

President of Council Marjorie Harlow called Council to order on June 6, 2012 at 7:00 p.m.

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

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

The minutes of May 16, 2012 were approved with seven affirmative votes with the following changes.

Mr. Knox said on the second page, first paragraph where I'm reporting on OKI, I believe we need to say at the end of the sentence, the executive board was in favor of a public/private partnership for the Brent Spence Bridge. We didn't clarify that. They are not in favor of a public/private partnership for everything. On the fourth page, bottom paragraph where it starts Mayor Webster said, the third line said "the other two maintenance positions that Derrick alludes two" should be to.

COMMUNICATIONS - none

COMMUNICATIONS FROM THE AUDIENCE - none

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 20 -2012

REPEALING SECTION 30.13 OF THE SPRINGDALE CODIFIED ORDINANCES REGARDING COUNCIL RULES OF PROCEDURE AND DECLARING AN EMERGENCY

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

Ordinance 20-2012 passed with five affirmative votes. Mr. Hawkins and Mrs. Emerson voted no.

Mrs. Harlow said I understand from speaking with Mrs. Emerson before the meeting that they would like to research and see if there is some other type of rule they can put into Council and I have given her the go ahead to do so, and they will report back when they gather that data.

ORDINANCE NO. 21-2012

ACCEPTING A BID AND AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH ADLETA INCORPORATED FOR THE 2012 STREET PROGRAM AND DECLARING AN EMERGENCY

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

Mayor Webster said Adleta Construction has done a lot of work in the City over the years. They are very reputable. To my knowledge we've never had a problem with their work. They always follow up and take care of the punch list items. Their bid is about \$62,000 under the nearest bid. I would enthusiastically support the awarding of this bid.

Mr. Hawkins asked is it within budget?

Mayor Webster replied yes, the budgeted amount was \$500,000.

Ordinance 21-2012 passed with seven affirmative votes.

OLD BUSINESS

Mr. Vanover said I recommend that my fellow Council members go see the Beaver Run riparian project. It is very impressive. Sitting on the wall and looking down on the creek is a very park-like setting.

Mr. Knox said the Ohio Municipal League Legislative Bulletin this week talked about the meeting that was held in Columbus. One new item was presented which gave our representatives great reservations. They want to change the State Tax Code 718 to include a mandate that any future rules addressing local taxes would have to go through Columbus. Further, if the proposal went through, nearly all 600 municipalities in the State would lose their authority in taxing. The State would take over the taxes, not only delivering the money to us but we would have no tax department. I think that's wonderful that they think they can come up with a rule that will cover 600 different contingencies. I think it's ridiculous and people should contact their legislators and tell them this is wrong and to stop even talking about it.

Mr. Parham said at the last meeting we had a discussion relative to the notice requirements for BZA, Planning Commission and Conditional Use permits as to the parameters of notifying persons who may be interested. The reason you do not have legislation before you is that the item has to go before Planning Commission. It is scheduled for the meeting next Tuesday and then it comes back to Council with a recommendation and we hold a public hearing with two readings.

Mayor Webster asked has anybody here seen what's been recommended to Planning Commission? Mr. Parham replied no. Mayor Webster said I'd like to see it.

Mrs. Harlow said we were all supposed to get something by e-mail so we could look it over.

Mr. Forbes stated we've drafted the actual amendments to the Code and that can be distributed.

Mr. Parham said we can e-mail it to everyone tonight or tomorrow.

Mrs. Harlow asked, if we have any questions do we talk with you, Mr. Parham?

Mr. Parham replied that if Council has questions, they can give him a call.

Mrs. Harlow said at the May 2nd meeting we talked about the Charter Review Committee recommendation of having two year terms for BZA and Planning. I wanted to give you some updates on that. I had some data pulled on the Springdale election results and we talked about whether to put it on for

this year or wait and put it on next year. The presidential election of 2004 we had 71.56% of Springdale residents voting. The next year, 2005, we had 28.75% of Springdale residents voting. For the Presidential election during year 2008 we had 68.39% of Springdale residents come out to vote. In 2009 we had 40.17% come out and vote. So, as you can see, at a presidential election we are going to hear from our residents much more than we would at a regular general election. So I'm going to ask that Council consider putting an ordinance on so we can vote on it and get it on the ballot for this November. Another reason I am asking for that is one person's term on Charter Review Committee expires the end of December 2012 so if we wait another year, I believe in all fairness, any item like that should go back to the seated Charter Review Committee for review and discussion before it's brought to Council again. When we talked about this on May 2nd, there were issues on Ordinance 62-2000. This had nothing to do with terms. It was at-large and district. What we are talking about tonight has nothing to do with at-large or a district rep. It only is talking about the terms. That's the difference in the vote that was taken in 2000 and what I'm proposing here. If we are going to move on this we need to have the first reading at the June 20 Council meeting and it would need to be voted on at the July 18 Council meeting. I understand this will take five votes to take it to the electorate. What is Council's pleasure on changing the BZA and Planning Commission to two-year terms, Council only? I never talked about or envisioned the residents. That was something that came out of the Charter Review Committee.

Mr. Diehl said that is not going to be considered at all.

Mrs. Harlow replied no, not the residents.

Mrs. Emerson said this was brought up in 2000 on the Charter for an at-large and a district rep. So why did we feel that necessary?

Mrs. Harlow replied because back in the day when one person at-large was president, then we didn't have enough people to serve. The minutes from February 22, 2000, the Charter Revision Committee, it was proposed that the Commission composition be the same as that of the Board of Zoning Appeals. Mr. Schneider advised that to do so would be more legally defensible, especially since this had been the situation in most years. There was a Mr. Fish on there who expressed concerns that occasionally a Council member might not have the knowledge or be able to commit to that time required. Mr. Smith and Mrs. Simmons had both found in volunteer work that many times people took a job not fully realizing the requirements of the position. So this doesn't really tell you a whole lot. Again, this was something that came out of the Charter Revision Committee February 22, 2000. It was only for putting one at-large and one district so that it would equal out the boards.

Mrs. Emerson said I was thinking it was so we could stagger the members just like we stagger on the elections here so that you don't have a whole new board.

Mr. Vanover said what it did was clearly stated because up until that point, the composition of Planning was designated that it had to be an at-large and a district person.

Mrs. Emerson replied right, because those two people would have been removed on the same year. By having an at-large and district you always had

one of them still seated there until the next election. You always had someone who could coach or help the new member on the board.

Mr. Vanover responded the discussion was that the board then reflected a truer representation because you had an at-large member elected city-wide and a district person who came from their district. Potentially you could have two districts or two at-large and they wanted a better balance and reflection of the electorate. It wasn't so much to do with staggering terms as spelling it out that we needed that balanced representation.

Mrs. Harlow said the January 10, 2000 Charter Revision Committee minutes state to change the commission make-up to be the same as the Board of Zoning Appeals. Current practice is the same as the Board of Zoning Appeals. A problem has arisen when an at-large member became the president of Council and therefore cannot serve. Only once, 1974 has there not been an at-large member on the Planning Commission. That's why it was done.

Mrs. Emerson asked how does that work if there is a district president?

Mrs. Harlow and Mr. Vanover replied there are four, but only three at-large.

Mrs. Emerson said if you have an at-large how are you going to change them every two years, just switch the two committees?

Mrs. Harlow replied they will be up every two years so I don't see how that's a problem.

Mr. Hawkins said we've already had exhaustive discussions on this matter. I'm just stating for the record that my position would be to keep it the same based on maintaining an increased likelihood of continuity in the way we have things right now with folks having four-year terms on BZA and Planning.

Mrs. Harlow said it's up to Council to do whatever they choose here tonight.

Mr. Hawkins said I'm just stating it for the record in case anyone is looking back at minutes in the future.

Mr. Vanover said I say go ahead and prepare the ordinance, bring it to the table and let Council vote on it.

Mrs. Emerson said I agree with Mr. Hawkins. I'm not in favor of this at all.

NEW BUSINESS - none

MEETINGS AND ANNOUNCEMENTS

Mr. Squires said Public Works Committee met this afternoon. Next Council meeting there will be a detailed report and the subject is speed bumps on Cameron Road. The gentleman who brought that petition to Council will be invited to that meeting. Mr. Knox and I will present some things to you for your discussion and give you information that will allow you to ask pertinent questions of the petitioner if you so desire.

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Mr. Diehl said I wonder if you could have the community police officer, Joe Ture, notify his people that we are going to discuss that so they may come also.

Mr. Parham said we can notify his groups.

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Planning Commission - Jun 12
Board of Zoning Appeals - Jun 19

COMMUNICATIONS FROM THE AUDIENCE - none

EXECUTIVE SESSION

Mrs. Emerson made a motion that Council go into executive session as a committee of the whole to discuss real estate acquisitions. Mr. Knox seconded. The motion passed with seven affirmative votes.

Council went into executive session at 7:28 p.m. and reconvened at 8:17 p.m.

UPDATE ON LEGISLATION STILL IN DEVELOPMENT

Tax Budget - Jun 20

RECAP OF LEGISLATIVE ITEMS REQUESTED

Charter amendment - Jun 20

Council adjourned at 8:20 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:

Marjorie Harlow, President of Council

_____, 2012