

City of Springdale Council

April 2, 2014

President of Council Tom Vanover called Council to order on April 2, 2014, at 7:00 p.m.

The governmental body and those in attendance recited the pledge of allegiance.

Mrs. McNear took roll call. Present were Council members Diehl, Emerson, Harlow, Hawkins, Knox, Squires, and Vanover.

Mr. Vanover: We have two additions to the agenda: Item 6A is an Introduction of new employee and Item 9A is an Executive Session.

The minutes of March 19, 2014 were approved with seven affirmative votes.

Communications

Mrs. McNear: I have two items this evening. The first one is a letter from the CHMA; this is the Cincinnati Metropolitan Housing Authority and the letter is addressed to us by Gregory D. Johnson; he is the Chief Executive Officer as well as a Springdale resident. The letter states:

*"The past 18 months at the Cincinnati Metropolitan Housing Authority have been a time of transformation. The enclosed Report to the Community reflects on the Gold Performance Standards that have been implemented and have been the driving force behind the transformation.*

*CMHA's employees have shown great commitment, innovation, and creativity during this time to ensure that CMHA is an asset to Hamilton County. This report highlights those efforts with the initiation of programs such as the Good Neighbor Agreement, Asset Management Curb Appeal contest and additional community sessions presented by the Housing Choice Voucher program.*

*I thank you for taking the time to read about the transformation efforts taking place at CMHA and look forward to sharing more exciting news with you in the future."*

Mrs. McNear: He did send a report. If anyone would like to see it, it will be on file in my office.

Mrs. McNear: The second item we have is from Dusty Rhodes, Auditor of Hamilton County. His letter is dated March 13, 2014 and is addressed to Mayor Doyle Webster. It states:

*"Along with the better than 50% cuts in the Local Government Fund and the elimination of the state reductions for property tax levies, another state change this year will have a dramatic effect on many of our constituents.*

*The Homestead Exemption for property owners who are 65 and over or permanently disabled will, from this year forward, be means tested. That means owners who have annual incomes over \$30,500 will no longer be eligible for this program.*

*However, existing recipients of this tax exemption will not be affected nor will those who were over 65 prior to January 1, 2014 provided they are already on the program or they register for it before June 2 this year.*

*We are making an extra effort to reach everyone who may be eligible but are not now on the program. I am enclosing a pamphlet we have prepared which explains the program, its' requirements, and the changes.*

*I hope you can help us by sharing this information with your constituents. If you need more copies please let me know. Should you need to reach me about this or any other matter, my direct line is (513) 946-4050.*

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*Annual tax savings under the Homestead program in Hamilton County range from about \$350 to \$740. This exemption results in no loss in taxes to your community as the reduction is made up by the state."*

Mrs. McNear: He did include a pamphlet. If anyone would like to see that, feel free to stop by my office. That concludes the Communications. Thank you.

Mr. Vanover: I want to add one. I got an email today; this is from a Mr. Jerry Townsend:

*"Good Afternoon Mr. Vanover. I want to introduce myself and the company I represent, Global Environmental Services. We are an electronic recycling firm that has just opened a warehouse collection facility at 11675 Chesterdale Road and the only electronic recycler serving the Cincinnati area that is certified to the strictest of environmental standards. We hold certifications with e-Steward, R2, ISO-9001, ISO-14001, and OHSAS18001, all verified by a third party auditor. We have a processing center in Georgetown, Kentucky and Austin, Texas. As we grow our operation here, we'll be adding more equipment, processes, and employees.*

*I am offering the community a free recycling event where unwanted electronics can be dropped off at our facility on April 26, 2014. We accept items Monday through Friday, 8:00 a.m. to 5:00 p.m. again, free of charge."*

Mr. Vanover: This is on April 26<sup>th</sup>, and it's at 11675 Chesterdale Road. So if any of our residents or Council members have any electronic stuff they want to get rid of, we now have a business in town that deals with that.

Mayor Webster: I just cut the ribbon last week for eWaste. It sounds like it's the same type of operation, so they're not the only guy in town. I dropped a TV off there yesterday.

Communications from the Audience

Jim Rokiski, 829 East Crescentville Road: I have water coming from the neighbor's yard. He doesn't have any drain at all. The drain he did have, he put some black paper down and put big rocks on it and also put his garbage can out there between the houses. I'm getting all his water; my property's lower than his. My backyard is flooded all the time, anytime it rains. He should drain his water out to the street like he's supposed to. That's where it used to go. I guess it's stopped up.

Mayor Webster: Have you called the Building Department; did they come out and look at it?

Jim Rokiski: I did call the Building Department; Gordon knows about it and shrugs his shoulders.

Mayor Webster confirms the address and states we'll have somebody take a look at it.

Jim Rokiski: Appreciate it; thank you.

Mr. Squires: I was the one that went by your house earlier and talked to you about that very problem. I did it in relation to the Housing Committee here in the City of Springdale. I made notes of what you had and I turned that over to the Administration and it got to the Building Department. I understand an Inspector did go out there but I didn't get any follow-up on it. The Mayor's taking some notes down so I assume that we'll get somebody else out there and look at it. But you're not being ignored.

Jim Rokiski: All you have to do is ask him to fix the drain so he can get that water out of there.

Mr. Squires: We walked out there on the property if you recall and looked at it.

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Jim Rokiski: My property is lower than his and I get all the water.

Mr. Squires: I'm pretty sure the city will get someone else out there to look at it. Thank you for coming.

Mr. Parham verified Mr. Rokiski's address.

Megan Sullivan-Wisecup: I'm President of Springdale Youth Boosters here in Springdale. I'm here to talk about Opening Day Parade. We, under the guidance of Charlie Wilson, have decided to move the parade back to a later date because our official Opening Day would be the week before Easter and we know that some families have Spring Break that week so we felt it best, to get the most participation out of everybody, to move it to May 3rd. Of course we'd like to invite our elected officials to participate in our parade. Jake Sweeney is donating the cars again. Hopefully this year it will be with the tops down. We're hoping by moving it back that we finally get our wish of a sunny day. I forgot what it's like to have the ceremony out in the amphitheatre and I'd love to have that happen again.

Spring Youth Boosters is also having one of our fundraisers that day. It's at Gold Star Chili. We're going to have flyers that we pass out at the parade along the route and at the actual ceremony. If you bring that with you and go into Gold Star any time that day, they're going to give us 15% and the owner of Gold Star said that they will match what Gold Star Corporation gives us so we'll actually get 30% of anything anyone buys that day. It's going to be huge for Springdale Youth Boosters, so we definitely want as many people to come out as possible for that and our parade. I have invitations for you. The parade is starting at 09:00 a.m. on May 3<sup>rd</sup>; we ask that everybody participating in the parade be there by 08:45 a.m. It's in the parking lot of Value City and Burlington Coat Factory. Please RSVP to me like you normally do. If you have a driver let me know; if not, we'll get you one.

Mr. Parham: Council, one of our account clerks, Mrs. Donna Roberts, in the Tax Department will be retiring after 15 years of service. We have completed a process of bringing on a full-time person to replace Mrs. Roberts. At this time, I am going to have our Finance Officer/Tax Commissioner, Mr. Jeff Williams, step forward to introduce our new employee.

Mr. Williams: Good evening. As Mr. Parham said, Donna Roberts is retiring and we did a search for a new account clerk. We chose Sam Fogle. He is the new Account Clerk for the Tax Department. He is a resident of Liberty Township. He's married with four boys. He is a graduate of the University of Kentucky, a former U.S. Navy Officer from 1985-1991 in computer repair. Sam has worked for retirement communities, banking positions, and he has worked at Sam's Club here in Springdale. He also served seven years as the Treasurer of Marion County, Kentucky.

Sam Fogle: I appreciate you giving me the opportunity to work for Springdale; I look forward to it.

Mr. Williams: Sam has jumped right in and he's doing a great job. He's been here about three weeks.

Mayor Webster: They say you only have one chance to make a first impression. The first time I walked into the lobby and I saw Sam with his University of Kentucky sweatshirt on, I said yes! Welcome aboard Sam.

Mr. Williams: I also wanted to mention the extended hours in the Tax Department. April 9<sup>th</sup>, we're open until 7; April 10<sup>th</sup>, we're open until 7; on Saturday the 12<sup>th</sup>, we're open from 09:00 a.m. until 1 p.m.; and then on the 14<sup>th</sup>, we're open until 7. Thank you very much.

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ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 10-2014

ACCEPTING THE BEST BID FOR THE PURCHASE OF TWO (2) 2015 37,000 GVW SINGLE AXLE TRUCK CABS AND CHASSIS AND DECLARING AN EMERGENCY

Mr. Squires made a motion to adopt; Mr. Knox seconded.

Mr. Hawkins: I have a question – Mr. Parham, with regard to what we had put in the budget when we were initially just thinking about one for the \$132,000. Did that include the upfit? I know that's obviously on Ordinance number 11 but I didn't recall if that was just the truck or if that was the truck and the upfit.

Mr. Parham: The \$132,000 that was in the budget would include both the cab chassis and the upfit.

Ordinance 10-2014 passed with seven affirmative votes.

ORDINANCE NO. 11-2014

ACCEPTING THE BEST BID FOR THE FURNISHING, FABRICATION, INSTALLATION, AND DELIVERY OF TWO (2) COMPLETE TRUCK BODY EQUIPMENT AND ACCESSORY PACKAGES AND DECLARING AN EMERGENCY

Mr. Squires made a motion to adopt; Mrs. Harlow seconded.

Mr. Parham: Council, I reported to you at the last meeting that we received two bids for the upfit equipment and Henderson turned out to be the successful bidder. We received three bids for the cab chassis and Freightliner is the successful bidder for that. With Freightliner, their bid for the chassis is \$75,156. As called out in that particular ordinance, we also took advantage of the five-year warranty being offered by Freightliner. I believe this will be very useful for us, especially after the experiences we have had with vehicles this year.

As we all know, earlier this year, Council adopted legislation to authorize us to borrow \$270,000 to cover the cost of the purchase of these two vehicles. In the budget there was \$132,000 to purchase one dump truck. Instead of paying out that \$132,000 this year, we'll pay out \$92,205. We will also pay that amount over the next two years. Actually, the cost for the vehicles turned out to be \$256,498. We did borrow the \$270,000 amount, because we had to close on that process prior to the culmination of the truck bids becoming available.

Ordinance 11-2014 passed with seven affirmative votes.

ORDINANCE NO. 12-2014

AN ORDINANCE VACATING A STRIP OF LAND 16 ½ FEET BY APPROXIMATELY 84 FEET, COMMONLY KNOWN AS A PORTION OF OAK VALLEY, WITH TITLE VESTING TO THE FIRST BAPTIST CHURCH OF SPRINGDALE, INC., AND AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE VACATION AND DECLARING AN EMERGENCY

Mr. Knox made a motion to adopt; Mr. Squires seconded.

Mrs. Harlow: I will be abstaining on this ordinance since my name is officially on the rolls of that church as a member, although I do not attend.

Ordinance 12-2014 passed with six affirmative votes; Mrs. Harlow abstained.

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ORDINANCE NO. 13-2014

AMENDING THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO, TO AMEND SECTIONS (A)(3)(a) and (A)(3)(b) OF CHAPTER 153.533 OF THE SPRINGDALE ZONING CODE

Mr. Vanover: Council, this is the First Reading. Are there any questions/discussion at this point?

Mr. Parham: Council, as I pointed out in the Pending Legislation Report, this is something we adopted first back in 2009. The only thing that changes this year are the dates, making it effective May 20<sup>th</sup>, 2014 until May 19<sup>th</sup>, 2015.

Mr. Diehl: I believe this is the last year that the Planning Commission is going to recommend this.

Mr. Hawkins: Mr. Diehl, based on that, is there any thought there should be some other examination into the current ordinances or is Planning just thinking it's gone on long enough? I know I was on Planning when we first started this; what's the thought that Planning has regarding this?

Mr. Diehl: I think Planning feels this has gone on long enough. I'm sure they can look at any possible terms or changes to the original code. This will probably be the last year this will come up.

Mayor Webster: I would certainly hope looking at the rewrite of the Zoning Code that we'd take this into consideration. This is something we've brought before Council for how many years? Five. I don't think the city's been harmed by it; I think some businesses have benefitted from being able to do this.

RESOLUTION NO. 4-2014

DECLARING THE NECESSITY OF IMPROVING THE DRIVE APRONS IN THE PUBLIC RIGHT-OF-WAY AS PART OF THE ASHMORE COURT AND WOODVALE COURT IMPROVEMENT PROGRAM

Mr. Squires made a motion to adopt; Mr. Knox seconded.

Mr. Parham: Council, you will find on Exhibit "A" attached to the resolution the eleven properties that are identified that would be required to make repairs or replacement to all or a portion of their drive aprons. There are three that are identified on Ashmore Court; the other eight are on Woodvale Court. As reported to you at the last meeting, there are five additional properties that will need to have their aprons repaired. In essence, they will be raised because of the fact we are raising the curb on the street and that cost will be borne by the City. If Council passes the resolution this evening, then we will forward the notice indicating to the residents that they have the ability to object to this process. If anyone objects, for those individuals we will need to establish a Board of Equalization. If no one objects, then we will continue on with the improvement. We would then at a later date ask Council to adopt an Ordinance of Assessment which actually assesses the cost onto their property taxes. We have in hand the rates our contractor will charge. We will identify for the residents what their cost would be with our contractor, but each individual has the ability to go out and get their own contractor to perform the work themselves.

Mr. Hawkins: The Board of Equalization, is that done by the Law Director randomly or how does that happen?

Mr. Parham: That's a good question. I think the Council appoints the three individuals.

Resolution 4-2014 passed with seven affirmative votes.

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Old Business

Mr. Hawkins: Just checking to see where we are with regards to resolution with regard to commending the Princeton women's basketball team for their State Championship.

Mr. Thamann: We received an email today from Greg Karle who was able to get a hold of the Assistant Athletic Director; he forwarded information to us about the school and the team's accomplishments so that we could put the Proclamation together. We're following up with them to find out if they would be available at our second meeting in April. My concern is we get too late into the school year I think they're going to lose interest in showing up so we'll try to get them in here that second meeting in April if we can. That's where we stand on that.

New Business

Mr. Parham: Council, as we've shared with you in the annual budget under the Residential Recycling Fund, we have a curbside recycling participation rate of households in the city of 87%. We know the number because the City actually pays for those recycling bins. We pay 75 cents per household per month. The 87% is 2,690 of our 3,080 of total households. While we have a very high registration, our participation, or at least the volume that is generated, is extremely low. Over the last three years, we've dropped from about 247 tons of generated recycling from the City of Springdale to about 171 tons from 2010 to 2013. As we're all aware, with this program and our resident's efforts, we receive a grant from the Hamilton County Solid Waste District. This isn't just simply money-driven. It is also environment-driven. Mr. Thamann and I on last Friday had an opportunity to visit Rumpke's recycling facility. If you have not had an opportunity, I suggest you take a look at it, take a tour of it. If you would like for us to organize something, we can do that as well. I'm not sure if you had a chance to see the first one. They had a fire there in 2012 that destroyed quite a bit of it and they went through and began to replace a lot of the machinery and equipment. They do an outstanding job. Rumpke not only receives recycling material from the Greater Cincinnati area, but they also receive it from Dayton and Louisville, as well. Going through the facility is very encouraging and really inspiring.

What we have passed out here is an item that shows what things are recyclable. From the tour that we had with them last Friday, they indicated to us their primary recycling source, or material they receive is paper and that's about 56%. The other part that stuck with me was about 13% of what they receive at the facility is actually things that are non-recyclable and things that they then have to transport back to the landfill. In an effort to encourage our residents to participate more on the recycling, we're going to get this information out on both our website and our Facebook page. If you recall some time ago, we had a representative from the Solid Waste District come make a presentation and there was a lot of discussion about what actually is recyclable. A lot of times it's the plastic and the glass that always raise questions. We want to just take a more pro-active effort of getting the information out. Unfortunately the newsletter is already out so we'll have to capture something in the fall (the August edition). In the meantime we're going to continue to put this information out and try to encourage the residents to participate more and increase the volume.

Mr. Squires: You don't have to have one of these big recycling bins for this do you, just a regular size?

Mr. Parham: No. If you have a regular recycling bin, you can use that. There is an opportunity for residents if they wish to have the large roll-off, you can get those as well; I think you can purchase those for \$75 but I think you can also lease it for a lesser price. We'll make that information available as well.

Mr. Vanover: If one is not enough, they can get multiples. Mr. Parham, you mentioned plastics. That's one of the things that I remember we talked about when the representative was here. My understanding is one through five in the triangle; this says (referring to a handout) unacceptable plastics that are not bottles or jugs but there could

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be containers, food containers; technically they're not bottles or jugs but they are qualified, correct?

Mr. Parham: Their response to some of our questions is that as long as they can develop a market for it, they'll receive it. They receive a ton of stuff. It's impressive watching employees pull some of the things off of the conveyor belt as it's flying past. You'll see these things hanging out of the ceiling; they are suction cups and they grab the plastic bags because those will cause damage to the machinery. As it moves from the first conveyor belt, it goes into a separation process of removing the cardboard; it moves a little further along, then it goes through another process of removing the glass; it really is impressive to see.

Mr. Vanover: Well I would be interested in seeing that. I don't know if anybody else would.

Mr. Parham: If so, we can organize something.

Mr. Parham: The second item is, if you recall, we first found out about the Customer Choice Program about 2010. The initial process for the City was to partner with a number of other jurisdictions being hosted by the Center for Local Government. At that time, we had our electric generation rates provided by an alternative electric supplier and we were able to show a substantial reduction in our electric cost. We then put an aggregation program together for the residents. Council adopted legislation in, I believe, 2011 to put the issue on the ballot; it was adopted by the residents and the program was put together. The electric program began in early 2012; the gas program shortly thereafter. It is a program that was in place after Duke's rates came out in January 2012. The Duke rates are in effect from 2012 to May of 2015. Our contract with DP&L Electric is going to expire this May, so we need to put something in place if we wish to continue this program for the residents.

We attended a meeting this past Monday with other jurisdictions that are looking to continue participating in the aggregation programs. Those jurisdictions are: Cleves, Glendale, Addyston, Columbia Township, Cheviot, Indian Hill, Lockland, and Amberley Village. Two other communities were scheduled to be a part of the program, but later pulled out of the process. If you recall, we've been working with Eagle Energy to help guide us through the process. They also completed a lot of those technical required documents that we must file with the Public Utility Commission of Ohio (PUCO). Eagle requested the meeting, because two weeks ago they put out a RFP (Request for Proposal) for the suppliers to respond and present rates for the group. DP&L, our current supplier, was the highest of any presented. Eagle came back with a couple of others that were pretty low. They are still working through that process. The disappointing part about the program is that our contract is going to expire in May. I can't give you an exact May date, because the way the program works is that our contract says it will expire with the meter reading date of the customer or the resident. Each of you have a separate meter reading date and after that reading in May, your rates with DP&L will expire. Unfortunately, we are not able to get a program up and in place for June in time. We all know Duke Energy in our area is the base supplier. Duke owns the lines so they are the distributor and they also get the transmission costs so we'll always continue to pay Duke something.

The place that we have an opportunity to experience savings is on the generation side. These RFPs were to get suppliers to provide the lowest generation cost as possible. Because we are unable to get something in place by the June meter reading date, residents will fall back to Duke for at least a one month period. Following that, we hope to have things in place so that the new supplier will have your reading for the July month and we will be able to move forward with those lower rates at that point. I know that it isn't the ideal situation; but it's based on how this unique industry works that we can't put something in place prior to. Just to give you an idea as to the challenges, if we were to identify a supplier, say ABC Supplier, and our contract does not expire until May, the plan is the Friday before Memorial Day, which is the 23d of May, to send a letter to the Public Utility Commission of Ohio identifying who our supplier is and what that rate is that we've agreed to. PUCO then has ten days in order to respond to that letter. Let's say they take advantage of the whole ten days so that

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puts us to Monday, June 2<sup>nd</sup>. On Monday, June 2<sup>nd</sup>, or thereabouts, our supplier, ABC, is going to send out to the residents, just as we did the first time, a notice that says we are ABC Supplier and we are going to represent the Aggregate Program for the City of Springdale and your rate is "X". You now have 21 days to opt out of the program. If the resident does not opt out of the program after the 21 days, that puts us to June 23<sup>rd</sup>. Then on the 22<sup>d</sup> day, or June 24<sup>th</sup>, Duke then sends out a second letter that says, we understand that you are going to be a part of ABC in the City of Springdale's program, you have seven days in order to opt out of this program. So there is another seven days. So there's 28 days as part of that notice period. If no one opts out of the program after that additional seven day period, then their meters will begin being read during the month of June and they will make that payment during the month of July. That's the same process we followed two to two and a half years ago. What we hope to do is, tonight, with this announcement, is begin to let the residents know what is coming and then continue with additional information. Again, we're a little behind because the newsletter is already out, but I think as I mentioned to the Mayor today, I'd probably prefer to send out a special mailing to the residents to let them know. Each community is experiencing the same thing because we're trying to find the best way to get the lowest cost for the residents. There is heartburn by everyone. No one likes that fact that it reverts back to Duke, but unfortunately, that's the situation.

Mr. Squires: It might also be a good idea also to caution the residents not to sign up with any advocate that calls you. If you're like us, we're getting calls from different people even right now. I'm sure that other residents will soon be getting calls; they want you to sign up with them post-haste. I wouldn't do that until you hear from the Administration here as to what can be offered to us.

Mr. Parham: I think that's an excellent point. Everyone (other suppliers) knows when our contract expires. The industry knows. We've gotten calls here at this building. As Mr. Squires indicated, you will be getting the mailings. You will be getting the calls. You are going to be contacted, even when our program is in place. What I have said to residents as I've talked to them, if you can find a better price somewhere else, I advise you to take it. However, I also advise you to ask a secondary question and that is what's the cost if I were to leave your program prior to the expiration of my contract. Sometimes that can be a very severe cost and it's not worth you leaving their program at that point. That is what they are hoping. If you're going to first find out how much they're going to charge, the second point is find out how much they're going to charge you to leave their program if you leave them early.

Mr. Hawkins: Do we need new legislation even though we'd approved this the first time around?

Mr. Parham: I think we're not ready yet for the legislation. We're going to enter into another Master Service Agreement (MSA) when we identify that supplier. Once we identify the supplier, then we'll bring back the Master Service Agreement before you and ask you to adopt that so we then finalize things and that will be the price that will be in place.

Mr. Hawkins: So that means June or the first of July?

Mr. Parham: The Master Service Agreement is going to have to be in place because when we send that notification to PUCO, we have to identify the supplier and the rate.

Mr. Hawkins: So May?

Mr. Parham: In May, I was thinking May 7<sup>th</sup>. As we talked about on Monday, the earlier we can get that MSA ironed out, the earlier they can start on the process of getting the information. Here's another part of the quirkiness of this system. Let's say a resident wanted to join our program today that was on with another group. If they contact us today, we then contact DP&L; this is all hypothetical; and before DP&L can add them to the system, they have to notify Duke Energy, then Duke Energy will not add anyone on within 12 days. Duke says they need 12 days in order to get all of your electronic data and give it to the new supplier. That's their rule; that's simply how they

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operate. If your meter reading date is eleven days out in the month of April, and they don't send it out until the 12<sup>th</sup>, you're going to miss that month and you will not receive your meter reading date in the month of June because of their 12-day rule.

Mayor Webster: Derrick shared this with me after his meeting on Monday. I'm somewhat appalled that we're going to put our residents through this again. I still to this day get calls from residents about whether they should sign up for the city's program or somebody else is talking to them, trying to persuade them to go this way. I think, as Derrick indicated, the whole industry knows when our contract's up. So you're going to have these other companies descend upon Springdale and these other communities. They're going to get letters from us, they're going to get letters from Duke, and they're going to get letters from the new provider. I think it's utter chaos. I just think there's got to be a better way to handle this. Derrick assures me there isn't but this is one of few times I don't say okay Derrick. We've got to kick the tires on some other avenues here but right now that's the way this thing is going and I think we have to prepare for the worst here. We'll probably go through the same thing later on this year with the gas, when that expires; that's September I think. So every time one of these contracts expires, we have to go through this? I'm looking at our consultant; now, granted we don't pay anything out of our City Treasury to the consultant but they get a feel of what's generated here and that's who I'm looking to, that they dropped the ball and they should figure out a way around this, and at this point, they haven't. The official name is the Aggregation Program; my wife refers to it as the Aggravation Program; I think she's closer to being right than wrong.

Mr. Vanover: I know in your letter, because it was the first go around, there was a lot of confusion because most of the other programs you have to opt in; ours you have to opt out; you're included and then you have to exclude yourself. Mayor, I agree with you but unfortunately I think the power companies were much like the railroads in that they had good lawyers and they wrote the laws in their favor and the power companies have done the same thing. If there's a better way, I'd love to find it. It is an aggravation. I have started seeing requests offering programs.

Mrs. Emerson: I make a motion that the Council go into Executive Session as a Committee of the whole to discuss purchase for sale of real estate.

Mr. Squires seconded. Council votes with seven affirmatives to go into Executive Session. Council departs chambers.

Council returns from Executive Session at 8:30 p m.

Mr. Hawkins: I move to authorize the City Administration to acquire Parcel number 599-0042-0060 as well as Parcel number 599-0042-0080 and Parcel number 599-0042-0081, pursuant to the City Land Reutilization Program.

Mr. Diehl seconded. No discussion. Motion passed with seven affirmative votes.

#### Meetings and Announcements

Mr. Squires: The Springdale Board of Health will meet April 10th in the conference room adjacent to the City Council Chambers at 7 p.m.

Mr. Diehl: The Finance Committee meeting that we announced at the last Council meeting for the 16<sup>th</sup> has been cancelled and will be rescheduled at a later date.

Mr. Hawkins: The Board of Zoning Appeals will meet on April 15<sup>th</sup> at 7 p.m. in these Chambers.

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Communications from the Audience

Mrs. McNear: I do have an email that was sent that was missed earlier when we did Communications. This is an email from Mick Higgins at 579 Observatory: This email was addressed to me and it says:

*"I wanted to take a moment and thank the members of City Council for reconsidering their position on the needle exchange program. I know that the issue is a very difficult one for Council and very polarizing. I do not know if it is possible to put a value on a human life. As a moral person, if I was asked what the value of human life is, I would have to tell say that it exceeds all value. It is priceless but I know we fight wars for freedom and economic prosperity; that these wars cause people their lives. Politicians must decide an economic value on human life and I do not think these decisions should be made without some conflict or strife. We drive automobiles that cost people their lives every day. Outlawing the automobile would save more lives per year than a needle exchange ever would but you will not outlaw them because our economic prosperity would be devastated. For that reason, our lawmakers allow automobiles to operate knowing that tens of thousands of lives will be lost.*

*The issue before the city was saving someone's life versus the economic cost of offering such a service in our city. Although I disagreed with her position, I applaud Mrs. Emerson for taking the position of wanting to help the struggling addicts and protect them from HIV and Hepatitis. I think that the passion Dr. Feinberg, Adam, Libby, and Mrs. Emerson displayed was critical to understanding the gravity of this decision. The decision should not, and was not, taken easily; all parties had multiple opportunities to present their case to the City Council and I think both sides were well represented. Sadly, there was no compromise that would have worked in this situation but I would ask Mrs. Emerson to continue with her pursuit to help those citizens who are struggling with addiction. I would like to see one of those large churches in Springdale host a Narcotics Anonymous meeting and I would like to see our Health Department offer Narcan to the families of Springdale living with heroin addicts. Mrs. Emerson, your passion should be commended. Now City Council focuses the difficult task of putting this item behind them without harboring hard feelings or ill will to those whom you sat in opposition to just a few weeks ago. Our national Congress has become dysfunctional by deciding issues based on polarity rather than substance and the seeds of polarization were planted during the last few Council meetings.*

*I believe that everyone seated here tonight loves the city and without question makes the decisions based on what they think is best for the City of Springdale. That is what we can ask from our elected officials; hear our voices and make good decisions. So that we can move forward, I want to call on the Mayor to apologize to Mrs. Emerson. Although you may disagree with her stance on this issue as I do, the last Council meeting contained personal attacks that were beneath you. Your passion was evident and I believe your heart was in the right place but your words were poorly chosen and not appropriate. I am sure that after reviewing the minutes or watching the tape, you feel as I do.*

*Mrs. Emerson, I believe you also owe the Mayor an apology. Although I think it was unintended, your statements from a month ago were taken as questioning the Mayor's leadership and a direct and personal attack on his character. Even if this was not your desired message, that is how it was received.*

*Thank you to everyone sitting up there for your time and commitment to the city. Your passion is appreciated and I hope that in the months ahead you can continue to work together with the highest degree of*

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*professionalism having gone through this unfortunate and polarizing affair.”*

Mayor Webster: What was that you just read Mrs. McNear?

Mrs. McNear: It was an email from Mick Higgins.

Mayor Webster: Since when do we read emails under Communications?

Mrs. McNear: I read emails from people for several of the last meetings.

Mayor Webster: So any email that I get I should turn in to you to read? We all get emails; I guess I don't understand why that was read under Communications from the Audience. I don't see anybody in the audience standing up reading that.

Mrs. McNear: I should have read it under Communications earlier.

Mayor Webster: I just question it; I didn't hear most of it so I'm not sure who it was from or what the intent of it was but I just wondered why we had an email read under Communications from the Audience.

Mrs. McNear: I had asked the President if I could read this because it was missed during the Communications portion of the meeting earlier this evening.

Update on legislation still in development.

Mr. Hawkins: As you look at your memorandums, Item 1 was disposed of with Ordinance 10-2014; it passed with 7-0 vote. Item 2 was disposed of with Ordinance number 11-2014; it passed with 7-0 vote. Item 3 was Resolution 4-2014; it passed with a 7-0 vote. Item 4 was Ordinance 13-2014, which was a first reading. Item 5 was Ordinance 12-2014; it passed with six affirmative votes and one abstention. Item 6 is forthcoming.

Recap of legislative items requested for next Council meeting.

Mr. Hawkins: We have a second reading of Ordinance 13-2014. An Ordinance regarding incentives for Health Span was requested as well as a Resolution for the State Champions Princeton High School women's basketball team.

Mr. Parham: The only thing I want to point out in the Pending Legislation Report, we have scheduled for the next meeting the Hamilton County Developmental Disabilities group would like to make a presentation before you. We plan to have the swearing in of Police Lieutenants; one for sure, possibly two. The fourth item is, it helps us with our planning if you could let us know whether you plan to engage in your summer schedule this year.

Mr. Vanover: Council, comments? Just a reminder the summer schedule is July and August. We would go to the second meeting so there would be one meeting in July and one in August, just the regularly scheduled second meeting, the 3rd Wednesday.

Council voted 7-0 to adhere to the summer schedule.

Mr. Parham: The only other thing I would add is on the banners, there's a Public Hearing scheduled for the meeting on the 16<sup>th</sup> as well, as part of that second reading.

Mr. Vanover: Before we move on to Item 14, I just want to make a quick blanket statement. Council, we had an issue last meeting; it was disheartening. I would ask you to approach this position as you would your job. If there's

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something that comes up that you need to not be here, or to leave, please just advise us. It's common courtesy and I would ask that we would all treat this just the same as we would our normal occupation. This in fact is our job; we are compensated. I think our voters request that of us.

Mrs. Emerson: I just have one question. Why are we addressing this; has this been a problem?

Mr. Vanover: We had an issue. You are aware of it and I am aware of it.

Mrs. Emerson: What I'm asking is this hasn't been an ongoing thing, could this not have been handled through an email or a memo rather than taking up time here for this? It's not been an ongoing issue.

Mr. Vanover: This is the way I decided to do it. I think we're all professional here and I would hope that we would take it and run. I can't speak for prior presidents; there have been issues people not notifying that they're going to be gone and I just ask for common courtesy that if you can't make it or you have to leave; I've been called out from meetings so, it's just common courtesy.

Mrs. Emerson: I understand that and I am the one that left the meeting a little bit early before the Executive Session. There was no legislation being pended so there was no need for me to be here for the vote. If a call was made maybe it was an emergency and I had to leave but a phone call was never made. In four and a half years that I've served here, I don't think I've ever seen anybody leave the meeting early so I really don't think it's an issue to anybody up here on the dais. I think it deals with me so I don't really think we need to be wasting the time. You could send me an email or a memo to discuss this.

Mr. Vanover: So notified.

Mrs. Emerson: Thank you.

Mr. Hawkins motion to adjourn; Mr. Knox seconded.

Council adjourned at 8:45 p.m.

Respectfully submitted,

Kathy McNear  
Clerk of Council/Finance Director

Minutes Approved:

Tom Vanover, President of Council

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