

City of Springdale Council

February 20, 2019

President of Council Vanover called Council to order on February 20, 2019.

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

Mrs. McNear provided the Invocation.

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

President Vanover: Mr. Shroyer advised me he would not be here.

The minutes of the February 6, 2019 meeting were considered.

Mrs. Ghantous made a motion to accept the minutes; Mrs. Emerson seconded. The minutes were approved with six affirmative votes. Mr. Shroyer was not present.

Mrs. Zimmerlin: Whenever we get new employees, we like to bring them in to Council to have you meet them and introduce them to the public. I'd like to ask Matt Clayton, our Health Commissioner to introduce Amy Ellis.

Mr. Clayton: Thank you Amanda. It is my distinct pleasure to introduce to the members of Council, Amy Ellis. She is a Public Health Nurse. A registered nurse with the State of Ohio. She began working with us on January 16th. She's been with us for about a month. She comes with about 20 years-experience as a registered nurse. The last 18 and one half years at the City of Hamilton Health Department. Amy has a Bachelor's Degree in Nursing from Northern Kentucky University, where, she graduated with honors. During the course of the hiring process, I had the opportunity to speak with her co-workers and her former supervisors and Amy had glowing recommendations. Amy has a strong work ethic and she has continued on that trend throughout her professional career. She earned the respect of her co-workers for that reason and for her willingness to branch out into things like Public Health Accreditation and Emergency Preparedness. She has shown that work ethic in the City of Springdale and we are thrilled to have her here. Without further ado, Amy Ellis.

Mrs. Ellis: Thank you all for having me. I'm really excited to be here. You have a gem of a community. Everybody who I have met, not only here, my co-workers and my peers, but also out in the community have been very welcoming. I truly look forward to working with all of the citizens in Springdale. Thank you. (Applause).

Committee and Official Reports

Civil Service Commission

Mr. Coleman: Kind of sorry that Mrs. Amy Ellis is leaving because I was going to comment that I have had the opportunity to see her at work already. She was at the Rec Center doing blood pressure tests just the other day. She seemed to be doing an outstanding job. Folks were lined up waiting to get their blood pressure checked. Just a couple of items to report from Civil Service this evening. As you are aware, we were awarded the SAFER Grant. The SAFER Grant has resulted in the hiring of two employees to date. I am pleased to announce the probationary appointment of Mr. Samuel Wyder to the position of Firefighter in the Springdale Fire Department effective January 27, 2019. Also, I'm pleased to announce the probationary appointment of Mr. Josiah Young to the position of Firefighter in the Springdale Fire Department effective January 31, 2019. We have one more position yet to fill and things are looking up. Certainly wanted to you to be aware of that. That concludes my report. Thank you.

Rules and Laws	Mrs. Emerson	-	No report
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Finance Committee	Mr. Hawkins	-	No report
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Planning Commission

Mrs. Sullivan-Wisecup: Planning Commission met on February 12th. PSA Architects, on behalf of Red Dog Pet Resort and Spa for the property located at 12010 Princeton Pike came for a Zone Map Amendment and Preliminary Development Plan. That's the property that is the Staples and the Overstock. Those two buildings; they are wanting to make the Staples into a doggie daycare and boarding house and then they want to make the Overstock into self-storage

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Mrs. Sullivan-Wisecup (continued): that is self-containing; temperature controlled. They also want to make a dog park in between right outside the dog boarding and daycare. After much discussion and lots of different ideas going around, it did pass by a 7-0 vote. I believe you all received the letter from Rich Bauer. Christine Russell came and talked to us and gave us an update on several business that have come before us in the past. She gave us updates on things. Roosters will start improvements in the spring. The Atrium Hotel is in the forfeited land and sheriff's sale. The Home 2 Suites has the final documentation and has filed for demolition and are going forward with their project. The small hospital that was approved is no longer happening. They have decided to pull out of that project. We will no longer have them on our map. Bank of America is moving forward with their plan. Mapleknoll had a small wrinkle. They're waiting on the consolidated plat, but they are eager to proceed. They have much interest in the new units that they are building. Springrose Community have several lots that have holds and sales. The averages are expected to exceed those that were in Woodlawn, so that's a very good thing. Habaneros has reported that they will be open by the end of the month. We had two upcoming ribbon cuttings. It was the Hispanic bakery and Our Health My Clinic. Those were the two that were reported. I think that's everything I have if you have anything to add (directed to Mr. Hawkins) (none). Thank you.

Board of Zoning Appeals

Mrs. Ghantous: The Board of Zoning Appeals met yesterday evening. Six of our members were in attendance. We first had the election of our officers. Joe Ramirez was re-elected as the Chairman. Dave Nienaber was re-elected as the Vice Chairman and Carmen Daniels was re-elected as the Secretary. We did not have any cases to review. We went over the minutes; those were approved and then we adjourned. So, it was another quick one for us.

Board of Health

Mrs. Emerson: The Board of Health met on February 14th. All were in attendance. I wanted to start out with thanking the Calvary Church and Dillard's Department Store Warehouse. They provided an incredible clothing donation to the Princeton Closet with an estimated retail value of \$221,000. That came about was that Dillard's, as they closed their store, they had warehouses with excess clothes and things, and then Calvary Church took those donations and then called us because they're in the church coalition and asked if we knew of anybody who could take those. So, S.O.S. and Princeton Closet benefitted from those. Thank you very much. The Public Health Accreditation continues to be worked on. We have over 60% of the required documents in the system and completed. The Food Program had its second of food facility inspections. Those were completed. There were audits of the retail food establishment program by the Ohio Department of Agriculture. Those were run between January 14th and January 24th. An audit and a summary report is looking to be completed in the next couple of weeks, but we are anticipating all positive comments from that. The second event of Pop-Up Produce was held on January 25th at the Heritage Hill Elementary School. Again, we served 100 families with that. They'll have another one Friday, February 22nd at 10:00 a.m. at the Heritage Hill Elementary School in the school lunchroom. The Ohio EPA 2019 Mosquito Control Grant that we had the year before last we again, submitted a grant application for \$25,000 in funding for the 2019 and 2020 Mosquito Control season. We have not heard on whether we've been accepted for that or not. The State Representative, Jessica Miranda met with the leaders of the City of Springdale and the Springdale Health Department on February 1st to discuss priority issues for the City and the Health Department. Some of the issues that they discussed were funding considerations; increased funding for local public health departments, enhanced community linkage which is increased access to healthcare for the underserved members of the community. Community health addressed health equity. Increased public transportation in areas of poverty and concentrated disadvantages. They're looking for the SORTA Metro bus route to be added to some of the lower-income areas in Springdale to help them get to their jobs. Tobacco, alcohol and drug abuse – increased focus on the link between addiction and mental health issues and elimination of excess finance auditing requirements for the City Health Department. A lot of the things that they audit the City for, they also audit the Health Department for, so, they're looking at deleting some of that repetition. The National Public Health Week will be April 1st through the 7th. Public Health Training is going to occur at the Springdale Community Center April 24th and April 25th. That is for Southwest Ohio Public Health Commissioners, Environmental Health Directors, and Food and Safety Program Supervisors. That is going to be April 24th and April 25th. If you would like to come to that, they need pre-registration for that and that needs to be in by April 15th. You can register at health@springdale.org or call in at

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Mrs. Emerson (continued): (513) 346-5725. That concludes the Commissioner's Report. For the Nurse's Report, on her Communicable Diseases, Hepatitis A continues to increase. We had, last year at this time, we had only three cases in Hamilton County; none in Springdale. This year, for 2019, we have 31 cases in Hamilton County, none in Springdale. The influenza is widespread now through Ohio. In 2018, we had 502 cases that were hospitalized and that was Hamilton County. For Springdale last year, we had 11 cases. This year, we only had 77 cases of hospitalization in Hamilton County and only three in Springdale. We're doing much better with that this year. We had our first pediatric flu death of the season reported in Ohio. That was from a three-year old boy in Highland County. It said, "flu activity traditionally begins the increase in October and can last as late as May with cases typically peaking between December and February." There's been 1,832 flu-associated hospitalizations reported in Ohio so far for this flu season. Significantly less than last year, which was 8,611 reported flu incidences. So, what that is saying is the flu vaccine is hitting the right germs and stuff this year whereas last year, we didn't have that. We had two doses of Narcan given in the month of January. The Children's Health Fair will be held May 3, 2019. They continue to work on putting that all together. That concludes my report unless there are any questions.

Mayor Webster: Mrs. Emerson, I know you mentioned this, but I just wanted to reiterate something on the donation to the Princeton Closet. There was some communications out there on social media that the City of Springdale donated a bunch of money, I don't know, in excess of \$100,000 or \$200,000 to the pantry. I just want to set the record straight that we don't have that kind of money to donate. The truth of the matter is, here's what happened; the Dillard's in Western Hills closed their doors. They contacted several charities, including the Calvary Church here in Springdale to see if they wanted to participate in some of the stuff that they were giving away. Well, when push comes to shove, and it's time to pick it up, most of the charities disappeared. The only one that was still standing was Calvary Church. So then, Calvary contacted our Health Department to see if we needed any of this. Matt (Clayton) said, "We don't need it, but the Princeton Closet can certainly use it." The Springdale Health Commissioner facilitated the movement of the goods from Calvary to the Princeton Closet. In no way, shape, or form did the City of Springdale contribute a penny to this endeavor. I congratulate Matt on a job well done there. The Princeton Closet came out with over \$200,000 worth of product to help with their efforts. They do a tremendous job over there. Mrs. Wyder does a wonderful job and we work very closely with them for S.O.S. to supply coats and hats for the kids and so forth in wintertime. It's a good charity.

Capital Improvements	Mrs. Emerson	-	No report
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O-K-I	Mr. Anderson	-	No report
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Mayor's Report

Mayor Wester: Can I talk about the tax levy for a little bit? We threw around some ideas at the last meeting about special meetings and so forth. So, before I committed to anything, I wanted to talk to Greg Karle to just see what kind of accommodations they could make down there. After talking with him, I really think we're going to have a hard time doing a regular Council meeting down there. I guess I'd like to retract my recommendation and not have the April 3rd or the April 17th meeting, as Mrs. McNear suggested down at the Community Center. I still think we should have the Public Hearing on April 24th and advertise it as a special Council Meeting. Call the roll and the whole nine yards and have the minutes, but the only topic on the agenda will be a public discussion of the earnings tax levy. That is exactly what we did 15 years ago. Unless someone has some heartache with that, we're going to proceed with doing that. April 24th would be a special Council meeting at 7:00 p.m. at the Community Center.

Mrs. Sullivan-Wisecup: Where at the Community Center?

Mayor Webster: It will probably be the auxiliary gym. Greg has a podium naturally and he has a microphone at the podium and then he has two portal microphones, so we could have a couple of people out in the crowd, if you will, with the microphones and elected officials on the platform at the back of the podium. Unless you want to go out and hustle with the microphone. We do have the article that has been prepared for the newsletter. That's ready to go. I think the deadline is one day next week for that. That will be in the newsletter. Our doors are still open for donations. So, if you are so inclined, we need to have you get those in to us so we can make some plans on spending that money to promote the levy. Just make the checks payable

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Mayor Webster (continued): to "Don Darby, Treasurer". That's all I've got to say on that. Now, I'm sure all of you received this letter, this anonymous letter and in keeping with Council's tradition of not reading unsigned communications under the "Communications" part of the agenda, and I think that's terribly important that we do that, we could get some pretty vile stuff sent anonymously, so, however, I don't think there's any precedent on the Mayor reading the letter. So, having said that, I'm going to read the letter that all of us received. By the way, this is the second letter we've received. We've received one similar to this, I think about a year ago, maybe a year and a half. Anyway, here's the letter we all received this week. This is addressed to "Mr. Webster: We are sending you a letter once again, as a plea for action from the combination of different conversations with Tri-County Mall tenants, mall employees, mall contractors, and most important, the customers of Tri-County Mall. The agreed concern is the lack of progress in helping to bring about real change to the Tri-County Mall. As a matter of fact, the mall is in worse shape since SingHaiyi Group purchased the mall than it had ever been in the last sixty years. It's gotten even worse since our last letter. The Tri-County Mall used to be a premier shopping and family destination for people from all around the tri state. It has become a sad reminder that when businesses are taken over by people whose hearts are truly not into their job, then things fail. This failure is only second to that of the failed Cincinnati mall, formerly Forest Fair Mall and we all know what a sad conversation piece that place has become. The consensus from the conversations mentioned above was simple; the stores that remain in Tri-County Mall are struggling. It is truly a time to step up and recognize that the City needs to do something. It is time to put pressure on the SingHaiyi Group. The current owners seem to have all but abandoned this mall and seem to have no desire to help it grow. Their current management sits by and does nothing to encourage stores to stay. This is sad. In this community and the surrounding greater Cincinnati area needs to see this mall succeed. It has roots that go deep into the Springdale Community and the communities beyond. There is truly no reason to let the mall falter. It is very reasonable to assume that there is not a single person sitting on Council today that does not have fond memories of the Tri-County Mall. Either from their youth or from their adulthood with children or grandchildren of their own. There's no reason why these memories can't carry on for many years to come, except for the reason of not knowing anything to help rejuvenate the mall. The mall owners should be reminded by the City that when you choose to invest in property in a certain community, then, you, by default, invest in that community itself. By not doing so is the responsibility the investors to keep the community in the forefront. As of right now, it is obvious that the mall has not done so. Out of curiosity, as a member of City Council, when was the last time that you visited the mall? When is the last time that you had a talk with one of the small business owners or even the managers of some of the major retail stores to get some feedback on what they think can be done by the mall or by the City to help? When was the last time you got on social media to try and encourage shopping and supporting the businesses of the mall? This is all part of showing support for a very important part of the community you represent. Do you really want to be sitting on City Council that will forever be known as 'The Council that let Tri-County Mall Die'? A similar copy of this letter was also sent to the mall management in hopes that they will encourage their owners to stop dragging their feet and get things done. However, it is the hopes of the community that the City and the mall owners can sit down together and make some quick, truthful progress on the promise that the mall owners made at their celebration six years ago that they would bring positive changes to Tri-County Mall. Hoping you will help." I'm not sure exactly where to start with this letter, except to say that the mall is a private enterprise. It is not owned by the City. The City oversees the safety of the mall, makes sure that the buildings are maintained, the lighting in the parking lot, the traffic movement, and all this kind of stuff, but we in no way, shape, or form, are responsible for recruiting or retaining tenants in that mall. Now, on at least three occasions, the mall management has come to the City with detailed, comprehensive plans; gone through the Planning Commission process, gotten approval there, sent it to Council, got approval here and that's the last we ever hear. They take the plans, they leave these chambers, and then they decide that it is too costly to implement the changes that they've sought from the City. There's no way that we can legally make them implement the changes that they sought to make. That's where we stand. The mall owners are not willing to put the money into the mall to make it successful. Now, Mrs. Russell supplied me with some photos of Beechmont Mall. Pass those down to those folks. There is different pictures of what it looked like, I guess in the late 90's to '04, '05, all the way through '15 and what it looks like today. You can, if you're willing to spend the money, and you have some vision, you can salvage a dying mall. I just was informed over the weekend that the Food Court has closed at the mall. I was also informed yesterday that Victoria's Secret, and Bath and Body Works is

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Mayor Webster (continued): closing. GameStop is also closing. That's all we hear from the mall is closings, closings, closings. Now, to be honest with you, we have just, within the last month, sat down with a developer that has an interest in making some changes to the mall. They've reached out to us to help them with some abatement issues and so forth. I guess, my take right now is I'm going to have to see some willingness on the part of the mall to make some changes to that mall or develop those out lots or do something before the City pledges any support to help that failing mall. As far as wanting that on my reputation, or my tombstone, none of us want to see the mall fail. But, there's not a whole lot the City can do. The last time I checked, the mall changed hands for about \$40 million dollars and to be honest, the City just doesn't have \$40 million dollars to invest in a failing mall. I think it's up to the owners in San Francisco and China to try to salvage their \$40 million investment. They're not going to do it by just setting on their hands. They're going to have to be a little proactive. I eagerly await to see that. Anybody else want to comment? You all got the same letter that I got.

Mr. Hawkins: Just echoing the initial part that the Mayor said. The City doesn't control that. People often times forget we have folks come in here and talk about things with regard to the school district and think the City controls things with the school. We don't control that. When you write a letter like this, you need to make sure that you understand that which the City can influence and control and that which we can't. We can't control private entities. It's not communist China where we can make people, as a government agency, do things. It's a capitalistic society and it's a private enterprise and, unfortunately, as the Mayor had indicated, the mall has not followed through on certain things. Sitting on Planning Commission and also being on Council, we've seen a number of things come through. A number of ideas have come through over the years and have been approved, Planning Commission has been supportive, City Council has been supportive, and for whatever reasons, the mall has not followed through with those things. Everybody wants to see the mall be successful, but we don't control the mall. What you have seen from Council and the Administration is support for ideas, nurtured ideas, helped develop ideas. But, the mall has to go through and follow through with them. That's the reality of the circumstance we're in.

Mrs. Sullivan-Wisecup: I just wanted to comment on when this person asked, "Have we been in the mall?". I was in the mall last week. I do shop at the mall. I worked at Kay Jewelers inside Tri-County Mall for seven years. It's not a secret I brought it up during Planning when the mall came with different ideas. I'm a big proponent for the mall. I've known it my whole life, but, like everyone says, we can't control what goes and what stays at the mall. That's not up to us; that's up to the owners. I think everybody here would love to see it full and booming and great. That's not a secret, I feel like we've always supported, even before I was on Council when I was just sitting out and watching the City Council meetings; Council has always been supportive of the mall. The City has always wanted what was in the best interest of the mall. It's in the hands of the owners. We do our part, what we can. Then, at the end of the day, if the owners don't follow through, there's not much that we can really do about. It makes us as sad as it makes the person who wrote the letter. There's not much we can really do about it.

Mrs. McNear: I think the condition of Tri-County Mall is kind of indicative of where retail is in this entire country. People do more on-line shopping. People just don't do the destination shopping centers anymore. That's why you see so many of the centers are not malls anymore, they have a lot of mixed uses. I think that's something that will resurrect the mall, but, until those owners step and do that, we're going to be stuck with this dying mall. As the letters indicated, and several people up here did, nobody wants to see the mall fail. Unfortunately, that's the condition we're in at the moment. Thank you.

Mayor Webster: Coming back to the comment that I made before about what the City can do. We can help with traffic and traffic signals and that kind of stuff. About 15 years ago, the mall came to us and wanted us to create what they call a TIF which is Tax Increment Financing. They were going to make all these changes to the mall, but what they needed was they needed the City to put a traffic signal out on Kemper Road and signalize that. We agreed to do that. City Council created a TIF, we went out, I guess we borrowed a half a million dollars; Jeff you want to help me here. But, anyway, we spent a half a million dollars to put a traffic signal in and improve the intersection. The City was to be repaid with the increased tax revenue coming off the improvements of the mall. So, what does the mall do? Instead of improving the value of the mall, they go down to the Hamilton County Recorder's Office, get the property value reduced, and we got one lousy payment. One lousy tax payment to serve for that half a million dollars. Guess who picked up the tab for the rest of it? The taxpayers of the City of Springdale, the

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Mayor Webster (continued): same one that this person wants us to spend some more money on. So, we tried to help them. I don't know what more we could do. I'm sure not willing to underwrite another TIF for the Tri County Mall.

President Vanover: Well, it was probably close to ten years ago that we did the corridor, developed the plan. We spent time, we had special meetings here. I think I still have a flash drive at the house of all the plans and improvements. It's a two-way street. Unfortunately, we're the only cars driving on our lane. It is aggravating and it's frustrating. I have been to the mall. As a matter of fact, my wife has been aggravated with the closing of one of the jewelry stores there because now service of her ring has to be mailed and that's a whole other story. I don't disagree with a lot of what the individual was saying, but, unfortunately, there is not much we can do. Mrs. McNear is right, retail is still in a quandary. Even to that extent, they're doing some of this which is self-inflicted, because, even grocery stores now are putting orders online and I even saw a commercial tonight where they'll deliver it to your house. So, yet, they're building brand new market places just north of us that opened last week. There are smarter people than I am in that world and I don't have all the answers, but some of it I can't help but think that they're self-inflicting damage upon themselves along the way. Short of a campaign that we all go buy at the mall, unfortunately, there aren't many stores there that would be in my taste, but that's where we are. It just grieves me to look at that mall and think it's a ledger entry on somebody's balance sheet someplace and, unfortunately, I think it's in the red and that is a shame. Mayor, we're still with you on Mayor's Report.

Mayor Webster: Yes, my final item this is all in reference to some ribbon-cuttings. Mrs. Russell and I had the pleasure Saturday of cutting the ribbon at the newest bakery in town down in the, I'm not sure what we even call that plaza, Boulevard Plaza I guess. It's right next to the Boulevard. There's a gentleman down there, a Hispanic gentleman that has started two business; an ice cream shop, and now he's started a bakery. He's got his eye on a third facility down that same plaza and it's really a great operation and the bakery goods were pretty darn good. Can't wait to go down and try the ice cream. Anyway, we cut that ribbon Saturday. Had the pleasure this afternoon of cutting a ribbon for our newest business in town, called "Our Health". It's the former O'Riley's Restaurant down the street. It's a new concept in health care. It's pretty neat and I certainly hope that they're successful. They go around and they sell their services to major corporations. For instance, I don't think they'd mind us divulging the fact that Rumpke is one of their big clients, but Rumpke pays them a set amount and for that amount, all their employees get all their primary care. They get their lab and drug testing, their wellness services, and occupational care at no cost and no insurance involved. They really pride themselves in the fact that this concept allows the doctors to spend as much time with the patients as the patient needs. You're not rushed in and out. We're hoping that they're successful at this different and unique way to provide health care and like I said down there today, it's the most encouraging thing is that Washington is not involved with it. That concludes my report.

Clerk of Council/Finance Director

Mrs. McNear: I have the General Fund Report through January 31, 2019. For receipts we have a net receipt budget of \$18.839 million dollars and we received \$1.715 million dollars in January, which is nine percent of the budget. The Major General Fund Receipt Sources are Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and Mayor's Court. That was a total of \$1.334 million dollars or 78% of the receipts for that month. The expenditures net budget is \$19.156 million dollars and we spent \$1.548 million dollars which is 9% also. The General Fund ending balance through January 31st was \$1.041 million dollars and that concludes my report. Thank you.

Administrator's Report

Mr. Jones: I defer to Mrs. Zimmerlin, thank you.

Mrs. Zimmerlin: No report.

Mrs. McNear: I just wanted to make one correction. On the ending balance, it's \$2.165 million dollars. Not the \$1.041 million dollars. Thank you.

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Law Director’s Report

Mr. Braun: I did want to update Council on some ongoing litigation in the State of Ohio regarding House Bill 49. You may recall, this is the centralized collection of taxes. A large conglomerate of municipalities filed a lawsuit challenging that. I know that I did not represent you at the time, but several of the communities that I did represent and still do are party to that lawsuit, and I can tell you that there was a decision that came down on February 11th from the Tenth District Court of Appeals that, again, supported the centralized collection of taxes, but I wanted you to know that the Municipal League and others are filing an appeal. The case is slowly winding its way to the Ohio Supreme Court and when and if a decision is issued, I will update you again. But, for those listening at home and those on Council, you should know that that decision is a true affront to home rule authority here in Ohio. As a charter community that values home rule authority, we need to support that litigation and the effort of that litigation, which is ultimately to stop what could become the complete collection of taxes across the state of Ohio, which, ultimately, would be a revenue generator. If we think that the things that the Mayor has been talking about at the past few meetings about our revenues going down is a problem, just wait until they charge us to get our own revenue back. I’ll keep you up to date as that House Bill 49 litigation continues, but I wanted you to know it is slowly working its way up to the Court. Thank you.

President Vanover: Thank you.

Engineer’s Report

Mr. Shveg zda: Just one item of update on the Olde Gate Drive Reconstruction. The project has started. They began some of the curb and gutter replacement this week. Obviously, they haven’t gotten very far due to the weather. The storm sewer work will take place as soon as the curb and gutter is replaced. April work will take place after that and they expect to close the road around June 3rd so that they can do the full removal and replacement of the pavement in that area. They’re expecting completion mid-July. That concludes my report.

President Vanover: Council, before we move any further, I have received a request for an Executive Session to be added to the agenda. It would be after “New Business” and before “Meetings and Announcements”, but I will entertain a motion as such to add.

Mr. Hawkins made a motion to add an Executive Session to the agenda as 12 (a); Mr. Anderson seconded the motion. Motion passed with six affirmative votes. Mr. Shroyer was absent.

Communications Mrs. McNear - None

Communications from the Audience - None

Ordinances and Resolutions

Ordinance No. 4-2019
AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO EXECUTE THE HAMILTON COUNTY, OHIO, MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT AND DECLARING AN EMERGENCY

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 4-2019; Mr. Hawkins seconded.

Ordinance No. 4-2019 passes with six affirmative votes. Mr. Shroyer was absent.

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Ordinance No. 5-2019

ORDINANCE AUTHORIZING THE CITY OF SPRINGDALE, OHIO TO ENTER INTO AN INDIVIDUAL PAYMENT SCHEDULE TO A LEASE-PURCHASE AGREEMENT BY AND BETWEEN HUNTINGTON PUBLIC CAPITAL CORPORATION AND THE CITY OF SPRINGDALE, OHIO TO FINANCE THE PURCHASE OF A CHIPPER FOR THE CITY OF SPRINGDALE AND AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY

Mrs. Emerson made a motion to adopt Ordinance No. 5-2019; Mr. Hawkins seconded.

Mr. Anderson: I just have a couple of questions on this if you could help me understand. As I understand it, we do still have one working chipper. We used to have two. The one working chipper, the 2003 or 2013 the one that is in service is able to keep up with our weekly services. The second chipper is really needed when there is a significant event. If we don't have that, it would cause some delays. Is that the urgency? We've been in this state since November, my concern is that we're in a budget crisis and we don't know the outcome of the income tax election for a few more months. I'm trying to understand why we would buy this now without knowing that we can afford a second chipper.

Mayor Webster: If I may answer that. We have two chippers. And, you're right. If we never have a significant wind event and we never break down, we could probably do with one chipper. But, if that's all we have is one chipper and we have a significant wind event, then we're not going to get the limbs picked up. If we have a malfunction with the present chipper, we're not going to be able to get around and get the branches picked up. I think if we want to insure that we're going to be able to continue with the present level of service, then we need to replace the one chipper that is inoperable, in effect. We feel very strongly about that. We had this in the budget for this year to buy it. Just to try and minimize the impact, that's why we've gone with a lease/purchase agreement so we'll only incur one third of the cost of the chipper this year, one third next year and one third in the third year. We feel very strongly that if we want to maintain the quality of service that the people are used to in this City, we need to have two chippers.

Mr. Anderson: And we've been operating this way since November, but I guess my concern is isn't chipper services one of those things that would be "at risk" come the election? If the income tax doesn't pass, this is one of those services that would be on the chopping block. Or, is that not the case? It seems like extra service or timely service of something like this is one of those things that would be near the top of the list. We have a leaking roof in the Rec Center that has buckets under it again. We have issues in the Police Department for locker room facilities. We have leaking roofs here. I guess, why is this more important than those things today? I'm not saying we don't need it.

Mayor Webster: I don't think we're at that point where we need to start picking and choosing. Now, maybe, May 8th, you ask me that question, I might have a different answer. Right now, I have complete faith in the residents of this City that they're going to support this endeavor and then we can continue on providing the services that they're used to. I think, and also, I said this at the staff meeting, I think it's premature for us to start dangling things out there and say, "If you don't vote for it, we're going to eliminate this, we're going to eliminate this." I think that alienates our constituents and it feels like they're being blackmailed. That they feel threatened if they don't do it. I think all of them are intelligent enough to know that if this doesn't pass, then yes, there will be some reductions in service. I'm not sure what those are going to be. I think it's premature to try and start weighing those between Police, Fire, or chipper service.

Mr. Anderson: I certainly didn't intend to put it in a blackmail situation; it's more of a priority for me as to what is more important if your money is tight. Do you fix a leaking roof, or do you buy a second chipper that you would need for sure if the current one was broken? That's my concern. That's just mine. It seems like those other things would be a higher priority and if the opportunity is to finance things like that, I would want to prioritize that type of spending over a second chipper. Thank you.

Mr. Hawkins: We did have this in the budget and that was, I think prior to the second meeting we had with regard to talking about some of the other issues and talking about the

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Mr. Hawkins (continued): income tax increase potential and putting it on the ballot. I think, somewhere in the lines of that, it's not about dangling it out there for the residents saying, "Hey, you don't get this unless we pass this" necessarily, but we had a second meeting for Finance and we were talking about that before we talked about bringing before Council this idea of going before the City with the tax increase. There was some discussion about we're going to have to make some changes and after, whatever happens in regard to that election, we're going to have a meeting and we're going to talk about either the glorious things that we can do coming up, or making some hard choices. Part of it, I think, comes down to I want our residents to have the services that we've had, but, if we can't pass this tax increase, some of those services are going to go. Probably, one of those things may be something like chipper service. So, it's not that we can't have a second chipper; it's more the timing of it. My concern would be why don't we wait on this or table this and bring this back. If something happened, and it was critical and we had no chipper, Administration says, we have no chipper, we literally can't do anything. I understand, two chippers helps us execute this service as efficiently as possible. I know there's a lot of streets to get around, a lot of things to pick up. A lot of limbs to go through. But, if we have one that is active right now and we know we have this situation looming coming up, I would be in favor of holding off on it right and bringing it back. If between now and that election, that chipper goes out and Administration comes to us and say, "Hey, we have nothing. We have nothing going on that we can do with regard to providing any level of that service." I know right now that we probably aren't providing it as efficiently as we would like to do because we only have one chipper, but I think it makes sense with this ballot issue looming to hold off on this and bring this back short of we have a situation like that where the other chipper goes out and we have nothing going on.

Mayor Webster: So what do we do if this one goes out then?

Mr. Hawkins: Bring an ordinance before Council.

Mayor Webster: Let it stack up?

Mr. Hawkins: Well, the reality is if that doesn't pass, there is a good chance we're not going to have a chipper service anyway. I shouldn't say that. I would say this; there's a distinct possibility that they may be a service that goes away. We're going to go through an evaluation of a lot of things, but there is a good chance, right, that that may go away. So, if we're sitting there looking at those numbers, that might be something. Or, it may be something, heaven forbid it doesn't pass, maybe that's something as the Administration and Council goes through and looks at things, maybe, in the tough choices we say, "Hey, this is something that is a service that we think is critical and economically feasible in the grand scheme of things.

Mayor Webster: In '09 and '10, when we went through our last financial crisis, this was not a service that we put on the chopping block. We had a lot of things we considered cutting, and we did cut back on, but we never cut back on the chipper service.

Mr. Hawkins: That is true. I think where we are right now with some of the things we've done over the last ten years, we may be making some hard choices. I am not saying I don't want our City to be able to have a chipper, I'm just saying timing wise, I don't know if the importance of more efficient service right now, is critical than waiting for the next two three months. That's all I'm saying. Again, that may change. This is a fluid thing. So, if the Administration is sitting here going, "Hey look, that chipper we've been operating with since November for the last four months or so is out. We have nothing going." That's a little bit of a different circumstance that we're looking at. I'm just saying timing wise, it makes sense to wait until we get through that. If something happens between now and May, and the Administration says we have nothing in terms of cutting up lumber, I say we address it. That's just my two cents.

Mrs. Zimmerlin: I understand your concern and I respect your position. The only thing I would say about the Public Works Department being able to perform their function if the other chipper goes down, and Administration bringing an ordinance back to Council quickly would be difficult. Jeff Williams spent a couple of weeks working with different banks trying to get quotes and rates for us to be able to finance this and spread it over the three years so that it doesn't have such a large impact on this year's budget. I just want you to bear that in mind while you are deliberating.

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Mrs. Sullivan-Wisecup: I was going to ask something in regards to that. How long do we have this deal? Is this something we have to act on now? Will this still be good after the election?

Mrs. Zimmerlin: This particular rate is good for 30 days.

Mayor Webster: If we want to go in this mode of "let's not spend a dime that we don't have to spend", then do you want us not to replace personnel? That's a majority of our costs to the City? That's about 78% of our budget I think is personnel and related benefits. So, if we're going to go into that mode of operation, the one that you guys are suggesting, then I think we ought to stop replacing people.

Mrs. Emerson: I just got a couple of things. I understand Mr. Hawkins and Mr. Anderson what you are saying. But, with that also, we can't stop running the City because of the "what-if's". I have faith that the residents will come through with this tax increase and I believe that we are Springdale because of the services we offer to our residents. I think they appreciate that. I think if we put this off and let's say like the Mayor said the chipper goes down, by the time we get another chipper, we're going to be into the next season and spring is going to be a big time. That's when people come out and they prune their trees and that kind of stuff. So, it's a big time. It's important that we're able to provide that service. I don't think we need to stop running the City and run scared right now because of all of this. I think the City can afford this, especially when we spread it over three years.

Mr. Anderson: I certainly don't want to give the perception that we're running scared from maintaining services. We've been in this situation since November and I guess I'm trying to understand why it's an emergency today? Why can't it wait two or three months on a "what if it get worse"? I understand we spent some time to get financing and that took a couple of weeks. If there was a break, we could certainly have a special meeting or we could address it. I don't want to spend unnecessary time on this. It is \$60,000, but I think it's a fair question is, Is this urgent enough that it's not running scared. Is it prudent to spend the \$60,000 on this now, not knowing, two or three months where we're going to be?" We're not down today, we've been in this situation since November. Why is this an emergency today?

Mrs. Zimmerlin: I can tell you, in November when we had the ice storm come through, we were greatly impacted by only having the one chipper. We effectively had to suspend our leaf program and just go straight for chipping and that's all we did. If we were able to have two chippers, that would have helped. We would have been able to continue the leaf program as well. Not only that, but, in that case, we did attempt to go out and rent chippers, we tried to go to other communities and borrow chippers. But, there were none to be had. We've felt the pain already of what happens when we're down to one chipper.

President Vanover: And, to that point, I don't know about the rest of my fellow members up here, but I got earfuls on a frequent basis about the leaves piled up at the street that laid there and, unfortunately, Mother Nature wasn't kind to us, I know that. And, quite honestly, November, December, January, and February are not high chipper months because people aren't out. Yes, we can probably get by, but if it goes down, I, myself, am concerned, but I'm not ready to turn the lights out and take the lightbulbs out just yet.

Mr. Hawkins: I think it's timing. I think part of that too is right now it's not a time where we have to use a chipper quite as much as if it's springtime. So, I think it's more of a timing thing is what I'm saying. It's not about running scared, it's not about holding anybody hostage. I am one person. This is my opinion on it, fiscally. If I sat there and looked at how I do things fiscally for my household, if I have a question as far as what is going to be going on economically or I have a concern with regard to reduction in my income, I'm not making significant purchases until I get over that hurdle. That's how I would run my household. It's not about not running the City. We are running the City. I think I already said if for some reason the chipper went out, then come back to Council and say, "The chipper is out and we have nothing to do with regard to that service right now". Again, I am one person. Other people, I'm sure everybody does different things fiscally on this dais. I'm sure everybody does different things fiscally in this City. I'm just saying, me, personally, that's not how I would operate. If I have a concern with regard to my income coming in and there being a problem with that potentially, I'm not making significant purchases. If something came to a major

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Mr. Hawkins (continued): problem, then we'd have to do some things. At the same time, if I had a concern with regard to income, I'm not going to turn my lights off and call Duke and say I'm going to go without electricity. This is about the timing of the situation. It's not about not having a chipper, it's about the timing of when we're doing it. Six of us up here today, take a vote; if people want to pass it, then we'll pass it. It's not going to be the end of the world, I don't think, for the City. I'm just saying it's something that's worthy of a question as to timing wise. Is it necessary right now?

Mrs. McNear: If we order this chipper, what's the delivery date please?

Mrs. Zimmerlin: It's right away. We can have it by next week.

Mrs. McNear: Okay. Thank you.

Mrs. Ghantous: I don't have any problem with the chipper itself, but, I agree with Mr. Hawkins that the timing is questionable. I don't feel super comfortable with this type of decision at this very moment since it's not an emergency in my opinion.

Mr. Jones: I think that our Finance Officer, Jeff Williams would like to offer a couple of words to this. As he's approaching, I want to make sure you understood the magnitude of what Amanda said when she was referring to when we had the situation, the number of calls that came into our office. I was told by a couple of our employees who answer the majority of the calls that the single largest complaint that we have had in this City has nothing to do with anything except the leaf and the limb pickup subsequent to the storm and then getting those leaves cleared out. The Mayor, like I said to Jeff Agricola, for goodness sakes, you have to be able to rent one somewhere. Or, get another jurisdiction to do it and as Amanda articulated; simply not available. When you're in that situation, it's too late. It seems like a luxury if you have two, but in reality, we simply have been providing this service all along. What we went through in the fall, late fall, going into winter is that once it hit, it was too late. I was talking to a guy today from Rumpke at the ribbon-cutting that the Mayor was referring to earlier and he said that a jurisdiction that had a service other than Rumpke decided to pull out over a conflict with the jurisdiction they were dealing with. He said after one week, they're basically telling Rumpke, "We'll do whatever we've got to do. You've got to get in here and get this cleaned up because one week is too long." So, is that the same magnitude? Trash versus leaves and limbs? Well, I'm not trying to articulate that those are the same, but I am trying to emphasize the point that it's too late once you're into it. I understand the timing. It's why we work closely with Jeff and Mr. Agricola about pushing this payment out until late in the fall, but also pushing it out over three years as opposed to this year. Also very mindful, all of us up here of taxpayers' dollars. I think it's important to realize we have a \$20 million dollar budget and we're talking about \$20,000 dollars a year. It's important; it is a large amount of money to all of us, but I think we need to put that into perspective. Thank you.

Mr. Williams: Good Evening. There's just a couple of things I just wanted to bring up. We have mentioned that in the budget, there was \$60,000 approved for the purchase. This year, through the schedule, there would be only \$10,000 spent, next year, \$20,000, \$20,000 the year after that and then the final \$10,000 the year after that. One other thing that, and I don't know, one chipper versus two chippers is the Public Works does collect mulch and that's where the City gets their mulching is through the chipper service. Now, like I said, I don't know one chipper versus two chippers, how much of a difference that makes, but if we have to buy mulch, I'm sure that's not cheap, based on the amount of landscaping that the City has. The final point I have is yes, the process is we call around to the banks and get the best rate. I'd say, eight out of ten times, over the last five years that we've needed financing, Huntington Bank has provided the lowest rate. I'd hate to pull out, in the eleventh hour, because we're supposed to close this deal next week because they're the ones that hold the note on the hotel. If it comes time, if we need to roll it again, and we call them up because everyone else, every other bank I deal with, they want nothing to do with the note on the hotel. Huntington Bank has always said, "Yes, no problem". If we do this and we pull out of this and we come to roll the hotel note and they say, "No"; we have nowhere to go. That's \$1.3 million dollars that we're going to be on the line for, because we owe it. If the earnings tax rate increase passes, it's not going to be money rolling in all of the time right away. Plus, I'd hate the fact that if we need some rolling stock; if we need to lease some Police cruisers and normally, say Huntington says, "No problem, sure we'll have a lease with you guys." And this time they don't, that could end up costing us money by having to go with the next highest rate. Those are my comments and thank you for your time.

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(Once the vote was called and tallied, there was a pause for deliberation as to procedure since it was a 3-3 vote).

Mr. Braun: It fails. It has to achieve four votes.

Ordinance No. 5-2019 failed with three affirmative votes (Emerson, Sullivan-Wisecup, Vanover) and three opposing votes (Anderson, Ghantous, Hawkins). Mr. Shroyer was absent and was unable to break the tie.

Ordinance No. 6-2019

DECLARING CERTAIN CITY PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING THE CITY ADMINISTRATOR TO DISPOSE OF SAID SURPLUS PROPERTY AND DECLARING AN EMERGENCY

Mayor Webster: Could you just give us a couple of seconds. We'd like to caucus here because we may want to ask for this to be withdrawn in light of your action on the previous ordinance. We would like to have this ordinance withdrawn from the agenda.

President Vanover: We have a request from Administration to withdraw the ordinance from the agenda. Do I have a motion?

Mr. Hawkins made a motion to withdraw proposed Ordinance No. 6-2019 from the agenda; Mrs. Sullivan-Wisecup seconded the motion.

Mr. Anderson: I just have one question on having this declared surplus property. Is there any other benefit to having it removed if we have no intention of bringing it back into service at any point in time in the near future?

Mrs. Zimmerlin: Just for trade-in. Right now, it doesn't do us any good. But, in the future, we can bring it back and declare it surplus property at trade-in.

Mr. Anderson: But, it's currently on our books as an asset?

Mrs. Zimmerlin: Yes.

Mr. Anderson: It's just out of service.

Mrs. Zimmerlin: Yes.

Mr. Anderson: There's no other benefit to having it removed from our books.

Mayor Webster: No, but if we come back and the earnings tax passes, we'll certainly bring this back and we had a deal where they would give us a pretty generous allowance for taking this useless piece of equipment. It's useless to us. We can't use it. We can't repair it, but this company wanted it, so, maybe, in June, if we can bring the thing back, then we'll want to give them this piece of equipment at the same time.

Mr. Anderson: Thank you.

Motion to withdraw Ordinance No. 6-2019 from the agenda passes with six affirmative votes. Mr. Shroyer was absent.

Resolution No. R3-2019

RESOLUTION ADOPTING THE HAMILTON COUNTY MULTI-HAZARD MITIGATION PLAN

Mr. Hawkins made a motion to adopt Resolution No. R3-2019; Mr. Anderson seconded.

Mr. Anderson: Just one question for Administration. When this first came out in our pre-reads, when I looked at the Multi-Hazard Plan, it had out of date contact information. I just wanted to make sure that even if we pass it tonight, it's either already been updated.

Mrs. Zimmerlin: It's been updated.

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Mr. Anderson: Okay. Thank you.

Resolution No. R3-2019 passes with six affirmative votes. Mr. Shroyer was absent.

Old Business	-	None
New Business	-	None

Executive Session – Personnel Matters

Mrs. Emerson made a motion to go into Executive Session with the City's Legal Counsel per Ohio Revised Code, Section 121.22, G(1) to discuss terms and conditions of employment, discipline, or demotion of a public employee or official. Mr. Anderson seconded the motion. The motion passed with a 6-0 vote to go into Executive Session. Mr. Shroyer was absent. Council departed chambers at 8:20 p.m. Council returned to chambers at 8:44 p.m.

Meetings and Announcements

Mrs. McNear: This is your notification that you need to file with the Ethics Commission. Your financial statements. Please get those in as soon as you can. I will be following up with everyone and probably starting the next couple of months just to make sure everyone's got it completed. These are due May 15th and don't be late. You will be fined. Thank you.

Mrs. Sullivan-Wisecup: Planning Commission will meet in these chambers on March 12th at 7:00 p.m. Also, this Saturday, the 23rd of February is the Horse Races. Eight dollars at the door. Bring your I.D. You must be 21. Thank you.

Mrs. Zimmerlin: I have a few announcements from the Parks and Rec Department. AARP is still providing income tax help. It is through April 5th and it is on Friday mornings. The program provides assistance for simple state and federal returns. Youth sports registration is currently underway for spring sports including baseball, t-ball, girls' softball, spring soccer and new to this year, spring volleyball. Finally, there are employment opportunities at the Park and Rec Department. They are accepting applications for part-time park and rec maintenance worker and part-time customer service assistant. You can find more information about those two positions on the City's website and for any information about any of the things I just announced, you can also call the Rec center at 346-3910.

Mrs. Emerson: The Board of Health will meet on March 14th at 7:00 in the conference room adjacent to here.

Mrs. Ghantous: The Board of Zoning Appeals will meet Tuesday, March 19th at 7:00 in the chambers here.

Mayor Webster: Yes, I just want to report since I was singled out at the last meeting for having my age questioned for the cinema races. I just wanted to let everybody know that I went down to Kentucky, got a copy of my birth certificate, (laughter) so I will have that with me Saturday night so that I'll be allowed in to the cinema races.

President Vanover: I didn't know stone tablets folded. (Laughter)

Mrs. McNear: Council, I just wanted to redirect you to Resolution No. R3-2019. Section 3, I said there was a typo, it should have been FEMA (F E M A) because it says "E M A". My correction, it should be E M A. I just wanted to make sure everyone is aware of that correction. Thank you.

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

Mr. Hawkins: As you review your Internal Memorandum, Item Number I was addressed with Ordinance No. 4-2019; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement to Provide for Mutual Aid Police Protection and Declaring an Emergency. That passed with a 6-0 vote. Item Number II was addressed with Ordinance No. 5-2019; An Ordinance Authorizing the City to Enter Into a Lease/Purchase Agreement to Finance the Purchase of the 2018 Vermeer Wood Chipper and Declaring an Emergency. That did not pass with a 3-3 vote. Item Number III, which was addressed with Ordinance No. 6-2019; An Ordinance Declaring the 2001 Woodsman Chipper as Surplus Property and Authorizing its Trade-In as a Condition of Purchase of a New Chipper and Declaring an Emergency. That was withdrawn with a 6-0 vote. Item Number IV was addressed with Resolution No. R3-2019; A Resolution Adopting the Hamilton County Multi-Hazard Mitigation Plan. That passed with a 6-0 vote. All other items are forthcoming.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: We have a request for Adopting a Supplemental Appropriation/Estimated Receipts Ordinance to Adjust Appropriations for Current Expenses and Other Expenditures and Adjust Estimated Receipts for the City of Springdale, Ohio During the Fiscal year Ending December 31, 2019. That's it, unless the Administration or Council has anything else to add. (Nothing)

Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Emerson seconded the motion and Council adjourned at 8:48 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2019