

President of Council Marjorie Harlow called Council to order on November 7, 2012, at 7:00 p.m.

The governmental body and those in attendance recited the pledge of allegiance.

Mrs. McNear took roll call. Present were Council members Diehl, Emerson, Hawkins, Knox, Squires, Vanover and Harlow.

Mr. Hawkins stated on page 9235 of the minutes where it starts Noah and "is" sister, it should be "his." The minutes of October 17, 2012 were approved with seven affirmative votes with the correction.

Mrs. Harlow said the executive session concerning personnel has been pulled from the agenda.

COMMUNICATIONS - none

COMMUNICATIONS FROM THE AUDIENCE - none

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. R11 -2012

COMMENDING DANIEL SHROYER FOR HIS LONG, DISTINGUISHED, AND DEDICATED SERVICE TO THE CITY OF SPRINGDALE

Mr. Vanover made a motion to adopt and Mrs. Emerson seconded.

Mayor Webster said it is a bittersweet event. We wish Chief Shroyer the best in his retirement although we're sad to see him leave our service. Chief Shroyer started off as a volunteer in 1977 and he's one of the few people who have seen the department go from all volunteer at \$4 a run to a full-time paid fire department. Initially we only had a few people full-time and over time it evolved to what it is today. Chief Shroyer has done a remarkable job for the City and has a lot to be proud of. The City will be in his gratitude for many years.

Mr. Vanover, Mrs. Emerson, Mr. Knox, Mr. Hawkins, Mr. Squires Mr. Diehl and Mrs. Harlow all offered their congratulations and thanks.

Mr. Parham said I'd like to thank Dan for his efforts and dedication to the organization. He is very detailed and has a very keen memory. Many times we have sat down to go through the labor negotiation process and I always felt extremely comfortable that I could rely on Dan. There were times when I was trying to understand the craziness of a firefighter's schedule and Dan proved to be a very good instructor. He could break it down into simple terms that allowed me to catch on. If I needed him to handle something, I never received any pushback from him and he would handle it gracefully. As everyone is aware, right now we are in the budget process. I could always count on Dan that when he submitted his information, it would be in great detail. I would have very few questions for him. If you didn't see an explanation which was very rare, and you raised a question, Dan had the answer for you because he knew what he was being anticipated in the Department for the rest of the year. Those things made my life much easier. Thank you again. It's been a wonderful twenty year experience working along side you.

Resolution R11-2012 passed with seven affirmative votes.

Dan Shroyer said thank you. We've raised two sons and both of them are in the fire service as well. It's been a family commitment. It's been a great ride. It feels good to hear comments about what I've done over my career. I haven't done anything. It's we. One person doesn't operate a fire truck; one person doesn't make an ambulance run. We have been fortunate to have come a long way from where we were when I started. I have no delusions that there wasn't a Springdale Fire Department before I arrived and that there won't be one after I leave. I do appreciate a lot of opportunities that have been provided to me. There probably aren't enough folks that find a 35 year career that after 35 years they still want to get up and go to work. It just became time for me to retire. Some of you may know that there were some changes with the pension system that kind of drove some decisions. I'm getting used to it. I'm struggling with it a little bit. I can't say enough about the opportunities that were provided to me. I've used those opportunities and I've returned some of the investments. If I knew how to do it and someone needed me to do it, that's what I signed up for. Several years back the City had provided some training to the officer staff of the Fire Department based on a book written by a Navy commander called It's Our Ship. It was a chronology of his rise through the ranks and his responsibilities. If I could help him write the next chapter, as I went through my career and looking for the next step and the opportunity to steer the boat, when it became my turn to steer the boat I realized fairly quickly that you get to stand at the front of the boat. You don't really get to steer the boat. The boat kind of goes where the waters take it. In my mind I can leave saying to myself I want to feel I did okay given the currents I found myself in and I kept it off the rocks. I said ten years ago the overall end goal was to say some day, I walked in the door with no experience and I left as the Chief of the department. I've done that so I move on to what's next. Thank you for the compliments.

RESOLUTION NO. R12-2012
COMMENDING WILLIAM REICHERT FOR HIS DEDICATION AND
SERVICE TO THE CITY OF SPRINGDALE

Mr. Squires made a motion to adopt and Mr. Vanover seconded.

Mayor Webster said it's the City's loss. Bill Reichert is one of the dedicated people and took his appointment seriously. He told me in great detail why he had to resign his position. It was a tear jerking moment. He wanted to be able to give 100 percent and when it became evident that he had family commitments that had to take priority over this, with some regret he tendered his resignation. We wish him the best of luck and all the best to his grandson Noah.

Mr. Knox, Mr. Squires, Mr. Hawkins, Mr. Vanover and Mrs. Harlow also expressed the best for Mr. Reichert and wished him and his family the best.

Resolution R12-2012 passed with seven affirmative votes.

ORDINANCE NO. 35-2012
AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE
DIRECTOR TO ENTER INTO A CONTRACT WITH DONALD W. WHITE TO
SERVE AS MAYOR'S COURT MAGISTRATE FOR THE CITY OF SPRINGDALE,
OHIO, AND DECLARING AN EMERGENCY

Mr. Vanover made a motion to adopt and Mr. Hawkins seconded.

Mayor Webster said I'm very proud of the people who run our court, the magistrate, prosecutor and public defender. I get nothing but compliments on the court. Every year I talk to our Chief of Police to make sure everything is going well and he speaks very highly of all three individuals. The pay for all three will remain the same and I strongly urge Council to support all three ordinances.

Mrs. Harlow said it's worth it to visit court if you haven't been there.

Ordinance 35-2012 passed with seven affirmative votes.

ORDINANCE NO. 36 -2012

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH MARK E. PIEPMEIER FOR PROSECUTING SERVICES FOR THE CITY OF SPRINGDALE, OHIO, AND DECLARING AN EMERGENCY

Mr. Squires made a motion to adopt and Mr. Vanover seconded.

Ordinance 36-2012 passed with seven affirmative votes.

ORDINANCE NO. 37-2012

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH JONATHAN SMITH FOR PUBLIC DEFENDER SERVICES FOR THE CITY OF SPRINGDALE, OHIO, AND DECLARING AN EMERGENCY

Mr. Knox made a motion to adopt and Mr. Vanover seconded.

Ordinance 37-2012 passed with seven affirmative votes.

ORDINANCE NO. 38-2012

ADOPTING A SUPPLEMENTAL APPROPRIATION / ESTIMATED RECEIPTS ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES AND ADJUST ESTIMATED RECEIPTS FOR THE CITY OF SPRINGDALE, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2012

Mr. Vanover made a motion to adopt and Mr. Knox seconded.

Mr. Parham said there are couple of expenditures that are now planned that were not originally approved in the appropriations ordinance adopted in January of this year, in particular the payment of the bonds for the Community Center. Knowing we would like to address that issue tonight we decided to also take advantage of some of the smaller ones as well. We will still have a supplemental appropriations ordinance at the last meeting of the month to balance our books for 2012.

Ordinance 38-2012 passed with seven affirmative votes.

OLD BUSINESS - none

NEW BUSINESS

Mrs. Harlow said there are positions expiring on the boards and commissions. We will be looking at taking nominations for those positions at our December meeting.

Mayor Webster said I hope to have the ordinances before you for the two Board of Health members at the next meeting.

Mayor Webster said I don't know if all of you are on the distribution list for the Uniformity Legislation that has been introduced in the State House. The State Legislature is considering House Bill 601 that would make changes to everyone's earnings tax code to make those uniform throughout the State of Ohio. I think I can say unequivocally that on the surface this is great. But unequivocally, this is the first step towards consolidating the earnings tax collections throughout the State of Ohio. Subsequent to this passing would be to have everyone who pays money now to the city of Springdale Earnings Tax Department forward that to Columbus or wherever they want to have the central collection agency. They, the State, would determine when we would get our money and the third evolution here would be how much we'll get. Day One we might get 100 percent. Well, it won't be 100 percent because they will assess a fee for collecting this. My contention is that the next thing they do is start allocating how much of that do you really need and how much does this community who doesn't have an earnings tax, why not give them part of

Springdale's. I think it's a bad piece of legislation that's being pushed by several members of the State Legislature along with Governor Kasich. It's just another example of the consolidation that the Governor wants to see take place throughout the State. I think if he had his way we wouldn't have a City Council or City government here. We'd rely on the State for everything. Hopefully, we'll have all the information. It's a blank resolution. We're in the process very shortly and we'd like to have this on the agenda next for the next Council meeting.

Mr. Thamann said the City is currently in negotiations with the Police Officers' FOP unit. As you recall, the 2013 provision is for wages only. We are hoping to have that finalized before the end of the year but in the event that we do not, the union has requested that we enter into an extension agreement. This extension agreement is part of the Ohio Revised Code that allows a conciliator to make an award for those wages if so deemed appropriate retroactive to January 1, 2013. In the past this has been routinely done and approved, and we are requesting Council to approve the extension agreement.

Mr. Vanover made a motion to enter into an extension agreement with the Police Officers' FOP unit. Mr. Squires seconded. The motion passed with seven affirmative votes.

Mr. Knox stated I have been following the bill the Mayor was talking about for five years and there is no way that this City would come out ahead. This 601 bill is the worst of the bunch. We would appreciate the support of the people of Springdale to influence as many of the members of the house and senate in this state as they possibly can.

Mr. Knox said the other item I mentioned to the president is that the Cincinnati Horticulture Society selected the dental clinic of Dr. Mark Onady for its highest award for landscaping of a commercial facility. The area they are considering is the entire greater Cincinnati area so this is not a small award. Dr. Onady personally selected and planted many of the trees, flowers and bushes that grace his clinic. His wife, Kathy, who is a master gardener planned and worked in this large undertaking. It will be in the City newsletter.

Mr. Parham said on HB 601, I received a copy of the memo from the two representatives, Grossman and Hennie. State Representative Connie Pillich's office e-mailed me the actual memo. If you would like, I can forward a copy through e-mail to everyone this evening so that you will have a copy. It goes point by point as they are explaining what they are hoping to accomplish.

Mr. Squires said Mr. Thamann said we are beginning to talk to our Police Department about wages. Have they ever considered how we're going to do this when the money isn't here? It's going to be in Columbus, and how much we're going to get back.

Mr. Parham said I'm not sure they've really thought about that. Earlier this year, around the State, a number of representatives were holding what they referred to as interested party meetings. The one in our area was held at the Sharonville Convention Center where Representative Beck of Mason chaired the meeting along with a couple of other State Representatives. The meeting was attended by individuals from the surrounding Greater Cincinnati area representing municipalities and other different jurisdictions. It is my understanding that this issue is being pushed by the Chamber of Commerce, the CPAs and the Governor. It was suggested that their efforts are supposed to find solutions that will be revenue neutral; but I think with the changes they are proposing there is no way it is going to be revenue neutral. I'm not sure that I could suggest to you that they really care about how we're going to pay those employees and address those issues of labor negotiations and other issues that we have to deal with on a daily basis. I think a great concern by many is they will decide who receives what revenue and how much. Right now it has been introduced as HB 601. I'm sure a number of communities around the State will respond in some manner opposing it but the question is how the representatives of the State House will respond to it.

Mayor Webster said it would be hard to argue with having a uniform code so the CPAs and businesses that do business in local communities would know what the law is

and could follow it very easily. But you know it's just the first step and once they get everybody on the same page, it's a stroke of the pen to consolidate it.

Mrs. McNear said there are just so many wrong things with this HB 601. I think the State is looking at this as a revenue generating opportunity. Secondly, the Mayor, Mr. Parham, Mrs. Matheny and I were at a meeting a little over a year ago about the same subject. There were senators and representatives, as well as elected officials from many, many municipalities around the counties. Everyone was opposed to it. The thing that really bothers me is that the representatives and senators from the State are saying there isn't really anything going on with this. This is just all talk. There is nothing firm. There are no committees. It's all bunk. Now here we are faced with this again. This is an attempt to take power away from the cities. This really puts us out of business because if we don't have the money, then we can't operate. Then we have fiscal chaos and we're going to be taken over by the State. This is a very dangerous situation and way too big brother for me. Whatever we need to make sure we're being heard and the other communities are throwing their hats in the ring with us, we need to make sure we're doing that, and the public as well.

Mr. Parham said since 2008 City Council has approved a voluntary furlough program. Each year, it has only been over a twelve-month period. Several of our employees have taken advantage of the opportunity. When an employee takes a furlough day, it reflects a savings for the organization in labor cost. As a result, we decided to request that Council adopts legislation making voluntary furlough days permanent. The guidelines, under which the program operates, would be the same as we have used in previous years. The approval process will also remain consistent with the current program.

Mrs. McNear said we have a liquor license transfer from Derby Wings LLC doing business as Hooters to Springdale Restaurant Joint Venture dba Hooters. There were no objections.

MEETINGS AND ANNOUNCEMENTS

- Board of Health - Nov 8
- Springdale Veteran's Ceremony - Nov 12
- Planning Commission - Nov 13
- Board of Zoning Appeals - Nov 20
- Tree Lighting Ceremony - Nov 25

COMMUNICATIONS FROM THE AUDIENCE - none

UPDATE ON LEGISLATION STILL IN DEVELOPMENT

- Appointments to Board of Health - Nov 21
- Voluntary furlough - Nov 21
- Appointments to board - Dec
- Temporary appropriations - Dec 19
- Final appropriation and transfer ordinance - Dec 19
- Adopting annual appropriation/estimated receipts - Jan 2

City of Springdale Council

November 7

2012

RECAP OF LEGISLATIVE ITEMS REQUESTED

Resolution on HB 601 - Nov 21

Budget Presentation - Dec 5

Council adjourned at 7:59 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:

Marjorie Harlow, President of Council

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