

# INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

December 15, 2017

To: Mr. Thomas Vanover  
President  
Springdale City Council

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From: Derrick Parham  
City Administrator

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Re: Report on Pending and Future Legislation

**Item I**

**An Ordinance Accepting the Bid in the Amount of \$2,326,652 and Authorizing a Contract with Prus Construction for the Beacon Hills Subdivision/Kenn Road Rehabilitation Project and Declaring an Emergency**

The Beacon Hills Subdivision and Kenn Road Rehabilitation project (Beacon/Kenn project) incorporates the entire Beacon Hills Subdivision as well as Kenn Road from Interstate 275 to the Fairfield corporation line. The work scheduled to be performed under the Beacon/Kenn project will consist of full curb replacements, catch basin repairs and/or adjustments, manhole adjustments, sidewalk repairs, ADA ramps in several locations, pavement repairs, the application of a sealant process to preserve the pavement throughout the Beacon Hills Subdivision, and asphalt resurfacing on Kenn Road. In addition, some minor storm sewer repairs are planned on Brookston Drive and Kenn Road. As has been the City's practice during previous projects, residents whose drive aprons and/or driveways are determined to be below City standards will be required to repair/replace the drive apron and/or driveway at their expense. As always, the resident will have the ability to pay for this improvement up front, in installments, or have the cost of the improvement added to their taxes.

Bids for the project were opened on November 21 and Prus Construction was determined to have submitted the best bid in the amount of \$2,326,652. The estimated construction cost for the improvement was \$2,449,616. Prus' bid is approximately \$122,964 less than the engineer's estimate. The project is a part of the City's Comprehensive Capital Improvement Program and will be totally funded by the City. If a contract with Prus is awarded by Council at its **12/20/2017** meeting, it is anticipated that the construction could begin in early spring of 2018. The project is scheduled to be completed during the fall of the same year.

An ordinance, with an emergency clause, accepting the bid in the amount of \$2,326,652 and authorizing a contract with Prus Construction for the Beacon Hills Subdivision/Kenn Road Rehabilitation Project is planned to be before Council at its **12/20/2017** meeting.

## **Item II**

### **An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Amend the Agreement with Wood & Lamping LLP for Legal Services to the City of Springdale and Declaring an Emergency**

Wood & Lamping has submitted a request to amend their current fees for legal services with the City of Springdale effective January 1, 2018. The request is to increase the annual retainer from \$28,600 to \$29,200 per year (2.1% increase). The hourly rate for all Extra Services not included under the retainer is currently \$199.00. The proposed hourly rate increase for the Extra Services would be at \$203.00. This represents approximately a 2.0% increase.

An ordinance, with an emergency clause, authorizing a fee increase for Wood & Lamping will be before Council for consideration at the **12/20/2017** meeting.

## **Item III**

### **An Ordinance Authorizing the 2018 Fee Schedule with CT Consultants, Inc. for Engineering Services and Declaring an Emergency**

CT Consultants has submitted a request to amend their fee schedule with the City for 2018. The last adjustment made to their fees was approved by Council at the **12/07/2016** meeting. That adjustment reflected an overall 1.85% average rate increase for 2017.

CT's proposed 2018 rate increase would have an overall average of 1.75% over the 2017 current rates. The increases to the various positions range from 0.72% to 2.25%. In no case do any of the categories increase by more than three dollars. If approved, the new rates would not go into effect until January 1, 2018.

An ordinance, with an emergency clause, authorizing an adjustment to the CT Consultants fee schedule will be presented for Council's consideration on **12/20/2017**.

## **Item IV**

### **Several Resolutions Appointing Persons to Various Boards, Commissions, and Committees**

A quick review of the Boards and Commissions document (dated 6/22/2017) reveals the terms of several members of the various boards and commissions expire at the end of the calendar year.

Below are a number of board or commission members, according to the document, with terms expiring this year: Charter Revision Committee – Mrs. Julie Matheny (**12/31/2017**); Civil Service Commission – Mrs. Kathy Nienaber (**12/31/2017**); Tax Review Board – Mr. Roy Mitchell (**12/31/2017**); and all members of the Volunteer Fire Fighters' Dependents body (**12/31/2017**). In addition, there is one additional vacant seat on the Charter Revision Committee due to the resignation of a member earlier this year.

Council will need to adopt legislation by no later than the **12/20/2017** meeting in order to fill these vacant positions prior to the end of 2017. Several individual resolutions appointing members to the different boards and commissions will be presented to City Council for consideration at the **12/20/2017** meeting.

## **Item V**

### **An Ordinance Enacting and Adopting the 2017 S-18 and S-19 Supplements to the Springdale Code of Ordinances and Declaring an Emergency**

Each year, the State of Ohio adopts a number of amendments or supplements to the Ohio Revised Code (ORC). By law, cities (even Home Rule Charter cities) are required to adopt some of the supplements while others are at the option of the City whether they will be adopted. It is completely at the discretion of the organization. Historically, the City of Springdale has enacted or adopted the majority of these supplements.

Normally, there is a single set of supplements for Council to consider. This year, there are two different sets of supplements for Council's consideration. The reason Council is asked to address two different sets is in November and December of 2016, there were a number of changes to the State's OVI laws. Typically, those changes would not be addressed by Council until the 2018 supplement adoption process. If we were to wait until the normal process to adopt those supplements, it would have created potential confusion for our Police Department. In this case, a Springdale Police Officer would be operating under two different laws for the same offense. For example, if this situation were to exist, the officer could only cite the violator to Hamilton County Courts instead of to Springdale's Mayor's Court. To eliminate this confusion, the Law Director's Office recommended that the City address the amendments sooner rather than later.

Other supplements to be considered by Council include: an update that provides immunity from arrest to a person who is accused of a minor drug possession offense (misdemeanor or fifth degree felony) who is seeking medical help for a drug overdose being experienced by that person; modifications relative to carrying concealed handguns that extend the same rights and restrictions to active duty members of the US Armed Forces as to those of concealed handgun licensees; a requirement that the operator of a vehicle that is passing a bicycle must pass at a distance of three feet or greater; and many others. In an effort to align the City's Code of Ordinances with the State of Ohio, Council will need to enact the aforementioned supplements.

An ordinance, with an emergency clause, enacting and adopting the 2017 S-18 and S-19 supplements will be before Council at the **12/20/2017** meeting. Due to the high number of pages expected to be associated with this ordinance, a copy of the supplements will not be attached to the legislation, however will be made available for inspection in the office of the Clerk of Council/Finance Director.

## **Item VI**

### **An Ordinance Setting the Employee Pay Rates for 2018 and Declaring an Emergency**

As a part of this year's budget process, the City Administration is recommending that Council authorize a modest wage increase for all non-union full-time City employees and part-time firefighters. The pay ordinance would be designed to go into effect on December 24, 2017, meaning the employees will receive the benefit of the pay increase on the first pay for 2018 (January 11, 2018).

An ordinance, with an emergency clause, setting pay rates for all full-time City employees not covered by a collective bargaining agreement, as well as part-time firefighters, is scheduled to appear before City Council at the **12/20/2017** meeting.

### **Item VII**

#### **Adopting the Final Appropriation and Transfer Ordinance for 2017**

This ordinance is adopted each December in order to balance out all departments in the General Fund and to insure we balance within all funds at the end of the year. This is accomplished either by moving funds already appropriated or by adopting additional appropriations to cover actual expenses. An appropriation ordinance does not require an emergency clause and will go into effect immediately after adoption by Council and execution by the Mayor.

The 2017 final appropriation ordinance will be presented for Council's consideration at its meeting on **12/20/2017**.

### **Item VIII**

#### **Adopting a Temporary Appropriations Ordinance for the Period January 1, 2018 until the Fiscal Year 2018 Appropriations Permanent Ordinance is Adopted by City Council**

The first Springdale City Council meeting of 2018 falls on Wednesday, January 3, 2018. To provide for City operations until the 2018 Annual Appropriations Ordinance is adopted on January 3, a Temporary Appropriations Ordinance will need to be adopted by City Council. The adoption of this ordinance is an annual practice of the City.

A Temporary Appropriations Ordinance will be presented for Council's consideration at the meeting of **12/20/2017**. Because this is an ordinance dealing with financial matters, it may take effect on January 1, 2018 without an emergency clause.

### **Item IX**

#### **An Ordinance Adopting the Annual Appropriations/Estimated Receipts for Fiscal Year Ending December 31, 2018**

This ordinance authorizes the approval of appropriations for current expenses and other potential expenditures of the City of Springdale, Ohio, for the fiscal year ending December 31, 2018. It also adopts the estimated receipts the City anticipates collecting in the fiscal year ending December 31, 2018. Generally, the appropriations and receipts will be consistent with the 2018 Budget document which was presented to Council at the **12/06/2017** meeting.

An ordinance adopting the 2018 Annual Appropriations and Estimated Receipts is scheduled for the **01/03/2018** meeting. The appropriations ordinance does not require an emergency clause and will go into effect immediately after adoption by Council and execution by the Mayor.

### **Item X**

#### **A Resolution Authorizing the Investment of Municipal Funds**

Article III, Section G, Paragraph 6, (i) of the Charter requires the Clerk of Council/Finance Director shall "Invest any such funds as Council, by resolution, declares are not needed for any Municipal purpose for more than ninety (90) days." At the beginning of the year, it has been Council's long-standing practice to adopt a blanket resolution authorizing the Clerk to invest those funds she determines not to be needed for more than 90 days. Such a resolution for the year 2018 will be before City Council on **01/03/2018**.

**Item XI**

**A Resolution Requesting Advance Payment from the County Auditor**

At its first meeting each year, Council adopts a resolution requesting the County Auditor “pay to the Clerk of Council/Finance Director of the City of Springdale all funds currently available for distribution to said City of Springdale.” If we fail to adopt such a resolution, the County will hold our property tax settlements as long as they can in order to derive the interest from the investment of such funds. As a result of this resolution, the County must distribute our property tax settlements as soon as the money is collected and available. The resolution covering 2018 will be before Council at the **01/03/2018** meeting.

**Item XII**

**An Ordinance Authorizing an Agreement with the Contractor with the Best Bid for the Jake Sweeney Place Rehabilitation Project and Declaring an Emergency**

In 2016, Jake Sweeney Place was included as a part of the City’s Comprehensive Capital Improvement Program (CCIP). This came after numerous attempts to secure SCIP funding through OPWC with no success.

In late September of this year, a portion of Jake Sweeney Place between W. Kemper Road and Boggs Lane collapsed. Unfortunately, this is not the first time an incident of this nature has occurred. In 2014, a portion of the corrugated metal storm sewer pipe under the roadway failed, creating a sizeable sinkhole in this same area. A temporary repair was made at that time. Today, that portion of collapsed road is covered with steel plates until the contractor can be chosen and they begin making the necessary repairs. The improvements scheduled for this project include: full curb and gutter replacement; elimination of the crown in the middle of the roadway; replacement of the existing metal corrugated storm sewer pipe; replacement of catch basins and manholes; repair of a limited amount of concrete storm sewer; total removal and replacement of the pavement with new asphalt; and the addition of new pavement markings.

The current engineer’s estimate is \$939,676. The total cost of the project will be the responsibility of the City. The project was advertised for public bid on Wednesday, November 22 and is scheduled for a bid opening on Wednesday, December 20, 2017. The work is planned to commence during the early spring 2018 and programmed to be completed by the fall.

An ordinance, with an emergency clause, authorizing an agreement with the contractor with the best bid for the Jake Sweeney Place Rehabilitation Project is scheduled to be before Council at its **01/17/2018** meeting.

- Mayor
- Clerk of Council/Finance Director
- City Council
- Assistant City Administrator
- Law Director
- City Engineer
- Department Directors
- Recording Secretary
- Reading File