

City of Springdale Council

September 20, 2017

President of Council Vanover called Council to order on September 20, 2017.

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, Ghantous, Harlow, Hawkins, Shroyer and Vanover were present.

The minutes of the September 6, 2017 City Council meeting were considered. Mrs. Ghantous made a motion to adopt; Mrs. Emerson seconded. Minutes were adopted as published with seven affirmative votes.

President Vanover: Mr. Parham, we'll turn it over to you.

Mr. Parham: Council, once again, we have added a new employee to the organization. Once again, it is due to the retirement of a long-term employee, Marty Holden retired. I am not going to try to remember the date, but earlier this month she retired. Therefore, we have brought on a new employee to step in to those small shoes of Marty, with a lot of capacity. With that, I'm going to ask Jeff Williams to come forward please.

Mr. Williams: Good Evening. I wrote a script, so I've got to stick to it even if you've heard some of it before. As you know, Marty Holden retired from the Finance Department at the end of August after 28 years with the City. The search was on to find a new Account Clerk. I would like to introduce Debbie Huber. Debbie graduated from Cincinnati State Technical College with an Associates Degree in Accounting. For 15 years, Debbie worked for AT & T as a Customer Service Clerk and Communications Technician. She has also worked for the Hill-Rom Company and most recently, Debbie worked part time as a school classroom aide as well as a student aide working with special needs students. Again, introducing Debbie Huber.

President Vanover: Welcome.

Mrs. Huber: Thank you. Thank you for this wonderful opportunity. I really appreciate it.

President Vanover: You're welcome.

Mr. Williams: She told me she needed 20 minutes. (Laughter) Maybe 20 seconds.

Mrs. Huber: Thank you all.

President Vanover: Thank you.

Committee and Official Reports

Civil Service Commission

Mrs. Zimmerlin: The Civil Service Commission did not meet in August due to lack of agenda items, but, as always, as soon as that happens something comes up. We did ask for permission from the Civil Service to begin advertising for the Public Works Maintenance Worker position. Testing for that position was waived in 2009, so we'll be accepting applications for that beginning September 25th and it will run through October 10th and then we're also accepting applications for the Violations Bureau Clerk in the Police Department until the 27th.

Rules and Laws	Mr. Diehl	-	No Report
Finance Committee	Mr. Diehl	-	No Report

Planning Commission

Mrs. Harlow: Planning Commission had a special meeting on August 24th at 7:00 p.m. and all members were in attendance. Under Old Business, we had the final development approval of the 15-acre site located on Northwest Boulevard. We also had, under Old Business, proposed zoning text amendments and this is for the small cell towers and that's our first reading on this evening's agenda. On September 12th, we had a meeting with all regular scheduled monthly meeting with all members in attendance and New Business we had AT & T

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Mrs. Harlow (continued): at 711 Kemper Commons Circle. They came in for approval of their development plans and everything was done except for their signage and they actually came in below their square foot allotment so that was approved with a 7-0 vote. Jaycee Events at 11700 Princeton Pike, Springdale. This was a revision to the PUD development plan and this is for a temporary store at Tri-County Mall for the Halloween event that St. Rita's used to put on, so they moved it to the mall. We felt like that was an okay spot for that since we had entertainment venues there before and also we knew that there was no problem with parking, so that was also approved with a 7-0 vote. That would conclude my report unless you have any questions.

Board of Zoning Appeals

Mrs. Ghantous: We did not meet, so there's no report.

Board of Health

Mrs. Emerson: Bear with me this might be a lengthy report. This was our first time back since the summer session. The Board of Health met on September 14th. All people were present. The Health Commissioner's Report; The Willows Work Group met on September 12th and they discussed future events; Spring of 2018 the Sports Camp that takes place at Heritage Hill and they had discussed a new event, it's called a community event and it's going to have a carnival theme and a petting zoo. These are just possibilities they're still working on. The Chamberlain Block Party which we had last year. Also discussed was the overwhelming community response to the July 8th apartment fires that displaced eight of the apartments. We had several people I'd like to acknowledge that helped so much with these families. We had the Healing Center, S.O.S. (Springdale Offering Support), Avon, Ethan Allen provided furniture. Overstock provided beds and mattresses. Springdale Church of the Nazarene offered storage for furniture until they could move it in to their apartments and offered some extra furniture. The Princeton Closet offered gift certificates and gas cards. The Prevention First offered toiletry bags. The Willows gave them credit for the days that they were out of the apartments. So, they credited that on to their leases. Four out of the eight resigned for leases. The other four are working on living arrangements. They haven't finalized anything yet. For the Springdale Mosquito Control Program, if you remember in the past when I reported, Springdale was lucky enough to receive a grant of \$25,000 to do some mosquito trapping and stuff throughout the community. They did over 8,000 mosquitos were collected and sent to the Ohio Department of Health for testing and out of those, 26 mosquitos tested positive for the West Nile Virus. That was in a one-month's period. We did send out a public health advisory on August 31st to let the community know this, but we also wanted to include some extra information. If you look at the West Nile Virus in the other communities in the area, we have a high amount, but that's only because our community is the one that's doing all the testing and we were doing that because we have the grant. So, the studies and the results are kind of skewed if you compare us to the other communities. A little bit of information about the West Nile Virus; in most cases, an individual bite by a West Nile Virus-positive mosquito will develop no symptoms at all or have a very minimal reaction like flu-like symptoms; a lot of people can even have it and not even know it. In rare cases, the West Nile Virus can cause something called encephalitis and that's the swelling of the brain. That's in very very rare cases. Senior citizens and individuals that have weakened immune systems, like cancer or other pre-existing conditions are at higher risk for that, but the positive thing about all this is that we are aware of this and we can protect ourselves. So, the couple of suggestions that came out is that to drain sources of standing water including buckets, tires, and birdbaths. Apply mosquito dunks to water bodies that cannot be immediately drained. Those can be gotten through Health Department and you can place these, they have larvicide in them and you place them into these bodies of water and what it does is it kills the larvae or the eggs that produce the mosquitos. You can place those in birdbaths, flowerpots, rain barrels, gutters, tires, water gardens and tree holes. If anybody is interested in getting those, they can call the Health Department and they'd be happy to distribute those to you. The other suggestion is the approved insect repellent. Cover skin, wear long sleeves, and screen tents if you're going camping. Covered strollers and baby carriers with mosquito netting. Do not use insect repellent on babies younger than two months old. Never apply it directly to your face. Spray it in your hands, and then wipe it on your face. Those are some suggestions to take precautions. The Springdale Nuisance Animal Control Program; due to a significant amount participation, these were the traps that you could call the Health Department and get these. We had such an overwhelming response that we did order extra traps and you can call the Health Department also for those. The Narcan report; I'll give you several months. The May report we had three emergency runs with 3mg of Narcan given. In June, we had seven

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Mrs. Emerson (continued): runs with 15mg of Narcan given. In July, we had two runs with 3mg of Narcan given and in August, we had four runs with 10mg given. The Ohio Board of Pharmacy is just now developing a plan on how they're going to deal with some of the opioids that we give out for prescriptions. That comes in effect as of August 31st, but it really deals with just people that have acute pain. So, somebody who's just gone through surgeries, they have a lot of limitations on how many they can get and they can't just call in refills, they have to see their physician to get another prescription. So, they're really monitoring this at a very close range for these people. For the Nurse's Report, we had our annual Children's Health Fair and that was May 19th. That was attended by 582 third grade students. They had 21 safety and learning centers. It was a big success and they'll probably do it again next year. The Police Department, Children's Hospital, Sharonville Recreation Department and Princeton City School nurses were all part of that successful program. The Medical Reserve Corps Summit was held on Saturday, June 3rd. It was in Northern Kentucky. They had 110 participants in this and the topics they covered were Active shooting workshops, Stop the Bleed, Damage Assessment, Animal Preparedness, Personal Preparedness, Volunteer Reception Center, and Red Cross Communities and Disaster and a Kentucky pharmacy trailer. They do these practice workshops to help in case we have any tragedies and that in our communities. Healthy U Diabetes Workshop is a six-week long workshop, which started April 27th through June 1st, was completed by six participants. That was at the City of Springdale Health Department and we received \$900 for that for those people completing the program. We have another one of those workshops starting. It's scheduled for October 12th through November 16th. That's going to be once a week on Thursday from 9:30 to Noon. They still have openings and if you want to register, you can call 346-5725; that's the Health Department. There are still openings. Healthy Women – healthy Lives met on June 3rd, it took place at the Healing Center at the Vineyard Church, and it was attended by approximately 110 women. They offered mammograms, blood pressure, cholesterol checks, glucose checks, body mass index and they had one-on-one interviews to discuss the results that they received and that was well attended. The Annual Health Fair is coming up October 10th from Noon until 2:00, we will be giving annual flu vaccinations, and they'll be available for all ages. Walgreens Pharmacies will provide the flu vaccinations for those aged 65 and older. Springdale Health Department will supply flu vaccinations for employees and for those not covered by insurance. Anyone else can get their shots for \$25. Also provided during that Health Fair is going to be hearing screenings, free diabetic screenings, BMI (Body Mass Index) screenings, vision, footwear is going to be there this year and that's going to be provided by Running Spot in Glendale. If you have any questions, again, you can call the Health Department. The Zika Virus; there's good news and hopeful news. The good news regarding the Zika Virus is that the number of new cases has decreased to a minimal. The good news is that they've done a lot of research on that and they found that the aggressive brain cancer called glioblastoma; they have done in studies if they inject the Zika Virus into these brains of these people, it does kill the Zika Virus. So, there's good research out there from that. The Latino Expo is going to be Sunday, October 8th from Noon to 4:00 and that's going to be at The Healing Center. That is going to provide informational sessions about immigration, family and criminal laws, glucose, cholesterol, dentistry, blood pressure, flu shots, and food and entertainment. Last, but not least, the Health Community Awards; the health of a population is related to the community environment where people live, work, learn, and play. The Healthy Community Award recognizes the outstanding achievements of communities that are actively pursuing efforts to create healthier communities. Improving the community environment related to tobacco use, and exposure increasing healthy eating and active living makes the health choice the easy choice for all community members. Application awards designated are graded on five different criteria. They're graded on the general community, chronic disease, active living, healthy eating, and tobacco free. Each section is scored and weighed based on answers and attachments provided. Each category is given a designation of a step, so you can receive a total of five steps. In order to achieve a step, each category has to score 75% or higher. Springdale, I am happy to say, received a three-step and that was a chronic disease, active living and tobacco free. This includes the entire Ohio state. There's 16 awards that were given out totally. There were no five-steps. There were only two four-steps, and three three-steps, us being one of them. Eight two-steps and three one-steps, so it's quite an accomplishment. That concludes my report unless there's questions.

Mr. Hawkins: With regard to the Narcan stats, are those stats including our mutual aid or are those all within our jurisdiction?

Mrs. Emerson: I would say that's within our jurisdiction.

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Capital Improvements	Mrs. Emerson	-	No Report
O-K-I	Mr. Shroyer	-	No Report

Mayor's Report

Mayor Webster: Just a couple of things. I would like to make an announcement that we have had a change in the Park Recreation Commission. Mr. Steven Brooks has moved out of town and he has been replaced or I have named Mr. Rob Hormann who lives down on Ashmore. Rob I think was born here, but I know he was raised here and I think all of you probably know Rob if you've had anything to do with soccer, you've seen Rob run up and down the sideline with his whistle. Rob, this is his second stint at the Rec Commission. He served there previously and so he's agreed to re-join our ranks. I'd like to take a few minutes to talk a little bit about the bash. We had the bash on the 9th of September a couple of weeks ago. It was a fabulous event compared to last year when we had a torrential downpour and we were all wading around in water up to our ankles. This was a beautiful day and I think it was pretty successful and I'd like to congratulate Mr. Karle and his entire staff on a job well done. They put on a great event. I'd just like to share a little history with you on the bash. We used to have a "Hometown 4th". Fireworks; it was more of a regional event, as a matter of fact; we spent money on even advertising the event. We had buses to bring people in from the community and so the last year we had that was '08, 2008. As a matter of fact, we used to have two big events. We'd have that and we'd have the Taste of Springdale. Just due to our declining revenues and we had to take a meat axe to our budget and so we did away with the festival. We also had some security issues in addition to not having the funds available. So, in '09, '10, '11, '12 we had no events, no summer event down at the Community Center. So, in February 2012, the Rec Commission, as a matter of fact, Steven Brooks, the fella I just mentioned that left our commission, raised the question as to could we maybe or reinstate the family fourth, maybe scale it back, do it without the fireworks and the buses and so forth, so that sort of lead us to a discussion with between the Administration and the Rec Center and the Rec Commission and so it was we wanted to come up with an event, a family event. We didn't want the regional aspect that we had with the fireworks and so forth. We didn't want anything that big and we, quite frankly, didn't have the money to have an event that big anyway, but we wanted to have something with some bands where people could come and socialize, families could come and feel safe with their kids. Have a lot of events for the children and I think that having that criteria in place, I think we've really hit a home run with the thing, because we've done that and the other thing we want to do is make sure we offered all the service organizations in this community a chance to raise some money, which a lot of them did not have even with the big regional events. So, anyway, we started the event in 2013 and we've had six organizations that have been with us since the beginning from 2013 through 2017 and those organizations are the Springdale Youth Boosters, Sailfish Swim Team, S.O.S., Springdale Senior Citizens, the Springdale Forest Park Lions Club, and the Springdale Garden Club and then also in 2013, the Police Association did all the grilling. So, they didn't want to do that in '14, so the Springdale Firefighters picked that up and so they handled the grilling. Then they didn't want to do it anymore, so then 2015, the PTA came along and since then they've been doing it for the last three years and we've also been joined by the Princeton Educational Foundation. Once year, the Springdale Police Unity Group joined us. Cub Scouts and Girl Scouts came on board in 2016 and '17 and then this year we had the Princeton Health Center there. So, Greg Karle tried to make the rounds to the organizations to see how everybody did and it looks like everybody did quite well with their booths. A lot of them sold out and I think without exception all of them said that they can't wait until next year to come back. Based on the feedback we've gotten from the vendors, based on the feedback we've gotten from residents, I think we certainly would schedule that event again next year. Greg tells me that, well, let me back up. We moved the bands this year from the fields back to the amphitheater and I think that was a real good move. Greg tells me that the Second Wind, that was the last band that we had, he said he's never seen so many people in the amphitheater in all the years he's been down at the Community Center. It was just packed. It was elbow to elbow with people, which is just absolutely great. Anyway, the venue we tried to shrink it but, at the same time, it's pretty hard to do with all the activities we had. This year, we had like the circus out on field three, we had the bands in the amphitheater, we had rock wall climbing next to the Community Center itself. The inflated games were on the all-purpose courts. On top of that, at 1:00, we had the Mud Fest, which is a very popular event, which you have to make reservations for that, and I understand that was sold out. So, all in all, I think that it was a tremendous success as a matter of fact, the last time my wife and I went out to a restaurant locally, and we had a young lady, a waitress come

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Mayor Webster (continued): up and tell us what a great time she'd had. She'd never been before, she was there with her three kids and just absolutely loved it, and it was a tremendous event and can't wait until next year. So, anyway, once again, make sure you share with Mr. Karle what a great job they did with it. Thanks. So, that's all I had to say about it. Thank you and that concludes my report.

Clerk of Council/Finance Director Report

Mrs. McNear: Our General Fund Year to Date through August 31st receipt update. We have a net receipt budget of \$17.183 million dollars. Through August, we have collected \$13.276 million dollars. Of that number, our five major sources of receipts are Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and Mayor's Court. That constitutes \$12.357 million dollars or 93% of that budget. Our Earnings taxes is the overwhelming income producer that we have. On the expenditure side of the house, our Net Expenditures are \$18.374 million dollars. Through August, we have spent \$12.023 million dollars or 62% of the budget. That leaves us with the General Fund balance at the end of August of \$5.054 million dollars and that concludes my report. Thank you.

Administrator's Report

Mr. Parham: Council, in March of this year, we had a single car accident on State Route 747 heading Southbound, turning in at the Macy's entrance, the North Mall entrance. Unfortunately as a result of that accident, the traffic signal that was permanently in place was destroyed. Since then, we have been operating with a temporary traffic signal at that location. Unfortunately, the individual who hit the pole was a 73-year-old man who did not survive the accident. We have been working to try to get the signal engineered and replaced. Unfortunately, when our traffic engineer, TEC, requested proposals from a couple of contractors to perform this improvement, the bids came back at \$48,572 and \$75,000. Now, the \$48,572 is below the \$50,000 threshold that would require that we have to go out for a public bid. However, it is such a close number and because you're dealing with unknowns with this improvement, we would prefer not to move in that direction because we don't want to be in violation of the State code. So as a result, we will have to put together bid specifications and go out for a public bid in order to receive proposals. We will then identify the best bid, and ask Council to adopt legislation to enter into a contract. At that point, we will be able to move forward with the improvement at that location.

The other item I have, I am going to sort of partner with Mr. Forbes to present to you. There is some information he just learned today. If you recall, I believe it was earlier this year, we were contacted by a local attorney representing another municipality relative to the number of communities in the State of Ohio who were planning to raise a claim against the State of Ohio concerning the small cell tower issue. Unfortunately, we received the notification at the last minute, so we did not have enough time to speak to Council about it. So we missed out on participating. As we all know that the communities, about 70 communities throughout the State of Ohio challenged the State relative to that issue and fortunately the issue was overturned. So earlier today, Mr. Forbes was contacted by another attorney representing a couple of communities in the Central Ohio area who have indicated their desire to challenge the State budget. Now, as part of the State budget, when they originally started putting this budget together, there was language that talked about centralizing the income tax for local communities. Where they ended up, was communities or organizations within communities would have the ability to opt to submit their taxes, or tax payments through the Ohio Gateway System. The Ohio Gateway is very similar to if they were filing those through the City. The Gateway would then forward those payments to the City. In this case, they can file it through Ohio Gateway. This process exists right now. They can file through the Ohio Gateway and the Ohio Gateway would then send us the City's portion. Under the new proposal the State is hoping to implement is, if an organization decides to file through Ohio Gateway, the State will keep .005% of the filing for a fee, administrative fee and the organization would have to commit to this process for a five-year period. Therefore, these jurisdictions are attempting to fight this issue. This issue, in our minds, is a continual attack on Home Rule for local governments. They have asked if we would be interested in participating based upon a scale they have put together. I think for a population between 10,000 and 25,000, your portion to contribute is \$4,000. It would have been the same number, if we were able to participate in small cells issue. As we look at this issue, I guess, it seems like the last six years or so in which they have continued to attack our local income tax collections. Right now, we contribute an amount of \$10,000 to REDI Cincinnati to help with national and international recruitment of businesses to this community. That is an opportunity to help our community grow. We're not always successful in receiving

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Mr. Parham (continued): someone directly, but we do see the impact of what happens to the region and that benefits us as well. In this case, what we're doing, in my mind, is sort of fighting for our survival. Because if we ever lose control of that local income tax, then there are very little services that this community, and many others like us, are going to be able to provide to the residents and the business community. So, in my mind, this would be money well spent to participate in this process to continue to fight off and defend the Home Rule for local governments and communities. Jeff did I miss anything?

Mr. Forbes: You didn't miss anything. There is one other piece that actually we didn't even get a chance to discuss, but based on the information that I've received today, there are really two options that a city who might want to participate, two options that you have. One is just to contribute funds to this coalition defense fund and you can do that without becoming an actual named party to the lawsuit. The other option you have is to also contribute the funds, but say we want to be one of the parties joining this, so that's another decision point. Essentially, it would be accomplished by hiring this outside law firm as Special Counsel to the City.

Mayor Webster: As all of you know, I've been on the soapbox for six years Derrick tells me about it goes all the way back to the centralized code that we had to adopt. Part of the original proposal was that all the communities have the same tax code and all of the funds centralized in Columbus. Columbus takes the fee out of that and they send us what they think we need. I objected to that the first time I heard that and then they come out, they knew that wasn't going to pass, so then they backed away from the collection part, but they continued to make sure we all have a centralized or a common code so and it came down to the point you didn't have any choice if you didn't pass that then you couldn't even collect earnings tax. So, there was no choice there. So now, you know, they still want to get the centralized collection in place. This year they tried to get it for all businesses. Well, that didn't fly, there was some resistance to that so now it's voluntary so a business doesn't have to do it, but as Mr. Parham says, if they elect to do it, then they're on the hook for five years, the State keeps a half of one percent, sends the rest of it back to us. I can guarantee you it's a matter of time until that Earnings Tax, they get it all sent to them, it'll be in the same damn pot as the Earnings Tax, the Sales Tax, the local government fund, which they have taken away from us and they will take this away from us also. The State House is filled with people from townships and instead of trying to change the Ohio Constitution to allow townships to enact an Earnings Tax they would rather take the Earnings Tax away from the cities or redistribute that and you can't tell me that once they get all that money in Columbus and they see a township sitting down here getting nothing and Springdale getting \$15 million or whatever we're going to collect this year \$15-\$16 million, somebody's going to say, "Well listen, why don't we give some of that to that township over there; let's even this out" and so we'll be drinking out of the same trough of Earnings Tax collections as we are Sales Tax and Earnings Tax which is dwindling, dwindling, dwindling. We went from about a half million dollars down to less than \$200,000 annually in Local Government Fund money and that's exactly where they get the Local Government is the Earnings any Income Tax that we all pay, the Sales Tax, that constitutes the Local Government Fund and we get less and less and less and this will get thrown in the same darn pile. So, I would urge Council to vigorously defend and oppose this thing to whatever degree we can.

Mr. Hawkins: I agree the Central Collection is a problem; that concept is a problem. What I wanted to know is with regard to the \$4,000 is that a one-time fee and if someone decides that they want, the City decides they want to be a party to the action, are you now going to have to pay additional fees as that litigation goes on down the road?

Mr. Forbes: I wish I had a complete answer for you on that. As it looks like right now, it looks like it's a one-time payment to help contribute to the fund. Like with the small cell litigation, they did it essentially the same way. My understanding on that litigation is that they collected plenty of money up front with that one-time payment to cover the cost of the entire litigation so nobody had to contribute any more. It's a fair question and it's one that I don't know that they have figured that part out yet.

Mr. Hawkins: Mr. Parham, with regard to the deceased driver that destroyed the traffic control light; he didn't have insurance?

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Mr. Parham: I'm sorry, he did have insurance and so that's the fortunate part for us. We have filed a claim with the insurance company, but we have no numbers to give them because we haven't made the improvements yet.

Mrs. McNear: I would like to put some numbers to the comments that the Mayor made earlier. Our General Fund receipts through August of 2017 is \$13.276 million dollars. Our Earnings Tax is \$10.82 million dollars, so as you can see that is significant if we lose that money, we won't even be able to make payroll. So that is how dire it is if the State takes that money and has control of it. So it is really imperative that we do everything in our power to fight this and I think \$4,000 is money well spent. Thank you.

Mrs. Ghantous: What's the benefit if we wanted to participate in the lawsuit?

Mr. Forbes: Again, we just got this material today, so we're still trying to figure that out. I think that being a named party to the lawsuit, if anything, it allows you more direct access to see what's happening with the lawsuit. You will be one of the clients of this law firm. The law firm, by the way, is Frost, Brown, Todd. It's their Columbus office that will be spearheading this. You would have an attorney-client relationship with them. You would have more direct contract with them and may have, I mean it's difficult when you have a number of communities that have joined together. You're going to have to have a common attack on how you do this, but as a party, as an actual named plaintiff, you would likely have more direct contact with the attorneys and maybe some say on how it proceeds. The other option is just; it's still important; they need the money to help put on the case, you just won't be one of the named parties.

Mayor Webster: Well, I just want to make a point, you know, one half of one percent doesn't sound like a lot of money, but once they get started, and they want to balance the budget next year, "hey we're a little short, why don't we bump that up to .0075 and one percent's not a whole lot of money, we'll just take one percent and so once you get on that rollercoaster, they're in total control as to how much they keep and how much they send back to us.

Mr. Diehl: Mr. Forbes, do you know how many cities are participating?

Mr. Forbes: That I don't know yet. I know that it's primarily been organized by a number of municipalities around the Columbus area, the City of Dublin, I believe is going to be involved. Much like the small cell litigation, this was Central Ohio Mayors and Managers Group that got together so the majority of the communities will be from that area, I would assume and if it's anything like the small cell litigation, there were at least 50 communities that joined that one single lawsuit. There were another twenty or more around the state, but there were at least 50 on that one case.

Mr. Diehl: Thank you.

Mr. Parham: Just to piggy back on that last comment. There was a group out of the Cleveland area that filed a lawsuit, there was a Central Ohio area group that a number of communities from our region were able to participate, and then I believe the City of Cincinnati also filed their own. So there were about 70 communities that had filed and participated in that process and I think that's an important part of all this. I think it sends a message not only to the general public, but to the State Legislatures that if we don't do something to begin to try and fight them off from their continual forward push of trying to take control of our earnings tax, then they're going to push as far as they can until you stop them. So, if you don't decide at some point in time, they're going to take control of it. They continue to shape it so that they can make it easier and easier for when they can get a majority of the State Legislators to agree and the State Governor to agree, then they're going to move forward on that particular action. I think the more communities that you can identify with (not just receiving the dollars) but be able to identify the City of Springdale, the City of X, the City of Y are in opposition to this and they have spoken so by contributing to fight this particular issue, I think speaks volumes to that particular issue. Also relative to what the Mayor talked about; in this year's (State of Ohio) budget, there was some language that said that they were going to take some of the Local Government Funds and a portion, I forgot the number, it seems like \$24 million was the number in my head, but a portion of that was to go towards the fight against the opiate issue and another portion was going to go towards to simply give to townships and villages of less than 1,000 in population. We can all clearly understand trying to assist in dealing with the opiate issue, but to continue to

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Mr. Parham (continued): take the funding just to give it to townships, just because they're townships doesn't make a whole lot of sense. Other than the fact that you just simply want to because that's whom you primarily represent in the State Legislature. They are already showing you what they are going to do once they get control of the earnings tax dollars. Therefore, unless you do something to begin to fight them off from taking more and more of your dollars, they are going to take as much as they can and they're going to decide where those dollars should go.

Mr. Shroyer: Mr. Forbes, in addition to the, if we were a named party to the suit in addition to access to information, does it give us anything as far as a seat at the table per se or a voice that we wouldn't have if we just made a contribution?

Mr. Forbes: I think to a certain extent, yes, but, you also have to remember if this turns out the way the other litigation did, and there are say 50 different municipalities that join this, there's really no way that they can accommodate the specific requests of 50 different communities. There's going to have to be some common path of attack on this. So, by being a party, yes, it gets you access to information and by definition it gives you a seat at the table. How much it gives you when there will likely be dozens of communities involved in this, I just can't answer that.

Mayor Webster: I'll give you a little insight into the mentality of these people up there. I don't know how many of you follow the Ohio Municipal League Bulletins, they come out every Friday. I mean there's a group of people up there that want to tax people on the tax revenue that has to go back to where you reside, not where you work. So now what do you think that would do to a city like Cincinnati? Columbus? Cleveland? Let alone, what would it do to Springdale? There's a group of people that want to see that happen. Hopefully, cooler heads will prevail and that will never see the light of day, but it's been on the agenda for some time and there's a group that keeps bringing it up, but these are township people and that's just another way for township people to get money. It just boggles my mind that they haven't tried to change the Ohio Constitution to allow them levy an Earnings Tax, but then that means they'd have to have businesses in their bedroom communities and I guess they don't want that. Let them be here in Springdale and but they'll take the money.

President Vanover: Alright, so Administration, are you looking for thumbs up, thumbs down direction?

Mr. Parham: Yes. We're looking for a decision as to whether we wish to participate and I think the other question is whether we want to be a participant simply by funding or participant by being named on the lawsuit.

Mr. Shroyer: I would suggest we participate in both capacities as a participant and...

President Vanover: We need a motion

Mr. Parham: I think a motion would be appropriate. I agree.

Mr. Hawkins: I just had a question. Is there anything critical in terms of timing of when we would act? Is it necessary that something happens tonight on this issue versus?

Mr. Forbes: Here's what we know so far and again, one of the reasons they mentioned the distinction of contributing funds versus being a named party. If you choose to be a named party, then Frost, Brown, Todd as the law firm, would have to do what's called a "conflict check" to make sure that it's okay to represent the City of Springdale in this case and what it says in their letter is that shouldn't take very long, but it will take, there is some time and what it looks like is House Bill 49, the budget bill, the Municipal Income Tax provisions that will be challenged essentially say that you, City of Springdale, need to make some changes to your code, just like you did last time, by January 1st of 2018. The plan, it looks like, is to file whatever is going to be filed prior to that date. I think what I could tell you is, and also, based on that correspondence, if you want to be a named party, they're going to request that you pass a piece of legislation authorizing that and because essentially you would be getting an engagement letter from an outside law firm. So, what I would say is if you want to proceed in both ways, what you may do tonight is a motion to authorize the expenditure of the \$4,000. If you want to proceed as a party, and they've already provided us with a sample of what the

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Mr. Forbes (continued): legislation would look like that they would request. We could bring that at the next meeting and in the meantime, I can contact this law firm and tell them that yes the City of Springdale is interested in participating. Their next Council meeting is in two weeks, is that sufficient? If for some reason that's not sufficient, at least you've approved participation with the funds tonight.

Mr. Hawkins: Alright, I'm in support of the money going there and I don't necessarily have a problem. I think it's probably a good idea to be a party to it, the only part that I have some questions as to with the daggone lawyers is there going to be some additional money that may come out of our pocket later on? So, that's my only question and I guess the flipside would be, you know, if we decided to be a party and give the money, how easy is it to end up withdrawing as a party from said lawsuit if, for some reason, and I don't know that it's necessarily going to be a problem, but for some reason, you know four turns in to twenty and fifty.

Mr. Forbes: Sure, and those are all good questions. The only thing that is addressed in the information I received today is that if the case moves forward and it's finished and there's still money left over from all of these retainer payments from the various communities, you will get it, you know, a pro rata return. It doesn't contemplate if any more would be requested.

Mr. Hawkins: But you would think it's reasonable if we wanted to withdraw as a party of the lawsuit because it became financially cumbersome we could do so.

Mr. Forbes: Sure. Parties withdraw from lawsuits all the time and I doubt that that would jeopardize the rest of it moving forward.

President Vanover: Alright Council, what is your decision? Was yours a motion Dan?

Mr. Shroyer: Yes

President Vanover: Okay, I've got a motion. (Mr. Diehl seconded the motion) Discussion?

Motion to pay the retainer fee and join the claim has passed with a 7-0 affirmative vote.

Mr. Parham: That's all I had.

Law Director's Report

Mr. Forbes: I think I've said enough already tonight, so nothing further.

Engineer's Report

Mr. Shvegza: First of all, in the last couple of weeks there's been a lot of paving going on in the City. As far as State Route 4 Urban Paving Program, keep in mind that the pre construction meeting for that project was August 30th and since that time last Thursday, they completed all the repair work since then they've done all the grinding and placement of the intermediate course asphalt saw them gathering around earlier coming into the Council meeting so it's quite possible tonight they'll be working on final surface course. In addition, one of the activities that they have done is a place what's called the Wavetronics Pullmatic Traction System at the intersections of Northland, Kemper, and Glensprings. They did this because obviously, when you grind the pavement, you remove the end pavement traffic loops. So not only were we going to have to replace them for this project, but also for the Glensprings Project, and the Cloverdale Project, so this was a good way of getting around that issue plus it's a much better system. If anybody's interested, I've got a couple of photos of that; I'll just pass that around, but they're basically mounted up on the poles and then overall the project completion date, as far as the contract is November 1st, but it's quite possible by next week they'll have that completed. 2017 Street Program as far as the Street Rehabilitation Program. Again a lot of activity. They have completed all the adjustments of the manholes both in the Cameron/Naylor area, the Grandin area, Ray Norris/Springdale Lakes, and West Kemper. As a matter of fact, they had a crew become available and they've completed the asphalt surface course in Cameron and Naylor so that as a matter of fact they were just completing sealing the edges of the project as I came in this evening. We don't have a date yet for the other areas to have the final asphalt down. Supposedly, this was a crew that became available that then jumped on Cameron. As soon as we get information as to the remainder of the asphalt work, we'll let everybody know. As far as the 2017 Street Maintenance Program, that is substantially complete. On the Cloverdale area as far as the water main work on the East side, they have

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Mr. Shvegza (continued): completed the installation of all the water main. They're in the process of testing it and disinfecting the mains, they'll start on installation of the new water services, and basically, they'll keep old one in effect. The old one will be operating and they'll put the new one in, test that. As soon as that's operational, they'll take the old one out. As far as the West water main project. They did begin the week of September 11th. I do not have a current update on how they're progressing on that. Nothing new on Glensprings or Beacon as far as the Police Department roof replacement, we did have the bid opening on September 5th and legislation is before Council tonight to award that contract to Mid Miami Roofing and is anticipated as far as the construction on that it would begin early October and be completed by the end of October. That concludes my report.

Communications

Mrs. McNear-

None

Communications from the Audience

Mr. Gibbs: Greetings. Hi. I have something that I'd like to share. Hopefully it goes over good.

President Vanover: Before you get started, Could you ...

Mr. Gibbs: Is the mic not on?

President Vanover: No, you're good. Just identify yourself.

Mr. Gibbs: Oh, okay. I'm Larry Gibbs. I live here in Springdale. I've been here in the Springdale area for about 10 or 11 years. I have something that needs to be said. I'll read it off. Greetings Mr. Mayor, City Police, Fire Department, Springdale Council and Administration. All too many times you, the entire Council of the City of Springdale receives little to no recognition or appreciation for what you do for our City. This may likely be because those of us you serve do not fully understand the laws and ordinances that you have to adhere to, nor do we understand the many procedures that must take place in order to even attempt to resolve the smallest grievance or issue. Although there may be legitimate issues within our City that needs to be addressed from time to time, many residents feel it would be useless to address them because they feel nothing would ever be done about it anyway. At the same, the entire Council of Springdale may not have a clue about those issues within the community unless we the residents express our concerns. While not every issue may or may not be resolved for various reasons, we the residents of the City need to understand that we never know what the outcome might be if we remain idle. Thankfully we have the privilege and the opportunity to attend such a meeting as this in order that our voice may be heard. Hopefully, all residents will be encouraged to come out and meet their Council members and be a part of the community. While there may be some residents of the City who have no knowledge of their entire Council and how their Council works greatly to serve the community, there are others of us who recognize and understand who you are and what you are about. Hopefully, all residents will come to this acknowledgement. Mr. Mayor and the entire faculty of the City of Springdale Ohio, thank you for who you are, for your tireless service, and all that you do for the City. May you know that you are deeply, deeply appreciated beyond words and that no service regardless of how insignificant it may seem does not go unnoticed. May you be encouraged and inspired to remain in your duty and all that you endure. In addition, may you know that your service makes a big difference in the lives of all of us who are residents of this City. Again, thank you, thank you for everything.

Mayor Webster: Thank you Mr. Gibbs.

President Vanover: Is there anybody else that would like to address Council for any reason?

Mayor Webster: I guess I just can't let this go. We very seldom have people reach out and express their appreciation. I know if any of you don't know who Mr. Gibbs is, he's the gentleman who had a parking problem at the corner of Nelson and Van Cleve as I recall. Is that right? So, we were able to work something out there and solve the problem. Again, it was not an easy solution, but we figured something out and we implemented it and thank goodness, it's, from what I observed, it's certainly working. Anyway, we very seldom get

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Mayor Webster (continued): outstanding feedback like this, but, believe me, we all appreciate it and all I can say is that's why they pay us the big bucks okay, Thank you. (Laughter)

Mr. Diehl: Mr. Gibbs. Thank you very much. That was really nice of you to do that. We meet on the first and third Wednesday of every month. Could you come back all the time? (Laughter) Alright. Thank you.

Ordinances and Resolutions

ORDINANCE NO. 36-2017

AMENDING VARIOUS SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE ZONING CODE

Public Hearing was opened.

Mr. Wocher: Good evening. I'm Jonathan Wocher. I'm a partner with McBride Dale Clarion. I am representing Anne McBride, City Planner. Unfortunately, she's not able to attend and I wanted to just give a brief overview of the text amendments that were just read as an ordinance. There are several text amendments that are proposed in this one ordinance and I'll just give a brief overview. There are changes proposed to the automotive sales and rental regulations. It was decided that it was necessary to provide more clean distinction between those terms and by doing that, we've created definitions and three separate use categories for automotive sales, used sales, and rental establishments. The second item that's part of this ordinance is a revision related to the age restricted multi household dwelling regulations. This addresses existing development of Maple Knoll and puts in place regulations in the PF public facilities district for standards, definitions and parking requirements related to that. So, this is a housekeeping issue for that regulation. Thirdly, there's a clarification to the PUD Planned Unit Development regulations clarifying procedures related to final development plans and clarifying that there will be terms for expiration of final development plans. An 18-month term will be established and then there's an ability to have an extension for an additional 12 months. The last major change is related to the adding educational facilities as a permitted use to the public facilities district. Again, more of a housecleaning issue to make sure that the zoning code is comprehensive. There were other minor changes related to adding some illustrations and some cross references. I'll try and answer questions if you have them. Keep in mind; I am substituting for Mrs. McBride. Thank you.

President Vanover: Thank you.

Mr. Hawkins made a motion to adopt; Mr. Diehl and Mrs. Ghantous seconded.

Mr. Parham: There is quite a bit of information that's here. What we've tried to do is to provide you with a track changes copy so you know where the changes are identified. You will see that the other copy is the original and the actual exhibit to the legislation.

Ordinance No. 36-2017 passes with seven affirmative votes.

ORDINANCE NO. 37-2017

AMENDING THE CODIFIED ORDINANCE OF THE CITY OF SPRINGDALE, OHIO, TO AMEND SECTION 153.254 OF THE SPRINGDALE ZONING CODE RELATED TO MEDICAL MARIJUANA

Mr. Wocher: Good Evening Council, again it's Jonathan Wocher with McBride Dale Clarion. This is a much shorter summary. This is a text amendment that Planning Commission is recommending to related to prohibition of the cultivation, processing, or distribution of medical marijuana in the City of Springdale in all zoning districts. This text amendment involves the addition of definitions as well as the establishment of modification of the use table and as mentioned by the City Administrator, we've included a track changes version.

Mr. Anderson: Sorry, this is a bit of a surprise being here. I never expected to want to speak out on an issue that touches me personally. So, I had to actually write a few things down, so I hope it's alright if I read part of the statement to you.

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President Vanover: Before you start reading, could you identify yourself please.

Mr. Anderson: I will. I will. My name is Jeff Anderson. Jeffrey Anderson. I live at 12085 Greencastle Drive in Springdale, Ohio, 45246, so over in Oxford Hills. I'm standing here today to ask you to consider another viewpoint on the patient access restrictions that you're considering tonight. In short, I'm asking you to vote "no" on changing the zoning codes related to medical marijuana. I'm sorry if I get a little quivery, because this is a very personal issue. I say patient access intentionally because it may be confusing to some that this is actually, you think it's a vote on vice. It's not a vote on vice. It's not what we're voting on. I'm a parent of a child within intense medical needs at high risk for at least one of the 21 approved medical use cases. I've also personally watched family members fight cancer, another one of the conditions and I've reviewed mountains of peer reviewed evidence that shows benefits of this medicine. By taking the extraordinary step of preemptively restricting distribution, the Springdale Planning Commission and Zoning Board is inserting itself in between a doctor and a patient saying unambiguously that the medicine licensed and trained professionals say is that persons best option for relief from crippling nausea and pain is somehow wrong and not welcome here. Why are we shaming these patients and why this medicine? According to pharmacy trade groups last year, at least 42 new prescription medicines were introduced in the U.S. Hundreds more of supplements and reformulations, none of these appeared on the Planning Commissions or Zoning Commissions review. Meanwhile, polls in Ohio specifically Ohioans, as reported in the Cleveland Plain Dealer, showed over 90% of Ohioans supported legalization of medical marijuana. We're not talking about recreational use tonight. It's medical marijuana by a licensed physician to a patient that they have an existing relationship with and we're talking about restricting their access by banning distribution in the City. There's already a stigma many carry with this medicine. One that more and more peer reviewed evidence shows is frankly misplaced. A medicine, according to the USDA itself has zero reported deaths due to dosage. We talked a couple of times tonight about opioids and the restrictions that happened there. None of that is addressed. This is one of the medicines that's been an option for some of the chronic pain sufferers to take instead of that. Instead, we're forcing them back into the shadows. In closing, understand the impact here. According to the Ohio Department of Health on cancer rates alone, one of the conditions, approximately 50 Springdale residents will receive a new diagnosis of a form of cancer in Springdale every year. NHIS estimates for chronic traumatic pain; this is the pain that lasts three months or longer, not the acute opioids we were talking about earlier, this is chronic life affecting pain is 10 to 20 times that number for Springdale. These are our residents in our city. I hope and I ask that as 2018 comes around, they won't have to fight public shaming on top of fighting the disease just to get the medicine their doctors recommended. It's just wrong. Thank you.

Mr. Shroyer: Mr. Anderson, you're referring, I understand, specifically to what our language says "retail dispensaries".

Mr. Anderson: That's right and real talk on dispensaries, to be clear, right now, Hamilton County, as a whole, is only slated to receive three dispensaries for the entire county. There's a restriction to begin with. The three dispensaries for the county. Those applications have already gone in. Those are being evaluated right now and I don't believe Springdale is one of them. This ordinance is just the City, on top of that, piling on to these patients in their worst time. It just doesn't make sense. It's not protecting residents. It's shaming patients, but yes, it's the distribution that I find most offensive.

Mr. Shroyer: I guess my concern would be more with the cultivation and processing as that would, in my opinion, probably be more cumbersome as far as controlling or enforcement of where it's going as it's cultivated and as it's processed. Those parts, do you have an opinion about or are you specifically concerned about the distribution.

Mr. Anderson. Distribution was the first and foremost on my mind because it affects me and people I know so directly. In terms of cultivation and manufacture, if you look at the restrictions that are in the House Bill, I'm not sure that there's any location, at least for cultivation, that's available inside of Springdale that would meet the requirements for zoning to begin with for the ordinance. So, you're talking about adding an ordinance to Springdale that then makes a statement with no actual impact on our citizens other than the negative I've described by prohibiting distribution and doing just a wide statement of saying, "We're afraid of marijuana because of old stigmas that are attached to that". One other thing on that, I would

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Mr. Anderson (continued): encourage. This went through the Planning Committee. I would be very interested to hear what the Health Department has to say on that, especially when you start talking about alternatives for pain medication and maybe, we talked about the three-step program and how we're improving as a city to be on that, especially for chronic care was listed. I would think that we should build on that and have the Health Department look at the issue, not from a Zoning and Planning Committee standpoint, but get ahead of it and start talking about the public health benefits or the responsible use of so we can talk about that with our community and open and create a report and open that up for public distribution. There are people that don't even know we're talking about this tonight that would benefit from hearing that we're taking a leadership role on a medical issue instead of just taking the easy way out and saying drugs are bad. Yes, in terms of cultivation, I think it would be interesting if the Planning Committee had, any information if of those sites would be eligible and where we're talking about. To my knowledge, there's nothing that would meet the requirements the State put forward. Are there other manufacturing things that are prohibited inside of Springdale inside of the zoning? Heavy manufacturing and heavy industry obviously, I would assume, but are there other medicine and compoundaries that are restricted or is it just going to be marijuana?

Mr. Shroyer: That, I don't know, although I would ask Mr. Forbes if, with your understanding of the way the legislation is developing, would we ever have a concern with cultivation and processing?

Mr. Forbes: Again, all of the cultivation site applications have already been filed with the State and to my understanding, none of those sites, that were applied for, are in the city of Springdale and it's likely that under the current regulations, which are all set by the State, that there may not be any sites in Springdale that currently would qualify. I think part of the issue is we don't know what; if the State changes the qualifications for what those sites might be whether a site in Springdale would qualify or not. My understanding of the current applications for cultivation sites, I don't believe there are any in Springdale.

Mr. Shroyer: So, without cultivation, there's no processing. We're talking about retail dispensing.

Mr. Forbes: I think it's important though just to know there are three separate things that we are talking about. The cultivation, which is essentially the growing of it. Processing is what the State refers to it and that is the process of taking the grown product processing it into the components that are going to be permitted to be used and the retail dispensaries. So, it's really three separate issues. Three separate issues that the State law specifically permits you to address.

Mr. Anderson: and I'd add does not require you to address. Absence of additional ordinance is not approval of the State's regulation. You can remain silent on this if you wanted and that's still better than what you're proposing now of telling patients the medicine they need is wrong.

Mr. Hawkins: Mr. Forbes, with regard to the Federal Government and medical marijuana, where does that stand in terms of have things been worked out with regard to IRS and taxes and is that still an issue as we see in Colorado?

Mr. Forbes: Marijuana, medical or otherwise is still illegal under Federal law.

Mr. Hawkins: Here's, Mr. Anderson, I'm only speaking for me and I appreciate your position. I'm glad that you're here. I'm glad you're being involved. We first started talking about this and I'm sure you've been following; we did two moratoriums on this while this matter was percolating through the State Legislature. Then, in terms of the discussion with the Planning Commission, Council asked the Planning Commission to look at this issue, because that was the proper channel before it comes back to Council for Council to then vote on it. So, Planning Commission had more of a directive, and sitting on Planning Commission, that's what went to them as what Council is looking at not allowing this, these three things and we want the input from Planning. Planning looked at that sent it back to Council and said here's the text amendment with regard to medical marijuana. My position on it, to be clear, is not a situation of shaming anybody who wants to use medical marijuana. That's far from where I am. I understand there's some folks that, in studies have shown that it can benefit folks in terms of pain and a number of other things. My issue is right now; you have the State Legislature here

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Mr. Hawkins (continued): moving at a pace that I think is faster than what the application of law is going to allow to take place. The one big problem that's going on, and we can watch Colorado and see it, and that's still new, that was just 2012, that's still a very new process, is one, because of the conflict with the Federal law, I have some concern with regard to what that means in terms of taxes and out there you see folks have to have safe houses managing cash that's not deposited in banks. That creates some other concern of what that may look like here. So I don't know where all that's going yet and that's a concern for me.

Mr. Anderson: Sir, can I address two of those comments before we go on.

Mr. Hawkins: Sure.

Mr. Anderson: You mentioned, "been following" and this has been a pet peeve for me and with all due respect, to the other comments, I do appreciate the work you do, but communication is a challenge for residents at whole unless they come to this meeting. The Planning Committee minutes and agendas have not been updated on the sites since March of this past year. So all of the hearings and statements that you just referred to are not in the public view. Likewise, Council meeting minutes have not been updated for over four months. So, I'm not sure that it's fair to say that the residents as a whole have been following it. So, that's one aside that I think needs to be addressed if we're going to make statements like that saying that people are able to follow. When you start talking about safe houses and cash. That was something that was brought up, if you follow the Ohio Ordinance that was created and one part of the House bill that passed addressed that concern specifically to create a closed-loop payment system because we had learned all the information we had from these other states. We're not a front-runner in this space as a state. We're not at the front end of it, so that was specifically addressed inside the ordinance with a closed-loop payment system to address that. There's also substantial security requirements and oversight requirements for any of the dispensaries. Again, that's academic for what we're talking about tonight because none of those are happening in Springdale. The only thing that's happening here in Springdale is a vote on saying whether as a community we think on face, marijuana is bad and that is the message that's going out there. I've talked to several in the community, not just myself, objected. I've talked to doctors. That's the message that's going out there when you pass these ordinances. Without having communication. I think you can address those concerns if that's not the intent. If the concern is about tax and conflict with the Federal law. I think Council could better do that by taking it not just through Planning, but also through the Health Department, recognize, and acknowledge that the medicine does have a benefit. I appreciate your statement saying that you think that it does have therapeutic benefits. There's a mountain of peer review evidence that says that too. I don't think people are hearing that and hearing you, Council, and the City say that along with it, is a very different message than just the 7-0 vote that came out of Planning Committee that we don't want distribution or anything to do with medical marijuana in our City. Those are two different messages. I'm not saying that you can't address these, but what's being proposed tonight is wrong.

Mr. Hawkins: In terms of what you're saying, the first thing is I can't speak for the minutes. I know we've gone through some situations with different folks providing our minutes for us and some changes, but all the meetings are televised with regard to Council, not Planning Commission.

Mr. Anderson: On cable or pay TV. Not all of us have a television.

Mr. Hawkins: My main thing, well you can go online too, ICRC.

Mr. Anderson: That's how I found out about it. I went back.

Mr. Hawkins: My main thing was you're involvement. I know you're involved and I know you're watching.

Mr. Anderson: Thank you.

Mr. Hawkins: Here's the thing. The State Legislature often times, for Ohio, passes legislation without thinking about the practical application of said legislation. It happens far too often. This is one of these situations where, again, I think there's some things where they're moving a little quicker than we've got applications for and so I've got some concerns with

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Mr. Hawkins (continued): regard to some of these things. I've got concerns with regard to taxes and how it's going to come back later on. I still think that the Federal Government, at some point at times, decides to say, "Hey, I'm coming down on those that have taken taxes or owe taxes". You can have a giant wash come out and say hey you in Colorado you've been doing this since 2012, owe me five years-worth of taxes. There's some issues that are not clear and have not been matched up yet. The other part of it is in terms of I think even with regard to our OVI laws. Things are not being put together well with regard to how we're measuring things and marijuana, metabolite and those things. The State Legislature needs to change some of those things. Particularly with the legalizing of medical marijuana. Here's the thing. I don't think the way that we have the law right now is all that fair when it comes to registering and looking at someone using marijuana with regard to an OVI. So, my thing is not again to say well because we're having as a State we're legalizing medical marijuana that now we're going to have a bunch of people who are going to be on the road that are going to be under the influence.

Mr. Anderson: There's no data that supports that in fact there's substantial evidence that says medical marijuana is actually not affected by that.

Mr. Hawkins: Again, I'm not...To be clear, I'm not saying that, but I am saying you create a potential issue because of the way the statute is right now and the statute needs to be changed whether it's legalized or not, so I'm just saying we're, you're going deeper down this wormhole. So,

Mr. Anderson: But we're not voting on that tonight.

Mr. Hawkins: So, these are some things where there are some issues with regard to where things are going. Now, I understand and I appreciate your perspective of saying your perception of a vote against having a dispensary, cultivation, and manufacturing reads to you as marijuana is bad and people that use medical marijuana are bad. That's not the intention here today. There have been instances where you can sit and say, "Hey I think this is something that may be positive, but we don't need to have it in Springdale." One example of that, for me personally, and not everybody up here would necessarily agree with that would have been the needle exchange. I'm not saying the needle exchange is a bad idea, I'm just saying it's not the best idea for Springdale.

Mr. Anderson: Because. What we're looking for is the "because" on that. As residents when you vote, say why. What you're saying makes sense and you can have a learned and informed position that says that. So, we get that that helps.

Mr. Hawkins: Here's the thing. I understand people are going to have their own perception. I'm telling you, I'm saying it publically. People that are using medical marijuana are not bad people. I'm not shaming that. My issue is I think there's some other things that need to catch up and need to be developed with regard to the law and so I'm saying right now, I'm not in support of putting these three things in Springdale. Now, in terms of those that, it's legal, I understand that. In terms of those that may be in Springdale and those that may be in surrounding areas and communities of Springdale, that may use and want to use medical marijuana, I also don't think that my vote is going to, or this Council if this Council decides to say we're not going to have this in the City is going to create some great encumbrances of access to it. I don't and so that idea, I don't think that's necessarily going to be a situation where all of the sudden you're not going to be able to go and find it. The fact that folks have already been on it, and you know probably better than many, as soon as that went through, you had people waiting in that process to go and find, you know, to apply to have manufacturing, dispensary. I know there's only so many fields and all these things. Folks were chomping at the bit to go get into that industry as soon as it was gonna be made legal so, I think there's going to be an opportunity for folks in Hamilton County, in Springdale, in the surrounding areas, in Butler County just to our North to be able to access medical marijuana if they want to. I don't think it's going to be a situation where it's going to be kept out of all cities and townships. I don't think that's going to be a problem.

Mr. Anderson: I appreciate the sentiment. I can tell you what I'm hearing is speculation. I can tell you in practice and people I've talked to, it does have that effect. Real people that have extended pain because they hear messages like what's being done with all the communities and the cities saying "not here, marijuana bad, no, no, no" on all three. You're speculating. I'm telling you there are people, they're in Springdale and they're going to miss out on medicine that

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Mr. Anderson (continued): will help them because they're hearing that message. Not all, yes. We already said there's three dispensaries that are slated for Hamilton County and none of them are we talking about here. So, I'm asking what is the point of the ordinance first and then secondly is that really a business that we want to be in in terms of a City going through individual medications and deciding whether or not it's in the best interest or the best regulation. Why aren't we doing that with the opioids? There's a crisis going on there and there could be litigation back all kinds of things going with that. We're not doing that. The State is also doing additional regulations on that medication. Forty-two prescriptions last year went through regular approval. Hundreds of more of supplements are unregulated. Why not that? So why this one and I think you need to ask yourself why do people care so much about it? Right? Because there is that stigma and I can tell you when a City comes out and says no, as cleanly as was coming through with the 7-0 votes without discussion that's posted, it does come across that way. I'm here to tell you it does come across that way and it's not just me. I think there's a way forward though. I think it's not an eminent problem, it's not that we're reacting to an RV that's parked on a corner that is causing concern or safety issue. There is not one coming down here and it's not that I'm asking for just another moratorium on the vote, I'm saying let's add that Health Department viewpoint and see if there's a way to add the messages that you're giving and you're one voice; there's still others that need to explain why they're for or against restricting distribution in Springdale, because that's what the vote is on.

Mr. Hawkins: and Mr. Anderson, I appreciate that, but and also to your point of a non-explanation, I know I have said before when we've discussed even at the earliest part of the moratorium, my concerns with regard to it. It has not been a secret. Now, I appreciate, not everybody's going to watch this on television, not everybody's going on to the computer and know where to look on ICRC, but, you know, there are, I say it like this, you know...

Mr. Anderson: I feel like this is a debate when I didn't intend it to be. Sorry, I just feel strongly about it, so I apologize if this is coming across argumentative. I just think there's a wealth of information out there that's not getting out there.

Mr. Hawkins: People have talked in terms of information. People have talked about different things the City can do whether it's putting signs up about meetings or things of this nature. Newsletters, sending things out. I think the City Administration does a very good job and pretty much all they can do, basically all they could do in terms of getting the information out in a cost-effective way. Some of what happens is you have to be receptive to information. You have to look somewhat to go and get the information. A quick example. I missed basketball sign-ups for my son last week. He had to go play in Sharonville, our archrival, because I missed sign ups. Now I know when there is sign-ups. I see signs every day when there's sign-ups. I get the newsletter and then what I did was I took the information I receive and I set it aside. I did not go and act or seek on it. So here's the thing, folks know they can come to meetings, they can look on the website, they can come to the City building, ask or call if they're trying to see when there's a meeting and I agree with you. As you sit here today, there aren't a whole lot of folks that come out. The times when we've had this place full is for a sidewalk on Kemper Road and needle exchange and then you have people hanging from the rafters for those two things, but you're right, generally folks don't come up, but you have to have an interest enough to seek the information and a lot of times it's reactive instead of proactive.

Mr. Anderson: That's why I'm here before you voted to give you a different viewpoint.

Mr. Hawkins: I appreciate your viewpoint. I'm not going to say I'm going to disagree with your perspective, because your perspective is your perspective. That's not my intention in saying; no I don't want to support these things in the City. It's not to shame someone who needs or wants medical marijuana who otherwise qualifies for it. It's I have some concerns with regard to the practical application of some things that the State Legislature has done and it's one of those things where, you know, a year from now, five years from now, some other things catch up and work together and gel, my opinion may be completely different, but the issue is not that I'm against people using medical marijuana that are authorized to do so. It's that the State Legislature created a situation and I don't know that it's ripe yet in terms of setting the stage for everything else. That's just my opinion. People can perceive it how they want to, but I'm telling you, I'm telling anyone who has a question on that. I'm not saying you're bad if you use medical marijuana. I'm just saying the State Legislature has created a

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Mr. Hawkins (continued): situation that has not all the way resolved itself. That's my opinion. That's why I'm not in support of it.

Mr. Anderson: The only comment I would give back to that is why this one is it just a regulation, because those same issues that you described apply to supplements that are carried by a number of untested supplements that also exist in drugstores and convenience stores and are going through the same challenge. Why aren't we pre-emptively looking at all of those things. So, it seems interesting that we pick this one issue that has meaningful impact on so many people. That's my concern. I hear what you're saying, but why this one.

Mr. Hawkins: The feds aren't against me using some form of creatine or something like that. I mean, that becomes the issue. There is a...

Mr. Anderson: So, we'll be in the business of reviewing Federal drug policy and keeping up with that.

Mr. Hawkins: It's about how does that apply to the State law? There's a disconnect. So, I have some concern with regard to how that application looks and how that's going to play here in this City, so, there's some things. Bottom line is the State Legislature has created another situation where it's not clean. They have not thought through the entire process and they've put the residents, cities, townships, what have you in a predicament where things are not all the way smoothed out when they passed that legislation and that's my issue.

Mayor Webster: Mr. Anderson, thank you for coming in and sharing your concern with this issue. We certainly invite all residents to come up and do that. I do have a question for the Law Director though. Mr. Anderson says that we don't have to do anything if we do nothing, now where does that leave us if someone comes in and wants to open up a retail shop to sell marijuana?

Mr. Forbes: Well, the only way anyone can open a retail dispensary is if they go through the State process, apply, get the permit. I'm over simplifying it, but it's like it, it's almost like a liquor permit, which is a process more of us are familiar with. You can't just open up a liquor store in Springdale and it has nothing to do with our local regulations, it's because you have to go through a state process. You can't open a retail medical marijuana dispensary without going through the state process. The only difference in this case is the State law that creates the medical marijuana program specifically permits local municipalities to take the step that you're considering tonight. You don't have that authority when it comes to the liquor permit, so to speak. If you do nothing, and right now, I think we all agree that the retail dispensary applications are all in. It doesn't look like there are any that are even asking about Springdale. The way that law is, at least the way the rules are proposed right now, there are a certain number of dispensaries that are allocated throughout the state. If the medical marijuana, the state marijuana commission determines in the future we need more dispensaries, then they will go through a process to determine how many more dispensaries need to be allocated throughout the State. If you do nothing, then essentially you're just going by your own existing Zoning code and a retail dispensary would likely, I say likely because we'd have to give it some thought, would likely be permitted wherever other retail uses are permitted in the City.

Mayor Webster: Okay, so, today, we can get by with doing nothing, but in the future, that may change and I would hate to wait until, assuming we didn't want the marijuana retail in the City. I would hate to wait until someone's gone through the process and State and then come into the Building Department and make an application and it's a little too late then for us to deny if we are doing something on the books. But, I guess, a couple of things, Mr. Anderson I want to assure just as Mr. Hawkins did, I don't harbor any ill will towards somebody that needs medical marijuana. Fine, I mean if someone's in pain, and they need to take marijuana, I don't look down upon them. That's fine. That's their choice and I think that even if we pass this as most other communities have done in Hamilton County, I don't think anyone is saying marijuana is bad, although as it was pointed out, it is against the Federal law, so I do think it's different than supplements on vitamins and you go over to the vitamin shop at 747 and Kemper, yeah there's all kinds of supplements over there, but none of those are against the Federal law, where marijuana is against the Federal law.

Mr. Anderson: To be clear, some have been pulled after the fact after testing. Supplements get pulled for violation using illegal substances. They're not always tested

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Mr. Anderson (continued): beforehand, so I don't know that that's accurate. Aside from that, I appreciate that and I think that's the conversation I wanted to have is to understand the reason because it doesn't come across when you read a zoning ordinance. The other thing that I think would be interesting for the residents to hear is if the concern is Federal law and tax law, is the current Council's supporting changing back those zoning restrictions to then embrace and at least make it available to those businesses that can help the patients. Because the way the message is coming across right now is not here, not ever. So, understanding the reasons is important and then going on the record saying hey if the Federal law changes, or the tax law changes, then we're in. Because it's not just good for patients. A lot of these communities have found it's good for business and that's an area that I didn't even want to touch today because it muddles the conversation; the concern that I truly have about it is the message you're sending to these patients that they should hide in the shadows.

Mayor Webster: Okay, but my understanding also, you know I've followed this pretty closely in the paper most of the local communities have voted as we're proposing to do prohibit those three activities, but the City of Cincinnati has not. I understand that there will be dispensaries in the city of Cincinnati.

Mr. Anderson: So, these chronic care patients need to travel. This is what got under my craw and I don't mean to interrupt. Two sessions ago we're concerned about RV parking that a permit required by somebody who wanted to park their toy on the street needs to drive three miles to the City to get a permit, but we're comfortable that these chronic and traumatic patients will drive to the city and it'll be fine. They'll just go down and get their medicine there. I have a hard time reconciling that when as a Council we talk about "is it fair for our citizens to drive three miles for a permit for an RV, but it's okay that they drive to the city because that's an area that was okay with dispensaries and so the City it shouldn't be in the middle of the doctor-patient relationship." I just can't reconcile those.

Mayor Webster: Alright. Thank you. Thank you for your comments.

Mr. Diehl: Thank you and thanks for coming. Let me start out to tell you I personally am in favor of marijuana for medical reasons. I think it's way overdue that we don't give it to patients who need that. That being said, I like Mr. Hawkins, on the needle exchange, didn't have a problem with the program, we just had a problem where it was located. Now you've got to admit that medical marijuana is somewhat different than your regular drugs, otherwise we would go down to Walgreens and pick up a prescription for it. There's going to be some growing pains on the sale of this and six months from now, we may come back and we may change it, but for right now we're saying "if you want to take it, that's okay, but we don't want you to put it here until we get a chance to digest all the issues that are going to come along with that". Do you know what issues they are? I have no idea, but I guarantee you that there are going to be some issues. Again, I tell you, I'm in favor of it. Thanks.

Mr. Shroyer: Mr. Anderson, thank you for being here for your perspective. You've mentioned that your main question is the thought process behind the Council members arriving at this point. My thought process as we moved along was similar to Mr. Diehl, that we're entering an unknown and it's not necessarily always good to be the guinea pig, for lack of a better term, by my thought as we moved along was more of a "wait and see" not a permanent decision or issue. I also will plead guilty to probably not educating myself about the issue as much as I should have before we got to this point. You raised some very compelling issues. Also, I'm a little clearer at this point that we probably don't need to do anything right now. That's not to say that I wouldn't be in favor of some course of action in the future, but I think in deference to the points that you make and the fact that I could probably stand to educate myself a little more. I, at this point, probably will not support doing something tonight. That's not to say that I wouldn't support it again in the future, but your point is well taken if we don't need to do something tonight, maybe tonight's not the time. Thank you.

Mr. Hawkins: Mr. Anderson I think I articulated it, but I wanted to make sure it was clear with regard to the future, things may change in the future and just because you have this ordinance pass with regard to a change in some zoning text amendments. It can change in the future and as I said, as things ferret themselves out, and as the Federal law works its way through and if the State legislation takes care of some of these other collateral issues, that can change my perspective on what my vote would be regarding this. I'm saying right now we're not there because of some of these other issues. The reality is we evolve as a society as a

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Mr. Hawkins (continued): government in terms of things that need to take place. So, just because this ordinance is here tonight and if it passes or any other ordinance, things can change in the future and they do. We've had things that one things been put in place and it's been taken off the books. We had a hotel registration where you could go in and just pull it off and see whoever was there if you're law enforcement. Deemed unconstitutional; was taken off the books. So there's things that are going to evolve as society does, as the law does, and the issue is right now; it's not about people that use marijuana as bad; it's that State legislature has put individuals in a situation where they haven't clearly taken care of all the other collateral issues of the law for me; that's my perspective.

Mrs. Emerson: Thanks Mr. Anderson for coming down here. As you know, or maybe you don't know, I'm a registered nurse. I work with doctors and nurses all day. We've had long discussions about medical marijuana and I totally agree with you. I believe it's beneficial in certain circumstances. My one question to you is when you said it's good for businesses what were you referring to when you said that?

Mr. Anderson: I believe that the ordinance allows for local municipalities to tax the products that are being sold and there's reports that have come out or may in the future. Honestly, I was focused on the patient access issue because it touched my heart so much. I, when doing my research I came across several reports on some of the communities that had instituted medical marijuana and these are, if you separate those from the recreational or open use, many of them, at least, and I could find them, showed substantial community gains for other business in their area in regard to legalization because sales are so restricted people travel to find the dispensaries that are eligible to them and that increase in traffic alone had a beneficial impact on the communities where the dispensaries were located. In addition, there was some amount of the licensing and fees that I think, in those cases, went to the local municipalities. I don't know if all of that is true in the current version of the Ohio bill, but because so many of these are being rejected and held back, there's certainly opportunity for that for a community. Again, my concern was the statement of patient access is blanket not allowed and again, I don't mean to be argumentative with it, I just, it really touches me and people that I know, so I appreciate the candor and conversation. I don't mean to be short with anyone on it.

Mrs. Emerson: I understand that, but I'm more concerned about the safety than I am us making a buck off of it in Springdale.

Mr. Anderson: Of the sales or of the use?

Mrs. Emerson: Anything. I'm more concerned that we regulate this and we're safe and that we're following the law and right now, like everybody has said up here, the Federal law does not allow it. It's against the law. Okay. So, with that said, that's my point on good business. I don't really care if we make a gain from that, I'm more interested in keeping Springdale and our residents and everybody safe okay with regulations and have those in place okay.

Mr. Anderson: The State law did have substantial security requirements associated with the dispensaries.

Mrs. Emerson: I know. I know. My second comment is regulation. We do regulate other things. We regulate cold medicine. It's put behind the counter and you have to sign for it okay, and the

Mr. Anderson: The State does and Federal does.

Mrs. Emerson: Let me finish, let me finish and the thing that I had mentioned in the Health Report about the Board of Pharmacy regulating opiates. This should have come by a long time ago, and if it had, we wouldn't be where we are at today with this. This is really sad.

Mr. Anderson: I agree.

Mrs. Emerson: I see prescriptions given out where they get 48 OxyContin for a gallbladder. It's ridiculous. So, this is long overdue.

Mr. Anderson: Absolutely.

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Mrs. Emerson: So, we don't want to make the same mistake with marijuana or any other substance like that that we've done with the opioids. Let's not repeat that. So let's make sure we have everything in line and like everybody up here so far has spoken. None of us are against it. We all agree medical marijuana is beneficial for certain things, but you can't ask all of us to jump into this when we don't have all the regulations and all the answers to everything. I'm not going to pass something if we don't know about it yet. So, and like Mr. Hawkins said they have put us in a really tough situation here. I thank you for coming and I totally understand what you're saying, but you have to give a little bit on our end too.

Mr. Anderson: I do.

Mrs. Emerson. It's very difficult from this side. We're passing something for everybody out there. Not just you.

Mr. Anderson: I agree with that. I understand that which is why I was also suggesting that the Health Department help with some of that communication and honestly some of the discussion that's generated just from this conversation I think will help people understand why that ordinance is happening the way it is. I didn't have illusions that, although I feel strongly about it, I know there's a lot of constituents you're concerned about and issues that I don't understand, being a resident. I wanted to make sure you had that viewpoint and understand that it's not just me. There's substantial people that hear that message differently, so we appreciate that communication even in this session, although it's gone on longer than I expected. I didn't mean to do that.

Mrs. Emerson: You're okay.

Mr. Anderson: I think that you should look into having the Health Department do spend some time on it just like they do with mosquito abatement and immunizations and some of these other issues and help people understand that we're looking at it proactively and that it's coming; we just don't know all the information yet. Because residents care about that and they care what you say about it.

Mrs. Harlow: Thank you Mr. Anderson for coming here this evening and shedding some light on your side of the subject, which is something that I hadn't really given a lot of thought to as Mr. Shroyer, said, I think I probably need to be more educated on medical marijuana than I am. I don't know very much about it. I do know that there are a lot of reports out there that do say that it helps some patients. I certainly was not looking at the ordinance as shaming anyone. That would never be my intention because I have chronic pain and I have to fall under the new laws of going to the doctor every three months in order to get my pain medicine, so it's certainly not shaming anyone because they're taking something for pain. My concern is just as Mr. Hawkins stated. Getting all of the legislation surrounding medical marijuana dispensaries buttoned up so that we are legal in all aspects. I do really appreciate your coming this evening and sharing your views on it. I think I'm going to do a little more research on the medical marijuana aspect and as far as passing this or not passing this this evening, if it is of no benefit to us, I'm not sure why we would want to put it on our books. Is it something that maybe we would want to put a hold on and do some thinking about before we vote on it?

Mr. Forbes: I can't answer that question. I mean that's a question for Council. It's gone through the normal process, which is Planning Commission. Planning Commission makes a recommendation to Council and then the next step is for Council to take action on that recommendation. I guess the only thing I would point out is that this is part of your Zoning; it is proposed to be part of your Zoning Code. Sometimes the issue of things being in your Zoning Code, even when you say, "This doesn't really even apply to us now. Why would we bother doing it?" The only thing I would remind you is with respect to Zoning laws is that if it's not in your Zoning Code and then an application is submitted, like the Mayor said, you cannot then change your Zoning Code because what you would be doing is creating a legal non-conforming use. So at times you can look at your Zoning Code now, any Zoning Code and you will see that it regulates things that aren't here, so to speak and that's because that's the purpose of a Zoning Code is to provide those proactive regulations. You can't do it after the fact. That's just the nature of zoning law. I would just point out, much like some other folks have said, it's just your Zoning Code, so to speak. The ordinance that you acted on right

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Mr. Forbes (continued): before this was another text amendment to your Zoning Code. We have a process in the code, if you want to amend your zoning code, you follow the process, it goes to Planning Commission, and it comes here. There's nothing in a Zoning Code that's necessarily written in stone forever.

Mrs. Emerson: Mr. Forbes, a quick question. So if we pass this tonight, which denies processing and growing marijuana here in Springdale, and distribution, what's the negative to that if, let's say, the government figures out all the regulations and that kind of thing. Can we not revisit and change the code at that time to allow it to come in?

Mr. Forbes: Certainly. That was my point is with your Zoning Code, there is a process in place that you make amendments to your code from time to time. That process would apply the same way for this.

Mrs. Emerson: So by passing this tonight, it just keeps us safe in that if someone wants to come in now and it's okay, but we don't have the laws written to regulate it, we can say no. Our Code says you cannot, but then after the laws all get straightened out and everything and somebody comes in and wants to do it, we can amend those correct.

Mr. Forbes: Correct.

Mrs. Emerson: Then, Mr. Anderson, I have one other question and if this is personal and you don't want to share it, I'm fine with that. Can you share with us the process of how you get this if you don't have dispensaries and stuff here for you to get this for your child or whoever?

Mr. Anderson: What any patient would have to do to, is my understanding, is that they would have to have, through an existing relationship with a licensed physician who has gone through additional certification and has a bona fide relationship with the patient, would make a recommendation to the, not a prescription but a recommendation to them that they would then take and get a medical marijuana access card. They could then with the recommendation be used to get up to the amount recommended at a dispensary using one of several ways to process that payment. Ohio is a little different because they tried to address the cash issue. There's a separate payment track that has to be dealt with where there's a closed payment system. So in addition to the medical marijuana license, the access card, they would also or could, but not required, set up a debit relationship with the Department of Commerce with Ohio with the State in order to transact that business with the licensed dispensaries. Then they'd have to locate that dispensary, travel to it themselves or one of one or two licensed caregivers that would go through a similar process and then obtain the medicine that they were recommended.

Mrs. Emerson: So you have to physically go pick it up? It cannot be shipped to you?

Mr. Anderson: That's an important distinction that was brought up. Either you or one licensed caregiver. It might have been two, I'm not 100% sure, but a licensed caregiver because a lot of these patients, frankly, aren't able to leave the house or wouldn't be safe if they did, right if you're talking about seizure disorders and cancer and chemo; it's not possible. So, in those cases, a second card is given to them as a Caregiver to distribute. It was restricted for delivery. Unlike opioids, right, which you can get home delivery for, the additional hoop that they have to go through to get the medicine is them or somebody that is licensed for them would go to that dispensary and pick it up and then bring it back to them.

Mrs. Emerson: And then how much of a supply can you get? Is it like a three-month supply of recommended? I mean what kind of supply are you looking at. How often do you have to travel to get that?

Mr. Anderson: Again, it depends on the dose that's required. My understanding and I can check on this, Ohio was one of the first states to put an ounce, a weight, in addition to a day's supply on top of it and I want to say it's 30 or less days and it's something like six ounces if it's leaf, because it comes in different forms Ohio is unique in that they don't allow you to burn it. It has to be liquid or vaporized so the units of measure can be tricky.

Mrs. Emerson: Different.

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Mr. Anderson: Sure, because they're afraid of people getting. They're learning from the opioids, right? They're trying to limit that out of the gate so it was weeks to a month, but it's not more than that.

Mrs. Emerson: Thank you.

Mr. Anderson: Sure.

Mr. Shroyer: Mr. Anderson, one last comment. Obviously I think it's the consensus of Council, or at least the discussion tonight, is that not to create a stigma on medical marijuana, but the anxiety of the development of the process. We have probably two avenues; do nothing which I think addresses the message that, at least some people believe that we're sending which, again is not my opinion, or it doesn't sound like the opinion of any member of this Council that we're opposed to the use of medical marijuana. If we do nothing, we leave ourselves open to the possibility that the legislation evolves, the process evolves, it goes bad and we're behind the game. If we go ahead with this tonight, we buy ourselves time to let that process evolve. In either case, it would appear there's not going to be dispensaries in Springdale anytime in the near future. If it were clear that that's the thought process, that we're trying to err on the side of caution here until we see this thing develop, does that do anything for you?

Mr. Anderson: Not just me, but I know others that I talked to, I'd encourage you still to think about the Health Department recommendation that I gave to generate a report. Some of the things that you've asked about appropriate use, safety; these are great questions that the City would just put up hey this is what we're doing with medical marijuana and why on the page. Put it in the newsletter that goes out, because a lot of people read that. I made the comment about the minutes and we talked about cable television. If you put something like that in your newsletter, have the Health Department create a report saying hey times are changing and this is where we're at and why. I think that addresses a lot of my concern. A vote not having the Zoning isn't going to magically create a dispensary in Springdale and I don't know that they would want to be here, frankly. I don't know, but the point is there's a bigger message that I wanted you to consider and I appreciate the fact that we've had the conversation and I really, I'm going to be known as the marijuana guy, which is not my thing, I swear, I just do a lot of research and because it touches my family directly, I know quite a bit about it, so I appreciate you asking the questions and being concerned about it. Truly, I'm not just that guy. It doesn't define me or my family, but I think if you think about that Health Department report, think about having something in the newsletter and tell you why we're doing it, just be transparent. That helps, it truly helps and as the law, I'm not trying to get Springdale jammed up with the Feds or back taxes, that doesn't help anybody either, but we need to be transparent about when we're making changes. Especially for things like this that we know are different to Mr. Diehl's point. It is different. So, let's treat it like that.

Mrs. Emerson: One final report and I'll be quiet, or one final comment. Mr. Anderson you're one of those that are reaping the, you're suffering because of people's poor choices ahead of you. So you're one of those and we see that often. People who really need the medicine and we're keeping it from them because of what everybody else has abused prior to you. Just understand that we'll get through this process. Just try to be patient.

Mr. Anderson: I appreciate having a voice in it as part of it too. That's fine. It's not easy to sit here, or I'm sure bore half the audience. It's important to me and I appreciate the sincerity that you've brought to the conversation. I mean that. Thank you.

Mrs. Emerson: Thank you.

Mr. Diehl made a motion to adopt; Mrs. Ghantous seconded.

Ordinance No. 37-2017 passes with seven affirmative votes.

ORDINANCE NO. 38-2017

AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH MID-MIAMI ROOFING FOR THE REPLACEMENT OF THE ROOF AT THE SPRINGDALE POLICE DEPARTMENT AND DECLARING AN EMERGENCY

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Mr. Hawkins made a motion to adopt; Mr. Diehl seconded.

Ordinance No. 38-2017 passes with seven affirmative votes.

ORDINANCE NO. 39-2017

AMENDING THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO, TO AMEND SECTIONS 153.253, 153.254, AND 153.600 OF THE SPRINGDALE ZONING CODE RELATED TO SMALL CELL WIRELESS COMMUNICATIONS FACILITIES

President Vanover: Council, this is the first reading, so is there any discussion this evening. Seeing none, we have Public Hearing set for October 4th and we will see it back before us then.

Old Business	-	None
New Business	-	None

Meetings and Announcements

Mrs. Emerson: The Board of Health will meet October 12th, Thursday, at 7:00 in the room adjacent to here.

Mrs. Zimmerlin: Winter Sports Sign Ups are taking place for Basketball, Volleyball and Cheerleading. You can contact the Community Center for sign up information. October 7th 6-8 p.m. is the Club Rec Scavenger Hunt. It's for Springdale Youth in grades 5th through 8th. They can bring one friend, but the guest must be in the same grade level. The event is free of charge, but you must register by October 4th by contacting the Community Center and then finally Monday, September 25th kicks off Active Aging Week and that goes through the 29th at the Community Center Adults aged 50 and over are encouraged to join in the celebration and you can contact the Community Center or refer to the City website for further information.

Mrs. Harlow: Planning Commission will meet October 10th at 7:00 p.m. in these chambers.

Mayor Webster: October 10th, the annual Business Expo will take place. I believe it's Christine, what time 10 or 11?

Mrs. Russell: Eleven.

Mayor Webster: Eleven and the Health Fair will be open from 12-2. Get your flu shots that day.

Mr. Shroyer: Springdale Youth Boosters is hosting a movie night at the amphitheater at the Rec Center this Friday. I believe it was scheduled to start at 7:30, but they did some testing of their equipment. They don't have the highest quality projector available and at 7:30 it's not quite dark enough so it may not kick off until maybe around 8:00, but the concession stand will be open and they'll still shoot for 7:30 and see how the weather and the daylight goes. Thank you.

Communications from the Audience	-	None
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Update on legislation still in development

Mr. Hawkins: First off, Council did make a motion that passed 7-0 to contribute \$4,000 to the Defense Fund fighting the central collection of taxes as well as be a party in the lawsuit. With regard to your Internal Memorandum, Item Number One was addressed with Ordinance No. 37-2017, an ordinance amending the codified ordinances of the city of Springdale Ohio to amend section 153.254 of the Springdale Zoning Code related to Medical Marijuana, which passed with a 7-0 vote. Item Number Two was addressed with Ordinance No. 36-2017 an ordinance amending various sections of the codified ordinances of the city of Springdale Zoning Code which passed with a 7-0 vote. Item Number Three was addressed with Ordinance No. 38-2017. An ordinance authorizing the Mayor and Clerk of Council/Finance Director to enter into a contract with Mid Miami Roofing to replace the roof at the Springdale Police Department for \$75,000 and declaring an emergency. Item Number Four and Five, strike that. Item Number Four was addressed with Ordinance No. 39-2017. An ordinance amending the codified

City of Springdale Council

September 20, 2017

Mr. Hawkins (continued): ordinances of the city of Springdale Ohio to amend sections 153.253, 153.254, and 153.600 of the Springdale Zoning Code related to small cell wireless communications facilities. It was a first reading for that and Item Number Five is forthcoming.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: A request for Ordinance No. 39-2017. A Public Hearing regarding an ordinance amending the codified ordinances of the city of Springdale Ohio to amend sections 153.253, 153.254, and 153.600 of the Springdale Zoning Code related to small cell wireless communication facilities as well as a resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies for 2018.

President Vanover: We need an Ordinance officially doing/joining the legal action.

Adjournment

Mr. Hawkins moved to adjourn. Mrs. Harlow seconded the motion and Council adjourned at 9:09 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2017