

City of Springdale Council

May 17, 2017

President Vanover called Council to order on May 17, 2017 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, Hawkins, Shroyer and Vanover were present. Mrs. Ghantous arrived at 7:06 p.m.

The minutes of the May 3, 2017 meeting were not available and it was decided that they would be presented at the next Council meeting.

President Vanover: I will turn it over to Mayor Webster or Mr. Parham.

Mayor Webster: I yield to Mr. Parham

Mr. Parham: Council, at this time we will ask Chief Mike Hoffman to come forward. Before Mike gets started, I think one of the things that, in my 20 plus years of service here in Springdale, we see most often are retirements. Very seldom do we see individuals leave the organization, and so as a result of a couple of retirements in the Fire Department, we have been very fortunate to find two talented young firefighters to bring on board and so with that I'll turn it over to Chief Hoffman.

Chief Hoffman: Thank you Mr. Parham. As we all know, and what Mr. Parham just mentioned, is that we've had some retirements recently that precipitated a hiring process to initiate in August of last year and which consisted of the written exam, physical ability test, oral interview, a very intense background check as well as a pre-employment physical. After we went through those steps, we were extremely fortunate to find two quality individuals that are standing to the left and right of me. What we strive to do is get two great people that are going to fit into the Springdale family with us.

So I'll start with the gentleman to the left of me. His name is Joe Hansen. He's 25 years old and is married and has a little one over here in the front row. His father is here as well. Joe graduated from Golden West High School in California and then he came to Ohio. He got his Ohio Firefighter II Certification which is the certification that is required to be a full time firefighter. He just recently completed his Ohio Paramedic Certification. Joe has run with a few different Fire Departments locally: Sycamore Township, Madeira-Indian Hill as well as Liberty Township. Joe started full time with us on March 28th, which was just a few weeks ago. Joe is on Unit 3 with Captain Steve Sarver.

The gentleman to the right of me is Austin Robinette. Yes, he looks young, because he is. Because, actually in about five hours he's going to turn 20. Austin is 19 years old and a single young man. He graduated from Fairfield High School here in Cincinnati. He as well has his Ohio Firefighter II Certification and both of these guys went through the same paramedic program. They both passed their national registry testing, the written and practical two weeks ago. So, they are officially Ohio Certified Paramedics. We're very happy about that. Austin has worked with two different Fire Departments, the City of Fairfield and Fairfield Township. So, at this time, I'm going to let each of them come up and say a few words.

Mr. Hansen: Good evening. I'd like to thank you for the opportunity to serve Springdale in this way and I look forward to a long and fruitful career. Thank you.

Mr. Robinette: Good evening as well. I'd also like to thank you all for the opportunity. I'm very honored to be able to serve the citizens of Springdale for the next 32 plus years of my career.

Chief Hoffman: So obviously you can tell he's going to have a real long time. I just want to express my appreciation to the City Administration and elected officials for allowing us to fill the vacancies that we had.

City of Springdale Council

May 17, 2017

Mayor Webster: I think we should be the ones saying thank you to you young fellas. It's very impressive to look out here and see all the sea of blue and not be police officers. We're accustomed to police turning out en masse and it's a real pleasure to see all you fine looking firefighters. It gives us an opportunity to say thank you very much for the job you guys do day in and day out. I'm sure you guys will take these two young fellas under your wings and you'll make them great firefighters just like you guys are. So guys, welcome aboard to the City of Springdale. You've just joined a great organization and a great fire department, so good luck to you.

Mr. Shroyer: I'll echo the Mayor's comments with the welcome aboard and hope to see you have as fruitful career as a lot of folks have had with our Fire Department. With our city, you've chosen an excellent Fire Department, but I think more importantly you've chosen an excellent employer. I've had the good fortune of having retired from employment with the City of Springdale. I wouldn't have worked anywhere else. I certainly appreciate your interest and hope you have the same career that a lot of folks have had. Austin, on a personal note, I happen to know that you've spent most of your life hanging around, what I would consider, the best firefighter I've ever worked with, and to follow up with what Mr. Parham said with retirements. If I could take the opportunity while we have both of them in the house, two of our longest termed or longest tenured part time firefighters will retire from part time service with our department next month. If you two guys would please stand up. Jonas Roberts and Tim Guinn have been with us, I'm going to say, well over 25 years. Twenty eight years as part time firefighters with our department and Tim is an excellent paramedic and Jonas is the best firefighter I've ever had the opportunity to work with. So, while we have you in the house, and the opportunity to appreciate your service as well. Good luck gentlemen.

President Vanover: Well, and I would echo, I won't repeat the accolades. We're glad to have you in and this is, these nights are the fun nights for us. This is where our job is most enjoyable is seeing the people that do the jobs day in and day out that we all, we get credit for, but, you know, you guys are the ones and gals that make it happen. So, with that, welcome Austin from one Fairfield grad to another. Welcome men and see you all around town. Thank you. We'll stay with Mr. Parham.

Mr. Parham: The next new employee that we will be introducing to Council and the public also comes to us based upon a retirement. Landon Smith, our longtime custodian in the municipal building, retired at the end of 2016. We're extremely fortunate that a very talented young man decided to come aboard and join us and so at this point I'm going to turn it over to Mrs. Zimmerlin. She'll introduce our new custodian.

Mrs. Zimmerlin: Bob, if you'd like to come up please. Bob Ellerman has been with the City since March 27th and he's serving as the custodian in the Municipal Building. Bob is a graduate of Roger Bacon High School and holds an Associates Degree in Business from the University of Cincinnati. Bob comes to us with prior service with the Mason City School District as a custodian and equipment trainer. Bob also brings extensive experience from the custodial field from his time with Hillside Supply Company where he served as an Equipment Sales Representative. Bob likes to volunteer regularly with the Cincinnati Children's Hospital in the emergency room as a volunteer with the Child Life Services. Bob is also a member of the Children's Hospital Champions Program which raises funds for Children's Hospital. Bob lives in West Chester with his wife Candy and he has two children, Brian and Laura. Bob, if you'd like to ...

Mr. Ellerman: Thank you ladies and gentlemen. I do appreciate it. I look forward to working here and serving for you. So, I've enjoyed what I've done so far. So, thank you.

President Vanover: Okay, I guess the fun part is over and now we'll start in the meat and potatoes here.

City of Springdale Council

May 17, 2017

Committee and Official Reports

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| Civil Service | Mrs. Zimmerlin | - | no report |
| Rules and Laws | Mr. Diehl | - | no report |
| Finance Committee | Mr. Diehl | - | no report |

Planning Commission

Mrs. Harlow: Planning met on May 9th. We had three items of new business. The first item was Tri County Commons Associates at 600 Kemper Commons Circle. This was a minor modification to a PUD. If you'll recall, this is the group that had the razor wire and they had been ordered by court to remove that. Well, they came to us with the request of installation of a chain link fence with privacy inserts to serve as a cosmetic screening atop the vacant buildings. So that would serve as a protective barrier against other theft of their HVAC equipment. This was discussed at length. Many of the commission did not feel it was a good way of screening that equipment from possible theft. A couple of other options were offered by different members of the commission and when the vote was taken, it failed 6-1. The second item was Springdale Church of the Nazarene at 11177 Springfield Pike. They came in with a conditional use permit for a sign. It is to replace the existing road signage with a new digital sign. That was approved with a 7-0 affirmative vote. The third item was also a conditional use permit. This was for Awa's Child Care at 302 Northland Boulevard and this would be right in the corner of that strip mall. There was a lot of discussion going on about big semi's pulling up in the front of the mall unloading produce there for their little grocery store that is there. I think the thing that concerned most of us on the commission was where they were going to have the playground in the back. It would be 43 feet from the nearest resident. We just felt like that was too close and that was voted down with a 7-0 vote. I would be happy to answer any questions. The other thing on the Awa's Child Care. We did request that the applicant work with our Building Department and our Economic Developer to see if there was other suitable locations in Springdale for them. That would conclude my report and I would be happy to answer any questions.

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| Board of Zoning Appeals | Mrs. Ghantous | - | no report |
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Board of Health

Mrs. Emerson: The Board of Health met on May 11th. All in attendance. For the Health Commissioner's Report, The Willows Work Group met and continued to work on the Chamberlain Park Block Party. That's scheduled for May 20, 2017 from 1:00 – 4:00. It's the second one. We have lots of donations, some from Kroger, Smithfield, which is the John Morrell. The Healing Center is going to raffle off two bikes. The Springdale Police Department will be there giving away 75 to 100 biking helmets. Then, for the Springdale Mosquito Control Program, Springdale received a grant earlier this year for \$25,000 for a mosquito study. They've got the plan altogether. They finished that up in the beginning of May. We've got two interns working on that. One is Autumn Smith and the other is Dan Griese. They are working with the Health Department on implementing that. They're going to set up six traps and these will be set up throughout the Springdale parks. They will collect mosquitos for testing. Educational material from the Ohio Department of Health labelled "Fight the Bite" pamphlet will be available and they'll be circulating those around. Mosquito breeding sights will be identified, treated, and eliminated. The Springdale Nuisance Animal Control Program; Springdale just purchased additional traps for the anticipation of the increased service requests. In April we contracted with a second company, established Critt'R Catch'R as an additional nuisance animal trapper for the program because we're thinking we're going to be very busy through the next several months. The Naloxone Report; we had 15 reports of opiate overdoses in Springdale in April. For the Nurses Report; Flu Activity in the U.S. has decreased in Ohio and in the nation there are 29 fewer cases and hospitalizations for the week, 16 in Southwest Ohio. The Ohio Department of Health is raising awareness among the public and health care providers for the Lyme Disease and Ticks. There are flyers available in the Health Department about Lyme Disease and ticks and how to remove them and that sort of thing. The Children's Health Fair will be May 19, 2017. There will be 21 learning centers and approximately 590

City of Springdale Council

May 17, 2017

Mrs. Emerson (continued): third grade students will attend. Healthy Women, Healthy Lives is scheduled for June 3rd at The Healing Center for Women. You have to be 18 years or older. They're going to do health screenings, mammograms, blood pressures, cholesterol checks, body mass index, glucose and osteoporosis. That will be June 3rd from 8:00 a.m. to 2:00 p.m. You can call to register for this event at 862-1050. That concludes my report. The Board of Health will be on summer break and our next meeting will be September 14th.

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| Capital Improvements | Mrs. Emerson | - | no report |
| OKI | Mr. Shroyer | - | no report |

Mayor's Report

Mayor Webster: I have a proclamation I'd like to read this evening and it reads,

"WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, solid waste collection, and snow removal; and

WHEREAS, the health, safety, and comfort of this community greatly depend on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction are vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW THEREFORE, I DOYLE H. WEBSTER, Mayor of the City of Springdale, do hereby proclaim the week of May 21 through May 27, 2017 as

"NATIONAL PUBLIC WORKS WEEK"

In the City of Springdale and call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life."

I'd like to present this to Mr. Agricola and before I do, I'd just like to take this opportunity to say, Jeff, on behalf of all of the City here, we certainly appreciate the work you guys did. No one could have done a better snow removal job than you guys did this year. Absolutely impeccable, impeccable. In fact I don't think I ever saw a flake of snow on the sidewalk. Anyway, day in and day out you guys are out there doing a great job for this community and we really appreciate it. Tell your guys thank you.

Mr. Agricola: Will do. Thank you Mayor Webster.

President Vanover: While we're getting ready to move on to the other, Jeff, not only snow removals where you guys are most recognized, but, I've been on the East and West side of Cincinnati, over the past week and I'm reminded daily of the care and condition of our roads. We've got nothing to complain about. It never ceases to amaze me, and you don't think about it until you get out there and get beat to death on some of these roads and they're not under construction. It makes you stop and think how lucky we are and we're taking care of them, so thanks.

City of Springdale Council

May 17, 2017

Clerk of Council/Finance Director

Mrs. McNear: The General Fund year to date through April 30th update for receipts. We have a net receipt budget of \$17.183 million and we have received \$7.563 million which is 44% of the budget. The receipts are made up of our top five resources; earnings tax, real estate taxes, paramedic services, local government funds and mayor's court. That total is \$7.190 million which is 95% of the receipts to date. Our expenditures; the net expenditures through April 30th is \$18.374 million and we have expended \$5.998 million or 31% of the budget. Our ending General Fund balance through April 30th is \$5.475 million dollars and that concludes the report. Thank you.

Administrator's Report

Mr. Parham: Council I have three items for you. First, I have a bit of good information. As a part of our 2017 Street Program, a phase of the West Kemper Road improvements will be from Kenn Road to State Route 4. We were able to partner with the City of Forest Park to include their portion from Southland to Kenn. This will also receive paving improvements, pavement repairs, and then a new paving surface. As a part of that process, the City applied for Municipal Road Funds from the County. We were notified this past week that our application was accepted in the amount of \$63,300. As a part of the bid process, the portion of the contract attributed to West Kemper Road consist of Springdale's share of about \$257,262. The net cost for the City once you add the \$63,000, the City will pay about \$193,000. Forest Park also applied for Municipal Road Funds. They were also successful as part of the joint application. Forest Park will receive \$11,700; their share for the project is \$57,000, so their net is about \$46,000. So, we're happy to hear that information.

Second item, I received correspondence this week from the Intercommunity Cable Regulatory Commission or ICRC. These are the wonderful folks who videotape our Council meetings and also provide a number of other opportunities for our residents and for our communities. They are requesting that the City provide them with an indication of whether there is an interest on our part to broadcast our meetings live. They would broadcast them through the ICRC TV. What we wanted to do this evening is to get a feel from you whether or not you have an interest. I am not sure, but I think there may be some communities who they provide this service to broadcast their meetings on a live basis. I don't know for certain, but as a part of their efforts to try and continue to improve their services, they're requesting whether or not we would have an interest.

Mayor Webster: I guess my question is, if we grant them permission to do them live, will they still be replayed on the weekends.

Mr. Parham: They did not indicate that, but I have a sense that they continue to do so. They will continue to broadcast them. It seems to me, and it's been awhile since I've had any discussions with them, but once they're taped, then they broadcast them. If there's two weeks between our meetings, it seems like they broadcast them at least six times. If there are three weeks, they probably add additional time.

Mr. Hawkins: I assume there's no cost that's involved with doing that?

Mr. Parham: They've indicated there's none.

Mr. Hawkins: I have no problem with it.

Mr. Diehl: I think a live performance will be well suited. We don't have anything to hide.

Mayor Webster: We're not looking for performances. We're accused of that already.

President Vanover: Mrs. Harlow, your thoughts?

Mrs. Harlow: I'm fine with broadcasting it live.

President Vanover: Mrs. Emerson?

Mrs. Emerson: I'm okay with that.

City of Springdale Council

May 17, 2017

President Vanover: Mr. Shroyer?

Mr. Shroyer: I'm fine.

President Vanover: Mrs. Ghantous?

Mrs. Ghantous: I'm good.

President Vanover: I have no problem. We may have to require extra hair and makeup, but...

Mr. Parham: I think everyone looks fine. We'll indicate to them that there's interest on our part to go live.

President Vanover: Very good.

Mr. Parham: Council, for my final item. I'll share a little information, if you'll give me a minute here. What I'm passing out is an illustration. Unfortunately, what we've come to find over the last two years, for some reason, I can't tell you why, but for some reason a number of streets within the City of Springdale that are public roadways, public streets that we've always assumed and been aware we have owned, we maintain them.. When we have begun to check on the auditor's website or through the CAGIS website (which is also part of the Auditor's process), we find that there's a number of City streets that are identified as not being owned by the City of Springdale. So, these particular streets, Northwest Boulevard and Pictoria Drive, were the ones that, for the last two years, with the assistance of our Law Director's Office, we've been trying to find out what process we need to go through in order to have them recognize at the County level that these are City streets (public streets). These particular streets are identified as registered land. It is a bit more of a challenge when you deal with registered land. One of the attorneys in Mr. Forbes office has worked diligently on this and has been able to get the County to make this process a little easier for us. What they have indicated is Council will simply need to adopt legislation that accepts the streets, then they will make the change. The State Code simply indicates that streets, once developed, simply need to be dedicated. Once they're dedicated, then they become the ownership of the jurisdiction. At least the name is identified as being the ownership of the jurisdiction. I think the way it's handled in different counties is different. Hamilton County apparently requires that not only are the streets dedicated, but then the jurisdiction must accept them. In some other counties, once the streets are dedicated, the name is changed. We are requesting that Council consider legislation (ordinance) at the June 7th meeting that will accept these streets. What I've passed out to you highlights, from the Auditor's web page, the parcels listed on those two streets. You can also see, if you look on that very first page, there's a small sliver of Crescentville Road also that is identified. On the other page two, you see the end of Pictoria and then page three shows you the cul-de-sac portion of Northwest Boulevard. The fourth page reflects a small sliver on that end part of Pictoria Drive. What I will say to you is that, in further research by staff, we have found at least 24 other streets that have also been identified as not being owned by the City. A number of them are found down in Glenview Subdivision. So, that may make for a easier process when we look to ask Council to accept those streets as well. I am willing to answer any questions you may have. Thank you.

Law Director's Report

Mr. Forbes: Just one item to discuss tonight. It's really an update as you'll recall, you recently extended the moratorium that you had in place on the related to medical marijuana establishments. As part of that moratorium, what we do is continue to monitor what is happening at the State and I just wanted to give you a short update as to where that stands. Back at the beginning of May, they actually have now adopted the rules for what they call the cultivators; the farms. So those rules have now been finished. I raise that because, at least in some other counties, they're now starting to get requests from entities that are interested in becoming cultivators. They still are in the process of making the rules for the processors, the dispensaries, the testing labs, the patients and the physicians.

City of Springdale Council

May 17, 2017

Mr. Forbes (continued): Those all have, all those rules have to be finished by September of this year, so this Fall. Then that gives them one more year, so, September of 2018 is when the whole program has to be up and running. I mention it because we at least now have one set of rules that have been approved at the state level and I mention it to also remind you of the ultimate question, that may one day be before this Council is do you want to, as you are permitted to, under the new statute, prohibit the cultivators, processors, and dispensaries. That's obviously, not asking for any input or any answer now, but that, I just remind you, that is the ultimate question whether you want to prohibit them or whether you want to permit them and then regulate them too through your zoning code. That's the only item I had for tonight.

Mayor Webster: You say the laws have not been proclaimed yet for dispensing and so forth. How can some of these other communities, and those with interest, that Blue Ash passed an ordinance, well I think there was a resolution proposed to ban the sale and that failed and now it's being reconsidered I think this week.

Mr. Forbes: Right. I think that it's; that's my understanding.

Mayor Webster: So, how can they do that if these rules. . .

Mr. Forbes: Well, because the statute that is in place right now gives municipalities the authority to prohibit dispensaries. So, in essence, what Blue Ash has done is, or at least considered, is ultimately what they've said is, we don't care what the ultimate rules turn out to be, we want to prohibit dispensaries and I think also cultivators and processors was what Blue Ash, those are the three things you're allowed to. I think they, some other communities have done that where they've said we don't need to see what the final rules end up being, we are going to decide, and we want to prohibit those uses right now. Not suggesting you do that, but you certainly, that's within your rights under the statute.

Mrs. Harlow: Mrs. Emerson just asked a question and I think it's a good question. Is there money to be had for the City by allowing for them to be in our city?

Mr. Forbes: Well, I guess

Mrs. Harlow: Is there any taxes on it? Is there . . .

Mr. Forbes: There are no taxes, no municipal local taxes specific to the medical marijuana industry. If a business of that type were to locate in the city, it would just be the same. You get property taxes from property being used. You get payroll earnings taxes, just so, in essence, it's no different than any other business from a tax perspective at the local level.

Mrs. Harlow: One other comment was when we were in Colorado last year, I did a little bit of checking into their marijuana situation because they're allowed to sell and have dispensaries. I asked about the funding and that type of thing and I found out that they can't put the money in a bank. The money has to go into a safe house. So they have safe houses in the neighborhood that are protected by armed guards. I wasn't real happy to hear that. I don't want to see that happen in our community. I just thought it was unusual that federal law says they can't put money in banks from the sale from the marijuana.

Mr. Forbes: That's correct. That's because marijuana, medical marijuana, is still illegal under federal law. So, you can't take the proceeds from essentially an illegal endeavor.

Mrs. Harlow: So I'm assuming that if you allow medical marijuana or a regular dispensary to come in to your neighborhood, you wouldn't have any control at all over the safe houses they put in your neighborhood.

Mr. Forbes: Well, you would have all the same controls you have under your zoning code now. Whether that type of an establishment would be permitted. So, you still have all the same zoning authority that you have now.

City of Springdale Council

May 17, 2017

Mrs. Harlow: Thank you.

Mr. Diehl: I have two questions. One to follow up on Mrs. Harlow's question on tax. I understand that they're just like everybody else, but can we have an ordinance saying we're going to tax 10% or whatever the case may be?

President Vanover: Is there tax?

Mr. Forbes: I don't believe so. I mean there are, municipalities have certain taxing authority as it is. So, if it falls within your local taxing authority, as the law exists today, but, to have a specific tax that's for a specific industry, that's not otherwise permitted under the state law, may be a difficult tax to enforce.

Mayor Webster: Could we have a tax on any activity that takes place that's illegal from the federal statute?

Mr. Forbes: My initial answer, just off the top of my head, would be no, because you're taxing authority is set out under the Ohio Constitution and the State laws of Ohio and that tells you what you are and are not allowed to tax. I'm not aware of any authority to tax something that is legal at the State level but considered illegal at the Federal level. Think of it also like this. In essence, the taxes, the fees, that really are associated with this, are all at the state level. All the licensing, all the permitting is done through the state and that's where the fees are all paid. Once they have their license, it's like a liquor permit. We don't have any special taxes on liquor establishments. We wouldn't be able to have any special tax on this type of establishment because they've gone through the state process.

Mr. Hawkins: With regard to the Federal government, congress and the legalization of marijuana, has there been any discussion, any talk of the Federal government changing its stance with regard to marijuana and moreover has there been any steps taken by the Federal government and any entity albeit DEA or IRS in terms of how they're dealing with Colorado, California and those folks that are already doing that and how they're managing taxes and what have you?

Mr. Forbes: I can only tell you what I know, sort of anecdotally just from reading news and all I can tell you is we know there's a new administration at the federal level. What I have heard is that they may be, how do you say it, sort of back tracking on some of the prior administrations. I mean they can't change the law, only congress can change the law, but they can give direction on the enforcement of those laws. The last thing I heard is that the new administration is probably going to take a tougher stance with respect to that federal prohibition, but I haven't seen any evidence of that. It's difficult to say since our state is so new and the whole program doesn't even really exist yet. I can't tell you how anything would be done here.

Mr. Hawkins: Thank you.

Mrs. Emerson: I have two questions. On the ban, you're saying right now cities or municipalities are allowed to ban it before the actual law sets in and that would be in 2018?

Mr. Forbes: Well, the law is in effect now.

Mrs. Emerson. Right, but each municipality or city can say we don't want it here.

Mr. Forbes: Yes.

Mrs. Emerson: Is that option still going to be there in 2018?

Mr. Forbes: It's there, yes

Mrs. Emerson: So they can't initiate that you cannot refuse it in 2018. There's nowhere new laws will come in that say it's mandatory?

City of Springdale Council

May 17, 2017

Mr. Forbes: Well, will new laws come in before 2018? I cannot predict that. All I can tell you is the state law right now gives municipalities the authority to prohibit cultivators, processors, and the retail dispensaries. I will tell you one way to look at this though, is, and this would all be done through your zoning regulations, if that's what you think you might be pursuing, it may be, you may want to do it before all of the rules become into place. Because once the retail dispensaries start getting their licenses, and if our zoning code doesn't specifically prohibit that, they could qualify, potentially for a location and then if you try to ban it after they already qualify, they're essentially a non-conforming use grandfathered in. So, that's why I say, as we're approaching as these rules are getting toward their conclusion, you may want to give thought to that ultimate question about if you want to prohibit that outright because if you do, it is better to do it before they start getting their licenses.

Mrs. Emerson: One other question. If we allow that, let's say the city allows that in 2018 and then we find out in a year this isn't what the City wants anymore. Are we allowed to revoke that? Or is it once it's set, it's set?

Mr. Forbes: You can, no, you can prohibit it any time you want, but if you already have some in the City, and then you prohibit it, then essentially you would be stuck with those.

Mrs. Emerson: Okay. Thank you.

Mayor Webster: That was the point I was going to make that if you're going to, if you're thinking about banning it you should probably do it before somebody starts business. I wouldn't want to go out. I wouldn't want to go out and buy a tractor and all this kind of stuff to get ready to cultivate and then you pass the law saying you can't do that. I'm going to say are you going to pay for my tractor and my donkey or whatever I bought to cultivate my farm here.

Mr. Hawkins: I don't see any downside to going forward and bringing an ordinance before Council to look at banning the use of the dispensing as well as the cultivation of marijuana. You could always, if some future Council decides they want to do something different, they could always go back and change that. So, I'd be in favor in bringing an ordinance forward to address that issue at our next meeting.

Mayor Webster: All three activities?

Mr. Hawkins: All three activities. I'm not, I mean, not that this needs a motion, but just I'd like to see an ordinance that Council can go through and address and vote on for our next June meeting.

Mr. Forbes: I would just point out if that's the direction you want to go; it would be done through your zoning code. So it would be a text amendment to the zoning code. Which means it would go through Planning Commission. It would have to go through the normal zoning code amendment process.

Mrs. Harlow: I was going to ask if Council members wanted us, at the Zoning Commission to ask our City Planner to look into that and see if we need to make any adjustments.

Mr. Hawkins: I was going to check. Is there anything that, is there any action that Council needs to take prior to Planning Commission looking at that and if Planning Commission acts on that with regard to our zoning code, is there going to be anything that Council is going to have to do with that afterwards?

Mr. Forbes: It would be just like any other text amendment. It goes to Planning Commission for a recommendation, the recommendation comes to full Council, because ultimately the statute provides the authority to prohibit these to the legislative body. We would do it through the zoning codes so we would take the normal course through Planning Commission and then ultimately to Council.

City of Springdale Council

May 17, 2017

Mr. Hawkins: So we have to have two hearings or two meetings on it or would we be able to act on it the first time it comes before Council?

Mr. Forbes: I mean, historically, with zoning code issues that we usually do two readings. It comes at the first meeting and then sometimes we even identify when the public hearing date will be and can announce that at that first reading, but it would typically take two. Keep in mind when I say from a timing perspective, the final rules won't even be ready until September of this year and then the actual program won't be implemented until September of next year. I appreciate the sense of urgency, but we have a little bit of time here.

Mayor Webster: What happens if Planning Commission recommends that Council not pass that? That they think we should add dispensaries and cultivators?

Mr. Forbes: Then Council always has the authority under our code to. You don't have to accept. Yes you can override the recommendation of Planning Commission. It's just five votes.

Mayor Webster: If the legislation is given to Council or the State is given this legislative body the authority to do it, I would think they could do it without the zoning code change.

President Vanover: Defensible position. Mr. Hawkins?

Mr. Hawkins: Which is really, that was my question as far as if we had to go through that whole process versus obviously that's what we typically do, but I didn't know if we were bound to go through and do that.

Mr. Forbes: Well, all I can tell you is the State law doesn't say how you do it. It just says you have the authority to do it and again, I'm happy to talk to the City Planner and we can come up with the plan of how to do this, but typically when you're going to regulate uses of property, it's done through the zoning code.

Mr. Parham: I would think it also makes the process far easier for anyone who is looking to or who has an interest. They can simply look at your zoning code and they can determine right then and there because we clearly lay out that they are prohibited within the community. If it's absent from the zoning code, then they will begin to petition you. You can prohibit them from petitioning you if you simply put it in the zoning code and make it easy for them to see.

Mrs. Harlow: So we'll go back to my question. Do the Council members desire that we ask Mrs. McBride to look at our zoning code and make sure that we've got it buttoned up tight enough that we don't have to deal with this if we don't want to? I see Mrs. Ghantous is saying yes.

Mr. Parham: I think it could be easy enough if we could just have the Law Director and the Planner to draft language if this is your interest and then have that presented to the Planning Commission and then there's really nothing else that they have to do. They simply have to come up with the language that prohibits it.

Mr. Hawkins: I'd like Mr. Forbes to draft language to that effect with our City Planner.

President Vanover: The rest of Council; what say you? Mr. Diehl?

Mr. Diehl: Yes

President Vanover: There's consensus to move forward.

Mr. Forbes: That was my one item tonight.

City of Springdale Council

May 17, 2017

Mrs. Ewing-Jackson (continued): were fantastic. They donated to \$50 gift cards and so we're going to raffle those off and then Sky Zone they donated two 60 minute jumps which the kids, for the first few students who turned in their registration forms and paid, they got a chance to win those tickets. I also wanted to note that last year when we ran the color run, there was 60 runners. We had 60 last year. This year we have 87 runners, so we have picked up 27 runners altogether and we have LaRosa's again. They're going to be bringing over pizzas which we'll be able to sell pizzas. We're going to have a d.j., so there's going to be music and fun and Dave and Busters, they're going to be on site. They've been fantastic. They're going to be on site with coupons just bringing more fun and excitement to our event. I also wanted to just say thanks to and appreciation to the community of Springdale. They've been fantastic when it comes to getting out there and supporting. I also wanted to say thank you to the Springdale Recreational Center. They've been phenomenal with helping us. We had registration nights on Monday, Wednesday, and Friday over at the Springdale Rec where participants could turn in their registration forms along with their monies. My point of contact with them has been Greg Karle. He's been fantastic to work with. I also wanted to share, if all of those got a chance to get passed out, the registration cards that, an interesting fact, is one of our that the registration cards, the posters that are around Springdale and there's a banner at the Springdale Elementary, that artwork was all done by a former Springdale Elementary student who is also a Princeton grad as myself and that artwork was done by Jason Parks. So I just wanted to you know, say thank you and his company is Technical Concepts. He did all the artwork and then we have these shirts. That is it. Okay. Thank you.

Mr. Higgins: Finally, I just want to say if you're not interested in running, if you still want to come out and support the runners, make some noise as they're going around or seeing what the color run is all about, the throwing of the color and stuff, we definitely want to invite you to come out and see that. Thank you.

Mrs. Sullivan-Wisecup: Hello, I'm Meghan Sullivan-Wisecup. I am here to brag about some children today. Well, they're adults. We just had our high school graduation from Princeton on Monday, and of the top 20, we had six from Springdale and one from Heritage Hill. We also, not only do we have super smart kids here in Springdale, I don't know if you guys understand how incredibly great our programs are, they help throughout. They started in the elementary school level and then they just follow them on up and I'm so proud of all the students. On the leadership end, we had the executive board president Brianna Blair, she's from Springdale as well and my daughter was the senior class president. So we had both the executive board and the class president from Springdale as well. That's a great great sense of pride for our community that we have leadership. We have incredibly intelligent children. We excel in our sports here too. When they go over there we have great great sports leaders like Jalen Stanley, and we had Alexis and Marianna Drive, they play different sports and track and soccer. I just wanted to kind of come up here and brag about them. Because it's not very often that you see a top 20 and almost half of them are from our community. So I just wanted to take time and let you guys know that our community is thriving with smart kids. Thank you.

Old Business

Mrs. Harlow: I'd like to bring up to council members to see if there's an interest in getting some quotes for the digital signage that I've talked about previously. It would just be great to have some signs throughout our community that promotes the PTA Color Run or signing your kid up for sports or different activities that might be going on. Just to figure out how much it might cost. Any interest at all?

Mr. Hawkins: Are you talking about in one location at the rec center or out in different places?

Mrs. Harlow: No, out in different places. Because I think the majority of our residents don't drive past the community center to see the sign. Especially the people over in Heritage Hill, the people in Beacon Hills, Oxford Hills. Over off of Cloverdale, Smiley; that area. A lot of those people don't come down by the community center. I just think it would be nice if we had some small electronic signs that would be available that we could post in different parts of our community to let people know what's going on.

City of Springdale Council

May 17, 2017

Mrs. Ghantous: I think that's a great idea. I think there are many areas that don't know what's going on. Heritage Hill is always a concern for me. I don't think we do a very good job of letting them know what's going on so, I think that'd be a great idea.

Mr. Diehl: Overall the concept I'm really in favor of. However, I have a question for you. How are we going to determine a cost when we don't know where the signs are going to be? How many are there going to be, or a lot of the facts are. So I think we need to come up with a game plan on what do we want and do we need to go through Planning Commission, the City Planner for this. I think there's a lot of question marks before we jump in here.

Mrs. Harlow: All I'd like to do would be find out basic costs for small signage. As in what people you know in that industry who know the signing would recommend and I agree that there would have to be a lot input from the city to find out where we could put them and from the zoning as well. If we don't at least start looking and find out how much it costs, we're never going to be able to get it into the budget.

Mayor Webster: I think Mr. Diehl just touched on several things here. What type of signs are you looking to static sign or are you looking at an electronic sign.

Mrs. Harlow: Electronic

Mayor Webster: That changes?

Mrs. Harlow: Digital that can be changed

Mayor Webster: I think everybody, I think it's just going to be like a park; everybody wants a park, but don't put it in my backyard. I think that everybody wants a sign, but don't put it in my front yard or don't put it on my apron. I think this is what you're going to run into. Then how are you going to get electric? These are going to be expensive to install because you're going to have to run electric from somewhere. I'm not sure where we'd run electric for a public facility. I'm not saying it can't be done, but I don't think it's going to be as simple as just go out and stick a sign in a yard.

Mrs. Harlow: I don't think it is either.

Mayor Webster: It's going to be very expensive and I think it's going to be just the selection of the sites is going to be a task; a real task to try to do this. I see the benefit of it too; I'm not quarrelling with that at all. I'm just saying that it's a much bigger endeavor than what we envision.

Mrs. Harlow: I know that the GE property that there's a clause over there in that development and I'm not sure if it follows through with the new developer or not, but they were going to give Springdale a little wedge of land there. You know, right there on the corner. So that would be perfect for the people in Heritage Hill because I'm sure a lot of the people in Heritage Hill use that intersection to get in and out of their community. Just, you know, if we only go and do one or two, I think it would just be really important; a good way of bringing our community together and letting them know what's going on.

Mayor Webster: I know what we went through to try to get this banner around here. Across Route 4 and we talked about that and we finally, in all due respect, the advice at the time, the advice was not to do this. That this is, we need to spend a bunch of money to put poles up and anchor wires and everything else and finally Cecil Osborne said the hell with it, we're going to put the banner up, and we put it up. It's been up there and it gets changed half a dozen times a year and to my knowledge, nobody has suffered as a result which is going ahead and doing it, but it's not, if you ask the engineering staff, they'd say no, you can't do that. You have got to spend a lot of money, put a lot of guidewires in, special type of poles and this kind of b.s. So, we can start that process, but I'm not sure who all we want involved in that, but it's, what I hear you say you want several signs around the city and you want them electronic and you want them small?

City of Springdale Council

May 17, 2017

Mrs. Harlow: Yes, just like small monument signs that are not very large. Just enough that you can scroll some information on.

Mayor Webster: Okay.

Mrs. Emerson: So, you're not talking about the portable ones that they put out like in front of the community center?

Mrs. Harlow: No

Mrs. Emerson: That you put on a trailer and you trail around?

Mrs. Harlow: No. I'm talking about a permanent sign.

Mrs. Ghantous: I think there are portable, that's probably not even the correct term when you're talking about a sign, but movable, movable sign. That's what I envisioned is a movable sign. I know when I go around I see different signs in different communities and they don't have maybe a lot of space for a big lengthy message, but there are small movable signs that way, we would have the option of placing them wherever it was best. We wouldn't always have to have the signs in the same place. I mean maybe we would want to be in Beacon Hills instead of Heritage Hill or I don't know, I'm just making that up. It seems to me like there are movable signs.

Mayor Webster: You mean like the police use and as you approach it tells you how fast you're going and on a trailer and they move them around? Maybe?

Mrs. Ghantous: No, not that I've paid attention to every detail of every sign I see, but I'm pretty sure there are movable signs that are used in different communities that have electronic messages. Even if it's just sometimes, you see lane closures. I see that a lot. Lane closures, but I think they're smallish, movable signs. I have no idea how much they cost, but I thought if there were smallish, maybe that would be a good indication it wouldn't be too expensive, but that's where my mind was; not on a permanent sign, but more on movable signs so that we would have flexibility of doing different things with them.

Mayor Webster: I mean I think that opens up some possibilities as far as battery operated instead of electric.

Mrs. Ghantous: Yes.

Mayor Webster: Not having to negotiate with right-of-way and all that kind of stuff.

Mrs. Ghantous: That's what I was thinking was just something that would allow us to get our message out.

Mayor Webster: Let us explore what's available out there and where we can go with it and try get our arms around some cost.

Mrs. Ghantous: Thank you.

Mrs. Emerson: Can I ask one other question? Mr. Parham how many did the City have; does Springdale have right now that the Police Department use?

Mr. Parham: I'm sorry, ma'am?

Mrs. Emerson: The Police Department, I think, or the Fire Department, they set that digital sign out when we have special events or anything.

Mr. Parham: We have

Mrs. Emerson: And it's trailered, I mean it's hooked to a trailer and placed someplace throughout the City. How many of those do we have?

City of Springdale Council

May 17, 2017

Mr. Parham: We have one, but it doesn't work; hasn't worked for years.

Mrs. Emerson: Okay, thank you.

Mr. Parham: We did have a sign and I would probably call it more of a portable sign as opposed to a movable sign. We've had one that we would, seems to me, it's been years, there was one we would put in front of this building at the intersection of Lawnview and Route 4 for special events that we may have had down at the Community Center. They used it for other items, other events, other activities that may have been in the neighborhoods. So, if you're talking about something that's more portable or movable, I think that provides, for me, a better opportunity, because I think there's a lot more challenges you're going to face when you're trying to put in permanent ones. I think the first reaction when we talk about placing them around the neighborhoods, the mind immediately goes in the residential areas, and I think that creates even more challenges. As the Mayor indicated, who's going to want one in their front yard and who's going to want in their front yard at night when it's flashing or blinking or the bright lights start coming into their home? But if you're talking about one that's going to be temporary in nature, that you can place in different locations to highlight events and activities going on in the community, I think those are far easier opportunities for you to be able to highlight activities and events. Then when you talk about small, well, small to me may be different than what is small to you and those you can look online and do research and find out what sizes, what dimensions, again as the Mayor talked about, how would you provide energy, power to it? I imagine these would have some sort of battery with it. The other portable signs that we have are the smaller signs that we use for our part of traffic enforcement. We place in the neighborhoods that will flash your speed. Some larger ones have that activity, but I think those are two different functions. You have the ones that flash the speed, but then you have others that are more message-focused to highlight activities and events.

Mr. Shroyer: I would say first off, let's don't ask the engineers. Sounds like a Public Works function to me. There are a number of locations in the city that currently have wooden pedestal sign board type of signs. I know there's one at Lawnview entrance off of Kemper Road that, if they get used at all, they get used by somebody who staples a paper to the sign to indicate some type of activity. If we looked at those locations as potential locations, and I can see the merits to movable as well as permanent signs. Movable signs are most likely a maintenance issue. As far as power options, I don't know what's out there, but there may be solar options available; led signs take very little energy. There may be a solar option for signs. I would like to see us look at those locations where we currently have the wooden signboards that are outdated and probably rarely used and look at the option of some type of permanent sign that, basically about that same size, I think that most of those locations are entries to residential areas where they face like that one faces Kemper Road may not be an issue for, you know, residents as far as facing their homes. I would support the idea that would look at options either moveable or in those locations basically those sizes of some type of a fixed sign if there is a solar option or something that doesn't involve a lot of right-of-way and power supply and those type of things. I'm sure that if they're going to end up in the budget, they're going to come from some department. So, we'll leave that to Derrick which department's budget they show up in.

Mr. Parham: I would agree that if you're talking about the portable or we'll use your movable term, eventually you're going to get to maintenance issues. If you place an electronic sign within arm's reach of the general public, you're going to have disappearing signs or vandalized signs. When we use the speed sign, we have the Public Works Department use the bucket truck to put them at a height so that no one can reach them. I guarantee if you put them at arm's length, they won't be there long. Whether you're talking about either sign whether it's the portable or permanent sign; there's always the opportunity for vandalism, but that's the risks you have to go into the process understanding that opportunity is there.

Mayor Webster: Probably dating myself here, but Dan, those signs you're referring to, at one time there was four of them. One in each council member's district. Those were

City of Springdale Council

May 17, 2017

Mayor Webster (continued): used to post the ordinances and resolutions. God's honest truth. So, I remember distinctly when I first became the Clerk of Council that the public works took those out after the council meeting put those up there. So, you can imagine how long they lasted. At least it satisfied the letter of the law in the charter that they will be posted and so after that we got smart and why don't we just publish the things in the newspaper. So, therefore, the city quit using those signs and I don't know how many of those are still left. I think there's, isn't there one over on Castro?

President Vanover: It's gone.

Mayor Webster: It's gone? Okay. There was one there and there was one down on Smiley Avenue, I remember and there was one down here on Kemper and Lawnview in that vicinity. Here again, the council districts have changed so many times over the years that I don't know that we have any right of ways or anything. We just put up a sign.

Mr. Diehl: Listening to everybody here we've got a general feeling that everybody is somewhat in favor of doing this. So, I would ask the Administration to put together a master plan on signs and come back to us when they see fit.

President Vanover: Okay. Anything else? Right now while I think about it, I got a phone call from one of my residents. She was referred to me, Mrs. Nasser. She wanted to know, she's looking for volunteers.

Mrs. Harlow: I've been talking to her. I'll get an update on that.

President Vanover: Well, I talked to her tonight and I promised I would bring it forth.

Mrs. Harlow: I'll bring it up under Meetings and Announcements.

President Vanover: Okay, then that's where we are there. Any more old business?

New Business

Mr. Shroyer: I wanted to make Council aware of a possible issue with our residential leasing or renting permit program.

Mayor Webster: Mr. Shroyer, excuse me. Could we talk about that in Executive Session?

Mr. Shroyer: Certainly.

Mayor Webster: Okay, thank you. I'd appreciate that.

Mr. Shroyer. Sure.

Mrs. Emerson: I make a motion that the Council go into Executive Session as a committee of the whole to discuss legal matters.

President Vanover: Mayor Webster before we go? Your light was on (Mayor Webster then indicated that there was nothing to discuss).

Mr. Forbes: Can I?

President Vanover: We had a motion, do we have a second? Mr. Forbes?

Mr. Forbes: I'm sorry, just, I want to be clear there is no Executive Session reason to discuss legal matters, but as I understand what this is I think the appropriate response is its either pending litigation, which there is none, or imminent litigation, which I suppose this would fall under. So, I'm sorry to be; technically you can't just say legal matters. It has to be imminent litigation.

Mrs. Emerson: So I have to remove my last?

City of Springdale Council

May 17, 2017

Mr. Forbes: Just clarify.

Mrs. Emerson: Okay. I make a motion that the Council go into Executive Session as a committee of the whole to discuss pending litigation?

President Vanover: Imminent.

Mrs. Emerson: Imminent litigation. (Mr. Hawkins seconded the motion and Council voted 7-0 to go into Executive Session and departed chambers at 8:20 p.m. Council returned to chambers at 9:50 p.m.)

New Business

Mr. Parham: I'm not sure if you've all received this. This is the new guide for the Parks and Recreation Department. It has events, activities, programs. Look for that in your homes.

Meetings and Announcements

Mrs. Harlow: Planning Commission will have a special meeting May 23rd at 7 p.m. in these chambers. Also, I wanted to give you an update on Spruce Up Springdale. As you know, our original date got rained out, and our rain date got rained out. So, we have contacted everyone on our service request list. When they called and asked for services, we asked them what they wanted done. We've contacted them and told them that our volunteers will get to them. We will get to each house and get their projects completed. Then we're going to have a, what we're going to call a flash picnic. We have to find a weekend that does not have like, maybe on Wednesday, that doesn't have rain forecasted on a Saturday. We were thinking about maybe trying to piggyback it with the PTA Color Run, but there's rain forecasted for this Saturday as well. So, I thought, nope, not going to try that. I know Mrs. Nasser has called me and I did assure her that our volunteers would get there. We will get all the chores done that she wants done at the front of the house. We have already gotten paint from Lowes, it's in the back of my truck. So, we will get to everyone on the list should anyone get any calls. We're going to do them on an individual basis. Thank you.

Mrs. Zimmerlin: Thank you Mr. President. The Law Enforcement Expo at the Tri-County Mall is scheduled for June 3rd and 4th. Youth registration, sports registration has begun for youth soccer and volleyball leagues. You can contact the Community Center for more details with that. There is an open house at the Community Center planned for June 3rd and 4th as well. The pool is scheduled to open Saturday, May 27th. Pool memberships are available to residents at the very reasonable price of \$95 for families and \$75 for individuals. Memorial Day, the city building will be closed, that's Monday, May 29th and then the community center will also be closed, but the pool will be open from 1-5 p.m.

Mayor Webster: This Friday at 2:00 p.m. we'll be laying a wreath down at the memorial at 2:00 on the 26th. So, it's a very low key ceremony and we say a few words and we lay a wreath, but you're all invited to attend.

Mr. Diehl: Once again, the Finance Committee will meet on June 7th at 6:00 p.m. in the Administrative Conference Room.

Communications from the Audience

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None

Mrs. Ghantous: I got an email this past week about a ribbon cutting at Chamberlain Park on the 27th.

Mayor Webster: Right, the 27th, this is the playground equipment that the Vineyard Church has purchased to be installed on the Willows property and the Vineyard Church believe this or not are going to turn out 300 strong to install that playground equipment on the 27th. Then we're going to have a ribbon cutting. I don't have my calendar with me, I think it's 1:30 or something like that. Do you have a time on that?

City of Springdale Council

May 17, 2017

Mrs. Ghantous: No, that's why I was asking. I got the date. The email had the date, but I didn't see the time and I was just seeing if anybody knew what time.

Mayor Webster: I'll run back to my office and get it.

Mrs. Ghantous: In the afternoon?

Mayor Webster: Yes.

Mrs. Ghantous: After they build the playground?

Mayor Webster: Because they are going to start from scratch on Saturday morning and they're going to install the base and the playground equipment and it's going to be down by the pool area.

Mrs. Ghantous: That's so cool.

Mayor Webster: Yes, it is. About \$70 to \$100 I understand it's going to cost.

Mrs. Emerson: I just wanted to add a little thing. They're going to have inflatables there too for the kids to jump on and play during the...on the 27th when they're putting up the playground. They're going to have inflatables there for the kids to jump on and things also.

Update on Legislation Still in Development

Mr. Hawkins: As you review your individual Internal Memorandums, all matters are forthcoming.

Recap of Legislation items requested for the next Council meeting

Mr. Hawkins: there's a request for an ordinance dedicating streets previously indicated as City property. That's all I have at this time.

Mr. Hawkins moved to adjourn, Mrs. Emerson seconded. Council adjourned at 9:50 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2017