass along. Accreditation is still a "thumbs up", as far as COVID updates, cases are on the rise, but severity is either flat or moderate at the worst, so far, but, obviously they are still keeping an eye these things. I have a lot of faith in Commissioner Clayton and what his staff is doing in terms of that. There was a note about a new African-themed grocery store setting up shop here in the City and the Commissioner mentioned that when and if that happens, there will be three different, very diverse grocery store options for our residents which is a great thing to share. The former "smoQ" restaurant near the cinema is being rebranded and will be called "Magnolias" and that's in the works. As a continued notification to citizens, vaccinations and boosters are still being given here at the municipal building from 9:00 a.m. until 12:45 p.m. every Thursday and that continues. The CDC had a couple of just random alerts that the Commissioner wanted to bring up during the meeting. There is some growing concern about children that have a combination of symptoms that they recommended you want to see a doctor if you see this combination, and the combination is stomach issues, joint pain, and jaundice, which is like a yellowing of the skin. It seems to be popping up; I've seen it in the media, was brought up at the meeting, so I just wanted to pass that along. It's not a matter of panic, but, if you see that three symptom combo, you would want to see a doctor fairly quickly on that. They mentioned an update on recommendations for Hepatitis B vaccinations for adults. Previously, it had been under certain risk categories and they've changed that now to where any adult is recommended that you keep up to date on Hepatitis B vaccinations. So, that's a change in policy. The last note is that the Health Department will be giving out a limited supply of child size bicycle helmets at the upcoming Law Enforcement Expo, which is June 4th at the Community Center. That's all the updates that I have unless there are any questions.

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| Capital Improvements | Mrs. Ghantous | - | No report |
| O-K-I | Mr. Anderson | - | No report |

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Mayor's Report

Mayor Webster: In continuing with our proclamation season, I have a proclamation this evening for our Public Works Department and it reads,

"WHEREAS, public works professionals focus on infrastructure, facilities, emergency management, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Springdale; and

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, and who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the City of Springdale to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2022 marks the 62nd annual National Public Works Week sponsored by the American Public Works Association.

NOW THEREFORE, I DOYLE H. WEBSTER, Mayor of the City of Springdale, do hereby proclaim the week of May 15th -21st, 2022 as

NATIONAL PUBLIC WORKS WEEK

In the City of Springdale and call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life"

Mr. Agricola if you'd step forward. I think you're getting more than your fair share of these aren't you?

Mr. Agricola: Thank you very much. (Applause)

Mayor Webster: A couple more items. First off, I'd like to give Council a little update on some of the SOS activities, and pass this picture down to you. I think, as you recall, a couple of meetings, Julie Matheny has stood up and announced the scholarship program and so I told you we hadn't notified the recipient, so now, we're very proud to announce that London Dennie was awarded a \$1,000 dollar scholarship and a couple of our members presented her with a check last week I think, so, I'd like to pass that down, but that's Julie Matheny and Michelle Miller, a couple of our board members presented that to her. Also, as you know, we've got this clothing drive going on for the Ukraine, and I think it was six skids that have been picked up by Matthew 25: Ministries over at the Fire Department. They have graciously given us a bay over there to store and put a couple of pallets in these huge bins, and we filled up six of those and we've got two more and one of them is partially filled, and the drive goes through the 20th of May, this Friday, so if you're so inclined to contribute clothing, bedding, household stuff, they'd be more than happy to take that from the Fire Department over to Matthew 25: Ministries and eventually over to the Ukraine. So, we appreciate everybody's donation up to this point, and if you're so inclined, there's still time to participate. Final item; next Friday, at 1:00 p.m. down at the Veteran's Memorial we'll have our Memorial Day Ceremony. It will be very brief. I'm looking for a veteran to help me lay the wreath, so if there's any veteran out there watching, or any veteran in the audience that would love to participate in this ceremony, please contact me and I need some assistance. This is a huge wreath and I can't carry that down there by myself. So, I need some help. Anyway, that's next Friday, the 27th of May at 1:00 p.m. And, that concludes my report.

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Mrs. McNear: We do have a veteran sitting up here with us. (Referring to Joe Ramirez)

Mayor Webster: I've used him once (laughter).

Mrs. McNear: Just in case.

Mayor Webster: If nobody shows up, I call on Joe (Ramirez)

Clerk of Council/Finance Director

Mrs. McNear: The General Fund update through April 30, 2022. For receipts, based on a net receipt budget of \$21.218 million dollars, we have received \$9.784 million dollars, which is 50% of the anticipated budget. Those fund resources are Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and Mayor's Court for a total of \$9.059 million dollars, which is 93%. I thought it was interesting that compared to last April, we had 95%, so, typically they're pretty close either one percent or exactly the same, so it was surprising to see a two point spread there. For the expenditures, based on a net budget of \$21.349 million dollars, we have spent \$6.975 million dollars, which is 32% of the budget, and our General Fund Ending Balance as of April 30, 2022 is \$8.664 million dollars. That concludes my report. Thank you.

Administrator's Report

Mr. Jones: I have several things this evening. First of all, Saturday, May 28th our swimming pool season will commence and concession stands will be open daily. Memorial Day hours for the pool; I think this was asked by a Council person a couple of weeks ago, but, the pool is open. The Community Center will be closed on Memorial Day, but the pool will be open from Noon to 8:00 p.m., plus the concession. Currently accepting registration for fall youth sports including soccer, volleyball, and also we're doing summer swim lessons. Summer Concert Series starts June 16th at 7:30 p.m. at the amphitheater. You can get some more information to find out what that series consists of. Going along with some of the stuff from Civil Service regarding full time employees, regarding part time employees, Maintenance Worker both at Parks and Public Works in need. Seasonal workers both at Parks and Public Works. Teen Advisor at the Community Center. Part-Time Customer Service Representative at the Community Center, and Part-Time Facilities Maintenance Worker. So, if you know folks looking, please communicate that. Some information with regard to speed radar provided by our Police Department. East Crescentville Road for a 30 day period from April 13th; commencing then for 30 days; speed limit in that area is 35 miles per hour. The average speed recorded was 29.4 miles per hour. The total cars recorded for the same time frame was 17,571. Speed radar on Glensprings Drive, eastbound from March 11th through May 11th, so a 60 day time frame; 25 mile per hour speed limit; the average speed was 26 miles per hour, and total cars recorded was 32,395. The last thing I would like to bring up is we have a Princeton student in our audience tonight who periodically shows his face here at Council. Ian Wisecup recently received a full-ride scholarship from Bowling Green for tuition, and I just would like to congratulate him and his mother, I'm sure is very proud; she happens to be a Councilwoman here with us. Just wanted to point out Ian; congratulations and best of luck. (Applause).

Law Director's Report

Mr. Braun

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No report

Engineer's Report

Mr. Riggs: Thank you. So, we'll start with the Community Center Reroof Phase II. The skylights are in. We're just waiting on the lighting protection system and the sprinkler system to be reinstalled. So, hopefully, we'll wrap that up by the end of the month. The Public Works Salt Dome Roof Replacement Project; same contractor that is doing the Community Center Roof is actually going to be starting on that; the plan was by the end of this week, so, I don't know Jeff (addressing Mr. Agricola)

Mr. Agricola: They'll be there next week.

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Mr. Riggs: Next week. And, once they get started, we're expecting it to be complete within a month. Northland Boulevard Reconstruction; we received final Right-Of-Way Plan Review comments on May 3rd from ODOT (Ohio Department of Transportation). We submitted those plans pretty much the next day. Well, two days later, on May 5th. There was some minor comments, so, by the end of this month, we should be receiving right-of-way authorization, and then we can begin title searches, negotiations, and things like that. This morning, I learned that the Northland Boulevard MRF application that we submitted for \$150,000; that looks to be funded. We're above the cut line, so our score is high enough; they're going to have a public hearing to discuss the score on June 16th, then the Board of Hamilton County Commissioners will vote on that the following month. We also have the CSX Railroad Bridge Repair Project on Kemper Road. Actually, just yesterday, we submitted revised plans to the County Engineer's Office for review. So, we're hoping that next month that we will be advertising that project. That project really only takes about eight months to construct, so, that would put us towards the winter when it would be that the last thing we are going to do is pave, so we're actually going to make the contract 12 months so it will go into the next spring so it takes, unfortunately, it will take two construction seasons, but we'll keep an eye on the schedule and inflation with all the costs that continue to rise. So, we're just trying to play it right. The (Route) 747 Urban Paving Project; Stage III plans and estimates were submitted to ODOT on April 19th, and we should be receiving review comments by the end of the month. That's all I have.

Communications

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None

Communications from the Audience

Ms. Hiratsuka: Hi, I'm Riei Hiratsuka and I get anxiety near microphones, so I apologize in advance. I came because I couldn't find any information about the price of the new Rec Center, and the apartments in that area, and that's what I've been looking for. Do you know when that information is going to become available? The new Rec Center. I know there's one about to be built. Have we come across any prices for what it's going to be for the citizens to be able to become members at that Rec Center. That's what I'm interested in, and I couldn't find that information online.

Mr. Jones: That kind of decision hasn't been made. The decision actually hasn't been made to move the Rec Center, so none of that has gone to Council or anything yet. So, until that happens, those kind of things will not be established.

Ms. Hiratsuka: Okay, do we have a timeframe of when it's going to be established?

Mr. Jones: I do not. That's out of our hands. It's all how the developers bring the project forward to us and then we'll respond once they bring those things, but, our Planning Commission, and then Council will be involved in the decisions about whether the Rec Center would make that move or not.

Ms. Hiratsuka: Okay. Thank you.

Mr. Jones: Okay, thanks.

Mr. Jacobs: Just to kind of follow up on that. I think it'd be good to establish a timeline for the residents as the decision is going to be made in terms of that Memorandum of Understanding and whether or not we move the Rec Center. What we know so far is that Administration is going to make a recommendation to this body, and the date for that, and correct me if I'm wrong, is June 30th, in terms of a timeline. Because I think residents would like to know how this is going to play out. When will the decisions be final, and of course, you're right, first, we'd decide to move there, then you have like hundreds; tons of other decisions like that decision on how much your residents will have to pay to be members. So, a timeline would be pretty handy, I think, for residents to know when we're going to make that final call. If you guys could provide that, I think that would be great.

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Mayor Webster: Mr. Jacobs you are exactly right. June 30th is the deadline we're looking at. This body, back on December 22nd passed an MOU (Memorandum of Understanding), and gave us six months to study the situation and make a recommendation to Council, and so that would put it June 30th. There's nothing that says we won't ask for an extension on that. We've still got lots of things to be resolved, so I would not be surprised to see us come back before you guys and ask for an extension of that MOU. So, it'll happen sometime this summer. The recommendation.

Mr. Jacobs: Thank you.

Ordinances and Resolutions

Ordinance No. 15-2022

AN ORDINANCE ENACTING AND ADOPTING THE 2022 S-24 SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, OHIO AND DECLARING AN EMERGENCY

Mrs. Ghantous made a motion to adopt Ordinance No. 15-2022; Mrs. Sullivan-Wisecup seconded.

Mr. Anderson: There's two items inside of the supplement that I think are worth calling out to make sure we understand and probably for different reasons. One of them in this update includes the micro modal low speed small devices like lime scooters and electric bikes and permits them on shared use paths. The reason I mention this is we're going through this process right now to adjust our bike lanes and walking paths. It's probably worth making sure that we think about that type of use as we build out that new path and program. I don't know if that means wider paths or different signage, but if we're going to codify what's happening at that State level anyway, to allow those 20 miles per hour devices we should make sure that we've accounted for them. So, I just wanted to make sure that's something we're keeping on our radar. The other item in the supplement, that, I think is worth calling out, and I mention this one for a different reason. This update includes the "Stand Your Ground" updates to firearms, and duty to retreat. I mention that only because I understand this is to get us in line with what's happening at the State level, and it may only be a symbolic change, but that's not something I'm comfortable with putting into Springdale. I understand the State laws may trump, and whatever that is, but, I'm not able to say, "yes" to the supplement change because it includes the "stand your ground-no duty to retreat". I don't think that's a good move in general. It's not something I can stand behind. I understand that that they may just be me. If it is just me, that's fine. But, since I'll be voting "no" as it currently is, I wanted to make sure people understood why that was and I just wanted to put that out there. If there are other people that share that concern for that part of the ordinance, I believe there are things we could do to adjust the supplement to take that out, and that may also just be symbolic; I'm not sure. But, if it's just me, just understand that's why I'm not able to support this. Thank you.

Mr. Braun: For the benefit of Council, I actually had on my short list to talk about "e scooters", but I was going to defer that to the Rules and Laws Committee for the June 1st meeting, but, since it's been brought up, I'll explain it. When we adopt a codification like this; a supplement, what we're doing is we're adopting what the Ohio legislature has already changed the laws in Ohio to be. One of those provisions is 4511.54(F), which relates to those low-speed; I call them "e scooters". And, low-speed micro mobility devices, as they're known. But, the law in Ohio on those reads that they're permitted unless the local government takes action to regulate or prohibit them. So, when we do the code supplement, it adopts it knowing we haven't taken any action to prevent them or regulate them. Several of my other communities are taking action to prohibit them on their street because they don't think they're safe, and they're kind of nuisance. So, I was going to bring that up at the Rules and Laws Committee meeting and see if there's any interest in that. But, the same would apply to the "Stand Your Ground" law. We're not saying that we want or don't want something; we have to update our supplement to reflect the status of the Ohio Revised Code unless we take action to the contrary. So, I would just point that out for you that that's why both those items are included in the supplement that was presented and obviously, if this body makes a decision consciously to change that ORC (Ohio Revised Code) provision to be different; we're a charter City; we can do things like that, then that's something you could exercise your discretion to do.

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Mr. Hawkins: Along the lines of the electric bicycles, electric scooters, what have you, my question for your Mr. Braun was did you feel that the information in terms of how things were defined, and listed in the amendment was sufficient or do you think it would be appropriate to add some additional things. I hear your saying it was something that you were going to suggest going to Rules and Laws to be discussed. I guess for clarity, as you go down the list from Federal, to State, to City, as you go tracking closer to those constituents, you can provide more protections that are there, but we can't take away protections that are set up by the higher form of government. Is that accurate?

Mr. Braun: In the absence of us having taken action prior to it being adopted, that would be true. And, I would also answer your question about the low-speed micro-mobility devices and what I would say is several of the communities we represent, it was kind of brought into the media forefront recently when the City of Cincinnati decided to look at that potential ban, and then all of the sudden, a lot of smaller suburban communities started perking up and saying, "Oh wow, we really don't want those on our streets because they zip in and out of traffic, they do cause our Fire and EMS Department to have to respond to runs." And you have the ability to do things like inspect them, regulate them. You can charge them a fee, you can take a portion of their fee for what they're charging to do those. So, to answer your question, I do think that the ORC is sufficient in the absence of us deciding we want to do something, but I would suggest knowing that we have significant residential project on the horizon, and knowing that there's going to be interior streets that have high connectivity to our higher traffic streets, I think it would be wise for us now to look at the issue of whether we want those scooters to suddenly appear in Artisan Village in the future, and then be connecting to our other roads. So, I think that's something that we might want to think about and I just assume that Rules and Laws might be a good committee to do that unless this body thinks that someone else should, and maybe then we can answer your question, Mr. Hawkins, by saying, "Here's what we think.", and then let Council kind of hash it out. I do think though that as it's worded, yes, the law is sufficient, but if you do want to regulate them, and I have a feeling that your Fire Chief might have some thoughts on that, and your Police Chief based on some information that I've read over the last week. But, I think it's something we might want to look at and, quite frankly, to Mr. Anderson's point, there may be other updates in the supplement that you want to take action on. I kind of watch those for you based on what other communities are doing, and the only other thing that I had on my list, since we're talking about these issues, is the Ohio Legislature is also getting ready to pass that regulation that says you can't ban or zone our Airbnb's. As a charter community, that is something you could take action on prior to, or even after the legislature does to protect our "home rule" authority. I know that's something right now that's being debated in Columbus, whether we can or can't. But, that's something we may also want to have Rules and Laws look at.

Mr. Hawkins: And just finally, Mr. Braun, along the lines of the discussion in terms of the hierarchy of Federal, State, and City ordinances, if this body were to vote against this ordinance, it doesn't change the State law. The State law still is what it is. And, so, even if we voted against it, the State law is going to allow these things unless we were to take an action to do something to the contrary. That's correct?

Mr. Braun: It would be a symbolic statement, but, yes, you're correct. The ORC (Ohio Revised Code) won't change and our obligation to comply with it won't change.

Mr. Hawkins: Thank you.

Mr. Jacobs: Just a question for Mr. Braun as well. You're presenting kind of the option that maybe we could take certain actions. What would be the deadline for such actions and then a couple of other quick follow ups. Would you say, and I'm going to use the word flexibility, that given home rule, and understanding that we're still going to be symbolic in some ways, is there any difference in your mind versus maybe the use of these vehicles, versus stand your ground legislation. Are they equally subject to some home rule discretion, again, understanding that it's symbolic in most situations. So, timeline, and then do you think they're equal?

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Mr. Braun: Well, rather than saying, "Are they equal?", I think Mr. Hawkins description of it was right on, which is we can't contradict that State law, but we can make things a little different. We can regulate them a little bit more, we can't essentially take action that is contrary to those laws that are in effect, and, I have not studied the "Stand Your Ground" law; I will acknowledge that. I certainly can do that if that is the will of the Council. I have looked at the scooter issue, I have looked at the Airbnb issue, and there could be other issues that you're interested in as well, and we'll certainly research those, but, to your point, we can take action that's not in conflict. If we decided we wanted to add another layer to Mr. Hawkins point, how you go down through Federal, State, and local level, yes, we could add our own layer to it, but what we couldn't do is say we're not going to comply with it, or that we're going to change the way the State is doing it unless, like they do with the scooters, they give us language in there that allows us to take contrary action.

Mr. Jacobs: Thank you.

President Vanover: Well, and on the scooters, I will say we were down on riverfront this weekend for an arthritis walk, and they were literally littered everywhere. On sidewalks, in the parks, just it really was amazing to see how they're just kind of disregarded when people got done using it; it just got dumped there. Some were set up, others were laying down, some were in bushes. It was eye opening on that issue, and I know that in the past, of course this changes somewhat, but, in the past even a human powered bicycle was not allowed on sidewalks. It had to adhere to the rules of the load of a powered motor vehicle, so, I think there's some cause, use the phrase "cause to pause" on those topics, the Airbnb, and the scooters that might be worth taking time to do.

Mr. Hawkins: One last thing, I would suggest. I have some pause, as Mr. Anderson does, with the "Stand Your Ground", just in terms of how that language gets used and what the ramifications are, but, I think the important thing is folks have to understand there are things we control, and there are things that we don't control. And, so, things like that that come from the State legislation need to engage your State legislative representative, be it Ms. Miranda, or whomever, depending on where you live, and those are things that get passed down and you've got to engage those folks before those things start. Thank you.

Ordinance No. 15-2022 passes with six affirmative votes and one opposing vote (Anderson).

Ordinance No. 16-2022

AN ORDINANCE (PRELIMINARY) AUTHORIZING PARTICIPATION IN A PROJECT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION FOR THE FY23 URBAN PAVING PROJECT ON STATE ROUTE 747 IN SPRINGDALE AND DECLARING AN EMERGENCY

Mrs. Ghantous made a motion to adopt Ordinance No. 16-2022; Mrs. Sullivan-Wisecup seconded.

Mr. Ramirez: Do we have an estimated cost for the City's share of this project?

Mr. Riggs: So, the estimated cost right now is just shy of \$800,000, and the way the agreement is worded that ODOT will pay for the first three inches of asphalt, so 20% will be the City, and 80% is ODOT's share. Any other work besides that, like full depth repairs, all that is going to be 100% the City's cost. So, typically the breakdown is about a 50/50 split that it ends up being. So, we're looking to be around \$400,000 at this point.

Mr. Ramirez: Alright. Thank you.

Ordinance No. 16-2022 passes with seven affirmative votes.

City of Springdale Council

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Ordinance No. 17-2022

AN ORDINANCE AUTHORIZING THE SALE, DISPOSAL, OR TRANSFER OF PERSONAL PROPERTY FROM THE CITY OF SPRINGDALE

President Vanover: Alright Council, you've heard the reading of Ordinance No. 17-2022. We will see it again. Is there any discussion this evening?

Mr. Anderson: There's one item on the list I had a question about. Maybe we can get it answered before we take action on it. The Police Department, "PD 2" in Exhibit A has "Used Body Armor" listed for disposal. I know in the past, especially for Fire and Police we try to give it to other agencies that are able to use it. Are there any restrictions on individuals purchasing this armor if it wasn't able to go to a law enforcement agency? The reason I mention it is if there aren't any, I would rather see that item destroyed as opposed to sold publicly.

Mr. Uhl: As a matter of policy, we wouldn't sell those to the general public. So, typically those are transferred, but, after five years there is no ballistic warranty with those any longer, so, they try and repurpose them where they can, but they typically would destroy those.

Mr. Anderson: So, when we say "try to repurpose", on the exhibit it's listed. So, we would follow that policy if there's not an agency that can use it, we would not resell it to the general public? I'm just thinking to the recent mass shooting in New York where the perpetrator had body armor and it made it very difficult for law enforcement to do their job. I just don't want to contribute to that.

Mr. Uhl: Correct. It would not be sold to someone else. If it was repurposed, it would be used to reinforce ballistic protection maybe for a vehicle, or something like that; owned or operated by a Police Department and municipality.

Mr. Anderson: Thank you.

Mr. Jacobs: Do you have a number on how much body armor we're talking about? It doesn't have to be exact.

Mr. Uhl: I do not have an exact number on the amount of body armor.

President Vanover: Seeing no more lights, we have Ordinance No. 18-2022. This also is a first reading.

Ordinance No. 18-2022

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE OPERATION, CONTROL, AND MAINTENANCE OF TRAFFIC SIGNAL EQUIPMENT IN THE CITY OF SPRINGDALE

President Vanover: Alright Council, you've heard the reading of Ordinance No. 18-2022. It is a first reading. We will see it again. Is there any discussion this evening? (None)

Resolution No. R10-2022

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO FILE AN APPLICATION WITH THE SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY (SORTA) FOR TRANSIT INFRASTRUCTURE FUNDS RELATED TO THE NORTHLAND BOULEVARD RECONSTRUCTION PROJECT, AND AUTHORIZING THE MAYOR AND CLERK OF COURT/FINANCE DIRECTOR TO EXECUTE ALL CONTRACTS AND OTHER DOCUMENTS RELATED TO THE PROJECT

Mr. Hawkins made a motion to adopt Resolution No. R10-2022; Mrs. Ghantous seconded.

Resolution No. R10-2022 passes with seven affirmative votes.

City of Springdale Council

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Old Business - None

New Business - None

Meetings and Announcements

Mrs. Sullivan-Wisecup: Planning Commission will meet in these chambers on Tuesday, June 14th at 7:00 p.m.

Mr. Anderson: We have a BZA meeting on May 24th in these chambers at 7:00 p.m.

Communications from the Audience - None

Update on legislation still in development

Mr. Hawkins: As you review your Internal Memorandums, Item Number I was addressed with Ordinance No. 16-2022; Authorizing a Preliminary Ordinance with the State of Ohio Department of Transportation (ODOT) for the State Route 747 Urban Paving Program and Declaring an Emergency. That passed with a 7-0 vote. Item Number II was addressed with Ordinance No. 15-2022; An Ordinance Enacting and Adopting the 2022 S-24 Supplement to the Springdale Code of Ordinances and Declaring an Emergency; that passed with a 6-1 vote. Item Number III was addressed with Resolution No. R10-2022; A Resolution Authorizing the City Administrator to File an Application with the Southwest Ohio Regional Transit Authority (SORTA) for the Northland Boulevard Reconstruction Project and Authorizing the Mayor and Clerk of Council/Finance Director to Execute All Contracts and Other Documents Related to the Project. That passed with a 7-0 vote. Item Number IV was addressed with Ordinance No. 18-2022; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with the Ohio Department of Transportation (ODOT) for the Operation, Control, and Maintenance of Traffic Signal Equipment in the City of Springdale. That was a first reading. Item Number V was addressed with Ordinance No. 17-2022; An Ordinance Authorizing the Sale, Disposal, or Transfer of Personal Property from the City of Springdale, Ohio. That also was a first reading.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: There will be a second reading of Ordinance No. 18-2022; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with the Ohio Department of Transportation (ODOT) for the Operation, Control, and Maintenance of Traffic Signal Equipment in the City of Springdale. There will also be a second reading of Ordinance No. 17-2022; An Ordinance Authorizing the Sale, Disposal, or Transfer of Personal Property from the City of Springdale. And that's it unless there's anything else from Council or the Administration.

President Vanover: I guess we had a discussion earlier, Council, what's your concurrence on the issue of the e scooters and the Airbnb. Do we want to forward that to Rules and Laws? (Council nodded in agreement). Okay, Mr. Braun can make that.

Mr. Anderson: I think it would be a good idea. It is worth noting on the scooters, there is good language in there in terms of path use. It does have good things that we shouldn't back off on; helmets, passing requirements; you're supposed to signal; pedestrians always have the right of way, so I hope we don't back away from those.

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Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Sullivan-Wisecup seconded the motion and Council adjourned at 8:00 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2022