

INTERNAL MEMORANDUM

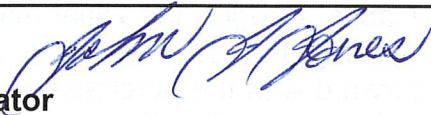
Office of the City Administrator

Springdale, Ohio

March 13, 2020

To: Mr. Thomas Vanover
President
Springdale City Council

From: John J. Jones
City Administrator



Re: Report on Pending and Future Legislation

Item I

An Ordinance Authorizing the Execution of a Collective Bargaining Agreement with the Fraternal Order of Police, Ohio Labor Council for the Full-Time Patrol Officers in the Springdale Police Department and Declaring an Emergency

The City has been in negotiations with the two Police Department bargaining units. During the negotiation process, the two units are represented at the bargaining table at the same time; however, they remain as two separate bargaining parties. The City was able to reach an agreement with the Police Supervisors' (Sergeants and Lieutenants) Bargaining Unit and legislation was adopted by Council at the 02/19/2020 meeting.

A verbal agreement was reached with the Patrol Officers' Bargaining Unit, and the members of the Patrol Officers' Unit ratified the agreement at a meeting on March 12, 2020. Notable changes from the existing agreement are related to comp time, wages, and the third year of the agreement incorporating a reopener on wages only.

An ordinance, with an emergency clause, authorizing the execution of a collective bargaining agreement with the Fraternal Order of Police, Ohio Labor Council for the full-time patrol officers in the Springdale Police Department will be before Council at the **03/18/2020** meeting. The reason for the emergency clause is to have the changes go into effect immediately as the contract expired December 31, 2019.

Due to the high number of pages, a hard copy will not be distributed. A copy will be on file for review in the Office of Clerk of Council/Finance Director.

Item II

An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into a Contract with Motorola Solutions for the Purchase of Eighteen Replacement Portable Radios and Accessories and Declaring an Emergency

The portable radios currently used by the Fire Department are well over fifteen years old. As of December 31, 2018, the radios are no longer parts supported or able to have factory repairs made. Given that these portable radios are used by personnel while on duty every day and vital to the services provided, the Fire Department would like to purchase eighteen replacement portable radios and accessories. The department has located state bid pricing on Motorola APX 6000 Series radios through Motorola Solutions at a total cost of \$94,716.24. Local vendor Mobilcomm is an authorized vendor for Motorola Solutions and is serving as our primary point of contact for the purchase. In the 2020 Five-Year Capital Budget, the initial plan was to purchase the radios over a two-year period, splitting the cost between 2020 and 2021. The Administration would like to move forward with the purchase of all eighteen radios plus accessories as one purchase in an effort to complete the upgrade in a timely manner.

The portable radios used within our Police Department are also becoming obsolete and are no longer covered by a service agreement. It is anticipated that legislation will appear before Council for the purchase of forty replacement radios and accessories for the Police Department in the very near future. The 2020 Five-Year Capital Budget anticipated spreading out the purchase of the radios for the Police Department over a five-year time span beginning in 2020. As with the Fire Department radios, the Administration is looking into purchasing all of the radios at one time, thereby keeping the City from incurring any additional debt.

An ordinance, with an emergency clause, authorizing the Mayor and Clerk of Council/Finance Director to enter into a contract with Motorola Solutions for the purchase of eighteen replacement portable radios and accessories will be before Council at the **03/18/2020** meeting.

Item III

A Resolution Authorizing the City of Springdale's Participation in Financing Public Improvements in Cooperation with the Port Authority and Authorizing the Execution of Documents to Effectuate Such Financing

City Council, at their **10/02/2019** meeting, passed Resolution No. R17-2019 by a 7-0 vote. Resolution R17-2019 accepted the petition and established the public hearing date for the Springrose Meadows Community Authority. A public hearing date was scheduled for the **11/06/2019** City Council meeting. In accordance with Section 349 of the Ohio Revised Code, the public hearing notice was advertised in the Tri-County Press on 10/16/2019; 10/23/2019; and 10/30/2019. At the **11/06/2019** meeting, Council held a public hearing and passed Resolution No. R18-2019, establishing the Springrose Meadows Community Authority (SMCA) and appointing four members to the Community Authority Board.

The Springrose Meadows Community Authority encompasses the Springrose Meadows subdivision and has the authority to levy a yearly fee on each of the homeowners to repay bonds that will be issued by the Hamilton County Port Authority. This fee is offset by the previously established Community Reinvestment Area (CRA) that provides a 15-year property tax abatement to the new homes.

Since City Council passed the resolution to establish the Springrose Meadows Community Authority (SMCA), City Council will now be presented with a resolution authorizing the City to enter into a Cooperative Agreement with the SMCA and the Greater Cincinnati Redevelopment Authority (Port Authority) for the financing of the infrastructure in the Springrose Meadows Development. The Port Authority will issue the bonds for the financing. The obligations of the City of Springdale under this agreement shall not represent or constitute a debt or pledge of the full faith and credit or the taxing power of the City. The debt will be paid by homeowner fees established by the SMCA.

A resolution authorizing the City of Springdale's participation in financing public improvements in cooperation with the Port Authority and authorizing the execution of the documents to effectuate such financing will be before City Council for consideration at the **03/18/2020** meeting.

Item IV

Amending Various Sections of the Codified Ordinances of the City of Springdale

The Ohio General Assembly adopted R.C. 9.68 in 2006 codifying the right to bear arms in Ohio. In 2018, the General Assembly passed an amendment to the Ohio Revised Code (overriding Governor Kasich's veto) with an effective date of December 28, 2019. The amendment significantly broadened the scope of the statute. Specifically, the amendment (1) provided that any local ordinance that imposes any further restriction or requirements on the right to bear arms is preempted; (2) provided that any person, group or entity that is adversely affected by any local ordinance that is either (a) enacted or (b) enforced may bring a civil action against the political subdivision for damages, injunctive relief, declaratory judgment, or any combination of the above; and (3) obligates the court to award attorney's fees and expenses to any group who prevails in a lawsuit against the political subdivision. As a result, the Law Director and Police Department have reviewed our Code of Ordinances as they relate to this issue.

Our original intent was to bring legislation before Council to amend various sections of the codified ordinances. The Law Director is now recommending that we not make changes to our codified ordinances at this time; however, this matter may be brought back before Council at a later date. Law Director Braun plans to make a presentation on this subject at the **03/18/2020** meeting.

Item V

An Ordinance Authorizing the Purchase of a John Deere 5075E Utility Tractor and John Deere 390 Heavy Duty Flail Mower from Bud Herbert Motors, Inc. to Include a Trade-in and Declaring an Emergency

The Public Works Department currently uses a 1977 Ford 3600 Industrial tractor to complete much of the City's roadside mowing. Parts are becoming increasingly more difficult to locate due to the age of the tractor. In fact, the department has found it necessary to manufacture special parts in some instances over the last year due to unavailability. In the 2020 Budget, the City included \$71,355 for the purchase of a replacement tractor. The Public Works Department has identified a John Deere 5075E Utility Tractor with a John Deere 390 Heavy Duty Flail Mower with comparable features for substantially less than the budgeted amount through the State of Ohio Cooperative Purchasing Program. The new unit will also include a cab on the tractor as an added safety feature. The purchase cost of the tractor and mower from vendor Bud Herbert Motors, Inc. is \$44,454.72. In addition, the vendor is willing to give the City a \$2,500 credit for the trade-in of the old Ford tractor. When the trade-in is included, the net cost of the new unit will be \$41,954.72.

A tractor meeting the specifications of the Public Works Department is currently sitting on the lot of the vendor. There is a possibility another buyer could purchase the unit off the lot thereby requiring the City to order a tractor meeting those specifications and delaying our ability to obtain the new tractor prior to the start of mowing season. In order to take advantage of the existing opportunity, the City would need to adopt an ordinance, with an emergency clause, authorizing the purchase of the new unit as well as the trade-in of the old unit with Bud Herbert Motors, Inc.

An ordinance, with an emergency clause, authorizing the purchase of a new John Deere tractor with mower from Bud Herbert Motors, Inc. to include the trade-in of a 1977 Ford tractor will be before Council for consideration at the **04/01/2020** meeting.

Item VI

Other Items of Interest:

1. Introduction of Fire Lieutenants: Craig Kuhlmann; Ron Lang; Brian Losekamp – **04/01/2020** meeting.
2. A Proclamation for National Public Health Week (April 6-12, 2020) – **04/01/2020** meeting.

Mayor
Clerk of Council/Finance Director
City Council
Assistant City Administrator
Law Director
City Engineer
Department Directors
Recording Secretary
Reading File