

INTERNAL MEMORANDUM

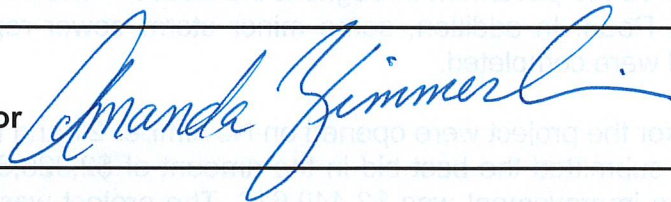
Office of the Assistant City Administrator

Springdale, Ohio

February 14, 2020

To: Mr. Thomas Vanover
President
Springdale City Council

From: Amanda Zimmerlin
Assistant City Administrator



Re: Report on Pending and Future Legislation

Item I

An Ordinance Authorizing an Agreement with Fred A. Nemann Co. for the Landan Lane Reconstruction Project and Declaring an Emergency

Landan Lane has both concrete and asphalt sections. The northern 295 feet of Landan is the original 1968 concrete pavement and curbing. Minor slab replacement has been performed throughout its 50-year life. Joint deterioration is excessive throughout the concrete pavement's entire length. The southern 220 feet of Landan is full depth asphalt; this work was performed prior to 2000. The original 1968 concrete curbs on this portion of the road appear to have been partially repaired. The project will completely remove the existing pavements and curbs and replace them with asphalt pavement and concrete curbs. Reconstruction of catch basins, manhole adjustments, and drive apron replacements will be performed as necessary. The cost for the repairs on Landan Lane is currently estimated at \$280,117.

Originally, the Landan Lane Reconstruction project was to be paired with the Olde Gate Drive Reconstruction project. However, in September 2018, the City of Springdale filed a successful application with OPWC for SCIP Loan funding for Landan Lane in the amount of \$139,000 so this street was pulled from the original project and Olde Gate was performed separately in 2019. This loan is interest free and to be paid back over twenty years. The remainder of the estimated construction costs (\$141,117) will be the responsibility of the City and has been accounted for in the 2020 Capital Budget.

Bids for the Landan Lane Reconstruction project were received on February 4, 2020 and reviewed by staff. Fred A. Nemann Co. provided the lowest and best bid at \$292,308.50. An ordinance, with an emergency clause, authorizing an agreement with Fred A. Nemann Co. for the Landan Lane Reconstruction project is slated to be before Council at the **02/19/2020** meeting. The need for the emergency clause is to execute the contract at the earliest possible date.

Item II

An Ordinance Authorizing an Agreement with the John R. Jurgensen Co. for the Beacon Hills Subdivision Streets Grind and Resurface Project and Declaring an Emergency

As part of the 2018 Street Maintenance Program, the City of Springdale contracted with Prus Construction to perform maintenance in the Beacon Hills Subdivision. The Beacon Hills Subdivision and Kenn Road Rehabilitation project (Beacon/Kenn project) incorporated the entire Beacon Hills Subdivision as well as Kenn Road from Interstate 275 to the Fairfield corporation line. The work performed under the Beacon/Kenn project consisted of full curb replacements, catch basin repairs and/or adjustments, manhole adjustments, sidewalk repairs, ADA ramps in several locations, pavement repairs, the application of Cape Seal to preserve the pavement throughout the Beacon Hills Subdivision, and asphalt resurfacing on Kenn Road. In addition, some minor storm sewer repairs on Brookston Drive and Kenn Road were completed.

Bids for the project were opened on November 21 and Prus Construction was determined to have submitted the best bid in the amount of \$2,326,652. The estimated construction cost for the improvement was \$2,449,616. The project was a part of the City's Comprehensive Capital Improvement Program and was totally funded by the City out of the Street Improvement Operations Fund (087).

Prus subcontracted with Strawser Construction for the application of Cape Seal. Unfortunately, the Cape Seal finish and surface texture did not meet the City's standards and this portion of the project was determined to be unsatisfactory. The City and Prus Construction agreed to enter into a Mutual Release and Settlement Agreement at the **09/04/2019** City Council Meeting related to potential claims involving the road project. Prus Construction payed the City of Springdale \$60,000 in the agreement. City Council also passed Ordinance No. 36-2019, authorizing the Mayor and Clerk of Council/Finance Director to enter into a contract with CT Consultants for design engineering services necessary for the Beacon Hills Subdivision Streets Milling and Resurfacing Project with seven affirmative votes.

The Beacon Hills Subdivision Streets Grind and Resurface project includes a 1.5 inch grind and pave of the existing asphalt surface in the Beacon Hills Subdivision. Design engineering for this project was paid in 2019. The engineer's current construction estimate for the project is \$665,095. The costs for the project are reflected in the Street Improvement Operations Fund (087) in the 2020 Capital Budget.

Bids were opened on January 24, 2020 and were reviewed by staff. An ordinance, with an emergency clause, authorizing an agreement with John R. Jurgensen Co. for the Beacon Hills Subdivision Streets Grind and Resurface project is slated to be before Council at the **02/19/2020** meeting. The need for the emergency clause is to execute the contract at the earliest possible date.

Item III

An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into a Collective Bargaining Agreement with the Fraternal Order of Police, Ohio Labor Council, Inc. for the Supervisors' Bargaining Unit and Declaring an Emergency

The City is working on negotiations with the Patrol Officers' Bargaining Unit. The City was able to reach a tentative agreement with the Police Supervisors' (Sergeants and Lieutenants) Bargaining Unit. 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 members of the Supervisors' Bargaining Unit have ratified the tentative agreement. The notable changes from the existing agreement are insurance, grievance procedure, wages, and the inclusion of a memorandum of understanding. The wage increase for the supervisors is contingent upon the rates for the Patrol Officers. A Sergeant's beginning pay is 15% above the Step 3 Patrol Officer's rate. A Lieutenant's beginning rate is 10% above the Sergeant's Step 1 rate. An ordinance, with an emergency clause, authorizing the Mayor and Clerk of Council/Finance Director to enter into an agreement with the FOP/OLC (Supervisors) Bargaining Unit will be before Council at the **02/19/2020** meeting.

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 IV

A Resolution Making an Appointment on Behalf of the City Council of Springdale, Ohio to the Board of Directors of the Deer Park, Loveland, Sharonville, Sycamore Township, Symmes Township Energy Special Improvement District, Inc.

At the **09/04/2019** City Council meeting, Council passed several pieces of legislation authorizing the City to participate in the Suburban Communities Energy Special Improvement District (ESID). Ohio Revised Code Section 1710.04 provides that the City Council, as the legislative authority of the City, shall appoint one member to serve on the ESID Board and the Mayor shall appoint another.

A resolution making an appointment on behalf of the City Council of the City of Springdale, Ohio to the Board of Directors of the Deer Park, Loveland, Sharonville, Sycamore Township, Symmes Township Energy Special Improvement District, Inc. will be before City Council at the **02/19/2020** meeting.

Item V

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, and Declaring an Emergency

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, with an emergency clause, 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 **03/04/2020** meeting. The need for the emergency clause is to enter into the agreement at the earliest possible date.

Item VI

An Ordinance 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 are reviewing our Code of Ordinances and preparing an ordinance for Council's consideration to repeal any and all laws that may run afoul of this amendment.

An ordinance to repeal any and all laws that may run afoul of this amendment will be before Council for a first reading at the **03/04/2020** meeting and a second reading at the **03/18/2020** meeting.

Item VII

Other Items of Interest

1. City Offices will be closed in observance of President's Day – **February 17, 2020**;
2. Swearing-in of new Police Chief Thomas Wells – **02/19/2020** meeting;
3. Introduction of Fire Lieutenants: Craig Kuhlmann; Ron Lang; Brian Losekamp – **04/01/2020** meeting.

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

