

City of Springdale Council

November 21

2012

President of Council Marjorie Harlow called Council to order on November 21, 2012, at 7:00 p.m.

The governmental body and those in attendance recited the pledge of allegiance. Mrs. McNear gave the invocation.

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

The minutes of November 7, 2012 were approved with seven affirmative votes.

COMMITTEE AND OFFICIAL REPORTS

Civil Service Commission - Mr. Potts said the Commission provided an update to the eligibility list for the next candidate for the position of firefighter. The Commission also addressed a request from Administration for clarification on a Civil Service rule specific to internal transfers and approved a request for testing for the position of Administrative Secretary for the Tax Department. We'll be accepting applications in January. The test will be administered February 2.

Rules and Laws	-	no report
Finance Committee	-	no report

Planning Commission - Mr. Vanover said there were minor improvements for the Mercy Health Springdale Family Medicine ground sign at 212 West Sharon Road. Planning Commission was not receptive to the initial plan. They refined it and came back with a nicer presentation. There will be vegetation landscaping around it. It will be a ground sign with a brick base to match the wall. This was approved 6-1. Mr. Diehl abstained.

Board of Zoning Appeals – Mr. Hawkins stated there were two requests for oversized RVs at the properties of 519 Lafayette and 233 West Kemper Road. Both were denied. The resident at 609 Maple Trace applied for a variance to construct a building addition 27 feet from the rear set back. This was approved 7-0.

Board of Health – Mr. Squires reported they had the first reading for the food license regulation for 2013 food fees. The fees were raised six percent. The Health Department was awarded their third Healthy Ohio Gold Award. One hundred eighty-eight flu shots have been given by the Health Department. Eight people have expressed interest in the Healthy U Diabetes Workshop. They really need ten participants to make it worthwhile. The Health Department participated in the Latino Expo last Sunday, giving flu shots and doing BP screenings.

Public Utilities	-	no report
Public Relations	-	no report
Capital Improvements	-	no report
Public Welfare, Safety & Education	-	no report
Housing Board	-	no report
Public Works	-	no report

O-K-I – Mr. Knox said the work on I-71 just south of I-275 is going to start. OKI is using a strategic policy update plan in Southeast Ohio, Kentucky and Indiana and they want to hear from residents about this. It's a survey ([www.howdowegrow.org](http://www.howdowegrow.org)) and the information is in the City's newsletter and on the City's website. I'm encouraging people to do this.

Mayor's Report – Mayor Webster said the Healthy Ohio Gold Award is given to recognize communities for outstanding achievements in developing and implementing health related policies, and providing healthy community environments. The award recognizes communities' efforts to enable employees, residents and visitors to make healthy choices that include participating in physical activity, eating good nutritious foods and avoiding tobacco. Our Farmer's Market contributes to the healthy environment. We

City of Springdale Council

November 21

2012

provide health screens such as blood pressure and glucose/cholesterol screenings, provide health and wellness programs at our Community Center, walking paths, etc. In today's mail we got a certificate from our congressman, Mr. Steve Chabot.

Mayor Webster said I apologize to our area's veterans. I know you didn't let the weather stop you when it came time to protect us and provide the freedoms that we enjoy today but unfortunately, it was just logistically impossible for us to move the ceremony from the corner down here to an inside venue, especially on such short notice. We did have one veteran, Danny Mastrullo, show up. We apologize to our veterans.

Mayor Webster stated we had an SOS meeting this afternoon. Last year we helped sixty-one families. Today we are up to 57 families and about half of those have been adopted by donors. We are desperately looking for donor families. If you can't see fit financially to accommodate that, anything you can contribute to the SOS Christmas program would be greatly appreciated and I know many of you on the dais have already done so and we certainly appreciate that. Our food drive is going great. This weekend we had a local church at the corner of Crescentville and Chesterdale giving away turkeys and they held forty of those back for SOS. John Morrell has donated another seventeen and a resident donated two. Some of our businesses were willing to accept boxes like you see in the foyer. GE took three of those boxes and two days later called and said they needed twenty-five more. Before we could get back to them, they said they would provide the bins so I think we have a massive drive going on at the facility on Crescentville Road.

Mayor Webster said the Christmas tree lighting ceremony will be this Sunday at 7:30 p.m.

Clerk of Council/Finance Director - no report

Administrator's Report – Mr. Parham stated earlier this year we had a visitor from Hamilton County's Solid Waste District, their Program Manager, Ms. Holly Christmann. At that meeting, Ms. Christmann shared with Council the District's 15 Year Solid Waste Management Plan. In addition, she was also seeking Council's approval of the plan. Ms. Christmann stated that the District needed to receive approval of the plan from Hamilton County cities, townships and villages representing sixty (60) percent of the population. I received an e-mail from her on November 8 stating they had received approval from jurisdictions representing ninety-nine (99) percent of the population. She also indicated they had received approval from the Ohio EPA, which was also one of their requirements.

Mr. Parham informed Council that the 2013 Annual Budget had been placed in the mail bins of the members of Council's Finance Committee today, in preparation for next week's Finance Committee meeting.

Law Director's Report – Mr. Forbes said momentarily you will be addressing legislation related to HB 601. I just want to let Council know that my office continues to watch that. Today I learned that Representative Peter Beck, Chairman of the House Ways and Means Committee, has announced the first committee meeting to discuss this issue for next Wednesday, November 28.

Engineer's Report – Mr. Shvegza reported the I-275 Ramp Modification Project, Century Circle North Project, Merchant Street Project, and the Traffic Signal System Upgrade Project are all substantially complete. The majority of the 2012 Street Repair Program is expected to be complete by November 30 with the SR 4 Sidewalk Replacement work being completed around mid-December.

COMMUNICATIONS - none

COMMUNICATIONS FROM THE AUDIENCE

Dan Tudor, 519 Lafayette Avenue stated I was here last night for a variance for my RV that was denied. I come tonight to propose to up the dimensions. They haven't been changed since 2008. A lot of things have changed with the RV industry. It's hard to find a

nice RV that's not over 11 feet high. The fifth wheels start at 12 feet. The length starts at 32 feet. I was proposing to extend the length 3 feet and the height 2 feet for the RVs.

Mrs. Harlow asked what is the size of your RV?

Mr. Tudor replied it is 12 feet 11 inches high and 33 feet long.

Mrs. Harlow asked what is the year and model of that?

Mr. Tudor responded it is a 2009 Heartland Fifth Wheel. It has an upstairs. That's why it's so tall. It sits behind my house. Nobody sees it and it is well maintained.

Mrs. Harlow said so you are telling us that the industry standards have changed.

Mr. Tudor stated a lot of things have changed. The RVs are getting bigger, higher off the ground.

Mayor Webster said this would require a zoning change. I suggest you let us get our hands on the latest specs and industry standards, craft some language, and send that to our Planning Commission. That's where we have to originate. Planning Commission has to consider and pass it, then forward it on to Council, who would have to pass it before it would become law. It's not something that would be easy or quick but if we don't get started today it won't get done. We'd be more than happy to carry that forward and see where it goes.

Mrs. Harlow said thank you. I appreciate you coming this evening and making us aware that industry standards and sizes have changed.

Mr. Tudor stated you can get all sizes in an RV but if you want a nice unit, you will have to go up to the higher mobile homes, fifth wheels. Travel trailers are 14, 16 feet.

#### ORDINANCES AND RESOLUTIONS

##### ORDINANCE NO. 39-2012

##### IMPLEMENTING A PERMANENT VOLUNTARY WORK FURLOUGH PROGRAM AND DECLARING AN EMERGENCY

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

Mr. Diehl asked Mr. Parham, how many employees took part in the program last year?

Mr. Parham replied the last time I checked, in the last two years when the program has been primarily voluntary, we may have had four employees take advantage of it. Mr. Tulloch and the secretary in the Fire Department have taken advantage of it this year and there may have been a few others.

Ordinance 39-2012 passed with seven affirmative votes.

##### RESOLUTION R13-2012

##### CONFIRMING THE MAYOR'S APPOINTMENT OF RITA HART AS A MEMBER OF THE BOARD OF HEALTH

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

Mayor Webster said I just can't say enough about the contribution Mrs. Hart gives to the Board of Health. She is a nurse at the Princeton High School and she has served twenty-two years. She pre-dates me on that board. I'd like to say the same for the next appointee, Dr. Ketring. Dr. Ketring is a retired veterinarian and he too is a twenty plus year participant on the board. I urge Council to support both of these appointees.

Resolution R13-2012 was approved with seven affirmative votes.

Mrs. Harlow said the title for the next resolution says R14-2014. We'll make that change to R14-2012 before you read it, Mrs. McNear.

RESOLUTION R14-2012  
CONFIRMING THE MAYOR'S APPOINTMENT OF KEVIN KETRING AS A  
MEMBER OF THE BOARD OF HEALTH

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

Resolution R14-2012 passed with seven affirmative votes.

RESOLUTION R15-2012  
A RESOLUTION STRONGLY OPPOSING THE PASSAGE OF HB 601 BY THE  
OHIO GENERAL ASSEMBLY WHICH PROPOSES UNIFORMITY MEASURES FOR  
MUNICIPAL INCOME TAX IN THE FORM OF UNFUNDED MANDATES AND A  
SUBSTANTIAL LOSS OF REVENUE

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

Mayor Webster asked do we have any instruction from the Ohio Municipal League on where to send this resolution? Do we send it to them? Are they going to make a joint presentation to the representatives and senators or do we need to send it to all those folks?

Mr. Parham replied I have the sense that we would send it to the General Assembly and to the Governor.

Mayor Webster said I would like the Finance Office to make sure all the assembly gets one along with the Governor's office. I think we have covered this many times. By plugging the dollar amounts into this resolution it puts in perspective what's at stake here for the City. Let's assume they draw a line in the sand and this is all they did was adopt this uniformity piece of legislation, I think we all know this is just the first step towards total centralization of those collections. I can't urge Council enough or Mrs. Pillich, our representative in the House to firmly oppose this.

Mrs. McNear said this is not the first time I've read this particular resolution and I was just getting more and more angry as I read this document because the implication of this are so far reaching. It's just so much big brother, them trying to control our funds that belong in this City so that we can run this City and this is extremely detrimental so I urge everyone to not only approve this resolution, but to reach out to the State and voice your opinion on how detrimental this is to the municipalities of this State.

Mr. Knox said I don't think there is one taxing entity in this State that will come out ahead on this. I think every municipality will lose money based on this bill and none of us can afford it. I have no idea what the people in Columbus have in their minds.

Mrs. Harlow stated I don't believe our residents voted on an income tax many years ago and an increase a few years ago to have that money be sent to Columbus and given back to us as they saw fit. Our residents voted for those income tax increases and the original income tax for Springdale for our services here at home and I think our City does a really good job of providing those services. I really think we should all get in touch with anyone that has an ear in Columbus and let them know how we feel.

Mr. Vanover said government, whether it's federal or state, has a habit of increasing the cost and screwing it up. My grandma said too many cooks spoil the soup and I think that's the case here. You have too many people reaching in the pot. You can pick any program that's offered and see where the government has made it miserable. I agree completely we ought to be pounding on the doors.

City of Springdale Council

November 21

2012

Mr. Squires said this can't be done without increasing the size and scope of the government in Columbus. We're going to add many more employees to the State tax offices in Columbus while the municipalities will be losing people. This is by far the biggest obstacle to this that I see.

Mayor Webster said advocates would say they are unifying the code. It's not going to cost anything. They won't have to add jobs in the State tax office just to implement the uniformity of the codes. It's when they combine collections that we will see a massive expanse of the government in Columbus. Then local cities and villages would have to lay people off as they close down their tax collections. Mr. Parham said that Mr. Beck is going to chair the hearings beginning next week. Mr. Beck's a nice guy but he owns a CPA firm and the people who are pushing this uniformity are the CPAs in the State of Ohio because they want to make their job easier when they file a tax return for a company that does business in multiple locations throughout Ohio. Do you think we are going to get a fair hearing in Columbus on this bill? In all due respect, Mr. Beck, I think you have a conflict of interest here and I think you ought to recuse yourself.

Mr. Vanover said I remember when the State of Ohio required electricians to be licensed by the State. Everyone thought finally that would solve a lot of issues. It didn't change a thing because now besides my State license, I have to maintain a license in five municipalities surrounding us and if any other municipality decides they are going to invoke a licensing or registration fee, if I want to do business in that area, then I have to do that. It has not made my life any simpler. It has compounded it. Much like everything else, the cost of those licenses goes up every year.

Resolution R15-2012 passed with seven affirmative votes.

OLD BUSINESS - none

NEW BUSINESS

Mr. Thamann stated at the last meeting Administration requested an extension of the Statutory Impasse Procedures for the FOP. It's a section of the Ohio Revised Code 4117.14, which is a G11 that allows a conciliator, if we go that far in negotiations, to make an award which could be retroactive back to January 1 for that calendar year for any cost implications. That was approved by Council with a floor vote at the last meeting. Now we are in negotiations with our firefighters and they have requested a very similar extension agreement, which is the G11. Again, if we don't settle the contract negotiations before the end of this year, they would like consideration for the extension so if we go to conciliation, that conciliator could make any cost implications retroactive again back to January 1 if he so chooses. It's not mandatory but he has the right to do it. We are requesting that Council consider this. The Administration's recommendation is in favor of it and we're asking for a floor vote this evening.

Mr. Vanover made a motion to allow an extension agreement with the firefighters. Mr. Knox seconded. The motion passed with seven affirmative votes.

Mrs. Harlow said we have a couple of positions on boards. Mr. Robert Coleman's position on Civil Service Commission and Mrs. Julie Matheny's position on Charter Revision expire December 31, 2012. I spoke with Mr. Coleman and he has been on that commission for many years and is interested in continuing on that board. He has a background in Human Resources and I think that's an asset to the Civil Service Commission. Mr. Coleman was approved by acclamation.

Mrs. Harlow stated Mrs. Matheny has indicated that she would like to continue on that board. Mrs. Matheny was approved by acclamation.

Mrs. Harlow said the Volunteer Firefighters' Dependents Board meets once a year mainly to complete paperwork for the State of Ohio. It goes back to when we held a volunteer fire department which we no longer have but we need to keep this board active. Mr. Diehl and Mrs. Emerson served on that board last year and are willing to serve again.

City of Springdale Council

November 21

2012

You will need to elect a different member from the Fire Department to replace Mr. Shroyer. It's your choice on what to do with Mr. Hoffman, and Mr. Brenner needs to be contacted.

Mr. Parham said the positions of the Chief and Assistant Chief, based on their positions, are automatically included on that board. We currently have an acting chief but we hope to have that issue resolved in early 2013.

Mrs. Harlow said Mr. Hoffman would stand in as Chief.

Mr. Parham said we have three captains who may be able to fill the other role.

Mr. Forbes stated generally the appointments done here are done by resolutions. If Madame President would like, I can prepare those resolutions for the next meeting.

MEETINGS AND ANNOUNCEMENTS

Finance Committee	-	Nov 27
Planning Commission	-	Dec 11
Board of Zoning Appeals	-	Dec 18

COMMUNICATIONS FROM THE AUDIENCE	-	none
----------------------------------	---	------

UPDATE ON LEGISLATION STILL IN DEVELOPMENT

Board appointments- Civil Service, Charter, Vol. FF	-	Dec 5
Temporary Appropriation	-	Dec 19
Final Appropriation and Transfer	-	Dec 19
Adopting Annual Appropriation	-	Jan 2
Agreement wit ODOT SR 4 Urban Paving	-	Jan 16

Budget Presentation	-	Dec 5
---------------------	---	-------

RECAP OF LEGISLATIVE ITEMS REQUESTED	-	none
--------------------------------------	---	------

Council adjourned at 8:02 p.m.

Respectfully submitted,

Kathy McNear  
Clerk of Council/Finance Director

Minutes Approved:  
Marjorie Harlow, President of Council