

City of Springdale Council

June 15, 2022

President of Council Vanover called Council to order on June 15, 2022

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, Hawkins, Jacobs, Ramirez, Sullivan-Wisecup, and Vanover were present. (Mrs. Ghantous was absent)

President Vanover: Mrs. Ghantous reached out to me and said that she would not be in attendance this evening. She was under the weather.

The minutes of the June 1, 2022 meeting were considered. Mrs. Sullivan-Wisecup made a motion to accept the minutes; Mr. Anderson seconded. The minutes were approved with six affirmative votes. (Mrs. Ghantous was absent)

Committee and Official Reports

Civil Service Commission

Mr. Uhl: I am subbing this evening for Mr. Coleman. He had another engagement he had to attend to. So, I'll attempt to do his report justice. The Civil Service Commission met on June 2nd. We went through a couple of hiring processes that are currently underway. The Fire Department hiring process; we have two full-timers that are currently hired. One started in May; one started in June. We also have three additional firefighters that are in for full-time positions, in the background phase. With the Police Department hiring process we have one offer out there and that officer, or potential officer is in the background stages as well. We have an open position for Custodian at the Community Center. We have several part-time and seasonal opportunities available for Parks and Rec and also Public Works. We had two individuals in the Tax Department that successfully completed probation. The next meeting for Civil Service Commission will be July 7th at 2:00 p.m. That is the end of the report.

Rules and Laws

Mr. Jacobs: We were unable to meet.

Finance Committee

Mr. Hawkins - No report

Planning Commission

Mrs. Sullivan-Wisecup: Planning Commission met last night and we had one thing on our agenda that was 11700 Princeton Pike; the new Artisan, the old Tri-County (mall). We went over all of the specifications for what is required of the developers to follow through with in order to get through Phase One. This was all only for Phase One, and it was a Final Development Plan. Phase One was voted unanimously 7-0 to go forward and they will not need to come back before Planning Commission about anything with Phase One unless the staff at the City feels that it's a big enough change from the original plan to where Planning needs to look at it again. That's all that I have unless you have anything to add Mr. Ramirez. (None) Thank you.

Board of Zoning Appeals

Mr. Anderson: The Board of Zoning Appeals met on May 24th. There was one item of business before us. It was for Sweeney Auto Body at 1280 East Kemper Road. They were looking for a variance for two different sections of the Code, related to one of their business areas moving to down there by like where Costco is. It was for a rooftop mechanical screening and fencing for their waste receptacle. There was something really interesting that I hadn't seen before in Board of Zoning Appeals meeting where they actually had a computer-generated of what the potential change would look like with the drive-thru with the actual pictures using Google Earth, which was really helpful for the Board to understand what the change actually would mean if it was approved, because there's so much mechanical screening that pre-existed, and required existing fences that variance was granted for both of those items. If there's any questions, I'd be happy to answer them.

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Mr. Ramirez: I do have a question. As a member of the Planning Commission, we spent a lot of time on that project, and, Sweeney agreed to do the enclosure, and two weeks later, they come back to BZA and now the Planning Commission is looking like fools because we approved it, and two weeks later, BZA says, no, it's okay, so the question is why are we in this situation?

Mr. Anderson: So, there was discussion about what was actually discussed at that Planning (Commission) meeting. Mr. Hall, who's on Planning was also at the meeting, and he explained what Planning's concerns were. And, the applicant was able to explain how what they were actually doing would address the concerns that he brought before us. I'm not sure that anyone viewed that variance request as an insult or any credibility problem with it. There was some discussion in that meeting that this wasn't much different than what was happening, at least for the mechanical equipment, what was happening at the warehouses over on Crescentville where Planning Commission removed that same requirement that it had previously required screening for HVAC equipment, but then rescinded that. That was an example that was given as this is a similar thing that was done for other businesses and, in that case, by Planning (Commission). The other thing that was relevant at the time was that drive-thru; that screen that they showed.; I don't know if that was available when Planning reviewed it. The new mechanical equipment wasn't visible anyway. So, there was some discussion as whether the variance was even required because the equipment was already screened from the elevations that were given. Which is the requirement for the Zoning Code. So there was some discussion with the Building Department if a variance was even required. Because they did actually meet it based on the documents they provided. It was decided by the Board (of Zoning Appeals) that it was best to give that variance so they had that protection and we knew exactly what was going to be going in there, combined with the already existing equipment that predated the changes that required the screening. So, I apologize if you took that change, but I think we had different information than Planning (Commission) had when they made their decision.

Mr. Ramirez: Well, one of the other issues were the dumpsters; the enclosure on the dumpsters and going forward, that's the first one I know of that's been allowed to let their dumpster stand-alone without any sort of an enclosure, and I'm afraid we're setting a precedent for the rest of the community.

Mr. Anderson: Sure, and that's a great point. There was discussion about that. I don't believe we set a precedent that dumpsters do not have to be screened. What was discussed, actually linked back to the Planning (Commission) requirements for fencing that was already covering the dumpster. So, what was discussed is, based on the Zoning Code, it doesn't say that the screening has to be within a certain distance of the dumpster, and there was already a Planning (Commission) requirement that there was that existing, the new fence that fence, the privacy fence that covered the entire back end of it and that provided the screening, in essence. Again, this was a case where in practice they were meeting the spirit of the Zoning Code and, just to make sure it was clear that the City agreed that that was a good decision is why the variance was granted. I wouldn't view this as a change in position. We still believe that those dumpsters need to be screened, as the Zoning Code requires. We were just making it clear that the fencing that was required by Planning (Commission) did meet that obligation. I hope that helps. It wasn't a "you get special treatment". Substantially, it was already being met.

Mr. Ramirez: See, but, what changed in two weeks when they said, "Yes, we'll do it", and then something, somebody came to them and must have told them that if you want to go to BZA, you can go to BZA and get exemption. So, I don't know why they would say, "Yes", and then two weeks later they come to BZA for an exemption. Nothing changed. The plan is still the same.

Mr. Anderson: You're providing some information that we didn't have. What was described in the meeting was what was given from Planning (Commission) from members of the Board that were in Planning who also voted to approve both what was done in Planning and in BZA.

Mr. Ramirez: Actually, Tom Hall voted against it.

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Mr. Anderson: Additionally, there was a public hearing and there was not objections or comments made in that BZA hearing. If we would have had that information, if anyone from the public, yourself included, would have come to BZA and shared that with us, it's certainly something that we would have taken into account. I can tell you that the fencing one was not a unanimous decision. So, if there was that information made public, it would have been useful during the public hearing as opposed to three weeks later.

Mr. Ramirez: Well, we do have a liaison that's on Planning Commission that sat right there on the BZA right down there, and he had all the answers if need be.

Mr. Anderson: And he provided them and the Board (of Zoning Appeals) felt that it was okay to proceed.

Mrs. Sullivan-Wisecup: When we were in that meeting, originally when we were talking about what needed to be done, they were asking to do exactly what they came and asked you to do at BZA and they were told that if they wanted to do that, they had to go to BZA (Board of Zoning Appeals) and they said, "No, we don't want to do that. We'll do whatever it is you want us to do." So, that's why I was surprised that they did it two weeks later. It has nothing to do with BZA (Board of Zoning Appeals), it has nothing to do with Planning (Commission), it has to do with that particular person, in my opinion, that they got an answer from us, and they were like, "You know what, I'd like it better the other way.", and they went back and did the BZA (Board of Zoning Appeals) stuff. I was surprised. Like I said, it was just like Mr. Ramirez said it was literally two weeks and when they were here they were like, "Oh yeah, no, we don't want to go to BZA (Board of Zoning Appeals). We're good with what you guys have with what this plan is". So, I was surprised, but, at the same time, they knew then that if they wanted what they ended up getting, that they would have to go to BZA Board of Zoning Appeals for a variance.

Mr. Anderson: And that's good information to have. Keep in mind Planning Commission minutes are not approved for us to review that discussion by anyone on the Board by the time that meeting happens. So, what you're describing is conversations and information that we don't have and I can't say, remember I'm one member on BZA (Board of Zoning Appeals). The Board, based on the way that we publish meeting minutes, did not have the benefit of that discussion outside of the liaison that we have from Planning (Commission). And, I can tell you that that comment that you made didn't come up. In fact, I think that it was the opposite that they were given information, I mean, Carl (Lamping) was there.

Mrs. Sullivan-Wisecup: Yes, that's why I was very shocked because it literally, I kept saying when we first were talking I was the very first one to comment at that meeting and I said, "I'm not going to talk about the dumpster enclosure because that's BZA (Board of Zoning Appeals), so I'm not even getting into that". And then I went in and talked about what else we were there to talk about, and then later on, they said they wanted the enclosure and then that's how it was discussed with us was if you want this, if you want the dumpster, this is what Planning, this is what we're going to do and if you don't want this, you have to go to BZA (Board of Zoning Appeals). And they said, "No, no, no. We don't want to go to BZA (Board of Zoning Appeals). We want to do it today." Is that fair to say, Mr. Ramirez that...

Mr. Ramirez: I believe that they wanted to get the building permit as quickly as possible.

Mrs. Sullivan-Wisecup: I agree, and that's why I'm saying I personally don't feel like it's a BZA (Board of Zoning Appeals) or a Planning (Commission) issue. I think it was a back door remedy to what they needed to get done in a timely manner.

Mr. Anderson: I mean, we work with the information that we have at the time.

Mrs. Sullivan-Wisecup: Exactly.

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Mr. Anderson: And there's a public hearing and there's liaison members. So, if you disagree with the decision, I would encourage you to come to the meetings and have that discussion there. Again, I'm one person in there on the Board. I'm giving you the report from the meeting. I'm not defending the decision. I'm telling you that's the conversation we had, and that was the outcome, and they had the variance and are allowed to continue. We did emphasize with them a point that we had heard, that I had heard at other Planning (Commission) meetings about Sweeney specifically about concerns about trash being outside the dumpsters. And, again, that was that they were quite confident that they would maintain; they wouldn't have things around the dumpster in addition. Plus, it is screened. So, I don't know what to tell you. We work with the information we have.

Mayor Webster: Something ain't right here. I mean, if a business, and here again, I have a lot of respect for the Sweeney family; they're one of our most treasured businesses in the City. However, something's wrong when you can stand before Planning Commission and say, "Yes, that's fine.", so I can get my approval, and you get a building permit and then you say, "Oh, wait a minute. Now I want to go before BZA." And then, for whatever reason, BZA (Board of Zoning Appeals) sees the merits in their case, and they give them a variance. Well, why do we have a Planning Commission?

Mr. Anderson: Well, to be fair, there's isn't a hierarchy between those.

Mayor Webster: Something's not right here. So, Joe (Braun) would you look into what all's happened here and see, has something fallen through the cracks? Is somebody taking advantage of us?

Mr. Braun: Well, since I just found out about it, I will look into it, but I will tell you, it does not sound logical to me that one requirement can be imposed by one body in the City, and then you can use a variance to undo that because that's a condition of their approval. It's now not there. So, I will look at that and see if our Code addresses it. It could be a flaw in our Code, and if it is, we can correct that through Rules and Law, but why don't I take a look at it and I'll get back to you. I'm going to try and look at it now, but I will see if there's anything that might prohibit that in the future.

Mayor Webster: In the meantime, I think the City should send Sweeney a letter reminding them of the commitment they made before Planning Commission and the fact that you turned around got that reversed by BZA (Board of Zoning Appeals), and that's not the way we do business in the City Springdale and try to just implore them to go back to build what was approved and comply with all of those restrictions. So, we'll get, unless somebody has an objection to that, we'll get that letter out in the next couple of days to Sweeney.

Mr. Hawkins: Obviously, I'm not on the Board of Zoning Appeals, or Planning Commission. It is important though to note that when it comes to the Board of Zoning Appeals as a quasi-judicial board, there are some limitations on what folks can consider when they're making their decisions and so a lot of that is going to take place in what comes through in that hearing and so, having been on BZA (Board of Zoning Appeals) I know they're going to rely upon their liaison that's on Planning (Commission) and BZA (Board of Zoning Appeals); they're going to rely on Staff as well as for their reports and the information that's generated, but, you know, folks are going to be limited. We'll find ourselves in Hamilton County racking up Mr. Braun's hourly rate if we're taking in a bunch of information that's not taking place in those hearings, so, those individuals that are in those roles need to provide that information where folks can come in and provide the information in the public hearing part of that. But, we've got to be careful in terms of taking information just randomly from meetings that's going to be used for that BZA (Board of Zoning Appeals) decision unless it's coming through as a part of that meeting. Thank you.

Mr. Anderson: I agree with Mr. Hawkins. That's the comment I want to make sure is clear. You're providing information that we didn't have access to and I want to be careful. There's not like a hierarchy between Planning (Commission) and BZA (Board of Zoning Appeals). In fact, what was presented, even at that meeting, was, I mean, Mr. Lamping had described that this had gone to Planning (Commission) and if they wanted to do this, they would need to come to BZA (Board of Zoning Appeals), which is why they were there. So, I think it's certainly an

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Mr. Anderson (continued): opportunity, even if there isn't, you know, if there are conditions for something like this, I think there's an opportunity to put that in the Staff Report so that the BZA (Board of Zoning Appeals) has the option, and ability to read those conditions. That's not part of our packet and there's no expectation that BZA (Board of Zoning Appeals) members will go back and review what happens at however many Planning meetings to find out if there are conditions. So, it sounds like there was some information that may have been useful. I don't want to say that that would have changed the decision. BZA (Board of Zoning Appeals) I believe certainly has the ability to grant variances. Now, if there's a condition that's not being met, I think that's a Planning Commission follow up. BZA (Board of Zoning Appeals) did act and we signed a variance, so, as far as I know, there's no action for BZA (Board of Zoning Appeals) and I'd certainly defer to Mr. Braun if there's something else that we should do differently.

Mayor Webster: I just have one question. Did the liaison from Planning Commission give you guys an update on why or what had happened to that case before it got to you?

Mr. Anderson: I would have to go back and review the notes and the minutes. From my recollection, it's not been my experience that we have or expect the Planning Commission liaison to review what happened for a specific case and testify for that case either for or against. There's a section in BZA (Board of Zoning Appeals) where they give us an update on what happened in Planning Commission, but that doesn't go to the level of detail of saying, "Hey, this body and these are the concerns I had, and this is what the result was". That's never been something that's come to BZA (Board of Zoning Appeals) as long as I have been there. And, I don't know that I'd want them to because to have one person be responsible for being the voice of Planning (Commission) and then re-litigate.

Mayor Webster: What's he there for? He's a liaison. He should share with BZA (Board of Zoning Appeals) the issues that have been debated before Planning Commission. If he's not going to do that, then why do we have a liaison?

Mr. Anderson: I don't want to throw Mr. Hall under the bus here in any way. I believe that he did diligently tell us what happened in Planning (Commission). He didn't testify during that portion of BZA (Board of Zoning Appeals) on behalf of Planning (Commission).

Mayor Webster: So, we have a trial? You keep using the word "testify", so is the BZA (Board of Zoning Appeals) a trial?

Mr. Anderson: It's quasi-judicial. It's not a trial, but the training that the Board (of Zoning Appeals) gets is quasi-judicial; meaning there's certain procedures we're supposed to follow and that's what the Board (of Zoning Appeals) tried to do. So, when I say, "testify", that's probably a little bit strong, but it is more than just people talking or having a conversation. There's an expectation. People are sworn in. That's different than what happens at Planning (Commission) and these other meetings. So, the fact that we're "swearing in" is why I use the word "testify". If there's a better word, tell me what it is. But, when Mr. Hall was speaking in the meeting, there's not a section in BZA (Board of Zoning Appeals) where an applicant, so the staff gives their report, then the applicant has an opportunity to provide additional details. And then, after that, the Chair, in this case me, opens it up for questions from the Board (of Zoning Appeals) for either staff or the applicant. There's never been a process where we check to see if this had gone to Planning (Commission) and then if it's gone to Planning (Commission) have that person who happens to also be on Planning (Commission), provide an update on any of the conditions that were given. In order for us to do that, I feel like we would have to have approved minutes to refer back to if there are questions about conversations and that would slow down the process substantially. So, yes, that's not part of the process, and if it needs to change, we can talk about that. But, that's not part of official reports here. Maybe that's something we can get some more information on from Mr. Braun, and maybe we can have that as an agenda item where we have more information in the future. Again, this isn't; I'm just giving you the information from what we did. I'm not defending either position. I just want to be careful that we're not casting too much disparaging concern on some of our residents that work on this Board (of Zoning Appeals) to be giving their best efforts. I feel like they all were very earnest in how they ask questions, and with the information provided, made the best decision that they felt was proper. And I think that's what

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Mr. Anderson (continued): happened. Again, there was nobody else testifying on the public hearing other than the applicant.

Board of Health

Mr. Jacobs

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No report

Capital Improvements

President Vanover: I guess we'll have to skip that since we don't have a report. We'll hold that one out .

O-K-I

Mr. Anderson: I wish I had my bottle of water. That was more talking than I expected to do on the last one. So, okay, O-K-I did meet on June 9th for its regular board meeting. There was two things, I think that was interesting that the public and the Council might want to hear about that was covered in the meeting. The first one is a bit of good news. A couple of meetings ago, I talked about a survey that was going out from OKI about infrastructure and how people use roads and how it's important that you get that survey request card that you give it back and you respond to it appropriately. Those public surveys did go out and they needed to get 4,000 responses back from the County in order for their data to be valid for them to be able to make meaningful decisions on spending money, making decisions about what roads go where; things like that. They did report that they did get back over 4,000 that they got, meaning that they can now continue to do the planning that they do using statistically valid data that lets them get the federal funds. So, that's good news. The second piece of information I wanted to share was about TIP amendments that were approved in the Board. Why it's exciting anyway is the TIP; this is the Transportation Improvement Program where basically it's the money that comes through OKI. It's one pot of money. There were things added this meeting that included things for traffic calming, sidewalks, shared-use paths around State Route 741, and it also included Western Hills Viaduct Phase One, as well as SORTA bus updates and electrical charging stations, and electrical infrastructure updates. I think that's wonderful. OKI is responding back to the public saying, "We want more green, we want more mixed use, we want more sidewalks, and traffic calming", and that came through and we're backing that up with dollars now. That comes along with what's happening in Springdale too, right? We're doing our mixed use plan, and things like that. So I just thought that was exciting that the rest of the community is kind of in that same green, mixed use, public walking environment and we're putting dollars behind it. So, that was approved at the meeting as well. If there's any other questions about that, I'd be happy to answer it. The only other thing that was interesting about it was that bridge across the river was also discussed and it was a kick off, I don't know if you've seen it; Brent Spence or something like that. That was also discussed; that \$1.6 billion dollar bridge. They're expecting to have the prime contractor decided by October, and the bridge built by 2029 is what they're telling contractors, although they expect it earlier. I hope they're right. But, we're making progress, so I share that as well. Thank you.

Mayor's Report

Mayor Webster: Okay, I gave you guys a break last month, last meeting. No proclamations, but we're back on a proclamation kick again.

"WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including the City of Springdale; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

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WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Springdale recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, I, DOYLE H. WEBSTER, Mayor of the City of Springdale, do hereby proclaim the month of July 2022 as

PARKS AND RECREATION MONTH

In the City of Springdale and I call this observance to the attention of all our citizens.

We'll pass this on to Mr. (Charlie) Wilson. That concludes my report.

Clerk of Council/Finance Director

Mrs. McNear: I have the General Fund update through May 30th 2022. For receipts based on a net receipt budget of \$21.218 million dollars, we have received \$11.620 million dollars, which is 58% of the budget. Those receipt sources are Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and Mayor's Court, which are the top five resources. That is a subtotal of \$10.796 million dollars, which is 93% of the revenue to date. For expenditures, we have a net budget of \$21.349 million dollars, and we have spent \$8.625 million dollars, which is 39% of the budget. Our ending balance in the General Fund through May 30th is \$8.851 million dollars. That concludes my report. Thank you.

Administrator's Report

Mr. Jones: A few different announcements here. Sailfish Swim Team Fundraiser Evening Swim at the pool is June 24th from 8:00 to 10:00 p.m. There's an individual cost, and a family cost for that; \$5 and \$20 respectively. Family Fun Day at the Pool is Sunday, June 26th at 2:00 p.m. This includes a Master Splasher contest, water balloon launch, relay games and plenty of other activities for the family. Asking you to register now for fall sports. We have soccer and volleyball, summer swim lessons, City Service & U, and Swim Team. Family Fitness Day which was held last Saturday on National Family Health and Wellness Day brought in excess of over 40 participants. We have SilverSneakers, a Medicare Program is now here in our community. It is free community center membership with a qualifying Medicare plan. Then, we talked about this previously as well; Concerts in the Park, coming up Thursday, June 16th from 7:30 until 9:00 p.m. The band is My Girl Friday who will be playing 80's rock and modern day hits and then finally, Springdale Youth Boosters will operate the concession stand selling food and beverages for that event. That's it from Administration.

Law Director's Report

Mr. Braun

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No report

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Engineer's Report

Mr. Riggs: I have some good news with the two roof projects. So, the Community Center Reroof Phase Two; all work is substantially complete. That should fall off our list next month. The Salt Dome Roof Replacement Project; the roof has been replaced, but the siding, trim, and the gutter work, that still remains. That should be completed this month. Later this month. The Crescentville Road Improvements; utility work has been ongoing, but actually, roadway construction has begun. They started with some storm drain installations. The Northland Boulevard Reconstruction Project. The right-of-way phase, authorization, and Stage three plans; that's been placed on hold. We actually made a request to ODOT (Ohio Department of Transportation) to push the construction schedule date from first quarter 2024, to the fourth quarter 2024, and that's going to give us a little time to investigate adding a shared use path to the north side of the project. So, all that will be in line with the comprehensive plan and some of the other goals for the larger area that Mr. Anderson was talking about. You have the 747 Curb Replacement and Catch Basin Repair Project. Construction is ongoing and they're about 70% complete, so they're on schedule to be complete late in July. The Kemper CSX Railroad Bridge Repair Project; no change really. But, we did submit final plans to the Hamilton County Engineers Office for approval, so, we're waiting to get those back and finalize the contract and be able to advertise it soon. Ross Park and Chamberlain Park Bridge Repair Projects. The Ross Park Bridge; all work is substantially complete. It began in mid-May, so, there's a few punch list items they need to take care of. The State Route 747 Urban Paving Project; we just actually got Stage Three Plan Review comments back from ODOT (Ohio Department of Transportation) on June 9th. We're actually revising the project to include shared lane markings on (Route) 747 too. So, those shared roads, or the little bike symbols that you see in other areas, that's going to be part of the project. That's all I had.

Communications

Mrs. McNear: Yes. I have one letter from Duke Energy from Amy B. Spiller who is the president of Duke Energy Ohio and Kentucky. This is a notification that they will be requesting and filing an application with the Public Utilities Commission of Ohio to increase our natural gas rates. If anyone wants additional details, it will be on file in my office. Thank you.

President Vanover: Thank you. I guess.

Mrs. McNear: Especially after we haven't had any power for a couple of days, depending on where you are in the City. It's kind of a double-slap.

Communications from the Audience - None

Ordinances and Resolutions

Resolution No. R11-2022

A RESOLUTION AUTHORIZING THE CITY OF SPRINGDALE'S PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM

Mr. Anderson made a motion to adopt Resolution No. R11-2022; Mr. Hawkins seconded.

Mr. Anderson: This is probably a question for Mr. Braun. If our intention is to then follow up this resolution with two ordinances by virtue of the resolution. Do we need to make sure that it's signed first so that it's in effect before we sign ordinances that use it?

Mr. Braun: You just have to pass them in sequence.

Mr. Anderson: Okay. Thank you.

Mr. Braun: Once you've given approval to participate in the program, then you can do purchasing from the program. They just have to be sequentially numbered, which is why we started with (Resolution) No. 11, asking you to authorize participation, which we will then sign before we make those purchases.

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Mr. Anderson: And that was really the crux of it. Do we need to wait to have Mayor Webster and Mr. Vanover sign it and then we'll move on? Is that the intent?

Mr. Braun: Yes. Our intent is to sign the participation, send that off, which we would have to do before we could even purchase.

Mr. Anderson: Okay. Thank you.

Resolution No. R11-2022 passes with six affirmative votes. (Mrs. Ghantous was absent)

Ordinance No. 19-2022

AN ORDINANCE ACCEPTING A PROPOSAL UNDER THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH STRAWSER CONSTRUCTION, INC. IN THE AMOUNT OF \$157,153.00 FOR THE 2022 ANNUAL STREET IMPROVEMENT PROGRAM – CRACK SEAL PROJECT AND DECLARING AN EMERGENCY

Mr. Hawkins made a motion to adopt Ordinance No. 19-2022; Mrs. Sullivan-Wisecup seconded.

Mr. Anderson: This includes an emergency clause for an item that we just approved before. Can you help me understand why we're getting two emergency clause items for road construction projects on the heels of the program. Does the program itself not allow us to do these contracts over the normal ordinance timeline?

Mr. Braun: I think the reason that they were emergencies, as I understand it, is that they wanted to get the bid price, which was only available for a limited amount of time on the two items.

Mr. Anderson: So, with the state program, there's an item and we're "piggy-backing" off of something that has a deadline so that if we don't pass it as an emergency tonight, we'll miss that? It's not that that price is linked? Because other state purchasing programs that we have participated in set a bid amount and then let us purchase like we do for our vehicles where we have approval.

Mr. Braun: I think that's something that you would have to ask Mr. Agricola, but that's the reason that was provided as to why that we needed to do an emergency was to secure that bid price, and also to keep on schedule for the project. If you would like, I don't know, Mr. Agricola is not here tonight so I can't ask him, but, that's all the information that I have.

Mr. Anderson: But, if Administration is saying that that is the deadline, I'm comfortable with that. I just want to make sure that we're not doing it for Administrative convenience; that it's really the deadline.

Mr. Braun: I don't think the City Engineer knows either. Like I said, we'd have to ask Mr. Agricola who provides the information, but, typically what I can speak to is that when we have a schedule, we can secure the price and get the product, even after we put our request in, there's usually a time delay, particularly with the State projects, so that we can get in the queue. Unfortunately though, I can't tell you if that's the case here.

Mr. Anderson: So, the ordinance is coming from Administration, so, you believe that it is an emergency for the reason stated. Is that accurate? Yes?

Mr. Jones: Yes.

Mr. Anderson: Thank you. That's all I needed. I just want to make sure that we're doing it for a reason.

Mr. Hawkins: Never mind. Thank you.

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Ordinance No. 19-2022 passes with six affirmative votes. (Mrs. Ghantous was absent)

Ordinance No. 20-2022

AN ORDINANCE ACCEPTING A PROPOSAL UNDER THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH PAVEMENT TECHNOLOGY, INC. IN THE AMOUNT OF \$96,179.00 FOR THE 2022 ANNUAL STREET IMPROVEMENT PROGRAM – PAVEMENT REJUVENATOR PROJECT AND DECLARING AN EMERGENCY

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 20-2022. Mr. Hawkins seconded.

Mr. Braun: I did want to tell you on the first one I can speak to regarding the emergency. We received the proposal May 26th, and it does expire if not accepted on June 26th. So, again, I wasn't prepared for the question, but it does leave them the option to change terms, or withdraw it after 30 days. It also indicates in there that the terms were based on information provided to them on that date. So, I think the reason that we needed to do that as an emergency is we got that on the 26th, and Mr. Agricola got it to us, and obviously want to retain that 30 day window. So, that gives a little more information.

President Vanover: Thank you.

Ordinance No. 20-2022 passes with six affirmative votes. (Mrs. Ghantous was absent).

Ordinance No. 21-2022

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH MSC PH JV, LLC RELATED TO THE POSSIBLE RELOCATION OF THE SPRINGDALE COMMUNITY CENTER AND DECLARING AN EMERGENCY

Mr. Hawkins made a motion to adopt Ordinance No. 21-2022; Mrs. Sullivan-Wisecup seconded.

Mr. Anderson: In the emergency clause, it describes the reason as to engage consultants and engage the public. I was hoping the Administration could describe a little bit, if possible, the current state of the discussions. What are the open items, what do we intend to do between now and September to get to the final decision. The last public engagement session for this was two months ago, and there have been a lot of questions, obviously, and a lot of interest about what's happening behind the scenes. If we're going to extend it to September for decision, it would be really helpful if we could share some of that to make sure that it makes sense to extend and not just make it a decision.

Mr. Braun: What I would tell you is I think that one of the reasons that the agreement is being extended is because the terms are dramatically changing. And, we, being Administration, have had extensive negotiations with the developer that might significantly change the terms of a relocation, should that occur. It wouldn't change what the developer is going to be delivering, but, the method under which it will be delivered could significantly change. And, those discussions have been ongoing with their attorneys, our attorneys, and then Staff. So, as a result of that, we think it would be advantageous to the City for us to continue those negotiations down the way they're going.

Mayor Webster: We've asked for 90 days. Hopefully it won't take that long, but rather than come back before Council every meeting and ask for an extension, the developer and we agreed jointly to ask for 90 days and hopefully we'll get it done before then.

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Mr. Anderson: So, to be clear, so Planning Commission approved Phase One which included, in the presentation, a Princeton STEAM (Science Technology, Engineering, Arts, Math) installment, and our Community Center moving as part of the Planning Commission approval. I was a little surprised by that because they didn't describe the uses. They actually named us, and Princeton, which Princeton, from my understanding, has declined the invitation to be there. So, in the emergency clause it also says to engage the public. So, I understand the discussions, and the changes, and that doesn't surprise me. This is a big project and a big change. Things will happen. What's going to be done to engage the public, which is included in this ordinance, once those conversations behind the scenes happen. The last public engagement was in April. One of the things that people in the public ask for is, "When's the next engagement session?" The answer back from Administration at the time was, "There's no intention to do one." So, when I read this, I was hopeful that there would be more now that we know more about it. Do we intend to do that, or, is the public engagement, do we need to strike that from this ordinance?

Mr. Braun: I would suggest that it needs to stay in there because ultimately if there is a lease, purchase, or donation of the property in fee simple or in leasehold, then that would have to come before Council. So, that, obviously will take place in a public body, which is where the public would be engaged to provide comment on that, as well as Council.

Mrs. Sullivan-Wisecup: I just wanted to touch on, you said that Planning Commission last night when they were discussing, they did say the STEAM thing and what they said was that was what was proposed in the beginning. They were going over everything that was in the preliminary plan that we had approved to come in and those were the only two specific ones that we had technically approved that, at the time, we knew were possibly coming. Those were the ones at the time they thought they had on lock and they were like, "This is coming, this is coming, this is coming." Those are the three they've always said the whole time and so when, I think it was Anne McBride had brought that up when she was talking, I believe she was going through the preliminary what was said during the preliminary because I thought that was odd too that she specifically mentioned the STEAM thing. I don't know if she even knows that that's off the table now, but I'm sure she does. But, I don't know that they were saying this is definitely going to be there. Because in our discussion about uses it said that as long as something was an approved use, that they wouldn't have to come back before Planning (Commission). So, we didn't specifically approve Princeton's moving in, or Springdale's moving in. Like they said, if Springdale doesn't move in, they're talking about was it Lifetime that they have a connection with or something like that as an example? So, if we didn't go in, recreational use is already an approved use so they wouldn't have to come back before us and say, "Oh, it's not you guys, it's somebody else." I think they're still holding out hope that there might be a school, or an educational something in there. So that's why we haven't really taken that off the table during Planning (Commission). I believe it was the intention of that, not so much as saying this is definitely going in. I don't want to speak for Mrs. McBride, but that was the way that I took it last night.

Mr. Anderson: That is helpful because it's confusing for people who aren't in the room having these discussions as they evolve. What they see is in the public meeting. They still see things like Princeton, and I was at the Planning (Commission) meeting last night. It wasn't said, "These are approved uses." The developer presented those items and it's confusing so I want to make sure it's clear. That's why I think the public engagement is so important, especially once we get some more. Princeton said in their open meeting that they've declined, and that was two months ago; a month and a half ago. Mr. Braun mentioned some discussion about in terms of lease and building and rules and fee simple and some transfers might happen and that's why you'd want to include it. I think that's interesting. One of the things I've heard people ask for, and I haven't heard that we're going to do yet, is an analysis of our facilities. What is the current run rate of it? What is the operating cost for the past five years, and the next five years so we can compare as we make that decision. The MOD (Memorandum of Understanding) included a consultant deliverable that was supposed to be available to us two and a half months ago. This amendment to the MOU is just extending the date; that end date. But, it doesn't adjust other deliverables that were listed in the MOU. Do we have some of those other deliverables, or do we need to change other dates, including the MOU? Should we expect the consultant's report about facilities? Or is that just not going to happen?

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Mr. Uhl: We do have a facilities assessment project underway. The current community center is wrapped up and completed. We're doing the other buildings. They'll be I think scheduled for next Thursday. So, the deliverables that you're talking about that are contained within the MOU specifically, I'm not exactly sure what that deliverable is. My understanding when I read through the MOU, the deliverable was a draft of a lease was a deliverable or are you speaking of something else?

Mr. Anderson: There was another. The developers were listed as a requirement that they were engaging a consultant group to do an assessment of the recreational facilities for that site. And that was something that was going to be provided for us to use in our deliberation on whether or not we should move. That was supposed to be an input to our decision. And there was a date associated with that. I know there have been public records requests asking for it from public members too, so there's something there. If it's not going to happen, we should just say that, or, if we need to fix the date, we should say that too. The building assessment you mentioned; I'm glad that it's making progress. I think that'd be really useful. Is there a draft available or when do you expect a draft available that we could look at?

Mr. Uhl: We do have a draft available now. So, part of our intention was to meet back with that facilities assessment committee to go through our facilities with that to kind of make a presentation to them.

Mr. Anderson: Is that scheduled yet, or is that TBD (to be determined)?

Mr. Uhl: Not yet because the other facilities assessments are scheduled to take place next Thursday, so we're going to try and instead of meeting individually on each facility, try and get everything together or at least batch them together with some tentative or proposed ideas on future use.

Mr. Anderson: That sounds great. I appreciate that. I know there's work on it in the background; we just don't all see it, and I just want to make sure that if we're going to change the MOU that we capture all the things that we need to.

Mr. Uhl: Yes, and that deliverable you're talking about; I'm wondering if that isn't the architectural design, layout, and planning of the actual physical space and square footage of Dillard's. I don't have the exact verbiage in front of me to talk about it.

Mr. Anderson: But, you're comfortable this is the only date we need to change. The other deliverables are unchanged?

Mr. Uhl: Correct.

Mr. Anderson: Great. Thank you.

Mr. Hawkins: My question is more along the line of just expectations for residents. Obviously, everyone I'm sure is getting a lot of different questions in terms of what's going to happen next. And then expectations in terms of Council. Obviously, the Administration is going through the process of this negotiation and trying to ferret out all issues and address those and see where we land with all that. Should Council and residents expect that either way there's going to be some type of action that Council is going to be asked to do with regard to this, or at the end of the day if the Administration goes through this process, and is not satisfied with how those negotiations go, be it with regard to the lease, or the terms, or whatever. Would the Administration just come to a meeting and indicate, "Hey look, we're not recommending that we move." Or, is Council going to see something regardless and/or will the public see anything before that matter comes before a Council meeting. Because it doesn't sound like there's going to be any other public input sessions. So, just so folks have an expectation of sort of next steps, and how things will resolve themselves.

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Mayor Webster: Okay, well the next step is Administration will make a recommendation to City Council and maybe a committee to Council, maybe Finance Committee, and we'll give you all the reasons why we recommend moving or not moving. So, you'll be privy to what went into our decision. But, they'll be made public before and no, I think Council should be the first to hear that and I just don't see any value in having another pep rally.

Mr. Hawkins: Well, I'm not placing judgement on what should or shouldn't happen. I just want to make sure everybody has a clear expectation of whether it's members of Council on the dais, or residents so everybody knows sort of what to expect in terms of how this will resolve itself. Thank you.

Mayor Webster: Let me just follow up. I would think, and I'll yield to Mr. Braun on this, but, I would think that once we get to that point that that we would have an Executive Session of Council to discuss those issues before we brought it out on the floor of Council.

Mr. Hawkins: I appreciate that there's going to be some things that may need to be discussed in Executive Session, but, at the same time, some of the "why" or the "what" I'm sure folks are going to want to know publicly, and so I don't know if some of that's going to be discussed in a discussion we have vote, but if we have an Executive Session, folks hands are going to be tied in terms of what's going to be discussed on the floor of Council, and otherwise when there are going to be questions that come inevitably from residents for or against the idea no matter the recommendation is or what happens. So, I have some concern with regard to an Executive Session for all of it if it's not directly leading to some litigation or something like that that's going to impact us or impact us in terms of how we're finishing with some kind of negotiation, but, at the point that we're going to vote on the floor of Council, I would imagine whatever it is has already been discussed and figured out, Administration would have already gone through those negotiations. I hate to tie the hands of the other folks on the dais that are going to be or have been asked questions or continue to be asked questions by not being able to discuss the "why" of what we're voting for when it comes to that point. So, I know it's a difficult thing, but...

Mayor Webster: Before you're asked to cast a vote, you'll know everything that we know.

Mr. Hawkins: I appreciate that, but my issue is that if we're doing that all in Executive Session, then that means that nobody on this dais can then talk or answer questions when residents ask us why we voted for what we voted for; whatever direction that is. So, I'm just asking that when that time comes, I'm cautioning the idea of us having an Executive Session if the Administration is already gone through and figured out through that negotiation what their recommendation is because if it's not made public, then we can't share with anybody; we can't have the discussion of why we're doing it. That's all I'm saying. So, we're not there yet, but that idea of not publicizing the "why" is concerning.

Mr. Braun: I think it's worth pointing out if you're concern is that Council is not going to have an opportunity to discuss whatever ultimate legislation will come before you, that will have to happen. If it's a lease agreement, we're going to need to come before you with an ordinance authorizing a lease. If they're going to donate the property to us, then it's going to have to come before you to accept that donation. If there's going to be a quasi-purchase; meaning somehow there's a deal struck where there's credit, or it amounts in that we ultimately we own it, again, there's an ordinance that would have to authorize that which will come before Council. So, the only thing I would point out while we can have discussions privately in Executive Session about authorizations and strategy, ultimately that decision will come out before this body in one of those three ways. Based on the discussions that are taking place, I believe it will probably be one of the latter options, and, if it comes out in that manner, then obviously you can't take possession or ownership of property without this body authorizing it. So, I think that might help you to understand or for us to share with you what's going on so that maybe you'll better understand that there will be that opportunity for Council to openly talk about what that looks like, what the ramifications might be. Should it turn out to be a lease agreement, obviously, that might come before you in final form, but I still think you would be afforded the opportunity to weigh in and, if this body wants to change something, obviously, we would go back. All of these three reasons though are reasons to extend the

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Mr. Braun (continued): MOU so that we have that time to explore all three options. So that's really what we're asking for tonight.

Mrs. Sullivan-Wisecup: Okay, well you kind of answered my question, but basically you're saying that when we go into an Executive Session, we're not talking about the "why"; we're talking about the money, and when we come out here we can discuss the "why" so that the residents, and anybody who's wondering and wanting to get the answers to questions will know what everybody else knows. Correct? I just want to make sure that everything is crystal clear. If we go into Executive Session, we're talking about money, figures, business, and if we're coming out here, we'll explain the reasons why we needed the business and how it's going to go forward.

Mr. Braun: I don't think there would be any limitation on talking about either in public. I think what we would be talking about privately in Executive Session would be what this body would like to create a consensus to send Administration to do based on whatever we're able to bring to you at that time. I'm not even sure that there will be an Executive Session discussion on it.

Mrs. Sullivan-Wisecup: Okay. That was my next question.

Mr. Braun: I think that's up to the Mayor and staff, so I also don't want to presuppose this will be done outside of an open meeting. Ultimately though, final decision making; no matter what it is, because I don't see any other option other than the three I discussed, will take place in an open meeting in a vote by this body in some form or fashion. I think what the Mayor's really saying to you is that sometimes those negotiations.....we would rather not bring to you a deal or talk about a deal until we know that's the deal. Because there's no sense in telling people it's going to be "x" or "y" if in 30, 60, 90 days, the deal becomes "z", so, I think that's really what's going on. I think there will be plenty of opportunity for you to discuss it as a body because ultimately you decide whether you approve it or not. But what I will tell you is the folks that are up here at the dais are having those discussions with the developer now in the hopes of bringing to you the best deal they can get for the City.

Mr. Anderson: To be clear, the decision to have an Executive Session is Council's decision; it's not Administration's. You may request one or ask for it and explain whatever it is that needs to be protected, like Economic Development or trade secrets. So, that makes sense. I share Mr. Hawkins' concern about having even money discussions if there's a deal to be discussed; that's a matter of the public; it's not our money; we're stewards of it. So, and just like the Rec Center, and the facilities. So, it is Council's decision to have an Executive Session, so really it's up to us and I share Mr. Hawkins' concern. I think as much as possible especially with all the interest in this, it's a big deal. We should have as much of that in public as possible, so, I agree with that. Thank you.

Mayor Webster: I can guarantee Council that we're not going to dump an agreement or recommendation yay or nay on your desk and expect you to pass an ordinance the same night; approving or rejecting it. That's not going to happen. I mean, it's too important. We've taken all this long to try to feather out the details of it and like Mr. Braun said, get the best possible deal we can get for the City, and once we arrived at our final decision, then we'll share those with you and we'll share whatever details we possibly can with you, but I think if we try to go back and cover six, seven, eight months-worth of back and forth with the developer, whether it's an open Council meeting or whether it was a closed Council meeting, or Executive Session, it would take hours, and hours, and hours. But, we will share with you the areas that we have had concerns about, and then how we've gone about addressing those. So, there's nothing secret about this; it's just a matter of how we get this thing done.

Mr. Uhl: I think what I'm hearing too is I know you may be getting some questions because that initial MOU (Memorandum of Understanding) had an expiration of June 30th. So, I think what our intention is to do as well is post something on our website or Facebook, or both just to let everyone know that if this is passed, that we have extended the MOU agreement and that we are continuing to work with the developer on terms and conditions and what those are just so everyone kind of knows, and we'll let everyone know that at the end. We hope to have some type of a decision made prior to September 30th of this year, and that obviously we'll be

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Mr. Uhl (continued): able to share some information when it does become publicly available. But, I think that may help with some of the comments or questions that you may be receiving, especially in the short term knowing that we're up against a deadline. If Council does approve this tonight, we're committed to put that information out there publicly to kind of help that process.

Mr. Anderson: I think that would be really, really helpful. And, don't misunderstand the questions. There is a lot of work going on behind the scenes, but, that's the challenge is that the nature of this changes behinds the scenes and there's a lot of people that are interested in getting any information and in some cases, they're taking little tidbits of data and trying to connect dots like the MOU expiring soon and that means we're going to make a decision. There's more to it and anything we can do to help people understand the timeline of what's going to happen I think will help a lot. You know, you had even mentioned that facilities committee meeting that was sudden. It was a surprise to people because we didn't talk about creating a committee here on Council like we did when the CIC (Council Investigative Committee) was created. The Charter already has a facilities committee; it's the Public Works Committee that's charged with assessing building changes. That committee wasn't called for this purpose that you just described. A new committee was created and an announcement put out a day before that they were going to meet. So, can you help me understand what that committee is that you mentioned, Mr. Uhl that facilities committee. Is that the Public Works Committee the Charter describes as doing that work or is this a Mayoral Committee because we didn't create a committee here for that.

Mr. Uhl: So, this was the committee that Council formed. I believe President Vanover formed this committee.

Mr. Anderson: Here? Because the CIC (Council Investigative Committee) we had a vote to form a committee. It was recommended. We had a vote to form the committee and then we took nominations for who should be part of that committee. You're saying this is a Council committee that was created ad hoc at President Vanover's discretion and he assigned people outside of that process?

Mr. Uhl: I believe the Mayor had a conversation about the representative from Capital Improvements and a representative from Finance Committee to be a part of some of these discussions that would involve the facility that we have at the Community Center.

Mr. Anderson: We have a standing committee listed in the Charter for that exact purpose. We didn't use that in this case. We created a new one outside of that process. Is that what happened? The Charter specifically has a Public Works Committee and inside of the Charter it says it's for assessing facilities. It's one of the named items. That's not this. You're saying there's a new committee that was created outside of the Council meeting, and then people assigned to it.

Mayor Webster: It was created outside of an open Council meeting.

Mr. Anderson: Okay.

Mayor Webster: Okay. You reference the facilities assessment. It's totally separate and apart from this MOU (Memorandum of Understanding). It's never been connected to this. We independently did that and we shared that with Council that we had entered into a consulting contract with KZF and I forget the name of the other company to do these facilities assessments. And we shared that with Council that we had embarked upon that and we were hoping to have that back to help make the decision on the lease, or the move of the Community Center. I contacted Mr. Vanover and said, "Tom, we've got this thing going on, we've got these facilities assessments that will be coming in. Those things are going to take place regardless of whether the Rec Center moves or doesn't move. We need to have those assessments on all of our buildings. The decisions that are going to have to be made on some of those things are going to affect this City for years, and years, and years. And I would suggest that you have a committee. Maybe made up of Finance Committee and Capital Improvements; one person from each of those. I would further suggest that, and if you can possibly put somebody that's going to be on there past next year's elections, it would certainly

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Mayor Webster (continued): help.” And so, that was the conversation that I asked, well, and you know what happened, your wife was at the meeting, so, there was no big dark secrets that took place there. We laid out that we had these facilities assessments taking place. We hoped to get the one back for the Rec Center that would help us with making the decision on the Rec Center move. And, as Mr. Uhl has just indicated, we did get a preliminary assessment for that, but not on the other buildings. And, so, there’s nothing, I don’t know what’s your concern about those committees?

Mr. Anderson: I was trying to understand where it came from. I was surprised when it showed up, in that specific case, when it showed up on the website the day before. I didn’t know what it was because the Charter already has a committee just like what you described that we have people assigned to. I’m not saying that we shouldn’t have created a committee. This goes back to the point and a continuation of the discussion of I was having with Mr. Uhl about communicating to the public what’s going on because while this assessment is going on, a meeting for a committee that had never been discussed in public before shows up the day before, I suspect that if it was discussed more, there would have been more interest in that meeting, and the public would have had more of an opportunity to participate and hear what’s going on. So, this isn’t; I don’t have an agenda; I’m trying to understand what’s happening because I was surprised by that. Because, the last time we formed an ad hoc or special purpose committee, which is our right to do, that happened here in this meeting, and we had a vote on it, and we nominated members, and then we continued. Right? This was done differently, so, I’m just trying to understand. I thought maybe it was a Mayoral committee, which is fine. I just am trying to understand what it was. I’m in the dark as much as the public on some of this stuff, and I’m just trying to understand.

President Vanover: Well, Mr. Braun, you can correct me if I’m wrong. We can establish sub-committees at our will and reckon. This was albeit, rather quick, because, A), We had stuff in process that, and it made sense that Finance Committee, and Capital Improvements because those are both going to be intricately affected and associated with this move. So, that’s, you know, there’s no deep, dark smoke-filled room back room negotiation going on. There’s nothing malicious or, and I personally, I resent the inference that we’re trying to slide something through. Just like this discussion about the executive meeting. We have executive meetings on labor negotiations, we do not report to the public all of the give and take of those negotiations. Quite honestly, what matters to the public is what the final product is. Whether, you know, they get “x” amount percent raise, numbers, any of that, the back and forth negotiation, that’s the prerogative of A) The Administration, and it doesn’t, quite honestly, I don’t see any higher need or desire to the public what this negotiation is. The final product; yes, because we’re spending money. But, so that, I, you know, it genuinely perturbs me, putting it mildly, that the inference is that there’s some deep, dark, secret. I didn’t call Mr. Jacobs and say, “Hey, we’re going to meet under cover of darkness and hold you to incommunicado communications, nor did I do that to Mr. Hawkins. The meeting was advertised. There were people there, so it’s not, maybe it’s one, well, rarely do we do, but, quite honestly, you mentioned Public Works. Typically Public Works, historically, the association has been roads, sidewalks, driveways, those facilities there; not building construction, not Capital Improvements.

Mr. Anderson: It’s named. I’m sorry. I didn’t mean to interrupt, but, it’s explicitly named. Buildings are explicitly named in the Charter as part of Public Works. So, that’s why it’s a surprise, and because we do it so rarely, is why, and, to be clear, I’m not accusing you of doing anything in the dark, but, we didn’t create, I can’t think of a time where we’ve created a special purpose subcommittee like that that wasn’t done, or, at least the rest of Council notified that it was happening. I think a good test of that is did the people that go to that meeting have a good understanding of what the purpose was of that committee going into it. Because I wasn’t there, but, from what I understand, a good portion of the meeting was trying to figure out what is the purpose of this. What is this group going to do? So, all I’m saying, again, this is, I’m not accusing you of doing anything wrong. It’s going back to the discussion that I was having with Mr. Uhl about how can we better communicate that because unless you were following the website, day to day, you wouldn’t have known that this facilities meeting was happening, and that makes it difficult when the public doesn’t have a lot of information and they have a lot of interest in what’s happening. So, there are people that feel like there are things happening behind the scenes, and then when these things come up and they ask me, “Hey, what’s this facilities meeting?”. I didn’t even know it was on there. Even in that case, you know, if you

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Mr. Anderson (continued): create a committee, I would think maybe, and maybe it's something we need to adjust the Council rules for, is when a special purpose committee is formed, that Council is at least notified that a committee happened, right? Because, that didn't happen, right? So, I'm not trying to escalate the conversation, but, I'm saying you took some umbrage to the inference that there was something dark going on. I took umbrage to the, I was a little bit concerned that we were creating committees and not even telling Council that a committee has been created, right? Because, we had a committee that should have done that. Now, you're point about having a different make up; that's a good one, but, we also did that too, like when did Public Works, you had somebody that was off-setting for their terms. Now, they didn't, I don't know if they're Finance, Joe, Mr. Ramirez is on Public Works, but not in this new meeting, but so maybe that's the only difference. But, it goes back to that point is the more we communicate the better. In this case, a committee was formed and we didn't know, and, what it's purpose was, and, people are asking questions, "Hey, what's going on with the facilities?", now a day before, there's a meeting, "Hey, what's going on?" I don't even know what that is. So, it just makes it difficult for us to help communicate the hard work that's going on behind the scenes if we don't know why some of those public decisions are made. So.

President Vanover: Well, that's the sum total of the decision. I had a communication and a discussion with Mayor Webster. I thought it was a good idea because this committee, unlike the, say, Public Works, is going to be multi-faceted, and you mentioned, well, the CIC. I completely agree. That was brand new virgin territory. This is too. We've never, and we may never ever see anything like this. I mean, everybody has complained about the existence of the mall and wanted something done. Now, we've got somebody coming in wanting to do something. It just, some of this anger I don't understand because they sit and you know, "What's going on, what's going on? Why hasn't this been done?" There was a lot of inference out there that we owned the mall. We don't own the mall. Never did, never will. So, you know, we are at, and a lot of projects; it's the developer coming in with his money. There's no private money. There was inferences in some of the original meetings that the City is spending money. No, the City's not buying nothing; we're not putting money into that, except maybe some engineering and legal, but, other than that, that's not City money being spent.

Mr. Anderson: But, in the past we have though, and that's why people have questions, right? So, if you look back at the JCPenney TIF (Tax Increment Financing) that was created in, I think 2006, the City paid money into that TIF at the mall, right? So, it might be people piecing together that information where the City put money into a TIF directly, and we didn't get it back. We were supposed to over that period. It's reported every year in our budget documents, right? So, people are trying to find out this information. I'm just trying to share and help and be a good agent to share this information, right? So, when I ask the question about the facilities committee meeting, it wasn't an indictment. I'm trying to understand what was created so that we can dispel some of that unknown so that people can get excited about it like we are, and worth the time about the mall being redeveloped. This doesn't stop that work. This is, "Hey these are concerns that we could have done better communicating", let's see if we can do better moving forward. It's not a personal attack.

Mrs. Sullivan-Wisecup: I think that all of these discussions are very, very important to have. Obviously everyone wants to know the answers. Ordinance 21-2022 is about extending the Memorandum of Understanding and somehow we're talking about subcommittees; which I know, it took 500 left turns and I think I was part of at least one of them, but I personally want to bring it back to making sure that what we're discussing is what we're discussing. If that could help. I fully believe in everything that's being said obviously needed to be said, because there's things that needed to be cleared up and discussions that need to be had, but we do have a first and second on this and we've had a bunch of discussion that is off, off. I'm not saying it's all off, it's just gotten off a little further and further. I want to bring it back a little bit.

Mr. Anderson: If I may, I believe that the discussions we have are important. I also do believe that all of those discussions are related to the MOU (Memorandum of Understanding) because the MOU is describing work that we're going to do in good faith to do these facilities changes. All of the discussion we've had in this topic has been around items in the MOU, and right now, we're only amending the date. So, the discussion, at least for me, to understand is

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Mr. Anderson (continued): it appropriate to extend it if we're going to continue the way we are, or if there's other things that need to be added to the MOU in addition. So, I do take your point. It feels like we've taken left turns.

Mrs. Sullivan-Wisecup: Yes, because you're talking about a committee that has nothing to do with this MOU.

Mr. Anderson: But I do think it's on topic.

Mrs. Sullivan-Wisecup: It's not mentioned in the MOU, and the MOU has no bearing on that committee... correct?

Mr. Anderson: It's an input into the decision is what Mr. Uhl described because they're going to get the facilities cost and run rates and that will help us determine if it's economically feasible or smart to make that change.

Mrs. Sullivan-Wisecup: We're going to get that information regardless of if they have that meeting or not, correct? I want to make sure that I'm understanding everything here is that we're going to get those numbers and those facts whether Mr. Jacobs and Mr. Hawkins ever meet again.

Mr. Uhl: Correct.

Mrs. Sullivan-Wisecup: Okay. Thank you.

Mayor Webster: Mr. Anderson you're raising the same questions that Mr. Hawkins, in some degree, Mr. Jacobs raised at the meeting. And, I assured both of them, I said, "Before we meet again, we probably will already have presented our recommendations to Council, and you guys have already taken action before this committee, this special committee that Mr. Vanover appointed, before we even meet again." So, you know, it's not like we're trying to create reasons for the Council to vote one way or the other, the two things are separate and apart. The only linkage would be the facilities assessment of the Community Center. As Mrs. Sullivan-Wisecup just mentioned, you guys will see that before you're asked to make a decision on moving the Rec Center. But, this committee will not meet again, I'm going to guarantee you, at least it will not meet again until this decision is put to bed.

Mr. Anderson: That's very helpful. Thank you.

Mayor Webster: No connection between the two.

Mr. Anderson: And that's good information to have. Thank you.

Ordinance No. 21-2022 passes with six affirmative votes. (Mrs. Ghantous was absent)

Old Business

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None

New Business

President Vanover: Well, I've got a couple, I'll term them "PSA's". Maybe the next newsletter that we get an article about how when signals are interrupted, the power goes down, how that intersection is supposed to be treated. Just coming over here tonight, Crescentville and (Route) 747 was a dodgem. When the power on signaled intersections goes down, you treat them like a four-way stop; plain and simple. Not a "California roll" through a four-way; it's a four-way stop. And, if everybody; it's almost like entering a, or getting on an interstate. Everybody just kind of do the "zipper technique" let one in front, we all get where we're going without having to call PD (Police Department), and wreckers to pick up the pieces. Second one, is, in this little bag, is a nail. It is one of seven that I have extracted out of six brand new tires on just my wife and I, and that's just since March. I don't count my daughter and her significant other in the process. So, please, contractors, or whoever, police your area. The most recent one I picked up some time between Saturday evening, and Monday morning when I found it pumping gas. New tires ain't cheap. I'm well into five figures. So, contractors, will you please,

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President Vanover (continued): and public, if you're out, I'm walking the streets, darn near every day. I picked up, well, just on Friday, we walked, a 16 penny nail, now granted it takes a whole lot more of that to get into a tire, but you know, please contractors police your area, save us all some, and public, if you see something, report it. We've had, I called Mr. Jones and that same day, the street sweeper was up going through so, just to save my sanity and my pocketbook, because the public or City money is not spent on my tires, not directly. So, that's my PSA for the evening, and I will get off my soapbox.

Meetings and Announcements

Mr. Anderson: The Board of Zoning Appeals will meet in these chambers on June 28th at 7:00 p.m. We do have at least one item before us. I'm not sure if there's more than one though. I'd have to check the agenda when it comes out.

Mrs. Sullivan-Wisecup: Planning Commission will meet on Tuesday, July 12th at 7:00 p.m. in these chambers.

Mr. Hawkins: More of I guess an announcement. The program the City has been running this week with regard to the youth allowing them to tour the Police Department, Fire Department, Public Works, Rec Center, and I believe they'll be coming to the Municipal Building as well, has been fantastic. My kids have been engaged in that; they've been enjoying that. Got to meet the Police Chief, honk the horns of the big trucks, and all that fun stuff, but it's been a great program. I just want to thank the Administration, and all the staff from other departments that have been engaged in it and if folks have kids, and they didn't get a chance to do it this year, they should definitely look at it in the future. Thank you.

Mr. Uhl: Just an update. Civil Service meeting, I think I made mention of it earlier, July 7th at 2:00 p.m. And, tentatively, Rules and Laws Committee will meet July 6th. We're trying to meet the deadline for the next Planning Commission meeting to bring that Zoning text amendment to them for the peer-to-peer car sharing. So, as long as everyone is able, and available, our intention is to have another meeting on July 6th at 6:30 p.m.

Communications from the Audience

Ms. Wells: Hello, I'm Katie Wells. I live at 11486 Bernhart Court. I wanted to come quickly, I know the meeting is taking a while and I have kids to get to, bring up the MOU (Memorandum of Understanding) extension here. I know we have discussed that. There is a lot happening behind the scenes and that we need more time, obviously and that there may be communications happening in the background that we will get information eventually. I just want to make sure because I had heard from a lot of people all over Springdale that we can definitely bring this back to Council without having to do an emergency declaration because then we only get one opportunity to sit here with you guys and hear the discussion. The discussion actually was a lot. There was a lot to talk about that had to do with the MOU extension and we could have used two sessions of Council today to have these discussions to continue the conversation and not make it feel like we have to rush through it. So, I just really urge, and I hope that we can bring it back to Council without having to do an emergency declaration. That's all I have. Thank you.

Update on legislation still in development

Mr. Hawkins: As you review your Internal Memorandums, Item Number I was addressed with Ordinance No. 21-2022; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Execute an Amendment to the Memorandum of Understanding with MSC PH JV, LLC Related to the Possible Relocation of the Springdale Community Center and Declaring an Emergency. That passed with a 6-0 vote. Item Number II was addressed with Resolution No. R11-2022; A Resolution Authorizing the City of Springdale to Participate in the State of Ohio Department of Transportation (ODOT) Cooperative Purchasing Program. That passed with a 6-0 vote. Item Number III was addressed with Ordinance No. 19-2022; An Ordinance Accepting a Proposal Under the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program and Authorizing the Mayor and Clerk of

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Mr. Hawkins (continued): Council/Finance Director to Enter Into an Agreement with Strawser Construction, Inc. for the 2022 Annual Street Improvement Program – Crack Seal and Declaring an Emergency. That passed with a 6-0 vote. Item Number IV was addressed with Ordinance No. 20-2022; An Ordinance Accepting a Proposal Under the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program and Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with Pavement Technology, Inc. for the 2022 Annual Street Improvement Program – Pavement Rejuvenator and Declaring an Emergency. That passed with a 6-0 vote. All other matters are forthcoming.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: There's a request for A Resolution Adopting the 2023 Tax Budget of the City of Springdale for the Year January 1, 2023 through December 31, 2023. There's also a request for A Resolution Authorizing an Agreement Between the City of Springdale and the State of Ohio for the Capital Appropriations Award to Repair and Rehabilitate Outdoor Tennis and Basketball Courts at 11999 Lawnview Avenue. That's it unless there's anything else from Council or the Administration.

Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Sullivan-Wisecup seconded the motion and Council adjourned at 8:36 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2022