

City of Springdale Council

September 16, 2015

President of Council Vanover called Council to order on September 16, 2015 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, Harlow, Knox, Squires, and Vanover were present.

President Vanover: Council, before we proceed, we've got a couple of housekeeping items - we are adding a Resolution, R10-2015, that will be right after Ordinance No. 21-2015. Also, as far as filling the vacant Council seat, we will handle that under Old Business.

Minutes

The minutes of the August 19th, 2015 City Council meeting were considered. Mr. Squires made a motion to adopt; Mr. Knox seconded. Minutes were approved as published with six affirmative votes.

The minutes of the September 2nd, 2015 City Council meeting were considered. Mr. Squires made a motion to adopt; Mr. Knox seconded. Minutes were approved as published with five affirmative votes. Mrs. Emerson abstained.

The minutes of the Zoning Code Update meeting held July 18th, 2015 were considered. Mr. Squires made a motion to adopt; Mr. Knox seconded. Minutes were approved as published with six affirmative votes.

Committee and Official Reports

Civil Service Commission	Mr. Higgins	-	no report
Rules and Laws	Mr. Knox	-	no report
Finance Committee	Mr. Diehl	-	no report

Planning Commission

Mrs. Harlow: Planning Commission met on September 8th in these chambers; six members were in attendance. We had three items of New Business. Item 1 was Jake Sweeney BMW, a Modification to the Development that had been previously approved by Planning. This was an expansion of the service bay area to the west side of the building and it would not involve any retention issues and very little landscaping issues. That was passed with a 6 – 0 affirmative vote.

The next item was Tri-County Mall Modification of a PUD. This was to an out lot for Outback Steakhouse. They had previously been in before Planning for a Modification. This time they were back before us, they wanted to reduce the patio size and increase the restaurant size. They also had paint samples and exterior finish samples and that was approved with a 6 – 0 affirmative vote.

The next item of business was Tri-County Commerce Park and this is the GEEAA Park. They were before us with a Concept Plan for the buildings they did. As we all saw in our last presentation, they did reduce the size of the buildings, Building 1 and Building 2, and they also increased the setback from 125' to 250' off of Ledro. That was approved with a 6 – 0 affirmative vote. I would be happy to answer any questions.

Board of Zoning Appeals

Mr. Knox: Board of Zoning Appeals met last evening, as a matter of fact. During the roll call, there were only six people present because Mr. Hawkins had resigned. The Chairman of the Board warned the person making the appeal that a 3 – 3 tie would go against him.

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Mr. Knox (continued): The New Business was the owner of 11779 Lawnview Avenue had submitted an application to the Board of Zoning Appeals (BZA) to appeal Section 153.105(B) of the Zoning Code requiring a dwelling to have a single two-car garage. This gentleman had been turned down the month prior; however, it wasn't him who was there. He was on vacation; he had a friend make the presentation and there were a few facts missing. As it turned out, Mrs. Huber, who worked for the Board of Zoning Appeals back in the 80's and 90's seemed to remember there had been a variance to this but no one can find the thing. That, plus the fact that the man making the appeal happens to be one of our City's finest, said that he did have a garage door there – you just couldn't see it because of the way it was covered over. So that, and a few other things, went together and we ended up voting 6 – 0 to give the variance with the proviso that he would inform anyone buying this house, that if they wanted to turn it back into a garage, they could do that.

Under the Discussion, Mrs. Ghantous, member of the Board of Zoning Appeals and the Planning Commission, had raised a question at the previous meeting about what direction the Board of Zoning Appeals really has about garage conversions, or garage eliminations, as they're becoming known as. She is going to contact Mrs. McBride and see if we can get some more directive verbiage in the new Zoning Code that will help the Board of Zoning Appeals because there's two different things that happen – you have existing conversions, which, in the case of last evening, that had been that way. He bought it in 2003 and it had been converted at that time. He had no idea, there was no paperwork on a conversion. There are those situations and then there's the possible future conversions so we would like something in the Zoning Code that would address this and also say what exactly you have to have when you do a conversion so both the Building Department staff and the Board would have better direction on what to do.

Last but not least, under Discussion, Chairman Weidlich informed us that he was not going to return at the end of his term. After 16 years, he decided that that was enough so the City is going to have to look for a new Chairman for the Board of Zoning Appeals. That concludes my report.

Board of Health

Mr. Squires: The Springdale Board of Health (BOH) held their meeting on September 10th. That was the first meeting for the fall agenda. At that meeting, the new Health Commissioner, Mr. Matt Clayton was introduced to the Board – very favorable introduction, very favorable representation there. The Board is very happy with the new Commissioner. Under Attendance, there was one absence – Mr. Garrison was on vacation; otherwise, everybody else was there. The Minutes from May 14th, 2015 were read into the record and thus approved. Under Old Business, there were two items – the final fees for the Food Service Operations were presented as well as the method for calculating those costs was also explained. The certification process whereby the BOH must be certified to remain a functional board is ongoing. They haven't lost a step along the way. Things are looking good and they expect full certification at the completion of the process. Under New Business, there were two schools inspection reports, Heritage Hill and Springdale Elementary Schools. These are just recommendation notices; that's all they are. They could be anything from loose fencing, to repair that or a loose door on the dumpster, or it could be thistle bushes growing around the playing area, some of the playground equipment was in need of repair – things of that nature; nothing extremely serious. They have all been repaired.

Under the Health Commissioner Report, we had Nuisances, Animal Bites, and Food-borne illnesses. Remember the Board hadn't met for some time, so there was a total of 50 of those. Within that 50, five of those were animal bites. The Board was extremely pleased to note that, in all five cases, the animals were investigated to have had the proper vaccination so no further investigation was necessary on those at all. On the Healthy Ohio Community Award – I reported on this before – In 2014, the Board received a Silver Award. They're going for the Gold Award in 2015, and the way the Health Commissioner presented things, they're going to include what the Health Department is doing on the Active Aging Week, the May Walk, Junior Olympics, and further enhancing the Healthy U Diabetes Workshops and immunization clinics and the Annual Health Fair. So they included all of those and it looks like they may do pretty well towards getting the Gold in that.

Under the Nursing Report, Nurse Jean had quite a few things to tell us. There is, among other things, a free Diabetes Workshop coming up September 24th through October 29th, that's Thursdays from 09:00 a.m. until noon. It will be held at the Springdale Community Center. If you're interested in that, we ask that you call to register for an appointment, 346-5725.

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Mr. Squires (continued): The Latino Expo is going to be held September 20th from 1:30 p.m. until 5:00 p.m. That is held at the Healing Center at the Vineyard Church. If anybody on Council has never attended that, I would urge you to do so; it's well worth your time. The Annual Health Fair will be Tuesday, October 13th, from noon until 2:00 p.m. There will be blood pressure and other health screenings and flu vaccinations will begin then. Remember for children, it's free and if you don't have insurance, you're not to be that concerned about it. We'd rather you get the immunizations. It's usually a big event so please call in advance and make your reservations for that as well - again, 346-5725.

Nurse Jean also had something to say about Ebola. The Ebola cases are decreasing a bit and that's good news. Sierra Leone and Guinea continue to have a few cases; however at a lesser pace than previously, but it is still considered to be wide-spread transmission. Trials of the Ebola vaccine have been very promising – it's been given to over 4,000 close contacts. More vaccine is being produced. As of August 26, 2015, there were 52 travelers being monitored in the State of Ohio. That doesn't mean that these travelers have the disease; it just means they're being monitored because they had close contact with those that actually did have the disease.

Marijuana legalization information was thoroughly discussed. Needless to say, the Board is taking a stand – they will oppose that, the Issue on the ballot in November. The BOH is of the position that if they're going to oppose smoking, which they do, they're certainly not going to be on hand to approve smoking marijuana. That would conclude the report. If there are any questions, I'll entertain those at this time.

President Vanover: I don't see any.

Public Utilities	Mrs. Emerson	-	no report
Public Relations	Mrs. Harlow	-	no report
Capital Improvements	Mrs. Emerson	-	no report
Public Welfare, Safety, & Education	Mr. Diehl	-	no report
Housing Board	Mr. Squires	-	no report
Public Works	Mr. Squires	-	no report

O-K-I

Mrs. Harlow: OKI met on September 10th. Under the Executive Director's Report, they talked about the Transportation Highway Trust Fund. This has been given another patch until December 18th, 2015 and they have authorized \$8M dollars until that time period. Also discussed was the 2040 Regional Transportation Plan. Following federal guidelines, this Regional Transportation Plan must be updated every four years for the OKI region. You have to give a minimum 20-year planning horizon. If you are interested in looking at this, the website is www.2040.OKI.org. The other really good news to come out of that meeting is that Springdale has been approved for a grant and this is the south-bound State Route 4 dedicated west-bound lane and the grant funding is in the amount of \$482,781. Springdale's share of the project cost will be \$120,295, for a total of \$603,476. We scored third highest with that project at 49 points. That would conclude my report unless you have any questions.

President Vanover: I don't see any.

Mayor's Report

Mayor Webster: First of all, I'd like to go back to my report from two weeks ago where I reported on the fact that I appointed a special committee to look into what we can do to increase the youth participation in our sports. I left off one very, very important member of that committee and this is Mrs. Sharon Casselman. Sharon was appointed to that because of her institutional knowledge of what's going on at the Community Center and also that she's also a long-term Springdale resident. My apologies to Mrs. Casselman and I told her that she'd get singled out so it was a blessing in disguise.

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Mayor Webster (continued): Also I'd just like to report that over the last couple of weeks, we've welcomed a new corporate citizen into our community – the Raising Cane restaurant has opened. We cut the ribbon on that a couple of weeks ago. They're doing fine; I was in there yesterday.

I'd like to follow-up on a report that Mrs. Harlow gave about the OKI. That's great news and we're very happy that we scored as well as we did. Just to refresh all of your memories, this is a grant that we received I think in 2008 or 2009 and we had to turn it back in because we just couldn't come up with the \$120,000 or \$126,000; we felt that we could better spend that money for other projects and so we're very grateful that OKI elected to grant that to us a second time. Mr. Parham has written a letter to the OKI Director, Mr. Mark Payne:

“On behalf of Mayor Webster and the other Springdale Elected Officials and the Springdale community, I wish to thank you and the rest of the OKI family for this kind and very much needed financial gift. This project should play a very important role in helping relieve the current back-up to the north of our community on Springfield Pike, State Route 4, and, more importantly, will help us prepare for the continuing development activities of several properties in the northern quadrant of the City. Please express our appreciation to all members of that group.”

Okay, now the highlight of the evening – our Fire Department is here in force and I'd just like to start the activities, if you will, with reading a Proclamation that I've issued as of this date for observing Fire Prevention Week:

“WHEREAS the City of Springdale is committed to ensuring the safety and security of all those living in 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 greatest risk from fire; and

WHEREAS, home fires killed 2,755 people in the United States in 2013, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 369,500 home fires; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, three out of five home fire deaths result from fires in properties without working smoke alarms; and

WHEREAS, in one-fifth of all homes with smoke alarms, none were working; and

WHEREAS, when smoke alarms should have operated but did not do so, it was usually because batteries were missing, disconnected, or dead; and

WHEREAS, half of home fire deaths result from fires reported at night between 11 p.m. and 7 a.m. when most people are asleep; and

WHEREAS, Springdale's residents should install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home; and

WHEREAS, Springdale's residents should install smoke alarms and alert devices that meet the needs of people who are deaf or hard of hearing; and

WHEREAS, Springdale's residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; 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

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WHEREAS, Springdale's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2015 Fire Prevention Week theme, "Hear the Beep Where You Sleep. Every Bedroom Needs a Working Smoke Alarm!" effectively serves to remind us that we need working smoke alarms to give us the time to get out safely.

*NOW THEREFORE, I, DOYLE H. WEBSTER, Mayor of the City of Springdale, do hereby proclaim the week of **October 4 through October 10, 2015** as*

Fire Prevention Week

in the City of Springdale and urge all residents of Springdale to install smoke alarms in every bedroom, outside each sleeping area, and on every level of the home, including the basement and to support the many public safety activities and efforts of Springdale's fire and emergency services during Fire Prevention Week 2015."

With that, I would like to present this Proclamation to Chief Hoffman.

(Presentation of Proclamation) (Applause)

Chief Hoffman: Thank you, Mayor Webster. Thank you for having us tonight. I've got a couple of things to speak about. Assistant Chief Stanley is going to talk about a few of our Fire Prevention Programs but the real exciting news is going to come from Captain Williams on a different topic. National Fire Prevention Week started actually it began with a situation you may have heard of, the Great Chicago Fire, which took place back in 1871. It actually unfortunately killed 250 people and destroyed about 17,000 structures. Over time, politicians and the firefighters realized it was time to really start taking a strong look at public safety education. So, 1920, President Woodrow Wilson issued the first proclamation for National Fire Prevention Week. As Mayor Webster indicated, the theme for this year, and they have a different theme every year, is "Hear the beep where you sleep", which is the entire purpose of smoke detectors - to activate and wake you up from your sleep. Every bedroom needs a working smoke alarm. I will tell you that the current Building Code requires that a smoke detector is installed in each and every bedroom. The older homes were not like that but I highly recommend that you install a smoke detector in every bedroom. Assistant Chief Stanley will tell you about a program that we can make that happen.

The next item I want to talk about is everybody probably received a flyer in your mail bin indicating that we have our 25th Annual Open House at the Fire Station. I'm fortunate that I've been to each and every one and I'm sure Chief Shroyer can attest to the same. We've been very fortunate, I guess the bubble over Springdale must close for this day - we've only been rained on once in the 24 previous Open Houses so we're really lucky and we're hoping we have nice weather for that again this year. It's going to be on October 3rd, from 11:00 a.m. to 3:00 p.m. That actually kicks off Fire Prevention Week; that's when we start our program. As Mayor Webster indicated, Fire Prevention Week runs from October 4th to October 10th this year. There's plenty of activities. We've got UC Air Care coming in again - that's a very popular situation that we have. We're going to have a car fire demonstration, our extraction demonstration, and plenty of other activities and we've got some good food because we have some good cooks out there so make sure you visit and we'll give you a tour of the Fire House and show you what we do and where we're at. At this time, I want to have Assistant Chief Stanley come up and he's going to talk to you about a few of the Fire Prevention Programs that we have available to everyone in the community.

Assistant Chief Stanley: Thank you, Chief Hoffman. I'm just going to discuss a few of our Public Safety Programs that we offer. First I'll discuss the Residential Smoke Detector Program that we have. We offer that to any resident in Springdale. We'll come out, we'll provide a detector on each level of the home, and we'll install it for them with a new battery. The recommendation from the manufacturer of the detectors is the detectors are only good for ten years. We make sure we write a date, the date that we install it inside of the lid of the detector so there's no guesswork with that, so they know when it needs to be replaced. We also install batteries - those are recommended to be changed every six months.

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Assistant Chief Stanley (continued): The easiest way to remember is when the time changes, change your batteries. We get calls from residents requesting it that are aware of the program. Sometimes we provide that information at Open House and we have a log where people sign up for it and we go out and provide that service. Then when we go on emergency runs, if the situation permits, we check the smoke detectors for them and tell them about the program. We keep detectors in our fire engine so we often install those right there while we're there or we make an appointment to come back and take care of it. So we've been doing this program for over 25 years. It's great, it works out really nice and all of the residents are very appreciative that we have that program.

Another program that we have is our Residential Knox-Box Program. For those of you that are not familiar with it, it's very similar to a box that like a realtor would put on the outside of a door. There's a key for the residents inside the box. Those boxes are specifically keyed for our jurisdiction and we carry a key that accesses those boxes on all of our primary emergency vehicles. In the event that someone is sick or injured, and that's somewhat predictable, the residents ahead of time will get that box and we can access that box which enables us to provide a faster service for that resident and it also cuts down on occurrences where we have to force entry and cause some unnecessary damage. That's a very good program that we offer. We currently have 29 boxes that we have loaned out in the community. People also have the option of purchasing a box on their own; that will still go through the Fire Department because we have to have them fill out a form with our authorization to be able to get that and those boxes run \$107 apiece. We currently have two residents that have elected to purchase their own box.

The last thing that I will talk about is our Child Safety Seat Program. We instituted that program approximately 15 years ago. Currently we have 22 car safety seat technicians in our Department; those are all full-time members of our department so we always have someone on duty. I don't know of any day that we haven't had someone on duty. We install a lot of seats. We work hand in hand with Children's Hospital – they refer a lot of people to us. There's a lot of departments initially started the program around the same time and they would do it for everyone, then they reduced it to their residents, then they reduced it to their residents by appointment only, and then a lot of departments phased it out. But we're consistently in the top three to five in area-wide departments on the number of seats that we install. We don't require an appointment and we get people that show up all hours of the day and unless we have something pressing going on, we do it for them right away. It's a really good program. The technicians assist and educate the people that come in on how to install the seat properly themselves because a lot of times they'll take the seat out for more storage space and then they're stuck back in the same situation without knowing how to install the seat so we teach them how to properly install the seat, how to properly select a seat that is appropriate for the age and size of their child and also how to put their child in that seat properly and restrain them to make them safe. The statistics are 90% of people that install a seat without the assistance of a trained technician put the seat in wrong. It's a really good program that's been going for a while. We're fortunate to have that program. The community is very appreciative that we have that. We offer that to anyone that comes in – it's not exclusive for Springdale residents; we get different people that work in Springdale and from communities all around the Greater Cincinnati area that come here to get a seat put in so it's a really good program. That's all I have.

I'll bring Captain Williams up. He's our Unit One Captain and he does a really good job around the Fire House managing the personnel assigned to his shift, taking care of emergency details and doing everything that we ask of him. He even finds time to go well above and beyond what we expect. One of the things that he likes to do, and he is very good at it, is researching and writing grants. He recently applied for a grant, I don't know if you remember or not, but he was also the author of the grant that got us the Life Pac monitors and we got four of those monitors and that grant was in excess of \$100,000. I know he's gone to specific training for grant writing. He does a ton of research and it is very-time consuming so Chief Hoffman and I can't thank him enough for the time and dedication that he's put in to writing the grant. So he was the author of another grant that we were successfully awarded and Captain Williams will tell you all about that. Thank you.

Captain Williams: Thank you Chief Stanley. So after 9/11/2001, our federal government designed a program for FEMA - it's called Assistance to Firefighters Grants and they're trying to help firefighters and first responders to be better prepared for emergencies because they saw all of the shortcomings that occurred from 9/11.

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Captain Williams: So we submitted a grant for new SCBAs, which is a breathing apparatus we wear when we go inside of a fire. We submitted that back in November of 2014 – that was for the year of 2014 and then we received a phone call on September 4th of this year saying that we won the grant. So the grant we wrote was for \$153,900; that will outfit our department with all of the breathing apparatus that we need. There is a five percent match on the City's end, so the City will have to pay a little over \$7,300 for all of those air packs that we get. So with this grant, we're going to be able to get 25 air packs – that's going to outfit every one of the seats on the engines – the ladder truck, the medic units, every staff vehicle, plus give us a few to spare. We have 50 air cylinders, so not only each pack will have an air cylinder with it; it's also going to give us more cylinders to carry on the truck so if we go into a fire, once we come out, we just swap that bottle so our guys can go right back in quickly. Then we have 50 face pieces that we'll get with that, so every firefighter will have his own face piece; it's fit-tested to that firefighter to make sure it's going to fit properly to them. It's also CBRN-rated, the new ones, which is chemical, biological, radiological, nuclear, and explosion, so again, as all the things that we keep seeing, with the terrorism and all that, we'll be equipped. Our current air packs that we have are 12 years old and they're two NFPA cycles behind, so the face pieces aren't equipped like these will be. We have to send this out for bid because of being a federal grant so we're going to work through that process with the City here, hopefully this week coming up and we hope to have them in place by the first of the year. That's what we were able to get for our department. Any questions on anything for us?

Mayor Webster: Chief, did you have anything else?

Chief Hoffman: No, I just wanted to say congratulations to Scott for a job well done. It's opportunities like this that don't come along often that allow us to grow as an organization and improve the safety of our firefighters and I just wanted to say thanks again to Captain Williams. (Applause)

Mayor Webster: Chief Stanley, Chief Hoffman, Captain Williams, I couldn't be prouder of a department and the leadership that you guys provide that department. I think we really have a first-class Fire Department and I am very proud of you guys. Scott, keep up the good work. That's just wonderful news for us to be able to upgrade that apparatus for \$7,000, is just marvelous and our budget can certainly handle the \$7,000 where we would have a little trouble handling the \$156,000 or whatever it was. Anyway, thank you very much and keep up the good work, all of you guys.

Firefighters: Thank you.

Mr. Diehl: I would just echo what the Mayor said and just say thank you, thank you, thank you. We have, like the Mayor said, we have the finest Fire Department, bar none, so thanks a lot.

Firefighters: Thank you. You're welcome.

President Vanover: I would just add and highlight - Assistant Chief Stanley made a point, and I see it all the time in my world, where you get in and smoke detectors are 15, 20, 25 years old. I've seen some of the first First Alerts. They do need to be replaced about every ten years at a minimum. I don't know where the code is here, but I know some of the jurisdictions are now requiring the combination smoke detector/carbon monoxide detectors. I still have some argument on where to place it but we'll let the experts figure that out. Overall, excellent job, just phenomenal. Again, from my point of view, and I've had personal interactions with the Fire Department at inopportune times and they've been nothing but spectacular so hat's off again.

Firefighters: Thank you.

President Vanover: Mayor Webster, do you have anything else?

Mayor Webster: No.

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Clerk of Council/Finance Director

Mrs. McNear: I have an update for our finances through the end of August 31st, 2015. For Receipts, we have a General Fund Receipt budget of \$16.153M and we have received \$12.64M - that is 78% of our anticipated budget. Our top five resources are Earnings Tax, Real Estate Tax, Paramedic Services, Local government Funds, and Mayor's Court - that totals \$11.881M, or 94%, of our receipts. I just wanted to make a note too that, as of August 2014, a year ago, we were at \$11.46M, so we've gone up 1% since last year. On our General Fund Expenditures, we have a net budget of \$16.830M. We have spent \$10.874M, which is 63% of our anticipated expenditures for the year. Our General Fund ending balance is \$4.413M. That would conclude the Financial Report. Thank you.

Administrator's Report

Mr. Thamann: Just a couple of items. First, we do have an ordinance on the agenda tonight - once we get to legislation, I'll give some more information on that with the Intermedix Agreement for the ambulance billing. I apologize, I walked out of the Chambers to grab something out of the office. I know Mrs. Harlow provided the Planning Commission report but another piece of legislation that is slated to be presented to Council at the next Council meeting on October 7th is for the Modification to the PUD for the development at Tri-County Commerce Park, also the GEEAA Park. The developer, Vandercar, did submit a revised Plan to Planning Commission and I'll just go over a couple highlights of that. One was they agreed to decrease the size of the two large industrial buildings, eliminated the outdoor storage, increased the setback along the east property line from 125' to 250' and they also agreed to reduce the height of the buildings. So, positive move there, Planning Commission did approve that and now it's recommendation to Council so we will have an Ordinance for the October 7th meeting for a First Reading and then following that, at the October 21st meeting, we will have both a Public Hearing and a Second Reading of that ordinance.

One final thing, with a heavy heart, Mr. Karle informed me yesterday that one of our employees at the Recreation Center and the Fitness Center, Andrew Messerle, passed away Monday. I don't know if anyone is familiar with Andrew, but he did pass away on Monday and we just wanted to pass along our condolences. That's all I have.

President Vanover: Do you need directive to go ahead and advertise for the Public Hearing?

Mr. Thamann: We're going to go ahead and advertise so that we have it in 30 days in advance of that Public Hearing date.

President Vanover: All right, very good.

Law Director's Report

Mr. Forbes: Just one item tonight. It's been discussed here in Council in the past and it's related to the old Wal-Mart property. There was the issue with that building, those buildings having razor wire installed on the top. My office has been working with the Building Department on an enforcement action to get that removed and the property owner, after the formal Notice of Violation, the property owner failed to comply and so my office last week filed a civil action in Hamilton County Common Pleas Court to have that removed. It was just filed last week and the Clerk's Office is in the process of serving the property owner with notice of the suit but it has been filed and we'll proceed accordingly. We'll keep Council apprised of how that goes.

Engineer Report

Mr. Shvegza: On the West Kemper Rehabilitation Project, the project is complete and the punch list items have been addressed; however, we are holding the retainage until such time as the groundcover has had a better opportunity to become fully established and at that time, probably in October, we'll do a follow-up inspection of that. On the Boggs Lane Rehabilitation Project, the contractor began work on the curb replacement on September 8th. They have completed the curb on the south side of the road and are currently working on the north side of the roadway at this point. Duke has completed their gas main relocation work which they began on September 8th. The remainder of the Project Schedule is they have the catch basin reconstruction take place the week of September 21st, pavement grinding and pavement repairs the week of September 28th, asphalt leveling and the final asphalt pavement to take place the week of October 5th and expected completion is mid-October.

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Mr. Shvegza (continued): Regarding the State Route 4 south-bound lane addition project that we were successful in receiving STP funds from OKI, we did have a field review and scope meeting with ODOT on September 8th. They've subsequently have sent the final minutes from that meeting to our office for review. Then on September 10th, the OKI Executive Committee did award the STP grant. Based on the September 8th meeting with ODOT, the general schedule for the project is they have plans substantially complete by November 16th of this year, the ODOT bid opening will occur May 19th of 2016, with an ODOT contract award May 30th, 2016. Anticipated construction to start July 2016 with a completion, this is the preliminary schedule, the completion of construction is October 2017. Again, this is an ODOT-administered project, so they'll handle the bidding and the advertising and the construction inspection.

One other thing that I did not include on the report, as far as the 2015 Street Program, we do have a pre-construction meeting on that tomorrow so we'll find out the contractor's intended schedule for that project. That concludes my report.

Communications

Mrs. McNear: Thank you Mr. President. We have two letters this evening. The first is from Samuel L. Sheffield, 222 Edinburgh Lane, dated August 30th and it's addressed to Marge Boice, Marjorie Harlow, Mrs. McBride, and Thomas Vanover:

"I am writing about GEEAA Park. You can see I live in Crossings at the Park. My first concern is the 747 and Crescentville intersection. Right now, when I come out onto 747 any time of day, there can be up to ten to twelve tractor trailers lined up, which is 60' to 75'. On Crescentville, it can be six to eight tractor trailers plus cars all trying to get to and from 275. You need to remember Duff Drive at International, where trucks come from. With the new project, we do not know what the businesses are. I work at a chemical company with four warehouses, 30' high in one tower; there are eighty employees and my company has twenty to thirty trucks in and out per day. A trucking company, an engine plant - Vandercar Holdings said the City will have one thousand more cars per day due to employment. Then you have Thornton moving to that corner to take advantage of the trucking business. Bottom line, there is no way to handle this kind of volume of traffic. Do you want a traffic nightmare? This is very scary from a transportation vantage point. Do you want a Sharonville problem like Mosteller and Crescentville? It is my understanding, if this construction goes through, there will be City streets.

In order to help the neighborhood maintain its value, they should have sidewalks and leave mature trees in place - a small park area for residence and their pets would be a welcome addition. Trees in this construction site are mature trees and should be kept in buffer areas for the sake of the residences. Other smaller PUDs require protection of all trees. This site has a comprehensive plan in place to protect Heritage Hill and now Crossings at the Park because City's vote in 2004. If you want to see how mature trees are protected, drive through Glendale or Wyoming. Replacing trees with warehouses is not in the name of progress. Some of these trees are over fifty years old. Dropping the height by only 4' of warehousing is doing the very minimum. The two neighborhoods around GEEAA are Heritage Hill with twelve homes on the market and Crossings at the Park has five older units for sale, not counting LLC bankrupt units. You have Heritage Hill with homes built in the late 1950; condos were built in 2004 because of the City blessing on the Glen Sheppard Development. It looks like these neighborhoods are now in the process of deterioration. What homes or condos will still have any residents in five years? Residences of Crossing at the Park have lost in value around \$60,000 for anyone living there over five years. The City approved Glen Sheppard's Development; the City owes residents a plan to improve value, not destroy it. I see the Vandercar plan has been worked out for over six months and now we are just going through the motions; see enclosures.

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In conclusion, please remember the 2002 adopted Comprehensive Plan, which is to protect residents, stresses the need to protect the residential neighborhood. Are you doing that? Are you preserving trees? Are you keeping a park-like setting or are you going to look the other way? Thank you."

It is signed Samuel L. Sheffield III and he has included an article from the Cincinnati Business Courier regarding the former GE Golf Course Park.

The next item I have is dated September 16th, addressed to Clerk of Council Kathy McNear regarding the redevelopment of GEEAA Park property:

"My husband, Harold, and I would like to thank the members of the City of Springdale Planning Commission and the City Council for their patience and concern in reviewing the proposed sale of the GEEAA Park Property to Vandercar. We feel the development presented by Vandercar is preferable to leaving the property in the run down condition that presently exists. We are confident the City Council members will take care that the property is well developed and properly maintained. Respectfully submitted, Meryl Robinson, 226 Edinburgh Lane"

That concludes Communications this evening, thank you.

Mrs. Harlow: I wanted to note that the first letter that Mrs. McNear read was received in time for the Planning Commission and it was read into the minutes at Planning. Thank you.

Communications from the Audience

Mrs. Sharon Brooks: Hi. I am Sharon Brooks and I am the President of the Springdale Sailfish Swim Team. On behalf of the swimmers, the coaches and the Parent Board, I would like to thank the City for their continued support. Without your support, the Springdale Sailfish would not succeed. I am pleased to announce this year that the Sailfish placed second in the Small Team Division at Championship this year. For the first time that I can ever remember, Greenhills competed in the Small Team Division. They received first but we got second place and we beat our friendly rivals, the St. Bernard Sting Rays. That was a huge accomplishment and I'm so proud of our team, our coaches, and our swimmers. I'm also proud to announce that for the first time since 2008, we did not have a loss in profit. We didn't lose money. It was the first time since 2008. This was due to the help of the City as well as our fundraisers that we do such as the Parent Survey, a few of the restaurant nights that we host, and selling McDonalds coupons. The pool concession stand helps us out a lot. It also provides a needed service to the pool and takes a lot of work. Sometimes the profit is good, sometimes it's bad. It all depends on the weather. We would appreciate your continued support for next year. We would like to ask the City to reinstate the full \$3,000 that we used to receive. We managed to get by without any major items this year; next year we need to replenish some of our ribbons, our swim caps, and probably a lot of the other regular items that we did not have to purchase this year. If you can't manage the increase for 2016, we ask that you please consider raising it for the 2017 season, which we will be hosting the Championships. Championships, as many of you know, bring in thousands of people for a two-day event. Again, I would just like to say thank you for your support. We appreciate it.

Mayor Webster: Sharon, how many children did you have participate in the program this year?

Mrs. Brooks: We entered 69 children into Championships. We had 78 on the roster so there were a few that did not go to Championships. We were one of the few teams that stayed the same in numbers. Like I said, Greenhills has always competed in the Large Team Division; this is the first time they were in the Small Team Division. I swam for Springdale when I was younger and they were always a big team. You talked about the youth before – you know, it's not just us - Reading surprised everybody with a huge jump in numbers, so it all depends on the season.

Mayor Webster: Correct me if I'm wrong, but a couple of years ago, didn't our numbers drop down in the fifties?

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Mrs. Brooks: That was probably five years ago. And then there was one season we had over 100 swimmers. Lately we've usually maintained between 70 and 85.

Mayor Webster: Very good, good job!

Mr. Diehl: I just wanted to take this opportunity to say thank you for all of the hard work you do, not only for the Sailfish, but for all of the other things you do for the youth of our City as well, so thank you very much.

Mr. Squires: Springdale Sailfish go back a long way. Over our lifetime here in Springdale, it's been one of the more popular attractions. My children were original members of the Springdale Sailfish. I remember their dedication to it, their discipline that it took to get there, and the parents' support that's necessary for your achievements. Anything that I can do to help you with this raising this \$3,000, please do not hesitate to ask.

Mrs. Brooks: I appreciate that and the Sailfish appreciate that.

Mr. Squires: It's extremely valuable to the City of Springdale that we keep the Springdale Sailfish.

Mrs. Brooks: I think so, too.

Mr. Squires: Thank you for everything that you've done.

Mrs. Brooks: Well, thank you. It's not just me – we have a great group of parents. Like with the concession stand, it's open Monday through Saturday; it's all volunteer and it's filled every day. The parents like working it and it's nice for us to give back to the City as well because I know, the City, I don't think, unless you want to take back the concession stand, which I kind of hope not, but we like providing that service too.

President Vanover: I would just echo in a tip of the hat – been there, done that. Speaking from an ex-stroke judge. (laughter)

Mrs. Brooks: We always welcome you back too. Don't ever feel like you have to leave. You can come back and help.

President Vanover: No, my eyes have gone. I remember the years when my kids were in, that we were close to 200. Times have changed but at least the enthusiasm is still there and, in the end, that's what it's about. Thank you.

Mrs. Brooks: Thank you.

President Vanover: Does anyone else want to address Council for any reason? Seeing there is no one, we'll close Communications from the Audience and we will move to Item IX, Presentations.

Mayor Webster: It's my pleasure to introduce to you our District 28 Representative, Mr. Jonathan Dever and he would like to address Council and bring us up to date all of the great things that are happening in Columbus.

Representative Dever: Thank you, Mr. Mayor, Members of Council, gentlemen, and members of the audience. Thank you for allowing me to come in this evening. I apologize for rescheduling but everybody thinks that a legislator's life is part-time because they see only seven session days. They fail to realize that's really about a 50-hour a week job around the clock, even in the summertime, so most of the duties and the committee hearings that we had across the state this summer, I was unable to attend because the legislative duties called so thank you for your patience and allowing me to reschedule. I hope that each one of you received the letter from my office in Columbus kind of outlining the first half of the year.

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Representative Dever (continued): It's our intention that our office will continue to do that and continue to communicate with members of councils and mayors and elected officials and appointed ones throughout the district, throughout the course of this General Assembly so that you're aware of what's coming, what's ahead of us, and also what's been done. I think that's very important, specifically since most of the issues that I'm working on are a direct and proximal result of the thousands of doors that we visited last year and the concerns that were heard across not only Springdale, but all the way over to Madeira and over to Forest Park as well. A couple of things to highlight that I know directly reflect you, and albeit I've got about 30 bills that I'm working and 15 have a number at this point, I wanted to kind of highlight some things that directly relate to some of the issues that have been affecting the municipal folks but also our schools and the kids that we're trying to educate, so I will start with the latter.

As many of you are now probably aware, about two years ago, I said, quite boldly, I know the Mayor heard this, that I was going to try to find a way to fix our school funding. Most people scoffed and laughed and thought it wasn't possible because no one had ever tried. A lot of folks claimed that they want to make the effort but never did. We actually did this time. Although the Governor has vetoed a portion of the school funding model, which required a full hold harmless on the tangible personal property piece, which really affects our school district here. So for Fiscal Year (FY) 2017, we still have a patch to do, but for FY2016, we're okay. My office today spent the better half of the morning and most of the afternoon in Columbus meeting with various members of the legislature, our policy staff, and we've talked with the Governor's office with a subsequent meeting on the 30th, and I believe I do have a policy which the Governor will accept, which should remedy the shortfall for our schools in the State of Ohio. So we're hopeful that the Accountability measure that we're putting in place and a tweak in the formula will net in a win for everyone across the State but specifically in our region where the tangible personal property reduction has been most devastating, especially at the school level but also, although we have not yet found a way to tackle it yet at the local government level. So we are still working on that; we haven't given up on it. We patched half of it but, unfortunately, with the stroke of a pen, he could take out the other half. We know what his objective is and albeit I don't know if it's challenge to us to come up with a better solution for a long-term fix, but we've risen to the call and we're going to try to find a solution here in the next couple of weeks. I'll be updating you as that progresses but we anticipate legislation this fall so that way by the time the fiscal accounting years for our school treasurers kick in in the first quarter of next year, they can actually plan and forecast, which is something I know everyone in government needs and it's a necessary evil that we have to forecast but it's important that, as a legislature, we provide them with a certainty for five years so that they can make the modeling they need to provide the education for our kids. So we're still fighting that but I'm relatively confident that we should have a solution this fall.

The other thing that we're working on, and we should have a bill introduced in December, is a Comprehensive Foreclosure Reform bill specifically dealing with some of the issues that affect this part of the district, which is the abandoned and blighted properties that have been affected by the fallout of the financial crisis. We're still not technically through it; we have had a lull in the foreclosure filings; we're not nearly where we were. I'm sure Counselor would probably agree that there's a lot of work yet to be done and a lot more to do but part of that reform is not only to balance the needs of the homeowners to make sure that we're not eviscerating homeowner rights, but making sure that we can move these things through, specifically where they're in zombie title mode, that means for the average folks that don't do the foreclosure work, that's where the bank takes the judgement and the homeowner is either forced or leaves voluntarily and the bank makes the decision not to complete it to sale. Those are the ones that you're dealing with mainly, where they get destroyed, the copper gets taken out, they become hotbeds for criminal activity, so I'm going to empower you, as a body, rather than going and cutting the grass and then asking the Municipal Court to give you your \$500 back, I'm going to give you the power to do the same process but ask the Treasurer, who is already a party to that case, to ask for an immediate sale at the next available date to the highest bidder. So we're going to give you that tool immediately and effectively so we are looking to introduce that bill in December and hopefully Senator Coley, who's just right up the road from us, is going to be working the bill in the Senate and we're going to move that through as fast as we can in January and February so, after 90 days or so, sometime in the spring to summer, if all goes well, according to the legislative schedule, you'll actually have a tool so you can start combatting some of these issues.

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Representative Dever (continued): I know the Local Government Fund has always been an issue in the last couple of years. Unfortunately, I will tell you that the current administration has no interest in restoring the Local Government Fund as we were used to it. Partially he has his own particular reasons so I am not sure whether or not, except for townships – I mean most townships are getting some reprieve from the legislative activities and we're convincing the Governor that townships need our help and they were disproportionately affected because they don't have other taxing capabilities; they can't raise revenue through income tax or various other ways so they were hit the hardest and we've restored some of that with the Governor's blessing but when it comes to cities and villages that have the ability to levy an income tax, it's still an uphill battle and an uphill challenge so we're still trying to find for the municipalities that need it most, like Greenhills – they need to have something because they just don't have the economic base or the business base in order to replace the revenue. For the communities that are still struggling, we're still trying to find some sort of solution that will work with the Governor's default setting, which is everybody needs to tighten their buckle.

Now, moving into the Budget – there was one piece in there that, I think, across the State of Ohio, will be very helpful. Not only did everybody get a tax cut, so that's a good thing but we fully funded everything – we provided more money for education than ever before, more money for our disabled and our elderly than ever before and we did it with balancing the budget by finding common sense reforms. One of those areas is in healthcare. Healthcare is the largest driver of our budget – it's the largest expense that we have as a government; it's the largest expense we will be having as individual consumers and part of that reason is there's no price transparency. Everybody can go to the store, we can buy a bottle of ketchup; if we don't like the price, there's something cheaper. But when we go to the hospital, you can't do that. You get a bill and you have no say in what things cost. They can charge you \$100 for a tablet of Tylenol and you have no say and you can go to Costco or Sam's or Wal-Mart and buy a lifetime supply of Tylenol for the same price that your local hospital will charge. So what we did was, inside the budget, we placed some price controls and some price transparencies. Effective January 1st of 2017, no longer will a hospital be able, or any doctor's office for that matter, be able to surprise you with a bill - they must be transparent and give you a written quote of costs and a breakdown before services are rendered. It is our belief that that, with a couple of other reforms that are embedded in the legislation, should start driving the costs down, which then will effectively will start driving down the insurance rates. Most folks have had similar experiences to myself. Unfortunately my son needed an MRI. He's only seven. We shopped around because I'm a consumer, right? I'm looking for a better price and they advertised the \$390 thing, but he's a young kid and so we called Children's Hospital and asked them if they'd match it and of course, they said they would, if we paid cash up front, which we did. I was in Columbus; my wife had to work, so my dad was nice enough to take my son. He was in and out in 30 minutes. He held still so it was great and we subsequently got a statement that billed the State of Ohio for \$10,000 and we prepaid. And that, ladies and gentlemen, is one of the big problems.

Part of the reform is to deal with that issue and to stop that from happening in the future because, quite frankly, when our budget, 54% of our State budget, goes to healthcare costs, where else are we going to find the funds for our schools, for our roads, our bridges, our K-12, our college education, our prisons, if we don't get a handle on this expense. It's our number one future problem that we have to deal with. Whether you like it or not, it is what it is. We have an aging population and the cost is increasing. The next stack after that is K-12. I've got two boys in public school and I am not interested in taking away the future tax base and the education of the children that are going to be taking care of me and you here in a short period of time. Life goes by quick. We have to provide a good education and the skills and the training necessary to keep businesses here and keep our communities thriving.

Without that, then we have to look to the next stack, so where's that? That's college education – same issue. Next stack, prisons, and after that, it's basic administration and basic governance. We need our roads and our bridges. We have to keep our police and fire taken care of – they have to be there for us. Without getting a handle on this big stack, we're going to have problems in the future so we're working on that. Part of our budget reformed that. We also found some ways of – we didn't tax-shift in the budget, which was one of the big debates, so we found a way to maintain the status quo to continue the growth of the economy and create some stability for business owners and families in the community.

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Representative Dever (continued): We focused on education, not only for college education, but K-12, more funding, holding the schools harmless so that they could figure out how to manage the economic problems that they're facing, and also putting a tuition freeze for college and higher education so that kids can go to college and not be burdened with more additional debt, at least for the next two years. So we have a lot of good things in there and there's also some municipal tools that we're working on that we're going to try to get to you so you can start tackling some of the issues that you have in your communities and we're looking at doing our Municipal Reform Bill here this fall, at least my office is. We're reaching out as well to members of Council and the Law Directors to find out areas that you think need tweaked in the Revised Code to give you the flexibility that you need to take care of yourself.

My governing principle in Columbus is to keep Columbus out of your way and empower you so that you can take care of the folks in your community, not the other way around. Columbus doesn't know what the people of Springdale need; you guys do and your citizens know what they need. So I'm here to help you; I'm your representative, so I'm at your disposal and at your service so I wanted to come by tonight and give you a quick update and I will be more than happy to take any questions from members of Council and maybe even perhaps members of the audience, if permitted.

Mrs. McNear: Welcome, thank you for joining us this evening and giving us an overview. I work for a healthcare insurance company and I would like to invite you to walk in my shoes, to see what government mandate does.

Representative Dever: Yes.

Mrs. McNear: Seriously, I would invite you to my office if you'd like to see the hoops.

Representative Dever: I'd love to come.

Mrs. McNear: Okay. I'll send you my number. All day long – government mandates and it's costly and I applaud you for trying to hold the costs down. My husband's been in the hospital four times in the last week and a half and costs are astronomical. Overall, because of what it's costing us to meet government mandates, it is increasing costs and it's also costing jobs because as the prices are increased, the companies are laying off more people because they just cover it. There are more and more mandates for all of the states that my company covers and there are more and more coming. It's almost to the point of putting us out of business. Why would we even bother staying in business, because it's just too costly. One of the projects I work on, we're fined \$2,000 if there's ever a mistake and it's not mistakes that can be controlled; it's just a matter of where do you live today, where do you practice? Well, if it's correct today and we put that on our doctor finder and somebody calls and checks tomorrow and the doctor has moved and we say, "Oh, the doctor moved?" Too bad, \$2,000. So it's very frustrating to be part of a legislative body as well as see what the government mandates do. Again, I would welcome to have you come sit in my shoes, you can see the swear jar that I have too. I had to trade it in for a 55-gallon drum. It is very frustrating to work with a lot of the mandates.

I also applaud you on the education. I do work with Princeton Schools a lot in trying to make sure we've got postcards going and phone calls and emails and that type of thing. College costs – astronomical. My son will be 36 years old in a couple of months. I just paid off his college education. I don't want to pay for anyone else's though.

Representative Dever: I understand. I will express a mutual frustration. Part of the interesting piece is that, in Columbus, you folks tell us that we're telling you what to do, but quite frankly, 90% of what get, we are told to do by the federal government and all we can do is implement. We have some discretion in implementation and I agree with you - the red tape, not only in healthcare, but in every aspect of our life, the more it's DC-centric than not local or state, it gets more and more cumbersome; it's more challenging; it's harder to do business. Our approach has always been to try to find ways to make things efficient and effective and if we have a mandate, how we can implement it in a way that's not going to be overly burdensome, and that's a big challenge. I would love to come because, quite frankly, we don't know everything and if we don't hear you talk to us about the federal policy that we have to implement and find ways to make it better, we don't know. So I encourage, yes, please let me know and I'd love to come.

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Mrs. McNear: That makes perfect sense. I'm newer to some of the projects and I said to some of the team mates "well, did you talk to the groups - the Department of Insurance, have you talked to them?" and they're like, "are you crazy? No, we didn't talk to them." And I said "well, that's where you need to start." I said they have to understand what you're doing; they have to walk in your shoes and you have to walk in theirs to come to something that's mutually agreeable because if they just hand down mandates and they're impossible to do, this makes an impossible job and we're not serving our members and their constituents, so it's something that we have to be in partnership with.

Representative Dever: That's right, thank you.

Mrs. McNear: Thank you.

Mr. Knox: Representative Dever, I'm not going to include you in the group that I'm going to talk about but there seems to be a certain element up in Columbus that loves to threaten cities. To wit, House Bill 5 – where it will take away our ability to charge income tax to people who do not live inside our boundaries. I don't think it's ever going to go through because it'll destroy some of the biggest cities in the country. Why do they do things like that?

Representative Dever: Well, Mr. Knox, if you could answer that question, you'd probably be a multi-billionaire. Quite frankly, those bills aren't going anywhere. There's another one that was dropped in the Senate to get rid of the non-resident income tax – as well, it's not going anywhere. If you look at those bills, there's no sponsors; it hasn't gone anywhere – it's dead on arrival. There are some folks that have an attitude where they want to light a match and burn everything down rather than fix things. They get elected and they're there; they're not a majority. They're a small, but loud minority that's a handful of folks – you've got 132 people up there and you're talking, I can count them on less than one hand but they're vocal and they do things like that. It's a representative democracy – you're going to get that from time to time but that's not the consensus up there. I can tell you quite frankly that, in Columbus, it's very level-headed; we have a good Speaker who is a very good manager. I myself have 15 bills and all of them are bipartisan, every single one of them. There hasn't been one that was a partisan bill; every person comes to the table. Everybody's issues are flushed out. Finding the issue is the easy part. The cause and effect argument is where you get in your discussions. Everybody knows what the issues are – it's just like school funding and TPP – we all know it's a problem. We kind of have our argument of why it's there and why it wasn't fixed and then you can really figure out what happened but everybody has their own version. That's all well and good, it's a history lesson, but what are we going to do from today moving forward in tomorrow? How are we going to get a reform that works and makes sense? How are we going to make things better at the local level? Quite frankly, I don't trust bureaucrats. That's the reality of it. Elected officials, and I know, you can probably share the story with me, you all work together to solve problems at the local level. You're all here; you know what the issues are, you hear it from your community, you hear it from your Police Chief and your Fire Chief. They can tell you what's wrong and then you put your heads together, ask members of the community that are smarter and wiser than you are in those particular areas and come up with a policy that fixes it; you make adjustments along the way. In Columbus, we're doing the same thing and quite frankly, the partisanship that we see on television and probably what's going on right now in the debate that we're all missing, right, we're going to see a lot of that. It's a lot of name calling and cat calls but, in reality, the folks that are up there that are actually moving legislation and working bills, are people that actually truly care. There's a good chunk of folks up there that are trying to fix these things. From my end, I'm looking at giving you tools to solve the problems rather than telling you how to do it or making a sweeping thing that where Columbus comes down and does it. My philosophy is you know what your problems are. There's no one size fits all. The nice part about being the Representative for the 28th is I can go to Forest Park and I can see problems over there and I go all the way to Madeira and everything in between and not one of these communities is the same. They don't operate the same; they don't have the same tax base; they don't have the same people; they don't think the same way, but they're all successful in their own way. So what I need to do is just empower you to be able to have the resources, the tools, so you have the toolkit to be successful.

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Mr. Knox: You just said that no one size fits all yet we have a bill that has passed that says that we're all going to have to charge our income taxes the same way, use the same forms, and approach everything, the cities and the taxing.

Representative Dever: Well, Mr. Knox, to be fair, I wasn't in the legislature when that House Bill was going through and it was the reason why I didn't get the CPAs' endorsement, because I opposed it. I didn't think it was a good idea.

Mr. Knox: Neither do we.

Mayor Webster: This abandoned building legislation – is that for residential property only?

Representative Dever: Good question. Right now the legislation is aimed at dealing with that particular issue. I'm doing a municipal piece next and part of it is having conversations about some of the zoning issues and I think you just mentioned briefly that you filed a lawsuit to enforce some rules so we are looking at other ways of dealing with different types of property, because you have the commercial - anything other than residential is deemed commercial under statute. Even though there's different uses and different rules for each use so we're still looking at that as a Part II. We're also looking at - the City of Cincinnati has approached me as well, because they've got some issues, too, with the land bank and moving properties in and out - how are we going to start dealing with this? We are starting that study and work group at this time because it is a highly complicated and technical issue and we just can't just throw something at it without really vetting the issue between the different Law Directors, the different communities who are having the big three C's come in but also reaching out to the various districts. The 28th is quite unique because we have some communities that don't have a problem at all - you go to Blue Ash, if there's a foreclosure, it sells in twenty minutes and probably doesn't even go to Sheriff's sale; somebody buys it straight out. Then you can go to Forest Park where every fifth house is boarded up. Same thing with the business community - Blue Ash, everything is occupied and then you go over to the other side and you would be lucky if you have one business in a strip mall. We have some definite challenges based on the different communities that we have in the district so that is why part of this is going around and asking for that input and that feedback so that we can figure out how to help you alleviate that.

Mayor Webster: We would be anxious to see some legislation that would apply to abandoned hotels.

Representative Dever: Fair enough.

Mayor Webster: The other night a reporter out in southern California in front of CNN cameras was asking a question about the Local Government Fund and rainy day funds - I understand that nothing is going to happen with that as long as Mr. Kasich is our Governor.

Representative Dever: Correct.

Mayor Webster: I would hope that there is some sentiment there that once he has vacated the premises, we could get back to some rational thinking and return some of our tax dollars – it's not like we are asking for subsidy.

Representative Dever: I agree.

Mayor Webster: Like our Tri-County Mall - I think we send about \$65M a year to Columbus; \$65M a year, that doesn't include all of the other businesses. We get absolutely nothing from the sales tax. County gets some money and the state gets the rest of it. All of the personal income tax that all of us pay in the business tax, all that goes to Columbus. All we are saying is that we have to provide the police, fire, all of the services to keep those businesses going - give us some of that money back in the form of the Local Government Fund. The Governor got his rainy day fund totally restored. I understand it is maxed out at a billion dollars, I believe.

Representative Dever: We're at \$2B now.

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Mayor Webster: Okay, pardon me. They can't afford I think the number was \$308K for the Local Government Fund - that is what they took away from us. All we are asking is give that back to us.

Representative Dever: Well, Mayor Webster, I can tell you what the sentiment is from the Governor's office because I have talked to his staff. Here's his logic - I think it is important to understand his logic because if you don't understand his logic, then you can't do a work around and when you understand his logic, then you will realize there is no work around. His logic is very simple - that everybody back at the time of the financial crisis had to take a hit. We all understood it and that was the way it was. There was a theory that it would be restored, right, that was the conversation. The requirement was that not only the state but everybody had to buckle their bootstraps and figure out how to make things work. We asked everybody and everybody who went through it had to do it themselves at their personal level. You had to figure out how you were going to maintain your household during that time. A lot of retirees, they lost everything. They retired at the wrong time - the stock market went in half and then they had to start taking draws and then they had to sell their house and downsize to the point that they never imagined. That is the first generation that ever really truly had to do that. So everybody went through a point where it was tough. Most municipalities did and when you look at the actual numbers, most municipalities were looking at less than a 1% cut in their total operating revenue - that's just the fact. Townships saw upwards of 3%; some almost 4% across the state and since then, most of them, some of the loudest offenders have gone to the Governor screaming and yelling but they also have a rainy day fund and some of the loudest offenders have over one year's worth of operating revenue in their own rainy day fund, clamoring that their half a point or their eight tenths of a point of a cut in the rainy day fund was terrible and they need their funding back. The Governor does not feel any sympathy, at this point, for municipalities because they are sitting on a rainy day fund that is larger, as a percentage of operating revenue, than the State of Ohio and that is his position and you cannot change that position - you can't take him off that fence. That is where he is and a lot of municipalities and cities do have rainy day funds in excess of four months' worth of revenue, some over a year, and the State of Ohio has about three to four weeks' worth on paper. From his perspective, as a percentage of money that the cities are saving and you are building up your rainy day fund, then you really don't need the other \$300K would be his argument to you. For some cities, that is true and for others it is not. For the ones that it is not, those are the ones that really need the help. Our argument is fine, Mr. Governor, we understand that you feel that way but what are we going to do about the municipalities that can't figure this out? That is the challenge.

Just yesterday I spent the entire day in East Liverpool and I don't know if anybody has ever been there, but if you have been there recently, if you think anybody around here has it bad, then you need to go visit that place. Only 30-33% of the population of that City are employed; these are Ohio folks. Every single one of them are getting some sort of assistance. The heroin epidemic is so bad because they don't have basic services to hire cops to crack down and so the drugs are coming straight down the corridor and that is the town that they run them through to go to West Virginia and also to Pittsburgh and it comes through there and it camps out and they cook it and slice it and then move it because no one is there to enforce the law. When you go through that town, they only have one thriving business and it is literally a hot dog stand - they sell hot dogs and hamburgers and it is the only place where you can get something to eat in town and it is busy. It is hopeless, it is scary. We are very lucky here, we don't have a town whose entire industry was counting on steel or china patterns and those two industries left twenty-five, thirty years ago and there has been nothing since. And so the Governor would tell us, Mr. Mayor, is that we are fortunate where we are and that those funds need to go there. That is what he would tell you. It is hard to argue with that when you go there and you see the devastation in these communities and that is what we are up against. We are asking for \$300K here but he is saying that \$300K down there would feed hundreds, if not thousands, of families and provide them basic services that we take for granted. That is the challenge that we have.

Mayor Webster: Just for the record then, this City does not have a rainy day fund.

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Representative Dever: Well, that is good to know. But I am just saying that most of these cities, the largest are the loudest offenders when they come to Columbus when you actually go to LLC and ask to see if they have a rainy day fund and they say "Yes". The largest offender that comes up and screams most often to the Governor's office has one year's worth of revenue in their rainy day fund and it is very, very hard when you have a municipal league and you have an individual that comes up to Columbus and talks to us - that is your challenge when that is the poster child - that cannot be the poster child because that is the only thing the Governor is hearing. It is going back to Mrs. McNear's statement, that if you are not there, then you are not expressing the need. It is really hard to explain a need when no one is coming from the district to advocate for when it is a real issue. So he sees East Liverpool and then this other community and he looks at East Liverpool and they have nothing and the other community has a full year's operating revenue and that is all he is hearing and that is all we are hearing. That is what we have in front of us. To change the mindset, we have to have engagement at a different level in order to move that football for him. But he is dead set in that mindset at this point but that is why, because those are the differences. He is going up in those communities and seeing that and then he comes down here and even says that all of our districts and all of our schools in Hamilton County are rich. That is the challenge that we have.

Mayor Webster: We are considered a rich school district.

Representative Dever: That's right.

Mayor Webster: Seventy-eight per cent of our kids are on subsidized meals - lunch and so forth. That's incredible.

Representative Dever: That's right.

Mayor Webster: Thank you very much for coming.

Mr. Squires: The Mayor answered my question - do we have a rainy day fund? I just couldn't come up with anything and the Mayor said we don't, so we don't. But I can't help but think the governor talks about 1%; that is a low percentage, yes, but that 1% translates into a lot of money.

Representative Dever: It does.

Mr. Squires: So you have two sides to that. But putting that aside, I want to go back to what you've done for the public schools and namely Princeton because they are now able to operate successfully. I am sure other districts throughout this state are doing it as well. That is a very good thing. On the other hand, I'd like to know your opinion of this - we know that the administration favors charter schools; they are real big on that and yet going on in Columbus right now is a horrible situation relative to charter schools. When you have high-ranking officials intentionally scrubbing data to make charter schools to look superior to public schools.

Representative Dever: I don't disagree; I am right there with you. That is what we have been trying to get House Bill 2 through. It went through the House and House Bill 2 is a charter school reform bill; it was meant to deal with a lot of these issues, most of them actually. It went into the Senate and the Senate passed it but they put some ornaments on the tree. We are in the process, and before we left, we had a decision to make - it was the very last day they passed our charter school reform bill and they put some ornaments on it and we had to make a decision whether we were just going to accept it or whether we were going to wait and try to figure out what they were really trying to do. So we had to just accept it to pass the bill or we could say no, we are not going to do that because anything done at the last hour when you are trying to leave for a recess is not a good idea in my mind. The speaker felt the same way and so we put the brakes on it. We will be voting to put that into conference committee probably the very first day we get back, would be my best guess. That way the speaker and the Senate President can work out the differences between the bills so that we can have something done.

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Representative Dever (continued): The charter school issue was one of the top bills of the legislature. We addressed it immediately and it is not a very easy subject. It is complicated and has a lot of working parts but I think that bill will address a lot of the things specifically that Auditor Yost found that we definitely need to correct and quite frankly, if we are asking our public schools to be accountable and have standards then these folks have to absolutely follow the same standards, if not a little bit higher, because they are not a public school.

Mr. Squires: Absolutely. Thank you for the work that you are doing; I really appreciate it.

Mr. Forbes: I can't pass up the opportunity to tell you I was born and raised in East Liverpool, Ohio, and it is a rare occasion that it is ever discussed in any context other than what you just mentioned tonight. That being said, the hot dog shop is fantastic; it is delicious.

Representative Dever: It is delicious. We had a great opportunity, so the committee was there all day and the owner came in, a very nice gentleman. He views his job as taking high school kids and giving them that first job and then encouraging them to get up and out and find a way to have a career. I think he said he has been there fifty years. He's only had a handful of kids that he wasn't able to help get up and out. Some went to college. Some he encouraged to get a trade and so he is doing his part as probably one of the few thriving businesses in the community. The hot dogs are good; they are delicious.

Mrs. Emerson: First of all, thank you for coming this evening. I kind of wanted to touch base on what Mrs. McNear was speaking about. As a health care worker and a nurse, that's a biggie. Transparency in itemized bills is all great but it doesn't do us a lot of good if there isn't a cap placed on it. You were very, very lucky in being able to go to Children's Hospital and get the MRI cheaper and I will tell you why that occurred.

Representative Dever: Oh no, they didn't give it to me cheaper.

Mrs. Emerson: Well, \$395.00 is pretty cheap.

Representative Dever: Oh no, they charged me \$10K. That is the point - we pre-negotiated it and they still charged me \$10K and so we are still trying to figure that out and that is the challenge. When you pre-negotiate and pay cash and then that is the problem. So there is a bill outstanding there when they pre-negotiated it. So that is part of the thing we are challenged to try to figure out. That is just me and I am sure everybody in the audience has had those issues where you prepay and pre-negotiate and you go in and then the next thing you know you have something that is larger.

Mrs. Emerson: But why should we even have to pre-negotiate? Service should be the same if you get an MRI at Children's and you get an MRI at Bethesda North - it should be the same.

Representative Dever: That is whole point of the reform.

Mrs. Emerson: The problem you get with insurance companies is we are dictated where we can go and what doctors we can see. We really cannot go out and shop around and we shouldn't have to. An MRI at one place should be the same price at another. So being transparent and letting us know what we are going to have to pay is all great, but like you said, there has to be a cap on it somewhere.

Representative Dever: Well, I would just tend to have a philosophical slight difference because if you go to the store Kroger's, there are fifteen different brands of ketchup that have their prices on them but as consumers we know what they are and we have a choice - we can pick one. I can also go down to Jeff Ruby's and have a steak, if I can't afford that, then I can go to another restaurant. So we have consumer choice and so to a certain extent we have quality standards, we have all of this. So the first part of the reform is to try to get that consumer engagement because without the consumer engagement, you can't get to the other part. It is a stepped up process but I understand what you are saying.

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Mrs. Emerson: But as me having insurance, I am dictated and I can only go to Bethesda North so I can't really shop around - it is not any cheaper for me to go to another place.

Representative Dever: Part of the reform step two that phases in and allows some flexibility in that regard.

Mrs. Emerson: Correct, to do that.

Representative Dever: The big challenge that we have is that this is federally mandated. It happened to us in 2008 and we are just dealing with that as it comes and the ACA is mandating all of this stuff. We don't have a lot of choice. On my family, my sister's a dentist, my wife is a dentist, my dad is an orthodontist and then I have a neurologist for a brother-in-law; I am kind of like the black sheep at Christmas, I go to the basement with the kids and play because I don't want to hear about teeth or the other thing that he does for a living.

Mrs. Emerson: That is the way our dinner table is.

Representative Dever: It's terrible. We're also all saddled with God awful debt because we were fortunate enough to have people that encouraged us but it is a continuing thing. I think I'll be seventy five, which is my calculation, when I pay off law school. That is alright, what else am I going to do? It keeps me working because the Social Security won't be there. Everybody laughs but they know it's true. Part of it is, as we look at trying to find some best practices, I think it is important that not only are we creating some transparency for price for consumer protection but I want to know what I am paying when I go in. You are in the health care profession, you guys don't even know what you are supposed to charge until you bill it and code it; that is crazy.

Mrs. Emerson: Exactly.

Representative Dever: Then you have all of the record keeping requirements and that is not only in the medical files but that is all on the other side too. When a doctor has to bill \$500 - \$600 for a fifteen minute visit just so that he can get \$50 back and hire three staff people to administer that; the basic question is how is he going to eat? That is an internist. If you don't have your family doctor, then where are you going to go? You end up going to the emergency room. And even though the emergency room is probably an effective way of delivering care, it is also expensive because of the way they code and bill it. It is not because it costs more to go there, it is because of the coding and the billing. Everybody in there is on salary, it is not like they get more commission for seeing more patients. So the fixed overhead is the same in every hospital, they know what it is when they wake up the fiscal year, day one. So the more patients they see the better it is for them but it is again this administrative red tape that comes from Washington and then we have to find a way to massage it in Columbus. We have got to have help. It is very challenging and I know this sound strange but when you look in the legislature people leave every eight years because of term limits so the folks that build up all this knowledge and understand it have spent years and years and years digging into that are gone. So then you have to get someone else to come in and learn all over again and start all over again and that puts us at a disadvantage because at the federal level that doesn't happen, they can stay there forever and they can build this knowledge and they also know that we don't have it and it creates a challenge to work through. I don't think we have really figured it out as a state yet, we are still working through some of those growing pains. That is interesting to see what happens.

Mrs. Emerson: One other quick comment on the Tylenol; it is \$100 if we administer. Part of that is the administration that I get charged for my time too, to actually be educated to give the medication and actually give it so that is where part of that cost comes in.

Representative Dever: We need to change the way we bill; that's all I have to say.

Mrs. Emerson: That is where that high cost comes in. Thank you.

Mr. Diehl: Thanks a lot for coming, I really appreciate it. Before I ask my question, I will tell you that I'm in health care IT business. Over half of my revenue comes from mandates, so don't do too good of a job. My question is can you tell us what is going on with the infrastructure, highways, bridges? Local communities, that is our big headache, too. Is any help coming to the local community?

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Representative Dever: Excellent question. Actually, the speaker just recently appointed me to the TID Board for Hamilton County, which is a great start and I've been advocating for and one of the things that I was talking about a year and a half ago was that I find it odd that we have the speaker of the United States House here, we have the Senate Leader there and we can't get basic funds for our infrastructure. So, I ran some math, and basically when congress decides to go to work, they start at 8:00 a.m. and by the time they break for lunch they've spent enough money just in one day in that little section to give us everything that we need not only for an airport but for a couple of bridges and all the roads and MSD. It's just a fact. So, a part of my job is to advocate and educate people on the need; so that is what I am doing. Number two is to make sure that I inject myself into the discussions. Part of it is kind of strange, ODOT has all of these plans but they don't put a plan in action unless the representative goes to them and says would you start doing a feasibility study. They just won't do it. I have already done that with ODOT. We had a meeting early in the spring and we have some infrastructure that needs not only from the main corridors but even at the local level we have needs, dramatic needs. We are not even talking about sewer and electric and all those other things, we are just talking about basic infrastructure. I-75, I-71, I-275, Ronald Reagan - they have begun that process. Then what happens is then those projects move along and they get into the track and then once they're in the track then we have to keep funding them as they go through that process so that those projects can be allocated to our region. We have to have an advocate and that is it. Quite frankly, no one is really focused on that as part of their job in Columbus but that is something that I am doing because we need it. I-71 is a parking lot at noon, so is I-275, I-75 is terrible. I just went down the highway and I think I about lost the front end of the car in pot-holes bigger than this thing and I just went through it because I didn't see it and I am behind a truck. I am probably going to need two new tires, quite frankly, just coming up I-75 to get here tonight. We definitely have some infrastructure needs and the other part of it is part of the planning that they do, when they did the design for I-75 they could have put an extra lane in but they didn't because they wanted to maintain enough space to do a right of way for rail. Well, that is fine but my thinking is if you want to do rail then stick it down the center and put some gravel on it because gravel is cheap and now you have your right of way but now we have the extra lanes to move traffic. We cannot find, right now an economic way to do mass transit because we just don't have a huge population in Ohio. Until we do we just create the right of way and in the meantime the best way to move people around to get to work is roads right now. That is it. That is all we can do economically and in a cost-effective way. That is part of the plan, what do we need to do to move people in and out and get them back into the communities and get them out of the communities in an effective way but make sure that the infrastructure is solid so that way you can piggyback off that for your local projects and then if there is any needs that you have locally then by all means let me know. I will be more than happy to come in. I met with Deer Park a couple weeks ago and they explained some of the infrastructure needs that they need and we also have the capital budget process which then can begin that ear marking for those projects so that once you have something working and we get a little bit of funding then we can start steamrolling and snowballing that project for you. I need to know from your needs what it is. If I don't know, again it is one of those things if you are not communicating the need then I can't help you with that. Part of what I do is communicate that to ODOT and if it is a track process that gets you into the track, if it is a local funding thing then you need to find some state grants or federal grants, my office can help you with that. That is what we are here to do.

President Vanover: All of the topics that were brought up are very viable topics. One of the hot topics for me, and we just saw an example of it this week in Mississippi, we have those stupid gun-free zones out there. Here is the dilemma - we're a municipality. How do we protect ourselves? We have our Police Department and we spend money for overtime to have them in? We spend money for metal detectors but that doesn't guarantee anything. Get out of our way. Give us that right to protect ourselves. I can do it any place else. I travel but here, and a matter of fact, Ohio because I know the Buckeye Firearms Association has been training teachers and putting them in schools. You can name a shooting disaster, Columbine, Sandy Hook, Paducah, any of them and the common thread, Virginia Tech, Delta, are all gun-free zones.

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Representative Dever: It is a good question and it is obviously a hotly debated issue. There is several pieces of legislation that have been introduced this year so far, mainly by Representative Maag. That is kind of his thing. He is kind of the champion of those issues. Each one of us has their issues of tackling; foreclosure reform, municipal reform and school funding and that is keeping me pretty busy and up at night. That is the beauty of having ninety nine members, we can all kind of specialize in something and tackle things. But that is his bailiwick and he has been working on legislation. There are current bills pending that are there. There are some challenges through with some of it, even in the State House, even if you have a conceal carry and you are a member of the legislature, you are not allowed to bring it on campus. Go figure. For whatever reason, that was the policy that was put in place a long time ago and actually Representative Maag put a bill through, I think it was the last General Assembly or the one before which would allow a CCW holder to at least leave it in the car and then go upstairs. Which was a big deal to park your car with a gun in it. I remember when I was in graduate school, before they had these rules, I am a big grouse hunter so I would leave my shotgun in the truck of the car and I would go to class and I would leave and go out and take my dog with me and we would go grouse hunting. I had night classes and I did that all the time. Then the rules changed and now you can't do that. I think it is really easy in this day of internet, twitter of one hundred and forty characters and Facebook to knee-jerk response to something that is terrible. It's really easy to do; it gets headlined and they put somebody's name in the paper, it is really easy. I don't know about you, but I've never seen a good policy come out of a knee-jerk response. I know that some of you have been up here for quite a long time and you know that because you have been around for a while. Most policy that comes around that makes a difference and does a good thing for some folks, comes after a lot of thought. Stakeholder meetings from every side and every opinion is vetted and then at that point you have an opportunity to actually maybe get something reduced to writing. Even then, sometimes it has to be adjusted as you go. You pass it, and then o.k. you didn't anticipate that; alright then we have to figure that out and that is after you spent five, six years working on it with people who are smarter than you, right, that are experts and couldn't anticipate it. When we were going through the foreclosure reform bill and I have the smartest person, undoubtedly in Ohio in the room, he is the guy that wrote the Uniform Commercial book, Jeff Ferreira wrote the whole book, he is on the Uniform Law Committee and even he said when we did it, now we are still making changes because of the foreclosure crisis brought issues out that no one could have anticipated. So it is the same kind of an animal. I understand where you are coming from. My preference would be to let you guys figure it out but I don't know if there is the political will to get it through the house, let alone get it through the senate, to be honest. There is some legislation there. I would encourage you again to reach out to Representative Maag, these are his issues that he is working on. I think he has three or four different bills, different types. One is dealing with universities and one is dealing with municipalities trying to give them some home rule to figure out what they want to do. But it is tough because there are a lot of folks on the opposite side. You have your perspective and the opposite side, they want to basically collect them all and get rid of them all. Those are the two competing interest and then there is a bunch of gray in between. That is the challenge, trying to find that sweet spot for his legislation to find its way so that you guys can figure out what you want to do for yourselves. That is always a big challenge, it is never ending and it will be there after I am gone and you're gone and the next people take over. It could change just like that, too. They could say they will give it back to you and then something bad happens here and they will take it away the next day. Or if something happens in Oklahoma, so it is a challenge. I understand where you are coming from but I would just encourage you to reach out to Representative Maag. It would be very helpful. Unfortunately, he will be termed limited, so his bills if they don't get through this general assembly then we will have to find someone else who has that interest to take it to the next level.

President Vanover: I've been in contact with Mr. Blessing and the absurdity of our military being unable to protect themselves, i.e. Chattanooga. If everybody obeyed the law, our gentleman in blue wouldn't have anything to do up here on I-275 because we have got speed limit signs all over the place and this afternoon I saw one of ours and two or three highway patrol generating revenue for the state.

Representative Dever: If you can keep them busy for about five minutes after I leave so I can get a head start I would appreciate it. I haven't been home in two and a half days.

President Vanover: I welcome you and thank you for coming out. I hope that you will carry back a list, an inventory to keep you busy.

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Representative Dever: I always do. That is what I am here to do. I am here to help you navigate your job. My job is not to make your life miserable. My job is to go through the revised code and get rid of things and make things better and when there is a reform necessary, then reform it. And when we need to delete something, delete it. If the sun was supposed to set on it, let's do that. We have ordinances on the books and most people don't know this but we have a whaling statute in Ohio; how silly is that? We do - we have a whaling statute that makes it a felony to be on any navigable waterway, which includes any rivers, stream, the Ohio River, anything with an instrument that could potentially be used for whaling. How ludicrous is that, that we actually have that on the statute and somebody actually enforced it recently because they had a gaff hook when they were out Muskie fishing. Are you kidding me? There are a lot of nonsense in law and that is part of the fun of it trying to find those crazy little things and getting them out of there. Sometimes, just common sense things that just aren't there because somebody wasn't there to explain a fact pattern that would have changed it. The other side of it is there is not a lot of legal expertise in the legislature which is kind of ironic because they are hiring someone to write law but you don't want them to have any background in writing it which is kind of a weird thing but it is what it is. We are looking at ten people that have legal background. A lot of this stuff works its way through, it just gets through to a certain point and then it is up for a vote and there are only ten of us and we can't read every single bill; there are four hundred now. We can't vet every single one because we have to work on our own and we are on our own committees and we are working through stuff. I might be able to get to one hundred of them but I can't get to all four hundred of them until it gets to a certain point - that becomes a challenge. We are fortunate that we have a lot of good people there, we have Representative Cupp and he was a Justice on the Supreme Court. So we have some really good legal talent there that are helping us navigate these things. If you have issues in law, and you have things that you think are important that need to be fixed or adjusted specifically because it helps you navigate whatever we do in Columbus but it also makes your life easier and better and more efficient so that you can deliver services to the community better whether it is providing tools and resources to your police and fire or your EMS squads, whatever it is, please reach out because I don't know if I don't hear from you. I've got a big load of legislation but that is because I go around and I say this, then they call me and then I have to run a bill. But that is okay - that is what I'm here to do is to try to make it better for everybody. Obviously, my biggest thing that I have got to get done in this general assembly is fixing that TPP problem for our school that has got to get fixed. If we could put the nail in the coffin on that, then that is great because the next General Assembly will actually have a good education formula fixed which will take out the cap, move the cap to especially TPP. We are going to get rid of cap and guarantee, move it into TPP so that it is all one and then phase that out in formula so that everybody can sleep at night and know what to expect and do forecasting. Which is really where we need to be. If we can forecast for our schools and have consistency, that helps out a lot and takes a lot of pressure off you too because you guys get the calls even if you can't do anything about it, you get the calls, you get the concerned parents. That is what my focus is on, putting out the big fires first but we do have a municipal reform bill so that is going to be wide open and we will probably be working on that over the next four to five months to try to figure out what the issues are to put some language together to help you out. Thank you all, I appreciate it. Have a good night.

Ordinances and Resolutions

ORDINANCE No. 21-2015

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

Mr. Knox made a motion to adopt; Mrs. Emerson seconded.

Mr. Thamann: Just a little background information. Intermedix or Advanced Data Processing, we entered into our first agreement with them in June 2011, that contract expired in 2013 and we continued to operate under the terms of the old agreement. They have asked for a new agreement because they wanted to make some adjustments to their fee schedules associated with some of their equipment that they are coming out with, it is new reporting and documentation equipment.

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Mr. Thamann (continued): We reviewed the agreement and it is just minor changes and minor cost increases. We reviewed the agreement and we think it's in our best interest that we move forward with Intermedix again.

Ordinance No. 21-2015 passed with six affirmative votes.

RESOLUTION No. R10-2015
EXPRESSING SUPPORT OF THE CITY OF SPRINGDALE POLICE DEPARTMENT

"WHEREAS the mission of the Springdale Police Department through its' interaction with the community is to provide public safety and provide service through crime prevention, proactive and responsive patrols, investigations, and support services by maintaining professional law enforcement organization; and

WHEREAS, the Council for the City of Springdale recognizes that these law enforcement professionals play a vital role in keeping the community safe and a desirable place to live and work; and

WHEREAS, Police Officers across the country offer a first-line of defense against criminals and risk their lives every day; and

WHEREAS, the members of the Springdale Police Department are dedicated to the four core values of integrity, professionalism, cooperation, and commitment and have truly achieved the department's goal of excellence in law enforcement; and

NOW, THEREFORE, be it resolved by the Council of the City of Springdale, Ohio, and members elected thereto concurring:

Section 1 – That the Council of the City of Springdale hereby expresses its' public support of the Springdale Police Department;

Section 2 – That the Clerk of Council/Finance Director is hereby directed to certify a copy of this resolution to Police Chief Michael Mathis; and

Section 3 – That this resolution shall take effect and be enforced from and after the earliest period allowed by law."

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

President Vanover: I will take the rap on this one. I personally felt after I talked with the Mayor after one of the Planning Commission meetings that the environment that Police Departments are working under these days – it's always understood, but sometimes it's nice to hear it, so I thought it was time for this body to make a statement so that is the driving force behind this.

Resolution No. R10-2015 passed with six affirmative votes.

Mr. Diehl: Chief, it doesn't seem enough just to say thank you for what you and your department do on a day-to-day basis and I don't have another word to day but to say thank you for your professionalism and how much you care about this City and how we appreciate you; bottom line.

Chief Mathis: I appreciate that, thank you.

Mayor Webster: It seems like it is open season on police officers throughout this country and I never thought I'd live long enough to see this kind of disregard for authority and for the police officers and I guess there is hardly a night that I go to sleep that I don't say a little prayer that that kind of vile attitude and actions - I just pray it does not affect this City and you and your officers down there. So when Mr. Vanover approached me on doing this, I said I think it is great and we should do that. I think I would urge every community out there to take a similar type action.

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Mayor Webster (continued): I think that it is important that we stand up to lawlessness and say enough is enough and we whole-heartedly support our Police Department. I just can't say enough about the job that you and your officers do for the City of Springdale so keep up the good work and God bless you.

Chief Mathis: Thank you, sir.

Mr. Squires: I can't add anything to what was already said. I am just sitting here thinking, that thin blue line that we often refer to for you gentlemen in blue there is the only thing that separates us from complete anarchy and we're seeing all kinds of attacks on police departments throughout the entire country. It just isn't easy being a police officer anymore. There is no such thing as a routine traffic stop anymore. It just doesn't exist. I am with the Mayor, I just pray that nothing comes to the City of Springdale that puts us in a horrible position. We have just a tremendous Police Department. We have ample leadership there and we are behind all of you one hundred percent. We know what kind of a difficult job you are doing. Nothing but praise for you and prayers for your success because your success dictates our success. It just isn't easy being a police officer anymore, it just isn't. I don't know when it is going to get any better. Thank you for the job you're doing.

Chief Mathis: I appreciate that.

President Vanover: I had a conversation a while back and we all get involved in things about how I am going to leave my mark; what am I going to do. Our discussion ended up that our greatest mark are the people that we put in place. I think that speaks volumes not only for the Police Department but for our Fire Department, the guys that plow the streets in the winter. We have been blessed with a phenomenal group of people, phenomenal work ethic and there is no finer. I'll challenge any city to go up against ours. I am sincere and I think you know me well enough to know that it was time for something to be said and I appreciate you and the job that you guys do.

Chief Mathis: I want to thank the Mayor, Council and the City Administration and the citizens of Springdale. I feel blessed to work here. I agree with you, I think we have great people - that is one of the things that gives me hope that I will have some success in what I do because I am blessed with people that work for our organization that makes us look good every day. The City has been wonderful to me and my family; it is a wonderful place to work and I love this City. On Monday night, we had one of our Citizen Police Academy classes start and Captain Wells and I both made some comments that would also be appropriate tonight. A lot of times people see us as the authority figures and we are. No one likes being told "No"; no one likes getting a ticket. I have been a policeman for over twenty-nine years and I slow down when I see a police car get behind me and I look in the rear-view mirror; I may already be going under the speed limit but I am going to slow down anyway, so I get that. Many times people forget that we are people; we have the emotions, the same fears, the same issues that everyone else has and we see this City many times in such a different way than everyone else and this is a wonderful City and you can be a policeman anywhere in this country and you can say this same thing. I drive through this City and I say there is where a person was murdered; there is where a person committed suicide, there is where I had to tell somebody that their kids weren't coming home because they were killed in a car accident, there is where someone whooped me one night, there is where a four year old got hit by a car and I had to hold mom back so paramedics could work on them as air care came. That is what we see as we drive through the City. We don't have the kind of stressors that sometimes the police of major urban environments have or certainly our military which I have tremendous respect for, but it is a cumulative stress that eats away at people in this profession at times like this when you sometimes don't feel the support of your home base, then it becomes even more challenging. One thing we have always felt within this Police Department is that the people in the City of Springdale and our Council and our Administration and our elected Officials have always supported us and we enjoy a wonderful relationship with our community and so we value that and it is a Godsend to us and I covet your prayers and appreciate them and just know that we will continue to stand that line and that watch, like we have, and they will after I am gone. I appreciate it.

Mr. Vanover: Thank you.

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Old Business

President Vanover: At this point we have one item we need to address. We need to appoint a replacement for a Council seat that Mr. Hawkins had resigned, vacated. I guess at this point, I will open the floor for nominations.

Mr. Knox: Thank you, Mr. President. I'm going to nominate Mr. Jeff Anderson, a resident of Oxford Hills, who has a very excellent resume. He is currently, as I remember, Vice President of IT at Fifth Third Bank. He has twenty years experience in high-impact business center solutions and twelve years' experience in management roles. He is a Senior Solutions Strategist for Vertex Computer Systems in Sharonville. Prior to that, he was the General Manager of Enterprise Information Management at Kroger; and it goes on and on, back to being the Assistant Vice President and IT Manager for Fifth Third Bancorp and the manager of the data center in Chicago, Illinois. He also happens to be the network engineer at the Vineyard Community Church. It is my pleasure to nominate Mr. Jeff Anderson. Thank you.

Mr. Squires: I take great pleasure in nominating Mr. Bob Diehl for that position. We all know who Bob Diehl is – he is present Council Member, Member at large for the past eight years. His current term ends 11/30/2015. Presently, he serves as on Springdale Planning Commission and Chairman of Springdale Finance Committee. He is CEO of his own company started in 2002 and does great work in the health care marketplace. I take pleasure in nominating Bob Diehl.

President Vanover: Are there any other nominations? Can I have a motion that nominations be closed?

Mr. Squires: So moved. (Mr. Knox seconded and nominations were closed with a unanimous verbal "aye" vote.)

President Vanover: Before we get to this, we are in a new territory, in uncharted territory. I know that Mr. Anderson is in the audience, would anybody like to speak to him? While you're here Mr. Anderson, do you want to introduce yourself?

Mr. Anderson: I'd be happy to. I know that it is a new face for a lot of you. I have been a Springdale resident for going on twenty years. I grew up in another part of Springdale and now I live in Oxford Hills. Before that, I was in Heritage Hill area where my family still resides - my mom and stepdad are still there. We have a long history of working with the community, both inside my family and out, a lot of military background; myself not in that world. I am a professional by nature - management consulting, strategy consulting, and IT change management. I have a large focus on governments, policy, and change management. When I heard that this position was open I reached out to Ed and asked for a little bit more information. I know there was a pretty short timeframe to get that together so I put together the letter and information and I wasn't sure what would become of it and I hope you had a chance to take a look at it. I would be happy to answer any questions that you might have about my experience, either with my time in Springdale, what I've worked on, my experience with regulatory groups, all of that. I really think that, in the short term, with the short term being an appointment rather election, I think I could still fill in very quickly and easily and provide a voice on Council that isn't there now and fill in and represent the district that I am in. So if there are questions that I could answer about my background then I would be happy to go into that.

President Vanover: Any questions Council? I see none. Thank you.

Mr. Anderson: I appreciate it; thank you.

President Vanover: In fairness, Mr. Diehl, you can share a couple moments.

Mr. Diehl: Thank you. I believe my eight years of experience speaks for itself.

President Vanover: All right Council, we have nominations that you have before you.

Mrs. McNear: We have passed out a piece of paper; this will be a secret ballot. Each of the Council Representatives will select the candidate that they have chosen and they will fold up the piece of paper and forward it to me. I will read each of those out loud as the votes come in.

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(Mrs. McNear read the Council Votes, 4 – 2 for Bob Diehl.)

President Vanover: Mr. Diehl, you are hereby appointed to fulfill that seat. However we do have some business that we need to bring forth - because our Charter states that a Council Member can only hold one position. Currently he has been voted on to fill this position, so we have some business that we need to take care of to bring us back to legal status.

Mr. Diehl: I hereby accept the nomination for representative for District 1 and at this time I would like to offer my resignation for Councilman at Large.

President Vanover: With that housework, we now are at a point that we still need to fill a vacant seat. Now the open seat is for an at-large position so that is anyone that resides within the City can apply for this. If you are so interested, same process, send it to Mr. Parham and the cut-off date will be Tuesday, October 6th at 5:00p.m., which is the Tuesday prior to our next Council meeting. With that, we will take care of that portion of business that evening.

Mayor Webster: I guess you would want us to take the same efforts we took before, with the Facebook page and website?

President Vanover: Yes, please.

Mayor Webster: We'll do that first thing in the morning.

President Vanover: Alright, we have a swearing-in to perform, Mr. Diehl and Mr. Forbes.

Mr. Forbes: Raise your right hand and repeat after me.

Mr. Diehl: I, Bob Diehl, do solemnly swear to uphold the Constitution of the United States of America, the Constitution of the State of Ohio, the Charter and Ordinances of the City of Springdale, Ohio, and to faithfully, honestly and impartially perform the duties of my office to the best of my ability, so help me God.

President Vanover: Okay, with that processed, we'll move on to New Business - is there any New Business to bring before Council?

New Business - None

Meetings and Announcements

Mr. Squires: Thank you, Mr. President. The Springdale Board of Health will hold its October meeting on October 8th, 7:00 p.m.

Mrs. Harlow: Thank you, Mr. President. OKI will meet October 8th at 10:30 a.m. and Planning will meet October 13th at 7:00 p.m. in these chambers.

Mr. Knox: Thank you, Mr. President. The Board of Zoning Appeals will meet October 20th at 7:00 p.m. in these chambers.

Mr. Thamann: Thank you, Mr. President. A final announcement here regarding our ComeUnity Bash. It is taking place this Saturday, September 19th from 3:00 to 9:00 p.m. at the Community Center. We'll have three live bands there playing music throughout the day. The Big Show Circus will take place; they'll have two circus shows there. The Family Mud Quest will take place prior to the beginning of the ComeUnity Bash. They're also going to have other events such as the climbing wall, petting zoo, pony rides, and also they're going to have the Balloon Glow, like we've had in the past, at dusk. Also there's going to be vendors there selling food and drinks throughout the day so please come down and enjoy yourself at this family event and support some of our vendors as well.

President Vanover: We're back to Communications from the Audience. Would anybody in the audience like to address Council for any reason?

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Communications from the Audience - None

Update on Legislation Still in Development

Mr. Squires: As you review your Internal Memorandum, Item I was taken care of with Ordinance No. 21-2015. We also had a Resolution, R9-2015, that was also passed with a 6 – 0 affirmative vote but that's not in your packet; that was added on later. Item II, a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies for 2016 is forthcoming. Item III is also forthcoming and that was mentioned by the Assistant City Administrator, Jerry Thamann – Major Modification for Planned Unit Development and preliminary development of Tri-County Commerce Park. That is it as far as I know; I don't have anything else – did I miss something?

Mr. Thamann: Just one correction – that was Resolution No. R10 that we adopted tonight.

Mr. Squires: Absolutely, you're right.

Mr. Thamann: Also, under Other Items, we're going to have the Mill Creek Watershed Council – they finally committed to October 7th and Matt Latham will be here to provide a presentation regarding their 20th Anniversary and also we will have Matthew Clayton, who is our new Health Commissioner here as an Introduction.

President Vanover: Administration, we've got everything covered then?

Mr. Thamann: Yes.

Adjournment

Council adjourned at 9:16 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2015