

City of Springdale Council

January 3, 2018

President of Council Vanover called Council to order on January 3, 2018.

The governmental body and those in attendance recited the Pledge of Allegiance.

Mrs. McNear took roll call. Council members Anderson, Emerson, Ghantous, Hawkins, Shroyer, Sullivan-Wisecup and Vanover were present.

The minutes of the December 20, 2017 City Council meeting were considered.

Mrs. Emerson made a motion to adopt; Mr. Hawkins seconded. Minutes were adopted as published with seven affirmative votes

Communications - None

Communications from the Audience - None

Ordinances and Resolutions

ORDINANCE NO. 1-2018

ADOPTING THE ANNUAL APPROPRIATION / ESTIMATED RECEIPTS ORDINANCE FOR FISCAL YEAR ENDING DECEMBER 31, 2018

Mr. Hawkins made a motion to adopt; Mrs. Sullivan-Wisecup seconded.

Ordinance No. 1-2018 passes with seven affirmative votes.

ORDINANCE NO. 2-2018

AMENDING THE ZONING MAP FOR THE PROPERTY AT 11905 KENN ROAD CHANGING THE ZONING DISTRICT FROM RESIDENTIAL SINGLE HOUSEHOLD-LOW DENSITY (RHS-L) TO PUBLIC FACILITIES (PF) (CALVARY PENTECOSTAL CHURCH)

President Vanover: This our first reading this evening. Mr. Parham, we have a public hearing scheduled.

Mr. Parham: Yes sir. The public hearing is scheduled for the January 17th meeting.

President Vanover: Is there any discussion at this point?

Mr. Shroyer: Just a question for my own clarification. The church on Cameron Road, was that not a similar situation and we did that by conditional use permit or is this a different issue? I don't believe we changed zoning down there.

Mr. Parham: I'm trying to think of the issue with the church on Cameron.

Mr. Shroyer: That became the center for autism basically I think it was an educational facility.

Mr. Parham: No, I think the difference, I believe here; you're right, that one was formerly a church and became an autism center. This one, as I recall, has an existing or had a previous use as a church and educational facility. Under our zoning, a church can essentially go anywhere within our zoning districts. Because, I think they've not been operating as an educational facility outside a certain period of time, that use then expires. Because they're not going to have a church across the street, they'll just simply have the educational facility across the street. The educational facility cannot go anywhere it pleases and so, I believe this is the reason that we need to amend the zoning code in order to permit the educational or public facilities at the former location of a church which happened to have an educational facility. Does that make sense?

Mr. Shroyer: But I think that's very similar. There was a church on Cameron Road in a residential zoning. The church closed up. The autism center came in to an existing church building under conditional use permit. Not a zoning change. I'm just curious.

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Mr. Parham: What we can do in preparation for the public hearing, we can have that discussion because the Building Official will be here (at the next meeting) as well as perhaps the City Planner and then we can make sure we clarify that question.

Mr. Shroyer: Okay. My thought is if we changing the zoning to public facility and the educational facility doesn't work and there are other options that could come in there. If the educational facility is under conditional use permit, then if they don't work and the building becomes unoccupied again, then does it not then come back to us unless they want to put the same type of a use back in there?

Mr. Parham: I think that as you've indicated, perhaps there are other types of public facilities that would be permissible if it changes to a public facility designation. If they want to, I believe they would still have to, depending on that use, I believe they would still have to go before the Planning Commission. Maybe not necessarily come back before Council, but have to go before Planning Commission. I think you are correct if it's another use that still falls under Public Facilities, it could potentially go in this location because there is no guarantee that the church, this church, Calvary, will always operate it as an educational facility. I do believe they would have to come back before Planning Commission.

Mr. Shroyer: Alright. Thank you.

Mayor Webster: I sort of have some of the same questions and concerns that Mr. Shroyer has. I think I expressed this to Council a few months ago. As Mr. Parham says, a church can go anywhere. We can't control a church. They can go in any district they want. The situation down there at the Lutheran Church was in a residential neighborhood. Everything is fine. They go out of business. So then the autism school comes in. Who can be against something like that. So, we say, "Okay, fine. Go ahead and take that." So then they decide they're going to build some modular units on it. So now we got a main nice looking church building that's still there, but now we've got a pig sty, five modular buildings and who in the hell is going to want to, I mean, if they go out of business, which they stood right before Planning Commission and said, "Ten years is probably the max they will be there." So, what's going to happen to that property at the end of that ten years? Who's going to want to move into something like that? I think it's hard to lay down in front of a school that wants to expand that's doing the great work that the Autism Center is doing, but I think there's times when we have to do that and I think these people at Calvary are the salt of the earth as far as I'm concerned. They've done a great job with the church over there. They've done a great job with their school, they do a tremendous job in the community and I would like to see us work with them as best as we can. At the same time, I don't want to see us get in a situation across the street that we're in with the Lutheran church down there and I think as Mr. Shroyer pointed out, if there's a way we can accommodate what they need on a conditional use permit so that if they do go out of business, it reverts back to residential zoning. Then if somebody wants to do something different than that other than a church, then they've got to go back to not only Planning Commission, but come back to Council for a rezoning of the property. That's my personal opinion as to what I think we ought to strive for here.

Mrs. Emerson: How did we zone that piece of property over there off of Crescentville? That put in the preschool? Did we change the zoning on that too or was it a daycare center?

Mayor Webster: Daycare center.

Mrs. Emerson: For the downstairs? Did that zoning change on that also?

Mr. Parham: Yes, that did change because we had to approve the plan itself, which there was nothing exterior done to the facility, but you also then had to change the zoning to permit the use of a daycare at that facility.

Mrs. Emerson: So how did we zone that?

Mr. Parham: I'd have to look back. Maybe under the PUD? Everybody from the staff is saying PUD. So, I'm sticking with the staff.

Mrs. Emerson: Thank you.

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President Vanover: Anymore discussion on this point? Well, we'll see this again.

RESOLUTION NO. R1-2018
AUTHORIZING THE INVESTMENT OF MUNICIPAL FUNDS

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

Resolution No. R1-2018 passes with seven affirmative votes.

RESOLUTION NO. R2-2018
REQUESTING ADVANCE PAYMENT FROM HAMILTON COUNTY AUDITOR

Mrs. Sullivan-Wisecup made a motion to adopt; Mrs. Emerson seconded.

Resolution No. R2-2018 passes with seven affirmative votes.

Old Business

Mr. Parham: Council, at the December 20th meeting, we shared with you that we had the bid opening for the Jake Sweeney Project earlier that day, so we didn't have an actual assessment by the engineering staff. They have had an opportunity to review all the bids as I indicated at that meeting, Barrett Paving Materials came in as the lowest and was considered the best bid at \$900,779.82. The budget for the project was \$939,676.00 and so the recommendation will be that the City enter into a contract with Barrett Paving. That is scheduled or planned with your concurrence for the January 17th meeting.

Second item under Old Business, since there's been some discussion on the floor, on Item Number Six of the Pending Legislation Report, there is the Ordinance amending Chapter 30 of the Codified Ordinance which is the Council Rules of Procedure. The ordinance was designed to, and this issue is centered around the secret ballots which is identified in the election of the President of Council as well as the Vice-President of Council. The proposed language is to simply remove the statement that says, "the election shall be by secret ballot" in a number of locations within that section. That is also scheduled for, as long as you are in concurrence, for the January 17th Council meeting. I think that's for two readings according to the report. That's all I have. Thank you.

New Business

Mrs. McNear: I have a question for Mrs. Brandstetter. We recently have sworn in our elected officials on December 1st. We're also in the process of swearing in people who have been appointed for Boards or Commissions. We have them sign a document and I was just curious as to whether we should have our elected officials sign the document as well or are we covered because we do this on camera, in front of a judge and that's the practice that we've used?

Mrs. Brandstetter: I do think it's fine how it's been done, but we can certainly check on it. I don't know exactly what the Charter says about that though. I don't think it address it, but I will check on it.

Mrs. McNear: Thank you. Would you like a copy of what we use?

Mrs. Brandstetter: I think we have one.

Mrs. McNear: Okay. Thank you.

Meetings and Announcements

Mrs. McNear: Well, elected officials, it's that time of the year where once a month I start to bug you about the Financial Disclosure Statement that you must file with the Ohio Ethics Commission. These are due Tuesday, May 15th. Don't be late. You will be fined. I will continue to remind you once a month during our reports, but I did just receive this this week and I think you probably all received it via email. I would recommend doing it online. It takes about 2-5 minutes to do it if you've done it once before and you can import your information. Happy filing. That concludes my comment. Thank you.

President Vanover: You're getting easy. Once a month? (Laughter)

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Mrs. Zimmerlin: Civil Service will meet tomorrow on the 4th at 6:00 p.m. in the Administrative Conference Room. Municipal offices will be closed on January 15th in observance of Martin Luther King, Jr. Day. The Community Center will be open that day from 1:00 p.m. to 9:00 p.m. Springdale Youth Sports registration is in process for softball, baseball, t-ball, and soccer. You can contact the Community Center for that. AARP Tax Help begins on the 26th of January and runs through April 6th. Appointments are needed. You'll need to call the Community Center for that. That number is 346-3910.

Mayor Webster: I want to comment on Mrs. McNear's report there. I got a reminder in my in-box yesterday. Give us a break. It's only 24 hours into the new year and all of the sudden the state's saying, "Here's your form." It's pretty hard to ignore when they do that. As far as announcements. As I indicated before, I think, this Friday at 6:30, we will have the Annual Hall of Fame Inductions at the Sports Pep Rally. All 21 teams will be represented and a couple of people from the high school coming over I understand to talk to the kids, so looking forward to a big event and you're all invited to attend at 6:30 p.m. Friday.

Mrs. Emerson: The Board of Health will meet Thursday, January 11th at 7:00 p.m. in the conference room adjacent to here.

Mrs. Sullivan-Wisecup: The Planning Commission will meet Tuesday, January 9th in these chambers.

Mr. Hawkins: Just wanted to say there won't be all 21 teams because the eight-year old girls are going to be playing that night at Glendale because they had a game rescheduled. I'll be watching them in person. The rest of them will be there.

Mayor Webster: Bad scheduling.

Mrs. Sullivan-Wisecup: I was going to say I'm still going to announce them. I am emceeding again this year. We will still announce them and let the girls know we're cheering them on from the Rec Center.

Communications from the Audience - None

Update on legislation still in development

Mr. Hawkins: As you review your Internal Memorandum, Item Number One; an ordinance adopting the Annual Appropriations/Estimated Receipts for Fiscal Year Ending December 31, 2018 was addressed with Ordinance No. 1-2018 which passed with a 7-0 vote. Item Number Two; a resolution Authorizing the Investment of Municipal Funds was addressed with Resolution No. R1-2018 which passed with a 7-0 vote. Item Number Three; resolution Requesting Advance Payment from the County Auditor was addressed with Resolution No. 2-2018 which passed with a 7-0 vote. Item Number Four; an ordinance Amending the Zoning Map for the Property at 11905 Kenn Road Changing the Zoning District From Residential Single Household-Low Density (RSH-L) to Public Facilities (PF) (Calvary Pentecostal Church) which had a first reading. Items Number Five and Six will be addressed at the next meeting both an Ordinance Authorizing an Agreement with the Contractor with the best bid for the Jake Sweeney Place Rehabilitation Project and Declaring an Emergency and Item Number Six was an ordinance Amending Chapter 30 of the Springdale Codified Ordinances regarding Council's Rules of Procedure.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: We'll have a second reading with regard to an ordinance Amending the Zoning Map for the Property at 11905 Kenn Road Changing the Zoning District From Residential Single-Household-Low Density (RSH-L) to Public Facilities (PF) (Calvary Pentecostal Church). Also an ordinance Authorizing an Agreement with Contractor with the best bid for the Jake Sweeney Place Rehabilitation Project and Declaring an Emergency. An ordinance Amending Chapter 30 of the Springdale Codified Ordinances regarding Council's Rules of Procedure.

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Mr. Parham: The only thing that I would add is Item Number Seven, the presentation by the Better Bus Plan by the Better Bus Coalition. They plan on having a representative here.

Adjournment

Mr. Hawkins moved to adjourn. Mrs. Emerson seconded the motion and Council adjourned at 7:27 p.m.

Mr. Parham: Just a quick message that we meant to share with you ahead of time. Mrs. Zimmerlin is going to show you a photograph of a new investment that the City has engaged in that you may find of some interest. As soon as she lights this up. So the Assistant Chief and one of the Captains are in New York. They took that photograph and emailed it to us. Hopefully they will deliver it to the area, I think down in Northern Kentucky next week so they can put all the hardware on and once they put all the hardware on, then they'll deliver it to us.

Mayor Webster: You can barely see the Springdale up there.

President Vanover: Can't we delay it until Spring after all the snow and ice is gone?

Mr. Parham: I have no idea. I asked that question today. How are they going to transport it from New York to here. According to Chief Hoffman, he says, the ones that he has seen, they have driven up with the exception there was one purchased by Ashtabula and was brought up from Florida and said they put that one on a big truck bed and shipped it up, but the others, his understanding is that they have driven them over because of the low mileage on them. We just wanted to share that with you.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2018