

INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

August 30, 2013

To: Mrs. Marjorie Harlow
President
Springdale City Council

From: Derrick Parham
City Administrator

Re: Report on Pending and Future Legislation

Item I

An Ordinance Reducing Special Assessments Levied for the Purpose of Constructing Certain Improvements at Pictoria Island and Declaring an Emergency

Under the terms of the Tax Incentive Cooperative Agreement entered into between the City of Springdale, the Greater Cincinnati Port Authority, and MEPT in August 2006, a special assessment district was established to levy an assessment fee on the ten-story office building at the Pictoria Island development. Under the terms of the TIF agreement, the special assessment amount may be reduced or increased annually based on the amount of funds collected through TIF service payments in the previous year. The purpose is to set the special assessment payments at an amount that will meet the debt service payments in the upcoming year.

An ordinance, with an emergency clause, to reduce the amount of the special assessment levied on the office building at Pictoria Island for the next twelve months is scheduled to be before Council on **09/04/2012**.

Item II

An Ordinance Amending the Zoning Code to Create Regulations Regarding a Farmer's Market

At the start of this season the Springdale Chamber of Commerce Farmer's Market was relocated from the northwest corner of the Springdale Town Center to the southwest corner by the center's ownership. The Farmer's Market will once again be forced to change locations as a result of the pending construction of a new restaurant at the southwest corner of the Town Center. When notice of this was received earlier this year, the Chamber and Administration began a search for a new location for the market. As you can imagine, visibility for the Farmer's Market is essential to its survival. After exploring several options, it was determined the City's Church Street parking lot could serve as a possible location.

This ordinance will create a definition for a Farmer's Market as well as make it a permitted use in a General Business zoning designation. Presently, a Farmer's Market is not defined nor regulated in the Springdale Zoning Code. The issue was deliberated by the Springdale Planning Commission at its August 13, 2013 meeting. By a unanimous vote of 6-0, the Planning Commission recommended the Zoning Amendment to City Council. In addition, a copy of the City Planner's recommendation is attached for your review.

An ordinance to amend the Zoning Code creating regulations regarding a Farmer's Market is scheduled for a first reading at Council's **09/04/2013** meeting. A second reading of the ordinance along with a Public Hearing is scheduled before Council at the **09/18/2013** meeting.

Item III

An Ordinance Amending the Zoning Map for the Municipal Parking Lot at Walnut and Peach Streets Changing the Zoning From Residential Single Household High Density (RSH-H) Zoning to General Business (GB) Zoning

This ordinance would rezone the City's municipal parking lot located at the southwest corner of Walnut and Peach Streets from a Residential Single Household High Density Zoning district to General Business. The lot is presently surrounded by Walnut Street, Church Street, Elm Alley, and Peach Street. The Springdale Town Center is to the northwest of the parking lot and is a PUD. The property immediately adjacent to the west of the parking lot is zoned GB.

An ordinance amending the Zoning Map for the municipal parking lot at Walnut and Peach Streets changing the zoning from RSH-H to GB is scheduled for a first reading at Council's **09/04/2013** meeting. A second reading of the ordinance along with a Public Hearing is scheduled before Council at the **09/18/2013** meeting.

Item IV

An Ordinance Authorizing the City Administrator to Properly Dispose of City Property No Longer Necessary for Municipal Purposes While Determined to Have Zero Value and Declaring An Emergency

The Springdale Charter provides that City Council, by ordinance, may declare City property is no longer needed for Municipal purposes and prescribe the terms of its sale or disposal. Property valued by the Clerk of Council/Finance Director at less than \$500 may be sold or disposed of by the Mayor, if the Mayor deems the property is no longer needed for Municipal purposes. Neither the Charter nor the City's Code of Ordinances addresses the disposal of City property which has no value.

There is some City property which is no longer needed for Municipal purposes and has no value at all. This property can more appropriately be referred to as trash or junk, yet it remains as City property. Because the Charter defines how City property is to be disposed, we are prohibited from simply throwing out property in this category.

Generally in these instances, where our Code may be silent on an issue, we can revert back to how the Ohio Revised Code (ORC) addresses it. The ORC provides that City Council determines how property is to be disposed, including property with no value. In an effort to properly address our issue of disposing of property with no value, we offer the following solution. City Council can adopt legislation authorizing the Administrator to identify items deemed to have no value (or considered to be trash/junk) and properly discard them or throw them away. Items fitting this condition shall be deemed to have no monetary value. If any item is declared to have no monetary value, it must be sent directly to the trash. This means no one (employee, citizen,

vendor, etc) may use the item, or parts from said item, under any circumstances. As was reported at the August 21 Council meeting, over the years the City has accumulated property meeting this condition. At the same time, property determined to have ANY value, will proceed through the City's normal property disposal process.

An ordinance, with an emergency clause, authorizing the City Administrator to properly dispose of City property no longer necessary for municipal purposes while determined to have zero value will be before Council at the **09/04/2013** meeting.

Item V

A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies for 2014

Each year the City of Springdale and other municipalities must submit a tax budget to the County Budget Commission in June of the year prior to the tax year in question. The tax budget estimates the revenues and expenditures for the City in the upcoming year. As part of its review, the Budget Commission examines the estimated income from property taxes to determine if it is reasonable. In Springdale's case, we only have the 3.08 mils (inside mils) that support the General Fund. If we had any voted property taxes, they would also be subject to review by the Commission.

After the City's tax budget is approved by the Budget Commission, the City must then adopt a resolution accepting the rates approved by the Commission and authorizing the levying of the property tax for the following year.

A resolution accepting the rates and authorizing the City's property tax levy for 2014 will be presented to City Council for consideration at the **10/02/2013** meeting.

Item VI

An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement to Provide for Mutual Aid Police Protection and Declaring an Emergency

In January 2012, the City adopted legislation amending the Hamilton County Mutual Aid Agreement for Police Departments. The amendment to the agreement at that time primarily addressed the following items: 1) clarified that the "Employing Agency" is responsible for the actions of its officer (employee) and any costs associated with the officer's actions when in another participating jurisdiction; 2) incorporated the previous separate "SWAT addendum document" as a part of the overall mutual aid agreement; and 3) clarified the definition of what constitutes a serious traffic violation.

At the time the new language was adopted, there were several insurance carriers and jurisdictions expressing concerns with some of the revised wording in the agreement. The jurisdictions agreed to sign-off on the 2012 version in order to have a more updated agreement available. As a result, the Hamilton County Police Chief's Association worked on the agreement for 2013 to make sure it was fully updated and contained wording everyone could live with. Most of the new proposed language does not have a major impact on our operations. At this time, the document continues to be reviewed by all jurisdictions.

An ordinance, with an emergency clause, authorizing the Mayor and Clerk of Council/Finance Director to enter into a revised agreement for mutual aid police protection is anticipated to be before Council this fall.

Item VII

Special Recognition/Information

1. Cincinnati Metropolitan Housing Authority (CMHA) Presentation

CMHA has begun their strategic planning process and would like to reschedule their presentation before City Council for some time in the future. We have told them to contact us when they are ready.

2. The Vineyard Church Healing Center Presentation

A representative from the Vineyard Church's Healing Center has been asked to make a presentation to City Council at the **09/18/2013** meeting.

Mayor

Clerk of Council / Finance Director

City Council

Assistant City Administrator

Law Director

City Engineer

Department Directors

Recording Secretary

Reading File