

# INTERNAL MEMORANDUM

## Office of the City Administrator

### Springdale, Ohio

February 15, 2013

To: Mrs. Marjorie Harlow  
President  
Springdale City Council

---

From: Derrick Parham  
City Administrator

---

Re: Report on Pending and Future Legislation

#### **Item I**

**An Ordinance Approving, Solely For the Purpose of Section 147(f) of the Internal Revenue Code of 1986, the Issuance of the Healthcare Facilities Refunding and Improvement Revenue Bonds, Series 2013 (Maple Knoll Communities, Inc.), By the County of Butler, Ohio; Authorizing A Public Hospital Agencies Agreement in Connection With That Approval; and Authorizing Other Documents in Connection With the Issuance of the Bonds, and Declaring an Emergency**

The City has been contacted by Bond Counsel (Peck Shaffer) for Maple Knoll Village (MKV) indicating MKV is planning to refund their Healthcare Facilities Bonds and once again would like the City's assistance in the process. In 2007 and 2010, Council passed similar legislation to assist MKV with the major expansions to their facilities in both Springdale and Butler County. The bonds are actually issued by Butler County. In order to incorporate the planned improvements in Springdale into the bonds, the City needs to enter into an agreement with Butler County and MKV. Mr. Abbott Thayer, Maple Knoll's Bond Counsel, will be attending the meeting to answer questions.

As was the case in the two previous bond issues, there will be no risk for the City of Springdale with this transaction. In fact, we will enter into an "Indemnity Agreement" with Maple Knoll stating the City has no financial responsibility with respect to the bonds. In addition, Maple Knoll will indemnify the City against any and all claims, losses, expenses, and actions arising out of our connection to this issue.

An ordinance, with an emergency clause, approving the issuance of Maple Knoll Healthcare Facilities Bonds is scheduled to be presented to City Council at the **02/20/2013** meeting.

## **Item II**

### **An Ordinance Amending Chapter 152 of the Springdale Building Code to Incorporate New Language Consistent With the Ohio Building Code and to Adopt Recommended Adjustments to Certain Building Permit Fees and Declaring an Emergency**

The State of Ohio has adopted a number of amendments to the Ohio Building Code. In an effort to remain consistent with the Ohio Building Code, the Building Department is recommending the City adopt the new amendments. In addition, the Building Official is recommending a number of adjustments to several of the City's building permit fees. No adjustments have been made to the fees since 2001. There are no changes being recommended for repairs, replacements, and minor improvements to residences (single family homes, condominiums, etc.). The recommended fee adjustments are for any new developments (residential or commercial) and alterations to commercial buildings. The department has gathered comparable data from other communities in the Greater Cincinnati area. A copy of that data was attached to the hardcopy of the **02/06/2013** report.

An ordinance, with an emergency clause, to amend Chapter 152 of the Building Code and adjust certain permit fees is scheduled to be before City Council at the **02/20/2013** meeting.

## **Item III**

### **An Ordinance Amending Section 153.533 of the City's Zoning Code to Permit Temporary Special Event Banners**

In 2009, in an effort to assist the business community during the tough economic times, the City relaxed its policy regarding the use of temporary banners for a period of one year. For the last three years, Council has extended the policy for an additional year. The most recent extension is due to expire on May 20, 2013. The Planning Commission has yet to address the issue this year; however, if we plan to continue the practice, a Public Hearing and second reading of the legislation must take place no later than the **04/17/2013** meeting of Council. In order to avoid a lapse in the policy, the effective date must be no later than May 20, 2013.

As you may recall, prior to the amendment, a business could have a temporary banner on display for no more than a two-week period four times a year. The amendment allows a business to display a temporary banner for a period of up to thirty days. At the end of the thirty days, a thirty-day extension can be granted if the banner is being well maintained and properly displayed. The business can continue this practice for the entire twelve-month period the law is in effect.

These temporary banners must be related to a special event associated with the business and may not be used to announce such things as "now hiring" or "space available." In addition, multi-tenant buildings such as a strip mall are not permitted to display more than two banners at any one time.

## **Item IV**

### **Special Recognition –**

- A. Introduction of New Employee in Fire Department (Brian Losecamp) at **02/20/2013** meeting.

**Item V**

**A Resolution Strongly Opposing The Passage Of HB 5 By The Ohio General Assembly Which Proposes Uniformity Measures For Municipal Income Tax In The Form Of Unfunded Mandates And A Substantial Loss Of Revenue**

Last year (2012), State Representatives Cheryl Grossman (Grove City) and Mike Henne (Clayton) introduced HB 601 under the pretense of providing uniformity to all municipal income tax policies throughout the State of Ohio. As previously pointed out, if passed, HB 601 would have had a very negative impact on the collection of income taxes in the City of Springdale. At its **11/21/2012** meeting, City Council passed Resolution No.15-2012 strongly opposing HB 601. Copies of the City's resolution were sent to each member of the Ohio General Assembly and the Governor.

Fortunately, HB 601 did not come up for a vote in 2012 and as a result, it went away. However, as promised, Representatives Henne and Grossman reintroduced the bill in 2013 as HB 5. At a recent Hamilton County Municipal League Meeting, Representative Henne stated a few changes and adjustments had been made to the old bill (HB 601) prior to being introduced as the new bill (HB 5). Although slight adjustments have been made to the bill, overall, it will still have a very negative impact on our collection of income taxes.

A resolution opposing HB 5 will be before Council for consideration at the **02/20/2013** meeting.

**Item VI**

**Potential Future Legislation**

**Legislation Regulating the Size (height and length) of RV's and 5<sup>th</sup> Wheels in the City of Springdale**

In late 2012, a resident came before City Council indicating his 5<sup>th</sup> Wheel trailer was in violation of the City's Zoning Code because of its height. At the meeting, Mayor Webster indicated the Administration would research the issue based upon industry standards as well as what is permitted in neighboring jurisdictions. On Monday, January 28, a copy of the results from the Building Department's research was sent to each elected official via email. As a result of the discussion at the February 6, 2012 Council meeting, the issue has been forwarded to the Planning Commission to consider and provide Council with a recommendation.

Mayor  
Clerk of Council / Finance Director  
City Council  
Assistant City Administrator  
Reading File

Law Director  
City Engineer  
Department Directors  
Recording Secretary