

# City of Springdale Council

May 18, 2016

President Vanover called Council to order on May 18<sup>th</sup>, 2016, at 7:00 p.m.

The governmental body and those in attendance recited the Pledge of Allegiance.

Mrs. McNear provided the Invocation.

Mrs. McNear took roll call. Council Members Diehl, Emerson, Ghantous, Harlow, Hawkins, Shroyer, and Vanover were present.

The minutes of the May 4<sup>th</sup>, 2016 City Council meeting were considered. Mr. Shroyer made a motion to adopt; Mr. Hawkins seconded. Minutes were adopted as published with seven affirmative votes.

## Committee and Official Reports

Civil Service Commission	Mr. Higgins	-	no report
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Rules and Laws	Mr. Diehl	-	no report
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### Finance Committee

Mr. Diehl: Thank you, Mr. President. The Finance Committee met on Wednesday, May 11<sup>th</sup>, 2016 with all members present. The reason for the meeting was that, at the Annual Budget that we do at the year-end, we put on hold a couple of Capital Improvement projects until we saw that we have enough funds to be successful in those and we agreed that we would meet at the end of the first quarter. We did, and we have determined that the City funding is capable of handling some additional Capital Improvement projects and we have referred those over to the Capital Improvement Committee for their approval and their work. That's the end of the report unless you have any questions.

### Planning Commission

Mrs. Harlow: Thank you, Mr. President. The Planning Commission met on May 10<sup>th</sup>, 2016 in these chambers. All members were present. We had a pretty full docket that night. We had the Atrium Hotel and Conference Center at 30 Tri-County Parkway. This is the second time that they have been on the agenda and the second time that they were tabled. They did request a table until the June 14<sup>th</sup> meeting.

Under New Business, we had Tri-County Mall with quite a few different applications. The first application was to allow for a new outparcel building pad for future restaurant use. This would be at the corner of 747 and Kemper Road and that was approved with a 7 – 0 vote. The next application is for renovating Macy's exterior façade. Tri-County Mall is paying for the façade work, not Macy's so it was a little bit of a touch and go with the conversations that evening. The palette that they brought in, the color palette that Tri-County Mall brought in was very nice, it's very clean, modern, up-to-date; it's going to really renovate the entire area with new landscaping and a new canopy. We did run into a lot of conversation about the mechanicals on top of the building and at the end of the meeting, it was decided that they were there for façade upgrade and that was what we were going to take our vote on and maybe when Macy's has to replace the mechanicals, we can talk at that time about some screening on that. The issue was that Tri-County Mall is doing the work, paying for it. Macy's is going along with it, doesn't want a disruption in their services or the businesses that they're running and they were worried that the mechanical screening would cause significant delays in the project – the engineering that would have to happen to make sure that the structure could handle the additional weight load and that type of thing. So at the end of our discussions, we voted on that and the application with a 7 – 0 vote to improve the exterior façade.

The next item was also Tri-County Mall and this was an application proposing to create a separate tax identity parcel for Outlot #3 at the Tri-County Mall Planned Unit Development. This is where Chipotle, Starbucks, and Men's Warehouse is located. This was, again, it needed two members of Council to determine that it was a Minor Change and this is for tax purposes basically, so that these stores will know what they are paying in real estate taxes so it's separated out from the mall's taxes.

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Mrs. Harlow (continued): Then we had Tri-County Towne Center in with an application to relocate the existing Woodcraft sign to the east façade of Suite 271 and that's down in the corner of the development. They don't need that large space and Tri-County Towne Center is fortunate that they have a new tenant that's coming in right behind them so that was approved with a 7-0 vote. Then the next item on our agenda, it was also Tri-County Towne Center and it also applied to Woodcraft but this is the loading dock in the rear of the building and that would be replacing an existing rear door and concrete pad of Suite 281 with a new 8' x 8' loading door and there would be a ground-mounted hydraulic scissor lift at that door location so that was approved with a 7 - 0 vote.

The next item is involving two different applications for Uptown Sports Bar and Grille and this is at 370 Glensprings Drive, which we know as the Beef O'Brady's and former Perkins restaurant and they are requesting a change of color to the roof and this is for the canopy part that we see on Route 4. They want to change the green to a Deep Sea Blue and we all kind of questioned that but Mr. Taylor did tell us that that was one of the colors that is in our color palette so that was approved with a 7 – 0 vote. The next item for Uptown Sports Bar and Grille was they wanted to add a fence. There is a 4' ornamental fence that goes out and defines the outdoor seating area and they wanted to put a 6' wooded fence or vinyl fence that would totally enclose the seating area and after a lot of discussion, that was defeated by all seven members of the board and I would be happy to answer any questions that you might have.

Board of Zoning Appeals

Mrs. Ghantous - none

Board of Health

Mrs. Emerson: Thank you, Mr. President. The Board of Health met on May 12<sup>th</sup>, 2016 in the quarters adjacent to here. All members were present. For the Food Program, the plans for the Outback at Tri-County Mall has been approved and construction has begun there. For Public Health Emergency Preparation, the Springdale Health Department plans to participate in the regional Ebola tabletop exercise on May 24<sup>th</sup> and the functional exercise on June 29<sup>th</sup>.

The Willows Work Group Chamberlain Park block party on May 7<sup>th</sup> from 1:00 to 4:00 p.m. It was a good turnout. The Springdale Parks and Recreation Department had a soccer game. Smithfield provided the grilled food and Springdale Ice Cream and Beverage were also provided. The Springdale Fire Department was there - they displayed the fire engine and they provided coloring books for fire safety to the children. The Springdale Police Department displayed their DARE car and the DARE Officer was there. There was a lot of literature given out to the constituents there written in English and Spanish from the Health Department on the Zika virus, mosquito bites, and things of those nature. Other people that helped in that was the Springdale Health Department, the Springdale Building Department, the Vineyard Healing Center, the Greater Cincinnati Inter-Faith Workers House and Latino Coalition of Southwest Ohio, the Healthcare Connection, Big Brother/Big Sister of Butler County and the Housing Opportunities Made Equal. Overall, it turned out to be a real good event.

The Smoke-free Ohio Program - the Springdale Health Department Smoke-Free Ohio Workplace Program was audited by Strategic Research Group on May 3<sup>rd</sup>. Based upon the feedback from the auditor, we anticipate very positive results. The Springdale Health Department is going to host a presentation on Zika virus prevention at the Springdale Community Center on June 10<sup>th</sup> from 10:00 a.m. until noon. This event will be open to the public and will be held in Meeting Rooms 1, 2, and 3.

Springdale's having a Buckle Up for Life Ohio Program. They had their initial meetings in late April of this year and they're working with Cincinnati Children's Hospital and Medical Center for the Buckle Up for Life Ohio Program, the Springdale Fire Department, Heritage Hill Elementary School, and the Willows of Springdale Apartments to facilitate a Buckle Up for Life Ohio event at the Heritage Hill Elementary School and that's going to take place in September. More information on that will be brought forth.

The Nurse's Report – the Ebola break-out in Liberia and Guinea – they're going to celebrate the recovery of discharge of a two-year old and a five-year old and that was the latest flare-up of Ebola in those areas. Both countries are on a 42-day countdown and that ends May 31<sup>st</sup>. If there are no more flare-ups, then they'll be considered free, virus-free.

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Mrs. Emerson (continued): Lyme disease – incidents continue to increase in Ohio. Healthcare providers and doctors are encouraged to consider tick-borne diseases in diagnosing patients with those appropriate symptoms. The Influenza activity in the United States – the influenza-like illnesses in Ohio have become wide-spread. Fortunately Influenza and Pneumonia have been less this year than in past years.

The Children's Health Fair was held at the Springdale Community Center on May 13<sup>th</sup>. That was for the third-graders in the Princeton School District. Twenty-two learning centers were provided. Healthy Women, Healthy Lives event will be held on Saturday, June 4<sup>th</sup> at the Healing Center. This event provides free health screening for women in partnership with Tri-Health Women's Services, the City of Springdale Health Department, the City of Sharonville Fire Department, and the City of Forest Park. Mammograms are provided by appointment and it will be advertised on the Springdale web site and on Facebook.

Another positive note - on May 20<sup>th</sup>, at 4:00 p.m., we will have up and running the take-back drug program, where there's a box for you to bring back expired prescription drugs through the Police Department. They can sign those in for you. That concludes my report unless there are any questions.

Capital Improvements

Mrs. Emerson - no report

O-K-I

Mrs. Harlow: Thank you, Mr. President. OKI met on May 12<sup>th</sup>, 2016 and I did have an opportunity to speak with Commissioner Portune and thank him for the generosity of his group for our Sheraton Hotel project. We had our normal President's Report and Executive President's Report, and Finance Officer's Report. There is a project that will be starting. ODOT is doing an expressway project from Neumann Way to Glendale-Milford Road, so we'll probably see some of the traffic in our area impacted that by that work. We also had a presentation on automated and connected vehicles. This was done by a woman, Ms. Joanna Pinkerton. She's the Co-Director of the Honda - Ohio State University Partnership. The presentation I told you about previously that we were going to have for driverless vehicles, or driver-assisted vehicles and apparently, there's a lot of research going on at different universities. University of Michigan has a huge city that is built on their campus where they're doing all of this work for driverless vehicles and Ohio State University, their automotive research is right behind them. It's kind of like the Jetsons-type thing. We never thought we would see it in our era. It has the smart intelligent cars, the smart braking. They're doing a lot of things. I think Uber has just kind of scratched the surface of getting us out of our vehicles and into different types of transportation modes. One of the examples that she gave was that a lot of people who have children or might need to be called away from their job during the middle of the day – they don't want to do ride-share for that reason so they might, in this model, they might ride-share to work with someone through an app, someone who is in their neighborhood that's going the same way, in ride-share, and then, if they get called away during the middle of the day, there is an app that they could summon a car to come pick them up and they don't have to worry about being stranded at their place of work without their vehicle. So they have a way of getting back and forth through this new technology. They're also using fiber optics. Kentucky's way ahead of the game on the fiber optics where it's sending signals to the cars and the cars are sending signals back and it's eventually going to be able to actually slow the cars down so that it can manage the traffic flow better. It was quite impressive; I was very blown over by this 45-minute presentation that they gave because it's going to have a dramatic impact on the movements of goods and people in our community in the future.

We also had a 2040 Region Transportation Plan update and marketing for the Ride-Share Program, marketing for the Region Clean Air Program, and we had amendment to OKI's Regional Quality Management Program and that would end my report unless there's any questions.

Mayor's Report

Mayor Webster: I'd like to report that today there was, as Derrick likes to call it, a pre-construction meeting – I think it was a pre-destruction meeting - concerning the demolition of the Springdale North AKA Sheraton AKA whatever you want to call it. But anyway, work will start tomorrow on the inside of the hotel. Within a week or so, they will move to the outside.

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Mayor Webster (continued): You should begin to see equipment on the site tomorrow. Needless to say, there will be a lot of equipment up there. The entire area will be fenced off so Mrs. McNear, you will have to find you a new walking track. Let's just hope they get all the geese inside, but that's part of the contract – they're allowed to take all the geese they want. We will also notify all of the businesses there on Sheraton Lane and the adjoining residents as to what's taking place. They informed the City that they, as of now, they still think they'll have everything completed by the end of August so we're excited about getting that project going.

Next Friday, the 27<sup>th</sup>, Friday before Memorial Day, we will have our traditional wreath-laying ceremony. That takes place at 2:00 p.m. Mr. Jim Edmonston, Clearfield resident, Army veteran from back in the 1960's, will help me lay the wreath. I urge all of you to, if you're available, to come out. It's a very short program, no speakers or anything, but we will pay tribute to our veterans on Friday, the 27<sup>th</sup> of May at 2:00 p.m.

Finally, today we had a very nice affair over at the Springdale Elementary School. They had all of the Police, the firemen, a lot of the municipal staff was over there; I was disappointed that we only had myself and Mrs. Harlow as elected officials so I don't know if you guys got an invitation. If you did, shame on you; if you didn't, we'll make sure you get one next year, but anyways, it was a very nice affair and great lunch. The kids seemed to really enjoy it, the interaction with the police and the fire and myself and all of the other city employees. Job well done, Springdale Elementary School, as usual. That concludes my report.

### Clerk of Council/Finance Director

Mrs. McNear: I have a financial update through April 30<sup>th</sup>. For the General Fund, Receipts, based on a budget of \$18,490,187, we've received \$10,280,957 or 56% of the anticipated budget. Those five major sources of revenue are the Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and the Mayor's Court – that's \$7,844,339 or 76% of the budget. For Expenditures, based on a net budget of \$16,708,272, we have expended \$5,270,249; that's 35%. Our ending General Fund balance as of April 30<sup>th</sup> was \$6,105,247. That concludes my report. Thank you.

### Administrator's Report

Mr. Parham: Thank you, Mr. President. Council, I have just a couple of items for you. I want to touch on what Mrs. Emerson spoke about - the Prescription Drug Program. The program is officially going to start on Saturday, May 21<sup>st</sup>. We have pushed it back a day. It is an opportunity for individuals and the general public to drop off any prescription pills only, that includes capsules that they no longer need. This was a program we have discussed with you previously that we were looking at putting in place. We do ask that no ointments, creams, or non-pill substances be delivered to the box. Of course, because our (Police) operation is 24 hours, you will have the ability to drop them off at any point of the day. Residents will, or individuals will, come to the Police Department, and they will be given a paper bag in which they will deposit the pills into. They will then be escorted to the container, the drop box. They will deposit that bag into the drop box. At that time, an officer, well an officer is going to escort them to the drop box, but once the box is full and then ready for disposal, the department will then obtain a court order, because we have to have a court order to dispose of them, to schedule them for destruction. Right now, we have an organization that is allowing jurisdictions to use their incinerator free of charge. We don't know how long that will continue. So far they have been allowing everyone to use their facility. Other departments are already using that facility but in the meantime, we are searching to see if there are any others out there. I have been told that the Center for Local Government is exploring the possibility of purchasing an incinerator. I am not sure that is the greatest idea but they are looking into purchasing an incinerator so that member municipalities will have the ability, those of us who have this program in place, to dispose of them. Again, that program is going to kick off on this Saturday, May 21<sup>st</sup>.

Last week the Springdale Fire Department was notified that they are being recognized by the American Heart Association for their continued excellence of emergency medical transporting. The department is scheduled to receive the program's bronze-level recognition. This is an opportunity in which, from time to time, an individual, and I believe Dan may be a little bit more familiar, but an individual may experience what's called a STEMI heart attack and there are times, unfortunately, when we go to pick the individual up and we transport them to the hospital and they do not survive. In the situations in which they do survive, the American Heart Association recognizes those communities when they hit a certain threshold.

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Mr. Parham (continued): For us I believe that threshold was four times, at a minimum, which we have delivered a patient to the hospital and they have survived. As a result, they would like to recognize our Fire Department for their efforts and services which they provide. They will be here at the June 15<sup>th</sup> Council meeting to recognize the Fire Department for those efforts.

The final item I have for this evening is the Police Department has made a request that Council adopt legislation that will permit them to have their unmarked vehicles with tinted windows. Currently, the Ohio Revised Code permits law enforcement vehicles to tint their windows. The City of Springdale's Code, Section 72.38, has restrictions on tinted windows. The Department would like the ability to tint the windows on some of their vehicles. We would prefer to be in compliance with City codes. Clearly someone could say well, they are the Police Department, who is going to cite them? Well, we prefer not to operate in that manner. It is our preference that we at least follow our own policies. So, I am recommending that an ordinance be brought in that will do two things. One, it will define a "law enforcement agency." That new language will be under Section 72.38(A). Second under 72.38(H), we will provide language that will permit the tinting of unmarked law enforcement vehicles. We have a couple of undercover vehicles that it would come in very handy if people could not see what was actually going on inside the vehicle. In case we were watching someone, the tinted windows would come in handy during those efforts. I am willing to answer any questions you may have. Thank you.

Law Director's Report

Mr. Forbes - no report

Engineers Report

Mr. Shvezda: Thank you, Mr. President. On the updates on the 2015 Street Program, the grinding and resurfacing at Rose Lane has been completed, also the grinding and resurfacing at Yorkhaven and Cedarhill has been completed. On West Kemper Road, you may have noticed that the pavement markings, a lot of them have been removed. This is in preparation for the upcoming work, the placement of the mastic sealing system. Temporary markings are in place. In fact, the crack sealing has taken place on West Kemper as well as Century Boulevard. As far as the remainder of the crack sealing work on Northland Boulevard and Merchant Street, that is supposed to take place yet this week, but of course that is weather-dependent. As far as the mastic seal for West Kemper Road, again, that is to be done in the next two weeks or so and again, that's weather-dependent. Regarding the State Route 4 Southbound Lane Addition Project, the bid opening is tomorrow. That concludes my report.

Communications:

Mrs. McNear: Thank you, Mr. President. I do have one item. I received an email from Bob Diehl on Tuesday, May 17<sup>th</sup> that he asked me to read this evening. He was sent an email from Lisa Cave from Hamilton County Board of Elections. The email from Ms. Cave states:

*"Mr. Diehl, Per our conversation on April 29, 2016: I followed up on the locations in question and it was found that going to Maple Knoll Village was much further and crossed a couple of precinct lines depending on which way you turn. It was decided to move Springdale H in with Springdale A at Temple Baptist which is much closer. All voters in the precinct will receive Poll Location Changes cards prior to the next election. The voters of Springdale C, which vote at Maple Knoll, will continue to vote there. Please feel free to contact me again with any further comments or concerns. Thank you, Lisa Cave  
Hamilton County Board of Elections  
Poll Location Coordinator*

That concludes Communications. Thank you.

Mrs. Harlow: Thank you, Mr. President. I have a Communication from a resident – may I please?

President Vanover: Sure.

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Mrs. Harlow: I had a message from Erin Morganroth and this is in regards to the Dyer family that lives on Cedarhill. I don't know if any of the Council people are familiar with them or not. The family has two girls, a 16-year old girl and a 17-year old girl. The mom passed away about six years ago and, at that time, a neighbor lady, Mrs. Lisa Stevens, has been working with the girls a lot. Last Wednesday, the father passed away. The family is basically very large and from out of town. There are a lot of things that are up in the air but Erin's message to me was that the family was in need of Kroger Gift Cards or Kroger Gas Cards to help bridge this time period. There's supposed to be probably a couple of hundred people coming for the service on Saturday and so they're looking for assistance with any type of food that they can also get. I spoke with Susan Wyder tonight and she said that if anyone wants to make a tax-deductible donation, it could be made to the Princeton Closet with the Dyer family name in the memo line. If any of the Council people would want to make a donation, I will make sure that it gets to the family prior to – I'll deliver it tomorrow so that they would have those gift cards or any cash or checks to use for their family on Saturday when they are in town. Anything that anybody could do, I think would be appreciated at this time.

### Communications from the Audience

Mrs. Matheny: Hello. It's that time of year again. Julie Matheny, I'm here to talk about our 8<sup>th</sup> Annual Farmer's Market, which is scheduled to open on Thursday, June 2<sup>nd</sup> from 3:00 p.m. until 7:00 p.m. at the city parking lot where it's been the last couple of years. This year some of the vendors that we're going to be starting off with – we usually pick up some as the season progresses, but Ludwig's Farm – that's a gentleman that's been there before. Most people know him by his adorable little son that he brings with him but he has all kinds of produce and everything. We have a new farm vendor this year - Loganstein Farm and they're out of Brookville, Indiana and I understand from our Health Commissioner, Mr. Clayton, that they have just a huge spread of different fruits and vegetables and different things and they also have outstanding eggs fresh from their farm that they bring to sell. We also have a new lady this year called The Baking Diva, who will be having some baked goods for sale. It Smells Good will be back – that's our local resident, Dianne Spells that lives in the neighborhood, who sells the great caramel corn and everything that people go nuts over. Then we have two local residents, Lady Crafters – they'll be back with their horseshoe bags and different stuff that they make and Braid's Soapworks, who have hand-made soaps and then Barb's Bountiful Harvest – that's a lady she's been with me for the last three or four years. She does different herbs and things like that that she grows in her garden. We do have a garden club, I understand Carolyn is going to be joining us for at least the first month, selling some flowers that they have left from their big sale they had. I am excited to announce that we're going to have a food vendor this year. I was actually approached by him – it's called Beccas Deli. Evidently he provides the food service for the GE offices here in Springdale and other parts of the city and so forth so he's going to have a grill and so forth and grill out hamburgers and hot dogs and things like that for sale. So anyway, we're hoping for an exciting fun season again. I hope to see all you guys out there on the 2<sup>nd</sup>. Thank you.

Mr. Bryant: My name is Jeff Bryant. I live at 11640 Greenlawn Avenue and I wanted to talk to Council tonight about the new business coming into 370 Glensprings - Uptown Lounge. I was curious – has any opposition been received in that business coming to our City, our community? Does the Council have any concerns?

Mayor Webster: Yes, that business will not come into the City without proper scrutiny. Right now, the one thing they have to do – they have several things they have to do, but one of the biggest obstacles they have is to obtain a liquor license. For them to do that, that issue has to come before this board, this commission. We get a form that asks if we desire a hearing or not and so Mrs. McNear is in charge of returning that and I'm sure, at least I would hope, that the majority of the people seated here would request a hearing and so then I'm not sure who attends that – Jeff, you and the Police Chief, I hope?

Mr. Forbes: Yes.

Mayor Webster: Believe me, we have a lot of facts to share with the Liquor Commission regarding that.

Mr. Bryant: Beyond the liquor license issue, has any other concerns for the safety of the neighborhood that that's going in?

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Mayor Webster: Absolutely, we have a lot of concerns.

Mr. Bryant: Because I live in that neighborhood and my child plays three stop signs from that place and if you know why they're leaving Forest Park, you understand why I'm concerned as a resident.

Mayor Webster: We're very much aware of the history and their record over there and we'll be scrutinized and will exercise the proper care and try to make sure that we don't get a business that's going to bring the same problems with them here that they have in Forest Park.

Mr. Bryant: Okay, I appreciate your time.

Mayor Webster: I thought you were here to get your award – that's two weeks

Mr. Bryant: I wasn't coming here for that.

Mrs. Harlow: At our Planning meeting the other night, there was a lot of discussion especially when he told why he wanted the six-foot fence and that he would make sure that his patrons had security there, that they were patted down or wanded – I almost fell out of my chair. So yes, there was a lot of opposition to the ideas that he was throwing out. I think you will hear a lot more about that as we go forward.

Mr. Bryant: I'm all for a safe business existing in our City but I do know that where it's at in Forest Park now, they have security and they have people patted at the door. Two weeks ago, the police found 17 shell casings in the parking lot. Last year I made a fatal shooting there so it's not unlikely to say that that could happen here, 200 feet from where I live, where I chose to raise my family.

Mrs. Harlow: Right. One of the things that he said they wanted the 6' stockade fence so that people couldn't pass things back and forth.

Mr. Bryant: I'm not saying that if they come here and you know, I'm not saying they're going to have the same problems but just because it's not happening inside the business doesn't mean that it's not going to happen.

Mrs. Harlow: Exactly.

Mr. Bryant: Unfortunately, that business has a tainted reputation of a certain clientele going there and that's probably why they're being removed from Forest Park.

Mrs. Harlow: One of the questions that was asked from the board was – one of the gentlemen asked could he bring his granddaughter there, for a meal and it was decided by the Applicant, "well, maybe, if you did it early in the evening". So, to me, it sounds more like a club as opposed to a bar.

Mr. Bryant: It is – it's a nightclub, that's what it is and every time that I've heard of, like the incident they had with the Forest Park firefighters two weeks ago, the fatal shooting I made there last summer, it's all outside of the business - it's in the parking lot. If people are going to bring weapons and they know they're not going to get them in the club, they're going to keep them in their car so the parking lot's more dangerous than the club.

Mrs. Harlow: Exactly. And as the Mayor stated, you know, the liquor license has to come through this board and I don't know that we've ever stated that we didn't want one and I think that typically, it's always been an approval so we'll have to see what happens when we say no, we're not interested in getting a transfer of license for that location.

Mr. Bryant: I trust that my elected officials will keep the citizens in mind rather than the dollar bills that that should bring in.

Mrs. Harlow: Absolutely.

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Mr. Hawkins: Thank you, Mr. President. Just reiterating what's been said – we're well aware of the business, the business's history - not prejudging or anything but taking everything into consideration and the reality is, when a business comes through, we have to go through the administrative process and procedures. Through that, there's different opportunities for things to be reviewed and scrutinized and so, as that comes through, that will be looked at closely. As Mrs. Harlow said, the discussion about why they the fence, the discussion about some of the business's practices and some of their problems as the Applicant had indicated are concerning.

Mr. Bryant: Yes, that's why I'm here.

Mr. Shroyer: Thank you, Mr. President. A question for the Law Director – if we do request a hearing and you go to that hearing, can you present past issues regarding their liquor license if they've had issues in Forest Park or any type of marks against their previous liquor license, can that be a part of that discussion?

Mr. Forbes: Yes, the statute provides limited number of things that you can object to and one of them has to do with their past compliance with liquor laws and any other laws, for that matter. I will tell you that the Law Department has already been working very closely with the Police Department and we're just awaiting notice that the liquor permit transfer request is being made.

Mr. Bryant: Thank you for your time.

President Vanover: Thank you.

### Ordinances and Resolutions

#### Ordinance No. 14-2016

DECLARING CERTAIN CITY PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING THE CITY ADMINISTRATOR TO DISPOSE OF SAID SURPLUS PROPERTY AND DECLARING AN EMERGENCY

Mrs. Harlow made a motion to adopt; Mrs. Emerson seconded.

Mr. Parham: Council, if you recall, this time a year ago, we brought before you a list of items, very similar to this. It was deemed these items were no longer necessary for our use. As a result, we asked that we be allowed to dispose of them through the processes identified earlier in the legislation. As you recall, last year's program was pretty successful. It seems to me, we netted somewhere around \$21,000 from that process. It was made clear to me that last year's total number of items was about 595. I think what we reported to you last year was like 230 but that was the number of line items. It's hard to explain. This year there are 395 items that we are looking to dispose of. They range from a vehicle to computers to laptops to I think maybe cameras. There is just a variety of things. The departments have already had their preview of the items, so if Council adopts the legislation this evening, we will begin to organize and prepare them for the processes. Stephanie Morgan will begin to place those items that are going on GovDeals.com into a rotation to be listed on their page. Other items that we are able to maybe assist other departments or other local governments with, we will be making donations to them. Again, I think last year's program was a successful project and I would imagine this will be also.

Mr. Shroyer: If we don't have a donation site in mind for the usable fire equipment, I'm familiar with a number of departments that whatever we don't – whatever we're getting rid of, I'm quite certain is better than what they're using so if we don't have somebody in mind.

Mr. Parham: To my knowledge right now, we do not. I have not had a chance to talk to any of the Department Directors specifically. Last year I think we were able to assist two small departments. If you know of others and they are in need of some of the products that we have, we are more than happy to share with them these items we no longer use. I know there are some portable radios that are identified on the list. Again, if it can help them, I think the old SCBAs are out here as well.

Mr. Shroyer: It looks like there are some fire boots and fire ladders - usable equipment.

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Mr. Parham: Yes.

Ordinance No. 14-2016 passed with seven affirmative votes.

Resolution No. R6-2016

DIRECTING THE HAMILTON COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE CITY OF SPRINGDALE, OHIO, AT THE NOVEMBER 8, 2016, GENERAL ELECTION, A REVISION TO ARTICLE IX, SECTION C, PARAGRAPH 1 OF THE CHARTER OF THE CITY OF SPRINGDALE (VERBAL RESIGNATION)

Mr. Diehl made a motion to adopt; Mrs. Emerson seconded.

Mayor Webster: I'd like to remind you, Mr. President – it does take five votes for these to pass, the next three ordinances. I spoke briefly at the last meeting I guess regarding this thing. I think this is just a minutia-type thing. I really - I don't think we ought to be going to the public with something like this but I would urge Council to read the last paragraph in the existing language. The way it sets right now and the way it will be in the future even if this passes, that if you don't get anything in writing or verbally, you have 60 days it has to set here before it can be filled. So, okay, now if someone says, I quit; I'm not coming back and you act on that, fine, you get it filled. This way if somebody says I quit, I'm not coming back – oh no - can't take that, you got to have it writing so we let it sit vacant for 60 days because somebody didn't follow the charter and put this in writing. I think it is just absolutely ridiculous that we would go to the people with something like this. If this is on the ballot, if anybody asks me, I will urge them to vote no.

Mrs. Harlow: I'm going to be voting no on this resolution. I think that if you cared enough about the job to get elected, you should respect the job enough to exit it the proper way. I think it's a sad day when an elected official who is representing the people in their district or at-large can't do it properly.

Mr. Vanover: Well, I would second that completely. We are elected but this is an employment and I would hope that it would be treated with at least the very same respect that you would treat your real world employer. Any further discussion? (None.)

Resolution No. R6-2016 failed with a 2 – 5 vote, with Council members Diehl, Ghantous, Harlow, Shroyer, and Vanover voting “no”.

Resolution No. R7-2016

DIRECTING THE HAMILTON COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE CITY OF SPRINGDALE, OHIO, AT THE NOVEMBER 8, 2016, GENERAL ELECTION, A REVISION TO ARTICLE VI, SECTION A, PARAGRAPH 1, AND ARTICLE VI, SECTION B, PARAGRAPH 1, OF THE CHARTER OF THE CITY OF SPRINGDALE (AT-LARGE/DISTRICT REQUIREMENT)

Mr. Diehl made a motion to adopt; Mr. Shroyer seconded.

Mr. Shroyer: I guess I'm a little confused by the language in the second paragraph, Paragraph A under Planning Commission - where it reads “each Council Member shall be elected for the duration of this four-year term” and then it goes on to say “two members of Planning Commission shall be appointed by Council from the municipality”. I don't read that as President appointments - doesn't that read like they're elected by the members of Council?

President Vanover: Well, Council does vote on those appointments. So the President can appointment them but Council does vote on those.

Mr. Hawkins: Yes, I think that's the main thing. Each time, for Planning or BZA, Council has to vote and what the practice has been, and I spoke with a Council member from years prior, but the way things have been done since at least 2009 when I got on Council, is the President has been appointing somebody. My understanding, in theory, and according to the Charter and according to past Council member, anybody, in theory, could nominate somebody to serve on that board or commission. Council has to vote on it.

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Mr. Hawkins (continued): So I think what the practice has been since I've been on Council is the President has been the person that's nominated somebody, nobody else has been nominated, and Council's voted on it but, in theory, and with the charter and I think what this individual indicated in the past - if somebody else wanted to nominate somebody, they could.

Mayor Webster: I thought Mr. Shroyer was going to comment on the four-year and the two-year but when you read these, it's very confusing because it's assuming I guess that the other one isn't on the ballot. So I'd really like to see what this paragraph, or paragraphs, would look like if both of these amendments passed. I think the intent is that everything on both of those boards would be two-year appointments and we do away with the at-large and district qualifications so they could both be at-large or both be district – isn't that the effect of it?

Mr. Forbes: That's the next resolution. These are presented as two separate issues; that's how Council discussed it at the last meeting. They were broken apart into two issues - one issue just dealing with the term, whether it would be two years or four years, that's the next resolution and then a separate issue as to whether the at-large/district requirement would remain. I will point out - right now, they're presented as two separate issues and depending on the results of the election, you could have, if it goes to the electors like this, you could have different results but that's how Council requested that it be brought forward.

Mr. Parham: Part of the struggle as Mr. Forbes and I were trying to figure out how to best present the information to you, was because you asked for two different issues. Therefore, you have to present the issues as if they are separate and that one either fails or passes and the other either fails or passes. We can show you what they look like if they both pass. However, there is no guarantee they are both going to pass. So, you have to try to show them how the language would be presented if only one passes. If you look at any others that we have done in the past, you simply would have had the language that is identified in these different sections. What we have tried to do here is present how it would appear on the ballot to you. The easiest way is if you had only one issue. You simply would show the language that was going to be changed. However, because you have two separate issues, there is language that is being proposed to change in one location under one issue and there is different language in the other issue proposed to be changed. What we tried to do, if you were to compare the two resolutions, is to incorporate the changes and attempt to make the language appear somewhat the same. If you look at the one we are currently considering, Resolution R7-2016, it is drafted exactly how the paragraphs are structured in the charter. Under (A) Planning Commission, there are two different paragraphs. Under (B), it is one consistent paragraph. If you were to look at R8-2016, we have tried to make them to appear very similar where we have divided them into two separate paragraphs. We even had to consider whether we were just going to show only the language that was changing, but I think once the voters start looking at the language it may not be so clear. This has to go to the Board of Elections and we have to hope that they get it as we want it to be presented. If you just show only the lines that are proposed to be changed, it appears very confusing because it does not, without the opening sentences, tell you exactly what this means.

Mayor Webster: Just sort of thinking out loud here - if five members of Council votes in favor of both of these, would it make any sense then to maybe direct the Law Director to combine those two and then just have the one issue on the ballot?

President Vanover: In a perfect world, ... I see an expression from our Law Director.

Mr. Forbes: I think that would, in a practical sense, make perfect sense. Unfortunately, the only way we'll know if there are five affirmative votes for each of these is if you act on them and then what you'll have are two separate resolutions directing your clerk to submit two separate issues to the Board of Elections because that's how you adopted it.

Mayor Webster: I would think that would be easily unraveled at the next Council meeting, to amend these two ordinances and combine them into one.

Mr. Forbes: Right. I mean, we could, at a future meeting – yes. That's my point - you would have to get through these two tonight and see what the resolution would be and then Council is free to take any other action they want. I wouldn't be able to do it tonight.

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Mrs. Emerson: Thank you, Mr. President. Just a couple of comments on putting them on the same - some people may feel that it's not important that we have district and at-large on there but they feel there need to be a four-year term or whatever so by putting those two, you're not giving those people the ability to vote on those as two separate issues so I don't know that I would agree with that. Second of all, when we had talked about the main reason for changing all of these that I kept hearing repeated comments was that it was for the President because they needed more ability to move people around. If we pass the at-large and the district member sitting, it wouldn't make any difference – just two Council people sitting on those boards – would that not loosen it up enough for the President to make different choices? I'm not sure that we need to change both of them. We had talked before about the four year and the continuity and people serving on those boards because they're important boards and we need the continuity on both of those boards, so if we took away the at-large and the district, that does free up a lot more for the President to choose - just throwing it out there.

President Vanover: Well, and we had a quick discussion prior to the meeting about that and kind of walking through that, they, and as I stated to you - the President makes an appointment and Council approves it, then the next President, whoever or the next election of the President, comes in – they've still got somebody sitting there in a four-year appointment, so basically, they can only act on the two that would be up, would be coming forth. I mean, I would admit that there's a little more wiggle room in this in that you take away the requirements of one and one but it's still in the point of you're going to have those four-year terms hanging there and you're still not getting the maximum flexibility to be able to get people into these boards in an easier system, I guess, for a lack of a better word or term. I would throw this to the two former presidents that have sit in this seat and allow them to make any input that they would on that. Mrs. McNear, do you have anything?

Mrs. McNear: I am in favor of both of the changes.

Mrs. Harlow: I am in favor of the two-year change; I am not in favor of changing the at-large and the district.

Mr. Hawkins: Thank you, Mr. President. I appreciate the President needing to have some more flexibility. I think continuity is important. I think some of what Mr. Shroyer had pointed out, and what a prior Council member had pointed out to me – the President doesn't necessarily pick who's on Planning and BZA. That's how we practice since I've been on Council since 2009 but this individual was saying anybody on Council can appoint somebody for that position. To me, it makes me question again the action just for the sake of the President's flexibility with that, or Council's flexibility for that matter. I think continuity is important. All that being said, in terms of these two resolutions, Resolution R7-2016 and Resolution R8-2016, while I understand what the documents say and what they would say on the ballot, I do agree with what the Mayor is saying that folks in the electorate could be confused reading sections that are very – the same sections but slightly different as they're going through. This is not something that I plan to support but, for those that are going to support it, it would make sense, if those in support of them, would do them together. So it's not, again something that I'm interested in supporting at this time but it makes practical sense.

Mr. Shroyer: Thank you, Mr. President. I guess the other thought regarding the two-year terms is we're discussing the President's flexibility to make a change but the current system, I think, is probably inflexible. What if we have a President who makes an appointment to Planning or to BZA and that individual just doesn't turn out to be the person for the job? Two years in, there's an opportunity to correct that decision, for lack of a better term. If there's no reason to change it, there's no reason to change it but once a four-year appointment is made, we're locked into a four-year appointment whether that turns out to be the person for that position or not.

Mrs. McNear: Thank you, Mr. President. This is not really all about the flexibility that the President has - this is also about the ability for elected officials to become more efficient, know more about the City, know more about our boards, because once you're appointed, in many cases, you stay in that position for term after term, year after year and you don't get a better understanding. I myself was only on BZA; I never had the opportunity to do the Planning Commission.

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Mrs. McNear (continued): Mr. Vanover was on Planning for I believe it was 16 years so unless you're appointed as a liaison and you're on multiple boards, in many cases you are on the same board for your entire term as an elected official. Thank you.

Mr. Hawkins: Thank you, Mr. President. To Mrs. McNear's point, we're talking about flexibility and people getting moved around, some of that's choice. For someone to be on a board or commission for 12 years or 16 years, and it's nothing against the Council or the President or whoever put them there, but somebody made that choice – a group of people sat there and said yes, I'm going to vote and put that person back on there, over and over again. I understand that there's – Mr. Vanover, Mr. Galster have been on Planning for a long time, and they did a great job – it's hard to imagine someone doing a better job on Planning Commission, but the converse of that is someone else may not get that experience, that opportunity. So the Council, the President has to weigh that in terms of people that are very experienced and giving some other folks some opportunity but, at the end of the day, those are choices that folks are making aside from the Charter. Someone is deciding I'm going to put this person back on this board or commission again and again. I think that part falls back to the Council and the Presidents making those decisions on it.

Mrs. Emerson: Thank you, Mr. President. A couple of things – most of the conversations up here have been about the Presidents and their inability or flexibility to put different people on the boards. That's what most of this discussion has been about. Second of all, in the past, as Mr. Hawkins has said, there have been opportunities to move new people on boards and those were not taken into account. Those were not done. So I hate to keep talking about putting new people on boards because there were many opportunities in the past, since I've sat on this dais, and that was not brought forth. The same people. Nothing against Mr. Galster and stuff like that – he was excellent at what he did and I'm thankful he was there – he helped the City a bunch with those things, as many years as he served. So I'm not sure it's so much about moving us around and putting us on new boards, at least the history has not shown that because when the opportunities were there, they were not used.

Mr. Hawkins: One other point with regard to what Mr. Shroyer had said in terms of if someone's not doing well on a board or wants to get off, thanks to the Thirteenth Amendment, we have no indentured servitude. Mr. Diehl had gotten off BZA and switched with Mr. Knox, I believe, some years ago and it wasn't because somebody was not doing a good job but it was because somebody said I'd like to get off this and have a change if I could please after having done it for a while and that's allowed. So I don't think that there's anything that precludes or makes somebody have to go and go and do that. The same thing - if someone said "I'm going to come off Council for some reason", you're not forced to. If something happens and somebody has to come off a board, I think there's the ability for them to go and do that.

Mr. Shroyer: But that's at their option. If they don't agree to come off the board

Mr. Hawkins: Correct.

Mr. Shroyer: On a personal note, with the current system, I would have an interest in either Planning or BZA, I'm not appointed to either one, which means for the next four years, there's no opportunity. If I happen to run again four years from now and am fortunate enough to be successful, there's one opportunity to be appointed to one of those boards. If not, then that's eight years without an opportunity. The two-year term at least provides four opportunities over that time span as supposed to two.

President Vanover: Yes, exactly.

Mrs. Harlow: I think also, going back to the point that Mr. Hawkins made about a conversation with a prior Council person who encouraged us both to look at our Charter, I think maybe this needs to go back to the way our Charter was written and be a Councilmatic – I know Council votes on it but I think that maybe these appointment to the board should be from the Council at large and not just voted on after the President has chosen but actually be from the Council at Large so that that way if there's more movement that the Council wants, it can happen.

President Vanover: Any further discussion? (None.)

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Resolution No. R7-2016 failed with a 3 – 4 vote, with Council members Diehl, Emerson, Harlow, and Hawkins voting “no”.

Resolution No. R8-2016

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Mrs. Harlow made a motion to adopt; Mr. Hawkins seconded.

President Vanover: First, before we start, Mr. Hawkins just pointed something out – I think we’ve got a typo in the last paragraph, the end of the fourth line – it says two members shall be appointed by Council for the term of four years – that’s the way it currently reads. I think what the missed was strike the four to two – change it to two? They caught it up in the second paragraph of A. under Planning Commission – this is under BZA.

Mr. Forbes: You’re in the second paragraph there, under BZA?

President Vanover: Yes.

Mr. Forbes: I believe, if, four lines down, where it says two members shall be appointed by the Council for a term of four years?

President Vanover: Yes.

Mr. Forbes: You can all correct me if I’m wrong, but I think what that’s referring to are the two - Council appoints two other people to Council – that’s not the Council members.

President Vanover: Okay, alright.

Mr. Forbes: So the first line of that second paragraph that says each Council member shall be elected for a two-year term – that’s the Council members

President Vanover: Councilmatic.

Mr. Forbes: Council members that are members, yes. What the four-year appointment is Council still appoints two residents for four-year terms.

President Vanover: Alright, very good. Any discussion? (None.)

Resolution No. R8-2016 passed with a 5 -2 vote with Council members Emerson and Hawkins voting “no”.

Old Business - None.

New Business

Mr. Parham: Thank you, Mr. President. What I’m passing out is a legal opinion from the Law Director. It’s the first two pages. The third page is a citation from the Ohio Revised Code. As you recall, last fall we had a couple of movements on the part of elected officials. One moved from a district position to an at-large and one moved from an at-large to a district seat. The thought and the belief up until I probably would say over the last week, is that Mr. Diehl was appointed to the district position, in District 1. The belief was that because our Charter says that the appointed elected official has to run in the next General Election that we’ve always believed that meant, because there’s a General Election every year, he would have to run for the office on November 8<sup>th</sup> of 2016. At some point, I think he then went down to pick up his petitions and was told by the Board of Elections that he does not run this year. He, in fact, runs in 2017.

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Mr. Parham (continued): After some research by the Law Director and after having conversations with the Law Director representing the Board of Elections, as well as other discussions that we have had with their staff, it was determined that, although the City of Springdale's Charter says the next General Election, there is no definition in our charter or in our code that defines a General Election. As you see on that third page, that citation under Section 3501 of the ORC and the Election Law, essentially defines General Elections. As you see under A., General Elections speaks to the election of the President and Vice President of the United States, B. speaks to the election of a member of the Senate of the United States, C. speaks to the member of Congress, and then when you get to D., D speaks to municipal and township officers, members of Boards of Education, judges and Clerks of Municipal Courts, in the odd-number years. So there is a definition in the Ohio Revised Code that says that anytime that there is an election by a municipal officer that has to take place in an odd year, not in the even year, as we assumed. As with many things, when our charter or our code is silent to an issue, we often look to see what the State code says. In this case, very consistent, there is no definition for General Election in our charter or in our code but there is a definition that is provided in the ORC and so it is the Law Director's (I do not speak for the Law Director), but it is the Law Director's opinion, and I guess I would have to agree with him based upon what we are presented with here, that the position, the appointed position does not run again until the next odd year. In this case, it would be in 2017 and not in 2016. There was a prior practice that the City had, back in 1994, in which a Council member came off of Council in 1993 and of course there is other language that says, if, within 120 days, that person resigned, then it is not addressed in that particular year. It is addressed at the next General Election and so in that case, I believe it was in July when a Council member resigned. Council then, in August, appointed a new person to sit in that seat in 1993. Then in 1994, the opinion was that the election was supposed to take place in 1994 and so there was an election in 1994. There was a person elected to the position and then they served until I believe 1995 and then they were back on the regular rotation. We are told by representatives at the Board of Elections there are two persons that have been there, one for 40 years and the other for 30 years, that said the Secretary of the State at the time noticed what had taken place and said that was improper but then no one, we believe, ever communicated to the municipality. No one ever told the City anything until we began this process. So, based upon the information that's been presented to you this evening, it appears to us, and it is the Law Director's decision that the position that Mr. Diehl was appointed to is not up for reelection in 2016. It is up for reelection in 2017. We thought that we should clarify this issue this evening for everyone's education as well as for anyone who may have had intentions of running this fall. We are willing to answer any questions that you may have. Jeff, is there anything that I may have left out?

Mr. Forbes: No, I think that got it. I think to put it in its' simplest terms, think of it like this – all General Elections are in November but General Elections for municipal officers can only happen in odd years.

Mayor Webster: I understand what the code says and I understand what our charter says but I think for us to labor under the illusion here that General Election means every November, then we ought to put something in the charter. I don't know whether that's a charter change because all we're doing is clarifying our definition of maybe General Election or maybe a reference to the ORC but I think something should be put in our charter so that future Councils realize what they're doing and we've labored, and like Mr. Parham says, to my knowledge, this is only the second time it's happened and the Council person they're referring to – it happens to be Mrs. McNear there – she ran for a one-year term and then, after the fact, evidently the Secretary of State said that's not right but no one ever notified us it wasn't right. We labored under the same illusion last year when Mr. Diehl was appointed that unexpired term, that it would just be for one year. I think we ought to get something in the charter so that we don't make that mistake in the future.

President Vanover: Mr. Forbes, would this be an issue to go before the electorate or a clarification or definition?

Mr. Forbes: I think if you're going to make any change to the charter, whether it's a definition or a change in the language of that particular section, it would be a charter amendment like any other. I will say, in my conversations with the Board of Elections, I think it was their hope that maybe we would consider a charter amendment to clarify that so that there wouldn't be any question going forward. But again, that's up to Council to decide how you'd like to do that.

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Mr. Forbes (continued): Right now, you have a legal opinion in hand this is how it's going to work. If you want to submit something to amend the charter, you certainly can.

President Vanover: My only question would be, in follow-up to the previous resolutions, if it goes to the electorate and they vote it down, then we're right back where we started.

Mr. Parham: You are right back where you started, but you also now know where you're supposed to be. You have a legal opinion that tells you what the interpretation is. I think what the Mayor was simply suggesting is that you attempt to provide clear language in the charter. If the voters vote down to clarify the charter, you still have language that tells you what it is supposed to occur. So I don't think it really affects you. I think what clarifying it provides is clarity for everyone. Very seldom am I one who suggests that you reference another location. I always prefer that you put the language in there so I can read it right in front of me and know what I need to do as opposed to read a part of it, and then I have to go do some more research.

Mr. Hawkins: Thank you, Mr. President. Mr. Forbes, wordsmithing, - if there was a request for a resolution to be brought forth or to be created by the Law Department, would you simply say "next General Election should be changed to next General Election in an odd year" or would you also add in there see the Ohio Revised Code - what would you suggest?

Mr. Forbes: I probably would not suggest referencing the Ohio Revised Code. In part because, like Mr. Parham said, it's generally you would prefer your charter to be self-contained document that you can look at, read it and know what it is. I can tell you that in many other municipal charters that I've reviewed, in sections like, talking about vacancies that have been appointed and been filled, instead of saying at the next General Election, many times they say at the next General Municipal Election. I've seen that in other charters before.

President Vanover: Well, Council, we do have the power to request that an issue, a resolution, be brought forward. Do you discussion on that?

Mr. Hawkins: No discussion – I was going to make a motion.

President Vanover: Okay.

Mr. Hawkins: I move to have the Law Director bring forth a resolution to amend the charter or to put that on the ballot to amend the charter regarding Article II, Section C.5 of the Charter of the City of Springdale to amend General Elections and replace it with General Municipal Elections.

Mrs. Emerson seconded the motion.

Mr. Parham: Just as Mr. Forbes and I were looking at this earlier today and it has been a part of the on-going discussion, if you look at on Page 1, under Discussion, it talks about, down towards the end, the second line down from Paragraph 1, it says the last Municipal Election, well there's nowhere in the Charter a definition of Municipal Election. I do not believe there is a definition in the Ohio Revised Code for Municipal Election but I think we are talking about still the same General Election. As we talked earlier, if you are going to suggest cleaning up that language, we consider a clean up in a couple of places. That could be one we can clean up, as well.

Mr. Hawkins: Do I need to amend the motion?

Mr. Forbes: I think I know what you are asking for – you are directing me to bring something forward that clarifies that section on vacancies, really through the whole thing so that it is a consistent reference through the whole thing.

Mr. Hawkins: Yes, for clarity – for anything that is indicating General Election or Municipal Election, they should read the same as General Municipal Election.

Mr. Forbes: Okay.

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President Vanover: Any further discussion? (None.)

With a vote of 7 – 0, the motion was passed.

### Meetings and Announcements

Mr. Diehl: This is of a personal nature – I will tell you that 42 years ago, I made the best decision of my life – I married my wife, so I just wanted to say Happy Anniversary, darling!

Mr. Hawkins: I don't have anything quite as romantic as that. Sort of personal, I want to commend one of our residents – Wally Scott, who lives on Bridgeport Lane. Saturday, May 7<sup>th</sup>, we were having a block party going on and his neighbor, one of my former neighbors on Bridgeport, was out mowing his grass and he had a heart attack. Wally's quick actions resulted in saving his neighbor's life. He was not breathing at the time. He went over when he was notified, began CPR, chest compression. Our EMTs got there – they had to come all the way from Heritage Hill from the block party and they got there and because of Wally's quick actions, he was alive. Our EMTs got there and were able to get him to the hospital and he survived and is doing well and that maybe our number four for getting the award. So I want to commend Mr. Wally Scott for his quick actions and the Fire Department as well and just remind everybody that it's important to know your neighbors and to look out for one another. But for Wally's daughter coming out to the car, seeing Mr. Hall on the ground and going back in and telling her dad, he probably wouldn't have survived; he would have been laying there for who knows how long so I just wanted to commend Mr. Scott.

Mrs. Ghantous: I just wanted to note that the BZA is scheduled to meet on the 21<sup>st</sup> of June at 7:00 p.m.

Mr. Thamann: Thank you, Mr. President. Just a few items here – the Community Center pool opens for season next Saturday, May 28<sup>th</sup>. Registration is underway for swim lessons for both children and adults. If you're interested, please contact the Community Center for those details. Also they're taking sign-ups and registrations for fall youth soccer. Instructional soccer is offered to children four and five years old by July 31<sup>st</sup>, 2016. Children six years of age and older by July 31<sup>st</sup> of this year will participate in the SAY soccer program.

Also Mr. Karle asks to remind everybody if you're a first-time participant in one of our youth sports programs, the Community Center membership fee, if you register for one of these events, that membership requirement is waived for the first time. Also the Youth Boosters is sponsoring the Burt Manis Springdale Men's Softball Tournament this year – they're trying to bring it back. Being a player for many years, I remember participating in it over the years but they're going to try to bring this back. It will be held June 11<sup>th</sup> and 12<sup>th</sup>. It's a double-elimination tournament held at our Community Center and Mr. Wilson from our Community Center asks if any interested teams are out there, please contact him at 346-3910. Thank you.

Mayor Webster: Just a suggestion – do you think we should consider a resolution commending Mrs. Diehl for 40 years' worth of (Laughter) patience, tolerance. If you don't want to do a resolution, maybe I will do a proclamation.

Communications from the Audience - none.

### Update on Legislation Still in Development

Mr. Hawkins: As we review our Internal Memorandum, we had Item I, which was Ordinance No. 14-2016, an ordinance declaring certain City property as surplus property and authorizing the City Administrator to dispose of said surplus property and declaring an emergency - that passed with a 7 – 0 – vote. We had Item II which addressed Resolution R6-2016, a charter amendment that failed with a 2 – 5 vote. We had Resolution R7-2016, another charter amendment which failed with a 3 – 4 vote, and we had Resolution R8-2016, which passed with a 5 – 2 vote for a charter amendment. We had a request for a resolution to amend Article II, Section C.5 of the charter which passed with a 7 – 0 vote to come before Council. We also had Item III, which is forthcoming.

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Recap of Legislative Items Requested for Next Council Meeting

Mr. Hawkins: We have a request for a Resolution Adopting the 2017 Tax Budget of the City of Springdale for the Year January 1<sup>st</sup>, 2017 through December 31<sup>st</sup>, 2017 as well as a resolution with regard to a charter amendment to Article II, Section C.5 of the charter.

President Vanover: Administration, are we clear?

Mr. Parham: Just for clarity, the tax budget is not scheduled until the June 15<sup>th</sup> meeting. We really only have the one item and that is the resolution to amend the charter section. I guess we have two, because we do have the ordinance for the tinted windows for the June 1<sup>st</sup> meeting. The presentation from the American Heart Association would be at the June 15<sup>th</sup> meeting.

Adjournment

Mr. Hawkins moved to adjourn. Mrs. Emerson seconded the motion and Council adjourned at 8:35 p.m.

Respectfully submitted,

Kathy McNear  
Clerk of Council/Finance Director

Minutes Approved:  
Tom Vanover, President of Council

\_\_\_\_\_, 2016