

# INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

August 14, 2015

To: Mr. Thomas Vanover  
President  
Springdale City Council

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From: Derrick Parham  
City Administrator

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Re: Report on Pending and Future Legislation

## Item I

**A Resolution Authorizing the City Administrator to File an Application with the Hamilton County Engineer's Office for Municipal Road Funds (MRF) for Road Improvements on W. Sharon Road in the City of Springdale**

In 2012, the City submitted an application to the Ohio Public Works Commission (OPWC) for State Capital Improvement Program (SCIP) funds to rehabilitate W. Sharon Road from Springfield Pike to the City's western border at the City of Forest Park. The total estimated construction cost for the project was \$347,300. Once receiving the news that the project would not be funded, staff began to explore other options to address the many concerns on Sharon Road. Unfortunately, the City's finances could not at that time and can not currently absorb paying 100% of the cost for a major renovation to the road. Instead, staff believes if we invest roughly \$44,000 in pavement repairs and crack sealing repairs, we should be able to extend the life of the road for a few more years before being at a critical point of needing to perform the major renovation.

In an effort to pay for all or a large portion of the abovementioned repairs, the City applied for Municipal Road Funds (MRF) through the Hamilton County Engineer's Office for the total estimated cost of \$44,000. Although we have been successful with other MRF projects in the past, this time the City's 2014 MRF application was not successful. Staff believes there is still time remaining before this street reaches its critical point, and as a result, the plan is to reapply for MRF funds to repair W. Sharon Road. This year's deadline to submit an application for MRF funds is Friday, August 28, 2015.

A resolution authorizing the City Administrator to file an application with the Hamilton County Engineer's Office for MRF funds for road improvements on W. Sharon Road will be presented for Council's consideration at the **08/19/2015** meeting.

## **Item II**

### **An Ordinance Renewing an Agreement with NextStep Networking for Technical Support Services for the City's Local Area Network and Declaring an Emergency**

The City's current three-year agreement with NextStep Networking is scheduled to expire on August 31, 2015. This was the second three-year agreement between the City and NextStep Networking, the City's IT consultant. The new proposed agreement submitted by NextStep would reflect a 3.6% (\$200) monthly increase over the expiring agreement.

Shortly after the July 15 Council meeting, we were notified by NextStep that they are indeed making a number of personnel changes. Those changes include the NextStep employee who services the City's account. As of two weeks ago, the new employee to our account has been introduced throughout our organization. Even though City employees have had a chance to meet and interact with the new NextStep employee assigned to our account, it remains the Administration's recommendation that we enter into a one-year contract, instead of committing to an additional three-year period. In a year, we can re-evaluate the contract to determine whether there is a comfort zone to return to a three-year agreement.

NextStep has been the City's long-time service provider and has guided our organization through the development of the City's overall computer network and communication system. They have been effective in their service delivery, and their familiarity with our system has been a real asset.

An ordinance, with an emergency clause, authorizing the renewal of a one-year agreement with NextStep Networking for technical support for the City's Local Area Network is scheduled to be before Council at the **08/19/2015** meeting.

## **Item III**

### **An Ordinance Amending Section 125.04 of the Codified Ordinances of the City of Springdale Regulating Hotel and Motel Registrations and Declaring an Emergency**

At the June 15, 2011 City Council meeting, Council adopted Ordinance No. 22-2011 which created Chapter 125 of the Springdale Code of Ordinances regulating Hotel and Motel registrations. The intent of this chapter was to assist the City's Police Department with identifying individuals checking into hotels. Dealing with hotels/motels along a major interstate can often present a variety of challenges not seen throughout the balance of the community. Unfortunately, the ownership of some of these establishments is not always very helpful or cooperative in assisting our department in addressing these issues.

Under Section 125.04, hotels/motels are required to not only maintain registration records for a period of at least one year, but they are also required to share those records or provide a review of the records to police upon request. Now, a recent United States Supreme Court case out of the City of Los Angeles essentially says a City can require a hotel/motel to maintain their register; however, cannot require the hotel/motel to provide a copy of the record unless they are doing it willingly or unless the department has a warrant. This case makes our ordinance unconstitutional. As a result, the City will need to amend Chapter 125.04 to only require the maintenance of the register. If the Police Department feels they need to gain access to those records, they can seek to obtain a warrant or can simply request the opportunity to review the records of that proprietor.

An ordinance, with an emergency clause, amending Chapter 125.04 regulating hotel and motel registrations will be before Council at the **08/19/2015** meeting.

#### **Item IV**

#### **A Resolution Authorizing the City Administrator to File an Application with the Hamilton County Engineer's Office for Municipal Road Funds (MRF) for the State Route 4 Southbound Lane Addition Improvements at Interstate 275 in the City of Springdale**

At the June 17, 2015 City Council meeting by a voice vote, Council authorized the Administration to submit an application to secure Surface Transportation Program (STP) funds for the SR 4 Southbound Lane Addition improvements. If you recall, the application for the STP funds was due by no later than July 31, 2015. The City's application was to secure 80% STP funding for construction and construction engineering for the project. The construction is estimated at \$548,614 and the construction engineering is estimated at 10% of that or \$54,861. If successful, the City could receive \$438,891 for construction and \$43,889 for construction engineering for a total of \$482,780. The City's total financial responsibility would be \$120,695 (109,723 in construction and \$10,972 for construction engineering).

Earlier this week, the City Engineer was informed that the SR 4 Southbound Lane Addition project is scheduled to be recommended to the OKI Executive Board for funding. The Executive Board would then make the final vote on what projects would be funded on September 8, 2015.

In an effort to further defray the City's cost for this project, the Administration would like to submit an application for Municipal Road Funds (MRF) in the amount of \$60,348, roughly 50% of the City's anticipated cost. The application deadline for MRF funds is Friday, August 28, 2015. The August 19 meeting is the last opportunity Council to authorize the submittal of an application for MRF funds.

A resolution authorizing the City Administrator to file an application with the Hamilton County Engineer's Office for MRF funds for the SR 4 Southbound Lane Addition improvements is scheduled to be presented for Council's consideration at the **08/19/2015** meeting.

#### **Item V**

#### **An Ordinance Approving a Major Modification to the Planned Unit Development (PUD) and Preliminary Development Plan to Crossings at the Park PUD (Tri-County Commerce Park) and Declaring an Emergency**

Developer Vandercar Holdings Inc. submitted a major modification to the previously approved Crossings at the Park PUD (GEEAA Park) to the Springdale Planning Commission. At their meeting of July 13, 2015, the Commission voted, five to two, to recommend to City Council the disapproval of the Vandercar plan. As a result, Vandercar appealed the recommendation of the Commission to the City Council.

Under Vandercar's submitted plan, they would redevelop the approximately 100 plus acres of park and golf course property to construct nine new industrial and office type buildings. At full build out, two of the proposed buildings would be over 400,000 square feet and would be positioned adjacent to the Heritage Hill Subdivision. One of the two buildings is proposed to have outdoor storage for their materials and product inventory. The plan also calls for a traffic signal to be installed at the intersection of Crescentville Road and the new primary road into the development. A new roadway system would be constructed to connect the residents at the Crossings at the Park condominiums to that same traffic signal on Crescentville Road.

An ordinance, with an emergency clause, approving a major modification to the Planned Unit Development and Preliminary Development Plan to the Crossings at the Park PUD (Tri-County Commerce Park) is scheduled to be before Council at the **08/19/2015** meeting. A Public Hearing to discuss the issues surrounding this development will be held prior to the consideration of the ordinance.

## **Item VI**

### **An Ordinance Reducing Special Assessments Levied for the Purpose of Constructing Certain Improvements at Pictoria Island and Declaring an Emergency**

Under the terms of the Tax Incentive Cooperative Agreement entered into between the City of Springdale, the Greater Cincinnati Port Authority, and MEPT in August 2006, a special assessment district was established to levy an assessment fee on the ten-story office building at the Pictoria Island development. Under the terms of the TIF agreement, the special assessment amount may be reduced annually based on the amount of funds collected through TIF service payments in the previous year. The purpose is to set the special assessment payments at an amount that will meet the debt service payments in the upcoming year.

An ordinance, with an emergency clause, to reduce the amount of the special assessment levied on the office building at Pictoria Island for the next twelve months is scheduled to be before Council on **08/19/2015**.

## **Item VII**

### **An Ordinance Enacting and Adopting the 2015 S-16 Supplement to the Springdale Code of Ordinances and Declaring an Emergency**

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

Supplements to be considered by Council include revisions which expand existing language by further defining additional actions that constitute a specific offense as well as the incorporation of an entirely new section into the chapter on sex related offenses. For example, the offenses of menacing, aggravated menacing, and menacing by stalking have been revised to include language such that if Person A makes threats or takes some action against Person B's place of employment or an organization in which Person B belongs, Person A could be charged with some form of menacing. Additionally, a new section outlining the unlawful advertising of massage has been incorporated into Chapter 134: Sex Related Offenses. Under the new section, unlawful advertising of massage is described as the advertising of any type of massage or related service with the suggestion or promise of sexual favor.

In an effort to align the City's Code of Ordinances with the State of Ohio, Council will need to enact the aforementioned supplement. Once adopted, the City's Police Department will be able to enforce these laws in accordance with State law.

An ordinance, with an emergency clause, enacting and adopting the 2015 S-16 supplement will be before Council at the **09/02/2015** meeting. Due to the high number of pages included, a copy of the supplement has not been attached to the legislation, however will be available for inspection in the office of the Clerk of Council/Finance Director.

### **Item VIII**

#### **A Resolution Authorizing the City Administrator to File an Application with the Ohio Public Works Commission (OPWC) for Local Transportation Improvement Program (LTIP) Funds and/or State Capital Improvement Program (SCIP) Funds, and Authorizing the Mayor and Clerk of Council/Finance Director to Execute all Contracts and Other Documents**

During the 2015 Budget process, the City once again separated the Boggs Lane Rehabilitation and the Jake Sweeney Place Rehabilitation projects into two separate improvements. In an effort to retain the HB51 funds from the Ohio Department of Transportation's Office of Jobs and Commerce, the City agreed to separate the two projects and proceed with the construction of the Boggs Lane Rehabilitation project in 2015. The City also committed to submit an application to OPWC in hopes of securing SCIP funds to implement the Jake Sweeney Place Rehabilitation project. If the City is successful with SCIP funds, the improvements to Jake Sweeney Place will occur as a part of the 2016 construction season.

The Jake Sweeney Place Rehabilitation project will involve full curb and gutter replacements, elimination of the crown in the middle of the roadway, total removal of the pavement and replacement with new asphalt, new pavement markings, and catch basin and manhole replacements. In addition, the project will replace the rusted metal corrugated storm sewer pipe which collapsed in 2014 and necessitated a temporary repair of the storm sewer. The latest engineer's estimate for the project is \$851,835 (March 2015). The City intends to apply for 69% (\$587,766) SCIP funds which mean the City's 31% share would be \$264,069. The deadline to submit for the Round 30 SCIP funds is September 18, 2015.

A resolution authorizing the City Administrator to file an application for OPWC funds for 2016 (Round 30) will be before Council at the **09/02/2015** meeting.

### **Item IX**

#### **An Ordinance Accepting a Bid and Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into a Contract with the Lowest and Best Bidder for the 2015 Annual Street Improvement Program and Declaring an Emergency**

The proposed 2015 Annual Street Improvement Program was presented to City Council at the meeting of July 15. This year's program is scheduled to consist of: paving Cedarhill Road and Yorkhaven Road in the Oxford Hills Subdivision; pavement repairs and paving on Rose Lane from the City's corporation line to Grandin Avenue; crack sealing work along with treating the roads with the Onyx application in several locations around the City to further preserve our roads; installing collector lines in several locations in the City; repair work on Vista Glen including pavement repairs, curb replacement work, and catch basin repairs; and sidewalk repairs throughout the City. Not all of the abovementioned work is intended to be performed by the contractor presenting the lowest bid. Other parts of the program will be farmed out to smaller, more efficient and effective contractors to possibly realized savings for the program. The bid opening for this year's program is scheduled to be held on Friday, August 28.

In the 2015 Budget, \$410,000 was allocated in two different funds to cover the expenses of a 2015 Annual Street Improvement Program. The estimated construction cost for the program described above is \$429,382. In addition to the construction cost, the engineer's design fee, submitted by the City's Engineer, CT Consultants, is \$16,000. Hopefully, we will once again receive very favorable and competitive bids.

An ordinance, with an emergency clause, accepting the bid and authorizing a contract with the lowest and best bidder for the 2015 Annual Street Improvement Program will be before Council at the **09/02/2015** meeting.

## **Item X**

### **An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with Advanced Data Processing, Inc. dba Intermedix, for Ambulance Billing and Related Professional Services and Declaring an Emergency**

For over twenty years, in fact since 1993, Medicount Management, Inc. provided life support services billing for emergency runs made by City personnel. Due to a new ownership at Medicount as well as a reduction in the quality of service, the City entered into an agreement with Advanced Data Processing (Intermedix) in June 2011. At that time, the amount of revenue generated by the City's life support services had been declining drastically. In comparing the City's 2010 paramedic services revenue collection to the 2014 collections, there has been an increase of 42% in this revenue line item from \$356,253 to \$505,042.

The agreement with Intermedix authorized in 2011 appears to have expired during 2013, and since then, we have been operating under the terms of that agreement. Assistant City Administrator Jerry Thamann and Fire Chief Michael Hoffman have been working with representatives of Intermedix to draft a new agreement. According to Mr. Thamann, Intermedix is proposing very few adjustments to the existing agreement. It seems the primary change is to the fee schedule associated with the use of Intermedix's equipment that the department currently uses.

Unfortunately, the appropriate language for our new agreement with Intermedix has not been concluded. As a result, the legislation will not appear at the next City Council meeting. Once both parties have agreed to the proposed agreement, an ordinance, with an emergency clause, authorizing the City to enter into an agreement with Intermedix for ambulance billing services will be presented for Council's consideration perhaps at the **09/02/2015** meeting.

It is anticipated that the agreement (Exhibit A) will exceed twenty pages in length, and therefore a copy will not be included with the legislation when distributed. However, once the agreement is finalized and ready for Council's consideration, a copy will be available for review in the Clerk of Council/Finance Director's office.

## **Item XI**

### **Other Items of Interest**

1. Presentation: Mill Creek Watershed Council for their 20<sup>th</sup> Anniversary Celebration – **09/02/2015**;
2. Introduction of New Employees:  
Account Clerk (Tax Department) Ruth A. Benfer – **09/02/2015**.

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