

# INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

February 1, 2013

To: Mrs. Marjorie Harlow  
President  
Springdale City Council

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From: Derrick Parham  
City Administrator

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Re: Report on Pending and Future Legislation

## **Item I**

### **An Ordinance Authorizing the 2013 Fee Adjustment with CDS Associates, Inc. for Engineering Services**

CDS has submitted a request to amend their fee schedule with the City for 2013. The last adjustment made to the CDS fee schedule was approved at the December 17, 2008 Council meeting and went into effect in January 2009. The adjustment awarded at that time was a 3.5% increase.

The Mayor, President of Council, and I met with our City Engineer, Don Shvegza, and CDS President Mark Brueggemann to discuss the performance of their staff during 2011 and 2012. At the conclusion of the meeting, both sides felt comfortable recommending an increase to the current rates. For the most part, where adjustments to the rates are being recommended, the rate increase ranges from 2.04% to 3.48%. The intent was to provide roughly a 2.5% increase in all areas except the Project Manager position. CDS requested we consider at least a 3.00% increase for that position. In an effort to keep the rates in whole numbers, the odd percentages were generated. A copy of the proposed rates and their associated percentages will be attached to each hardcopy document for your review.

According to our agreement at the meeting, the new rates would not go into effect until February 1, 2013. An ordinance, with an emergency clause, authorizing an adjustment to the CDS fee schedule will be presented for Council's consideration on **02/06/13**.

**Item II**

**An Ordinance Approving, Solely For the Purpose of Section 147(f) of the Internal Revenue Code of 1986, the Issuance of the Healthcare Facilities Refunding and Improvement Revenue Bonds, Series 2013 (Maple Knoll Communities, Inc.), By the County of Butler, Ohio; Authorizing A Public Hospital Agencies Agreement in Connection With That Approval; and Authorizing Other Documents in Connection With the Issuance of the Bonds, and Declaring an Emergency**

The City has been contacted by Bond Counsel (Peck Shaffer) for Maple Knoll Village (MKV) indicating MKV is planning to refund their Healthcare Facilities Bonds and once again would like the City's assistance in the process. In 2007 and 2010, Council passed similar legislation to assist MKV with the major expansions to their facilities in both Springdale and Butler County. The bonds are actually issued by Butler County. In order to incorporate the planned improvements in Springdale into the bonds, the City needs to enter into an agreement with Butler County and MKV. Mr. Abbott Thayer, Maple Knoll's Bond Counsel, will be attending the meeting to answer questions.

As was the case in the two previous bond issues, there will be no risk for the City of Springdale with this transaction. In fact, we will enter into an "Indemnity Agreement" with Maple Knoll stating the City has no financial responsibility with respect to the bonds. In addition, Maple Knoll will indemnify the City against any and all claims, losses, expenses, and actions arising out of our connection to this issue.

An ordinance, with an emergency clause, approving the issuance of Maple Knoll Healthcare Facilities Bonds is scheduled to be presented to City Council at the **02/20/2013** meeting.

**Item III**

**An Ordinance Amending Section 152 of the Springdale Building Code and Adopting Recommended Adjustments to Certain Building Permit Fees and Declaring an Emergency**

The State of Ohio has adopted a number of amendments to the Ohio Building Code. In an effort to remain consistent with the Ohio Building Code, the Building Department is recommending the City adopt the new amendments. In addition, the Building Official is recommending a number of adjustments to several of the City's building permit fees. No adjustments have been made to the fees since 2001. There are no changes being recommended for repairs, replacements, and minor improvements to residences (single family homes, condominiums, etc.). The recommended fee adjustments are for any new developments (residential or commercial) and alterations to commercial buildings. The department has gathered comparable data from other communities in the Greater Cincinnati area. A copy of that data will be attached to the hardcopy of this report.

An ordinance, with an emergency clause, to amend Section 152 of the Building Code and adjust certain permit fees is scheduled to be before City Council at the **02/20/2013** meeting.

**Item IV  
Special Recognition –**

- A. Mr. Dan Torrence, Owner of Firehouse Subs, will present a check in the amount of \$22,057.98 to the Mayor and Fire Department at the **02/06/2013** meeting;
- B. City Council will recognize Springdale resident Timothy Burdine and present him with the “Springdale Good Citizen Award” at the **02/06/2013** meeting.

**Item V  
An Ordinance Amending Section 153.533 of the City’s Zoning Code to Permit Temporary Special Event Banners**

In 2009, in an effort to assist the business community during the tough economic times, the City relaxed its policy regarding the use of temporary banners for a period of one year. For the last three years, Council has extended the policy for an additional year. The most recent extension is due to expire on May 20, 2013. The Planning Commission has yet to address the issue this year; however, if we plan to continue the practice, a Public Hearing and second reading of the legislation must take place no later than the **04/17/2013** meeting of Council. In order to avoid a lapse in the policy, the effective date must be no later than May 20, 2013.

As you may recall, prior to the amendment, a business could have a temporary banner on display for no more than a two-week period four times a year. The amendment allows a business to display a temporary banner for a period of up to thirty days. At the end of the thirty days, a thirty-day extension can be granted if the banner is being well maintained and properly displayed. The business can continue this practice for the entire twelve-month period the law is in effect.

These temporary banners must be related to a special event associated with the business and may not be used to announce such things as “now hiring” or “space available.” In addition, multi-tenant buildings such as a strip mall are not permitted to display more than two banners at any one time.

**Item VI  
Potential Future Legislation  
Legislation Regulating the Size (height and length) of RV’s and 5<sup>th</sup> Wheels in the City of Springdale**

In late 2012, a resident came before City Council indicating his 5<sup>th</sup> Wheel trailer was in violation of the City’s Zoning Code because of its height. At the meeting, Mayor Webster indicated the Administration would research the issue based upon industry standards as well as what is permitted in neighboring jurisdictions. On Monday, January 28, a copy of the results from Building Department’s research was sent to each elected official via email. Once Council has reviewed the information and determined further action is necessary, the issue can be sent to Planning Commission. The Planning Commission will address the issue and provide Council with a recommendation.

Mayor  
Clerk of Council / Finance Director  
City Council  
Assistant City Administrator  
Reading File

Law Director  
City Engineer  
Department Directors  
Recording Secretary