

City of Springdale Council

September 21, 2016

President Vanover called Council to order on September 21st, 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, Hawkins, and Vanover were present. Council Members Harlow and Shroyer were absent.

The minutes of the September 7th, 2016 City Council meeting were considered. Mr. Hawkins made a motion to adopt; Mrs. Ghantous seconded. Minutes were adopted as published with five affirmative votes.

Committee and Official Reports

Civil Service Commission no report

Rules and Laws Mr. Diehl - no report

Finance Committee Mr. Diehl - no report

Planning Commission

Mr. Hawkins: Planning Commission met on September 13th. Six members were present. We had one matter of Old Business with regard to proposed Zoning Code Text Amendments and it was agreed to continue that matter until the next meeting, that we would discuss that at that the October meeting. That was approved with a 6-0 vote.

We had one matter of new business. The TCP Wimbledon LLC, also known as Wimbledon Plaza at 11770 Springfield Pike, Springdale, Ohio, with regard to a minor improvement requiring Planning Commission approval in the Route 4 Corridor ground sign application. This addresses the two ground signs that are present on the north and south, along the way of Springfield Pike. They had proposed to bring in a sign. The Corridor has a maximum sign height at seven feet. They were proposing a sign that would be on the Springfield Pike side, closest to Springfield Pike would be about nine feet tall, and at the other end of the sign, closest to the parking lot, would be about eight feet tall. Based on the width of the sign, where the sign was positioned from the roadway, it's a considerable amount from the road. It sits about ten feet back from Springfield Pike and about twenty-four, almost twenty-five feet back from Glensprings Drive. It was determined that that would be appropriate. The sign's also going to have twelve panels on it to advertise the twelve tenants that are back in the plaza, and so all-in-all, that passed with a 6-0 vote. That concludes my report unless there are any questions.

Board of Zoning Appeals

Mrs. Ghantous: The Board of Zoning Appeals met yesterday evening. We had three applications. The owner of La Michoacana, 338 Northland Boulevard, came requesting a variance for the size and type of their wall sign. That item passed with a vote of 5-1.

The next application was from First Highland and that's the developer at 131 Progress Place, which is the former Avon building. They were requesting a variance to allow fencing around the dock on the east end of the building. That item passed with a 6-0 vote.

We had Joe Acostas. He owns the property at 595 Lafayette Avenue. He came requesting a variance to allow a conversion of his garage space into living space. After some suggestions from the Board, Mr. Acostas came up with an alternative plan that eliminated his need for a variance and he withdrew his application. So that's all we had, unless you have some questions.

Board of Health

Mrs. Emerson: The Board of Health is back from its summer break, and it met September 8th. All members were in attendance. The new food service operation, the Outback Steakhouse at the Tri-County Mall is anticipating its grand opening in October 2016. The Jai Indian Restaurant at 11482 Springfield Pike is open, and it opened in June of 2016.

Public Health Emergency Preparation Grant City Readiness Initiative Grant – the Springdale Health Department participated in a regional Ebola exercise on May 24th of 2016, and a functional exercise on June 29th of 2016. The next activity will be a mass casualty exercise tentatively scheduled for spring of 2017. The Springdale Health Department will continue to attend routine meeting of the Southwest Executive Steering Committee.

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Spring 2017 Sports Camp at Chamberlain Park- they're looking at the Springdale Recreation Department and the Springdale Health Department along with the Vineyard Church, the Healing Center, and Princeton Schools Heritage Hill Elementary School have held three planning meeting to discuss a Spring Break 2017 Sports Camp at Chamberlain Park and Heritage Hill Elementary School gym. The next planning meeting for this program was held on Tuesday, September 13th, 2016. I'll get back with details on that when I hear the results of all of that.

The Springdale Public Health Accreditation- Springdale Health Department was awarded \$27,000 in grants from the Ohio Department of Health for our 2016 Accreditation Program. Springdale Health Department remains on schedule for the completion of the Health Department Accreditation.

Springdale Swimming Pools and Spa Program for 2016 swimming pool season with seven, with zero reports of recreational water illnesses or pool-related injuries. We also anticipate the program cost for 2016 to be reduced.

The Zika Virus- Springdale Health Department provided a Zika Virus Prevention PowerPoint presentation at the Springdale Community Center on June 10th. The PowerPoint is also available for others to view on the Springdale Health Department website under the Resources tab.

Springdale Nuisance Abatement Program, which is known as SNAP – The SNAP forum was held June 3rd, 2016 at the Springdale Community Center. Barry Perks of the Cincinnati Visitors and Convention Bureau was the key speaker. Chief Mike Mathis of the Springdale Police Department, Springdale Economic Development Director Christine Russell, and Matt Clayton of the Springdale Health Department also were present. Police Chief Mathis and the Health Commissioner visited each facility during the following week to conduct a one-on-one meeting with the hotel/motel owners and operators. The City of Springdale received increased cooperation over the summer for hotel owners and operators in an effort to improve our public safety and health at these facilities. The next SNAP meeting will be held October 7th.

Springdale Health Department is going to host a site for graduates and undergraduates from the Public and Community Health Program at the University of Cincinnati, and that is going to be for spring of 2017, and once again we're going to host the Western Kentucky University students, and that will be for the winter of 2017. These interns will gain experience in Public Health Accreditation, Community Health Environment Health, Public Health Education, and Emergency Preparation.

Tobacco Cessation at the City of Springdale – The Springdale Health Department and the Springdale Recreation Department will host interest meetings for Tobacco Cessation workshop series in October 10th and 11th at the Springdale Community Center. The proposed series of four workshops will begin in January 2017. The Springdale Health Department was invited to participate in the Hamilton County Tobacco Prevention Coalition. Health Commissioner Matt Clayton and Jay Dennis from the Springdale Rec attended the initial planning meetings for the Coalition on August 30th at the Hamilton County Public Health Department, submitting a request for proposal to the Ohio Department of Health for two Tobacco Cessation grants in August 2016. These grant proposals will be submitted to the Ohio Department of Health in September of 2016 and the award for each grant will range from \$30,000 to \$80,000.

On the Nurse's Report, we had the Children's' Health Fair. It was held May 13th of 2016. It was a big success. They had teachers, parents, and third grade students. We had about 270 students, and there were twenty different learning centers that were provided.

Healthy Women and Healthy Lives Event was held on Saturday, June 4th at the Healing Center. The event was attended by more than ninety women who benefitted from health screenings, blood pressures, cholesterol, glucoses, and mammograms. This event is coordinated by the TriHealth Women's Services to reach the uninsured and underinsured women in this area.

The Annual Health Fair this year is scheduled for October 18th at the Springdale Community Center, along with the Business Expo.

The Immunization Program continues to serve the needs of families without healthcare coverage and Medicaid Insurance for the children. These are provided the first and third Wednesdays of the month. Flu vaccines are scheduled to begin October 18th.

Again this year we have a free Diabetes workshop. It is going to be on Thursdays, 9:30-12pm, starting October 13th through November 17th, and that will take place at the Springdale Community Center. You can register there at the Springdale Health Department at 346-5725. And that concludes my report unless there's any questions.

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Capital Improvements	Mrs. Emerson	- no report
O-K-I		- no report

Mayor's Report

Mayor Webster: I'd like to start off by reading a proclamation that we do every year for our Fire Department in observance of Fire Prevention Week, or month, I guess, so it reads as follows:

Whereas the City of Springdale is committed to ensuring the safety and security of all those living and visiting Springdale;

And whereas fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at the greatest risk from fire;

And whereas US Fire Departments responded to 369,500 homes fires in 2014 according to the National Fire Prevention Association;

And whereas US home fires resulted in 2,745 civilian deaths in 2014, representing the majority 84% of all US fire deaths;

And whereas in one-fifth of all homes with smoke detectors, the smoke detectors are not working;

And whereas three out of five home fire deaths resulted from fires in properties without smoke alarms- that's 38%, or with no working smoke alarms- 21%;

And whereas smoke alarms cut the risk of dying in reported fires in half;

And whereas many Americans don't know how old the smoke alarms are in their homes or how often they need to be replaced

;
And whereas all smoke alarms should be replaced at least once every ten years;

And whereas the age of the smoke alarm can be determined by the date of its manufacture, which is marked on the back of the smoke alarm;

And whereas Springdale's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education;

And whereas Springdale residents are responsive to public education measures and are able to make personal steps to ensure their safety from fire, especially in their homes;

And whereas the 2016 Fire Prevention Week theme "Don't Wait; Check the Date: Replace Smoke Alarms Every Ten Years" effectively serves to educate the public about the vital importance of replacing the smoke alarms in their homes at least every ten years and to determine the age of the smoke alarms by checking the date of the manufacture on the back of the alarms;

Now therefore, I, Doyle H. Webster, Mayor of the City of Springdale, do hereby proclaim the week of October 9th through October 15th as Fire Prevention Week in the City of Springdale and urge all residents of Springdale to find out how old their smoke alarms are in their homes, to replace them if they're more than ten years old, and to participate in the many public safety activities and efforts of Springdale's Fire and Emergency Services during Fire Prevention Week 2016. In witness thereof, I have here fore set my hand for the great seal of the City of Springdale to be affixed to this 21st day of September in the year of our Lord, 2016.

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And so I'd like at this point to present this to our Fire Chief and our Fire Prevention Officer. (Applause) I think the Chief and Mr. Lindsey have a few things to say.

Chief Hoffman: Yes. Thanks again, Mayor Webster. I'm here to introduce our Chief Fire Inspector, Tom Lindsey. He's going to tell you a little bit about our Open House, and by the way, I'm taking attendance at the Open House, hope to see everybody there; as well as Fire Prevention Week and how it has come about. So at this time, I'm going to turn it over to Tom.

Mr. Lindsey: Thank you, Chief. Forty years after the Great Chicago Fire, the Fire Marshalls of North America, they were inspired to come up with a fire prevention program. Through this program, they wanted to increase the awareness of fire safety and how to prevent fires and how to work around them so that we don't have these great incidents like they had in Chicago. They didn't want another repeat of that. So, they came up with Fire Prevention Week and during this week, it really focuses a lot on fire safety and how we can avoid such instances. In 1990, Springdale Fire Department started the Open House that we have every year, and it kind of kicks off the Fire Prevention Week. With this, we do a lot of public outreach and we invite the public to come into the firehouse, and we teach them fire safety. We allow them to go through the fire house and tour it. We have fire prevention activities set up for all ages, from young children all the way through senior citizens. So this year marks our twenty-sixth Open House, and we're looking forward to seeing everybody there. Thank you.

Mayor Webster: Alright fellas, thank you very much. I'd also like to announce that I have reappointed a couple of individuals to the Housing and Fire Appeals Board, and they being Mr. Robert Wetterer and also our alternate to that Board, Mr. Bill Kortanek, so they are reappointed for four year terms with their terms expiring May 31st of the year 2020.

Also, I guess it was the last meeting, or maybe the meeting before that, the Administration was instructed to see what we could do to come up with an Animal Control program, so I'm pleased to announce this evening that we have a program that will start operation on this coming Monday, and basically what it, it's very similar to the program we had before. The only difference is that this program is aimed at skunks and raccoons primarily, so if you have a skunk or raccoon hanging around your property or disrupting your quality of life or whatever, and you know, call the Springdale Health Department. 346-5725. That will cause an Animal Control person to be dispatched your home. You'll be asked to sign a release form allowing the individual to come on your property. He'll chat with you and decide exactly where the trap needs to be placed and so forth and so on, and if he catches a raccoon, a skunk, a coyote, a possum, a beaver, or a fox, those animals will be removed and they'll take them back to their facility and take care of them. They'll be euthanized as per State Law. If he shows up and it's some other animal, a feral cat, a squirrel, a neighbor's dog, a groundhog, they will just be released on site, and we urge people not to call if you have a possum, even though they have to be destroyed. If you have a possum, a beaver, or a fox, please don't call because the only ones we're going to dispatch an Animal Control Officer for are the two that are causing the most damage and the most inconvenience to our property owners. So the Animal Control Officer will set the trap. They will be back late on Friday to disable the trap so that there will be no animal trapped in there over the weekend, and so at that point then they'll come back Monday to reactivate the trap. But once the Animal Control Officer has set the trap and left the property, at that point it's the homeowner's responsibility to notify the Animal Control Officer that there's an animal in there, whether it's one of these that has to be euthanized or whether it's one that's going to be let go. But the responsibility at that point resides with the homeowner. Now, the traps, the only ones that the Animal Control Officer is really going to service are the ones that he sets out. If you have your own trap, it's got to be one that will prohibit a skunk from spraying the Animal Control Officer. There's a special device in those traps that prohibits the skunk from raising his tail and being able to activate its juices, so to speak. So, most traps, or some traps do not have that facility so the Animal Control Officer will not be servicing those traps. Anyway, the Animal Control Officer then will take the animal and take care of everything and then if necessary the trap would be returned back to the property if the problem still exists. And I think, did I leave anything out, Derrick?

Mr. Parham: I think the name of the company.

Mayor Webster: Oh, we have the guy's card here somewhere. High Rock.

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Mr. Parham: High Rock Pest Control.

Mayor Webster: High Rock Pest Control, and like I said it will be implemented effective on Monday. We'll give this a thirty day trial period and see what kind of success we have, but the important thing is that you will not be calling High Rock Pest Solutions; you'll be calling Springdale Health Department at 346-5725. Any questions?

Mr. Hawkins: What's the cost to the resident and/ or the City?

Mayor Webster: Well there's no cost to the resident, and the cost to the City with a raccoon is \$75, a skunk is \$85, if we catch a coyote it would be \$105, and a possum, beaver, or fox is \$60. And a feral cat or dog or child's no charge. (laughter)

Mr. Hawkins: And then, we had this discussion before. There was some talk that the State Law requires it to be checked every twenty-four hours.

Mayor Webster: Now that's...

Mr. Hawkins: Is the resident going to...

Mayor Webster: Well, and that's why it's the resident's responsibility to make sure that if there's an animal in there, it doesn't stay any longer than twenty-four hours. It's also why the company comes out late on Friday and disables the trap, so that it won't be in there over the weekend.

Mr. Hawkins: Will there be something that the residents signs indicating that they're going to check every twenty-four hours and notify right away if...

Mayor Webster: Is that in the form, Derrick?

Mr. Parham: No, it's not. There's nothing that the resident signs that says that they're going to monitor it. That's inherently into the project. So the resident's part in this whole process is to permit High Rock to come onto their property, setup the trap, and then the resident will be responsible for monitoring the trap. Once they identify that something is in (the trap), they call High Rock. High Rock comes back out within twenty-four hours. It's not that you have to check the trap every twenty-four hours; but you have to remove the animal within twenty-four hours.

Mr. Hawkins: Gotcha. Okay.

Mayor Webster: So does that satisfy everybody's concern? Okay. Like I said, that starts on Monday.

The final thing I wanted to mention is that we today had our kickoff for our SOS Christmas Program, and I know you folks here at the dais have been very generous over the years. We certainly are counting on you again this year for your support and I'd just like to ask the viewing audience out there to please participate in this program if at all possible. I think last year, I don't have the report handy, but I think it was over 160 children that we helped. There were 100 families, I believe. We provided food, gifts for those kids, and so we certainly think we made a difference in a lot of children's lives, so if you see fit, please help us. We could use volunteers to help with shopping and wrapping. We can use money. We can use gifts. We can use a lot of things. So the number to call on once again, call 346-5725. Same number you call for animals. And that concludes my report.

Clerk of Council/Finance Director

Mrs. McNear: I have a General Fund update through August 31st. Receipts: net receipts of \$16.540 million for the year. We have actually netted \$13.688 million, which is 85%. Our top five sources of revenue is Earnings Tax, which is the lion's share; Real Estate Taxes; Paramedic Services; Local Government Funds; and Mayor's Court. That's a total of \$12.805 million or 82% of the revenue.

For expenditures, we have a net expenditure of \$16.708 million in the budget and we have expended \$10.953 million or 65%. Our General Fund ending balance at August 31st, 2016 was \$5.280 million. That concludes my report. Thank you.

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Administrator's Report

Mr. Parham: Council, I just have one item, I do believe. I just want to report to you that the maintenance work that we approved as a part of the 2016 Street Program, that was to take place in Oxford Hills as well as the cul-de-sacs off of Glensprings, that work was completed. It started last Tuesday the 13th. It was completed on Wednesday the 14th. And so that part of the project is now complete. We have received a couple of bids for the work that would involve the service road here off of State Route 4. We're waiting on one other bid to come in, and then hopefully we can get that project under way as well. That's all I have. Thank you.

Law Director's Report

Mr. Forbes - no report

Engineers Report

Mr. Shvegza: On the State Route 4 southbound lane addition, ODOT is still waiting for information from the contractor regarding their anticipated date of receiving the overhead sign support poles for the project. Until they have that in, there's no firm date on when the project will start. At this point it may be something that starts construction next year, but as of this date, we do not have a final determination on when the project will start.

On the 2016 Street Program, no update there.

On the Cloverdale area resurfacing, that particular project design is under way. I don't believe we've heard anything in so far as the start date for the water main work on the project.

On Glensprings Drive repair project, design is under way. We did submit the funding application for the SCIP funds on that project. It is anticipated that we will receive final word on the projects selected for funding on that by the end of November.

2017 Street Program, again that's under design, no change other than that.

Beacon Hill subdivision/ Kenn Road project, the project is under design and again that particular project was submitted for OPWC SCIP funds, and again we anticipate some word on that by the end of November. That concludes my report.

President Vanover: Mr. Shvegza, I noticed last evening that there were, I guess traffic counters on the intersection of 747 and Crescentville; one on the northeast, I'm sorry northwest corner, and one on the southwest. They had tripods. Do we have any idea who or what?

Mr. Shvegza: I've not heard anything about that. I know OKI from time to time does traffic counts to update their model, but I'm not aware of anything in particular.

President Vanover: That might have been what it was then.

Communications

Mrs. McNear: One item. This is a continuing conversation. At the last meeting, I did mention that I had several emails from Mrs. Francis Kramer at 1029 Terrytown Court. She continues to send emails about the grass clippings on the sidewalk. She's only identified one location with the picture, but I'm up to either nineteen or twenty emails over the last three weeks. She wants the City to change the Ordinances so that it is required that you sweep the grass clippings. At the last meeting, Mr. Parham had committed to reaching out to the other organizations, or the other cities and other communities around to see if they had anything on the books of that nature, and I wanted to pass that over to Mr. Parham. I know he has some updates for us. Thank you.

Mr. Parham: Thank you, Mrs. McNear. We did a survey through the Center for Local Government. There are approximately, I think, thirty or forty members that are a part of that group. Unfortunately not everyone responds to every survey that's sent out, but we did receive seventeen responses. The question that was asked: "Does your jurisdiction require property owners to remove grass clippings from the sidewalk after they have mowed the grass?" Of the seventeen responses, fourteen responded with "No", one responded with "Unknown.", one responded with they do not have sidewalks, and then the last responded "Yes" (the City of Sharonville). Their language is very similar to the City of Springdale's language, relative to the height, except theirs is eight inches. Ours is ten inches. There is specific language that they have that speaks directly to removing grass clippings from the

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sidewalk. However, when we talked to them today, they indicated that, just as we've stated, it is a very difficult challenge to enforce. They have taken the position that they're hoping that their residents understand they need to clear the sidewalks. They do respond to a resident if they receive a complaint. It is not something that they deal with on a regular basis. I think if they had one concerned citizen as our very persistent citizen, then they may have it more frequently, but that was their response when we contacted them. (turning to Mayor Webster) Do you want to make a recommendation?

Mayor Webster: Well, I'm, you know it just sort of gets us back to where we've been all along. I mean I sympathize with you know, anybody that's got that next door to them, or if you're going out for a walk in your neighborhood and you have to go through that, especially if it's wet. You know, it could be a potential hazard, so we could recommend that this Council amend the Property Maintenance Code to prohibit grass clippings on the sidewalk, but we still, we need a way to measure that. I mean, what is a violation? How many grass clippings create a violation? And that is what I told Mrs. Kramer repeatedly over the last year or so that we've been talking about this. I hate to see us put something on the books that we really don't feel comfortable being able to enforce it. And I really think that's, you know, it's one of those things where we can say you're not allowed to have it on there, then leave it to the discretion of the Building or the Property Maintenance Officer. Some people are going to agree with him and some people are not going to agree with him, and the person that gets cited is going to say the guy next door's got clippings on his sidewalk. So then you get back, okay his is not bad enough, yours is. Says who? Says me, I'm the Property Maintenance Officer. I mean, it's not a good situation.

Mrs. Ghantous: Mrs. McNear, did you say there's really only one person that's been the chief complainant?

Mrs. McNear: That's correct. She is the only one; I did confirm that with Mr. Parham

Mrs. Ghantous: Not the complainer, but just one resident that's not sweeping.

Mrs. McNear: No, there's, from what I understand there are several properties. Like I said, she didn't identify all of them. She just send me picture of a sidewalk and you know, all you see is a little bit of grass here, a little bit of grass here, the clippings on the sidewalks is all.

Mrs. Ghantous: So you don't know if it's five people or if it's thirty people.

Mrs. McNear: No, I don't. And you know, I tried, she's very frustrated that something hasn't been done. I tried to explain to her the timeline of what we were trying to do, and you know, I get emails morning, noon, night, evenings, weekends, holidays. I get emails constantly from her, and she's frustrated that we haven't done something with this. Now I don't know the people who live in these homes. Perhaps it's somebody who's not physically able to do this. Perhaps this is something that Boy Scouts or the Girl Scouts or, you know, one of the organizations might want to help with. Maybe it's something where she wants to head up a beautification committee within her subdivision. Maybe people just don't know that they really should sweep up. But I tried to explain to her that there's just really no way to administer a program that says you have twenty percent coverage, you have five percent coverage, and oh, those leaves blew in from someone else's yard so now you have to make my neighbor clean it up. It's just a nightmare to administer, and I explained to her that I didn't think there was really an appetite on Council to change any Ordinance or Code to enforce sweeping up grass clippings. Yes, perhaps it's unsightly. Could it be dangerous? Of course it is. Walking in general is dangerous. I'm just happy the neighbors cut the grass. And frankly, come walk in my neighborhood. I'd much rather walk across grass clippings than goose droppings. Which is very pervasive, you know, and there's, we can't control that either. You know, who's going to shovel? You're going to have to take care of your own sidewalk. The cracks in the sidewalk are much more of a hassle than grass clippings.

Mrs. Ghantous: So do you think there's any reason that she hasn't said 123 Main Street has a problem. 11806 Neuss Avenue has a problem. I mean is there a reason she's not identifying who the problem is?

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Mrs. McNear: Well she's out walking, and she snaps a picture, and then she emails it to me.

Mrs. Ghantous: Because like if we knew it was 123 Main Street, we could just go knock on the door and see what the situation was. But it seems to me like it's even, I agree with every word you said, but it seems to me like it's even worse because we don't really know who we need to talk to about the problem.

Mrs. McNear: Well, and I explained to her too, about some of her very frustrated emails, and I just explained to her, your neighbors are not breaking the law. So you know there is due process. We're going through, we're doing this survey. But I did say that I just don't think there's going to be an appetite to change what we have. You know, if it's a real dangerous situation, that's a different story than it's unsightly.

Mrs. Ghantous: I mean do we want to try to find out who is not sweeping, and go and see what that situation is?

Mrs. McNear: Well, who's not sweeping this week, and who's not sweeping next week?

Mrs. Ghantous: Well who is creating her discomfort, and how can we go knock on their door and see if we could ask them? I didn't get to come to the meeting last week, but I did watch the video, and I think Derrick said something that a landlord admitted that he hadn't done it, and as soon as we brought it to his attention he took care of it. And I tend to believe that most people would do that. But we don't know who we're dealing with, and we really don't know if it's 100 houses or if it's three, right?

Mrs. McNear: Like I said, she only identified one of them. Like I said, I just get pictures. They all look the same. I mean just little bit of grass, little bit of grass, sidewalk with clippings. That's all she sends.

Mrs. Ghantous: So either we can say we don't think this is something we can control, or do we want to try to address any specific we might be able to get? Would that make it better for her?

Mrs. McNear: I mean you can ask the question. I think nothing more than changing the Code and having not one blade of grass on anybody's sidewalk will be satisfactory to her.

Mrs. Ghantous: Well that's not realistic, so maybe we don't...

Mrs. McNear: Neither is nineteen emails in three weeks, either.

Mrs. Ghantous: I realize that. Okay, thank you. I just wanted to get a little bit more information.

Mayor Webster: I think I said this last time, but let me make sure everybody understands this. Mrs. Kramer does a great service to Heritage Hill subdivision where she's lived for forty years, and to the City she is another set of eyes and ears for our Building Inspector. She's pointed out a lot of things to us that needed attention, and we've. We're very grateful for Mrs. Kramer's effort. However in this one here, I mean, like I said at the onset, I know it bothers her, but I've talked to her repeatedly and I've told her there's nothing on the books and that we would be more than happy to do as Derrick has done and canvas the area, see I we can find somebody else that's found a way to properly measure this, and if so we would certainly be all for having the Property Maintenance Code amended to include something there. But short of that, you know, I'm hesitant to make that recommendation to Council. Now, you're exactly right, Mrs. Ghantous. We did have a property owner that, it was a landlord and it was a rental property, and so he wasn't satisfied with the person that was cutting the grass so he I think cut it himself, and he didn't sweep the sidewalk, and so after I think Mrs. Kramer brought that to our attention, or Tom did. So anyway, Brian Ward, our Inspector, went out and talked to the man, or called him and he said, "Oh yeah, I'm sorry. I'll take care of that." And then he did. So yeah, we can do that, we can just go up and ask the people, but just bear in mind that Mr. Ward or any of the other inspectors are going up with no real authority to say to do it. We could ask will you please get the grass off the sidewalk, and they can say no and slam the

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door in his face. "There's not a thing you can do about it. Get off my property." Not a good situation, but you might get lucky and might get a landlord or a resident say, "Okay, I'm sorry. I'll take care of it." We can try to do that, but with how many calls, how many pictures?

Mrs. McNear: I have nineteen or twenty now.

Mayor Webster: Nineteen or twenty. I mean that's nineteen or twenty more phone calls and trips that Mr. Ward's going to make out to just Heritage Hill. And the other thing, and Mrs. Kramer, pardon me for saying this, but this is not just a Heritage Hill problem. And she is convinced that it's Heritage Hill and the City doesn't care about it and it's going to Hell in a handbasket. And I've assured her that's not the case. You know, we've got this problem all over the City. I don't think we perceive it as a problem, but the situation exists all over the City. As Mrs. McNear indicates, there's a lot worse things than grass on the sidewalk. Believe me, I walk the streets up in Springdale Lake Drive and Ray Norrish Drive, and I don't walk – I walk with my head down because you've got to watch where you're stepping. And that's, I wish that's all I had to worry about was stepping on grass clippings.

Mr. Parham: What I say to Council and to the general public is that from time to time we receive anonymous letters. We receive photographs. We receive information where residents identify violations, or what they believe to be violations. Now in the case of an anonymous letter, there's no way I can get back with you to seek clarification. But when we receive that type of information, we go out as long as we can identify the location, we go out to investigate to see whether the problem exists. If the problem exists, we address the problem. But there are times that we may receive a letter that identifies five problems and only two have locations associated with them. Well, we can only address the ones where we know the issues reside. And we do that. If you send us information and you leave your contact information, we will get back with you in case we need to clarify what it is that you believe you see and what the violation is, and why it's a violation or why it's not a violation. But in the cases that you do not give us information on how to get back with you, there's no way that we can, but we do address what the issue is as long as we know the location. Relative to this issue, what we can do at this point, I've talked to the Building Official this afternoon, is that as we receive complaints and concerns, whether it's these photographs, as long as we can identify the location we will go out and ask the individual to correct the issue. As the Mayor indicated, there's no authority we have to make them do such, but in the one case at least that we've identified, the individual did correct it, and maybe there are others that will do the same, but we need your help and information to tell us exactly where it's located. We received a letter just this week. The resident indicated they wanted to be anonymous. That's fine. They identified I think four problems, or what they called concerns. We knew where two of them were. We went out and addressed those. The other two, we had no idea where the location was. And I think there was a fifth one and the fifth one if the one we've been talking about on this floor, which is the house over on Neuss. But yet we are unable to respond back to them to give them an update on that situation as well. Thank you.

Mrs. McNear: Perhaps this is an opportunity for education and awareness. Maybe we can put something in the next newsletter about our Property Maintenance Code and just suggestions about beautification of the neighborhoods and make suggestions that when taking care of your lawn, make sure you sweep up the grass. Because I would much rather do that than have to deal with changing the Code over something that we just really can't administer. Thank you.

Mr. Hawkins: As it's been stated, I think there's an issue with regard to defining this legislation, quantifying what a violation would be. The example that the Administration's found with regard to other municipalities, not that Springdale has to follow what anybody else does, indicates that other individuals have found that it is difficult to quantify legislation for what a violation would be. I'm not in favor of trying to put something else in the books on it. I appreciate the Administration indicating that they'll use Building Department resources to go out and speak to residents. I do think that it's important that we act as neighbors, and if you have an issue, then go talk to that neighbor. It's fine to go and contact the City, but that should be a secondary thing. I know some people want to be anonymous. I get that. I understand that, but Mrs. Kramer spent a lot of time and invested a lot of energy in corresponding with Mrs. McNear. We've seen at least one example of when someone has been addressed with the issue, they've corrected it. I would like to see residents act as we are neighbors and go and talk to that individual in a tactful way. Doesn't have to be accusatory or aggressive, but talk to the individual and maybe something can

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be resolved before we start using the City's resources and have folks running around trying to talk to residents and take care of things. So I mean, I understand some people don't want to confront somebody but the reality is, that's what ultimately happens is a confrontational thing. You're going to contact the City. They should go and talk to that resident, that neighbor, and maybe that matter can be resolved. Then come talk to the City if it can't be, and have the City intervene if necessary to the extent that the City is willing to and can.

Mayor Webster: Well, I do a good bit of walking. I would be reluctant if I ran across a neighbor, or a resident that had grass on their sidewalk, to go up and knock on their door. I would be reluctant to do that. And I think, I don't think Mrs. Kramer would want, would do that. I mean she walks the entire subdivision over there, and multiple times a day. And I don't think, I wouldn't, I just wouldn't want to suggest that somebody should go up and knock on a stranger's door. Yeah, if it's a neighbor, fine. But if it's just a resident two or three blocks away, I wouldn't do it. I wouldn't. And I know most of the people up there in Springdale Lake and Ray Norrish Drive, and I wouldn't knock on their door and say, "Hey. You got too much grass on your..." I wouldn't do that.

Mrs. McNear: I have something similar but this has to do with dogs. I walk a lot as well. There are a lot of people that don't follow the leash law. I always say, "Hey. There's a leash law." I've been attacked by dogs multiple times while I've been out walking. One occasion, there was a man out walking. He had a really, just a little lap dog, and he was walking and the dog wasn't on a leash, and I was across the street and I said, "Excuse me sir, I just wanted to let you know there's a leash law." I'm telling you, he came up, he was this close to hitting me. He got into my face like this. He picked up his dog and shoved it in my face and started cursing me out and going on and on and on. It was none of my business and he owned that property and I had no right to tell him anything. And I'm like, the sign's right there that says there's a leash law. So I would not recommend, unless you know the neighbor, to do that. And I would think most people who know their neighbor well enough to have a conversation all the time basis; I don't think they would approach someone to say, "Hey, you slacker. Get your grass clippings cleaned up off your sidewalk." I just don't think people will do it. It's just easier to make an anonymous call and have The Man take care of it versus have the neighbor do it, because it's an uncomfortable conversation. Thank you.

Mr. Hawkins: I understand it's uncomfortable. I understand some folks may not want to go do that, but some of these things, it's not anonymous. It can be determined who that individual was. If they're all anonymous, okay. But again, if you're tactful in it, you're going to have, if it's a big enough issue, and it's a neighbor, I understand if it's not someplace where you're walking in a different part of town that you're not necessarily living in. I get that. You may not know those individuals. But this is someplace on your street. We should be enough of a community that you should be able to tactfully address that. If it's a big enough deal for you to call the City and use the City's resources on it, you should be able to tactfully do that. And I understand not everybody's going to react to that well, but if they don't that's fine. Then call the City and have us address it. But that's just my personal opinion. We're, as a community, I would hope that we can communicate with one another enough to address some of these things that probably could be addressed and handled without using the City's resources with a conversation done in a civil way. Just my opinion.

President Vanover: Okay. I guess that we'll leave it stand as is. If somebody complains, they can identify a specific address or something, get it to us and we will address it.

Mayor Webster: Go out and respond and ask them.

President Vanover: Yeah, exactly. Yeah, I see it. I'm sympathetic. I mean, some of this stuff, well I know, I've gotten some of the emails too. Grass growing up in the sidewalks and stuff. You know, in the long run, it will cost them their own money because it will degrade the concrete over time, but I know I've seen City Officials, Inspectors just on aprons when we go out and analyze aprons and what needs to be repaired and what doesn't, and I've seen some confrontations on that, and you know, I understand it's unfortunately just another statement or sign where we have moved to at this point in time.

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Mrs. McNear: If somebody does have a concern, where do they call? Do they call Public Works? Do they call the Municipal Building?

Mr. Parham: No. No. Well, it depends on what their issue is. But if they're talking about a Property Maintenance issue, call the Building Department at 346-5730.

Mrs. McNear: Thank you.

Communications from the Audience - none

Ordinances and Resolutions - none

Mrs. Emerson made a motion to enter Executive Session; Mr. Hawkins seconded. With a vote of 5-0, Council entered Executive Session at 7:54 p.m. Executive Session ended and Council reconvened at 8:53 p.m.

Old Business

Mr. Parham: Council, at the last meeting, there was much discussion about the property located at 11671 Neuss Avenue. We shared with you the challenges that we were facing at the time of trying to identify the responsible party because of the demise of the former owner. Happy to report that just this past week, we met and Mr. Forbes was able to determine that the State provides, (turns to Mr. Forbes) if I misspeak correct me, that a business must register with the Ohio Secretary of State's office, and that they must identify a statutory agent for their business. If you recall, the property on Neuss, as well as other properties owned by Mr. Shteivi, were in the name of Jordannati, Inc. In checking with the Secretary of State office, we were able to identify the statutory agent as Attorney Paul Saba. So, on Monday, September 19th, the Building Department sent a letter to Attorney Paul Saba notifying him that the property at 11671 Neuss Avenue has been declared a dangerous building under the City's Property Maintenance Code. The Property Maintenance Code provides for declaring a property as a dangerous building. It also provides a number of steps in which we can engage to bring the property into compliance. At this time, we have now placed them on notice. They have been given until December 1st to comply. You have to give them a reasonable amount of time to make the improvements. It's not like fixing a gutter. There is a lot of work that has to be repaired. I know everybody's very frustrated with seeing what's out there, but again it has to be reasonable and so we've identified December 1st, 2016 as the timeframe in which the property must be brought back into compliance. The dumpster was removed on last Thursday. So that has helped the situation. The Property Maintenance also provides two other opportunities for us. One, if the property is not brought back into repair, the City then has the ability through a process, to determine whether or not it can be, and that would be through the assistance of a Property Manager. An expert in the field to give us an assessment as to whether or not this property can be brought back into compliance or repaired. If it is determined that it cannot, then the next option is that the property then has to be or can be demolished. And so both of those are parts of the Property Maintenance Code process. It would also require a hearing before the Springdale Building, Housing, and Fire Appeals Board. So, I wanted to provide you with that information. I'm willing to answer any questions that you may have relative to that property. I think this helps us to get moving along-the-way as we had much discussion at the last meeting. At that time, we did not have this option. We were not aware of this option. But I think we are now proceeding. They have received the notice and the clock is now ticking for them.

New Business - none

Meetings and Announcements

Mrs. Emerson: The Board of Health will meet October 13th at 7 p.m. in the quarters adjacent to here.

Mr. Hawkins: Planning Commission will meet on October the 11th at 7 p.m. in these chambers.

Mrs. Ghantous: Board of Zoning Appeals will meet on October the 18th.

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Mr. Thamann: The Civil Service Commission will meet at the Administrative Conference Room on October the 6th at 6 p.m.

Communications from the Audience - none

Update on Legislation Still in Development - none

Recap of Legislative Items Requested for Next Council Meeting

Mr. Hawkins: With regard to items requested for the next Council meeting, we have an Ordinance authorizing the Mayor and Clerk of Council/ Finance Director to enter into a collective bargaining agreement with the Springdale Professional Firefighters and declaring that an emergency. We also have a Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies for 2017, as well as an Ordinance authorizing the Ohio Department of Transportation to provide bridge inspection services for the City of Springdale and declaring an emergency.

Adjournment

Mr. Hawkins moved to adjourn. Mr. Diehl seconded the motion and Council adjourned at 9:00 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2016