

# INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

May 27, 2016

To: Mr. Thomas Vanover  
President  
Springdale City Council

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From: Derrick Parham  
City Administrator

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Re: Report on Pending and Future Legislation

**Item I**

**An Ordinance Amending Section 72.38 of the Codified Ordinances of the City of Springdale Regulating the Use of Tinted Glass and Declaring an Emergency**

The Ohio Revised Code permits unmarked law enforcement vehicles to have window tinting so as to not disclose the presence and/or identify of the occupants in a vehicle. Presently, the City of Springdale Code of Ordinances does not permit window tinting of any vehicles, including law enforcement vehicles, where the occupants of the vehicle can not be detected.

In an effort to implement an effective undercover program, the Springdale Police Department from time to time may need to use surveillance techniques to observe subjects from an unmarked vehicle. The program is much more effective if the individual(s) being watched is/are not aware of the department's activities. Therefore, in an effort to remain in compliance with the City of Springdale's Traffic Code, the department has requested the restriction on unmarked police vehicles be modified to permit tinting of windows for those vehicles. Amending Section 72.38 of the Springdale Code will allow for unmarked police vehicles to tint their windows so their presence can not be detected. This modification would not include marked police cruisers.

An ordinance, with an emergency clause, amending Section 72.38 of the Springdale Codified Ordinances to permit window tinting of unmarked police vehicles will be presented to Council for consideration at the **06/01/2016** meeting.

## Item II

### **A Resolution Directing the Hamilton County Board of Elections to Submit to the Electors of the City of Springdale, Ohio, at the November 8, 2016, General Election, a Revision to Article II, Section C, Paragraphs 4 and 5, Article III, Section B, Paragraphs 3 and 5, Article III, Section G, Paragraph 3, Article IX, Section C, Paragraph 8 of the Charter of the City of Springdale (General Municipal Election)**

At the September 16, 2015 City Council meeting, Council voted to fill a vacant City Council District seat. At the time of the appointment, it was believed that based upon the language in the City of Springdale Charter, the appointee would serve in that capacity until the next general election to be held on Tuesday, November 8, 2016. The Springdale Charter states:

*Any vacancy in Council shall be filled by the favorable vote of a majority of the remaining members of Council within thirty (30) days from the effective date of the vacancy, and any person so elected shall hold office until a successor is elected and qualified at the next general election by the electors of the Municipality at large.*

Following discussions with the Hamilton County Board of Elections, it was determined that elections for municipal officers are only to be held during odd numbered years. This determination was based upon the fact the Springdale Charter does not provide a definition of a general election. However, the Ohio Revised Code (ORC) does provide a definition and guidance as to when a general election is to take place for municipal officer positions.

Because the City of Springdale Charter does not provide a definition of what is meant by general or municipal elections, the elected officials of the City are proposing a ballot issue to provide clarity in the Charter as it relates to the general elections of municipal officers. First of all, the proposed amendments will provide one consistent term of "general municipal election" to replace the two terms "general election" and "municipal election." Next, the new language proposes to provide a definition which will identify when a general municipal election is to be held.

The proposed Charter amendments include:

1. Article II, Section C, Paragraphs 4 and 5: replace the terms "municipal election" or "general election" with the term "general municipal election."
2. Article II, Section C, Paragraph 5: delete the words "at large." This change would clarify that the successor elected for a District Council seat would only be required to be elected by the electors of that particular district and not by the community at large.
3. Article II, Section C, Paragraph 5: add language to further clarify that the successor for a district seat is elected only by electors of the particular district and a successor from an at large seat is elected by the community at large.
4. Article II, Section C, Paragraph 5: add language to further clarify that the successor will serve the unexpired term of the seat previously appointed.
5. Article III, Section B, Paragraphs 3 and 5: replace the term "general election" with the term "general municipal election."
6. Article III, Section G, Paragraph 3: replace the term "general election" with the term "general municipal election."
7. Article IX, Section C, Paragraph 8: include a definition for "general municipal election." This addition will clarify when a general municipal election is to take place for the City of Springdale.

A resolution submitting to the electors proposed amendments to the Springdale City Charter will be before City Council at the **06/01/2016** meeting. Because this is a resolution, there will be no need for an emergency clause. If adopted by City Council, the proposed amendments will be certified to the Board of Elections for inclusion on the November ballot.

**Item III**

**A Resolution Adopting the 2017 Tax Budget of the City of Springdale for the Year January 1, 2017 through December 31, 2017**

The 2017 Tax Budget will be presented to City Council for consideration on **06/15/2016**. Based on State regulations, the deadline for Council to adopt and subsequently submit the tax budget generally occurs around the date of the second City Council meeting in the month of July. With the implementation of the City Council summer schedule, the only meeting in July is scheduled for **07/20/2016**. Holding the public hearing at the second meeting in June as opposed to the July meeting allows the City time to address any issues which may arise and still comply with the deadline for submitting the tax budget. A legal advertisement announcing the Public Hearing for the 2017 Tax Budget will be published in preparation for the **06/15/2016** meeting.

A resolution approving the 2017 Tax Budget in conjunction with the required Public Hearing is scheduled to be before City Council for consideration on **06/15/2016**.

**Item IV**

**An Ordinance Authorizing the City to Fund the Employees' Health Savings Accounts in 2016 and Declaring an Emergency**

Since the City joined the Center for Local Government Benefits Pool (CLGBP) to provide medical insurance coverage for all full-time employees, the City has funded a portion of the employees' Health Savings Accounts (HSA). During the first year of the program, the City funded the accounts at 100%. Since that initial period, the City has contributed 50% of the employees' deductible for medical coverage. The medical deductibles for Springdale employees are \$2,000 for single coverage and \$4,000 for family coverage. The City's 50% contribution made to the employee's account was \$1,000 for single coverage and \$2,000 for family coverage.

The City Administration is recommending Council continue to fund each employee's HSA account at the 50% rate for 2016, not to exceed \$1,000 for singles and \$2,000 for families. Contributions made to the accounts of new full-time employees will continue to be prorated consistent with the schedule used in previous years.

An ordinance, with an emergency clause, authorizing the funding of HSA accounts for all full-time City employees on the City's Health Insurance Plan will be before Council at the **07/20/2016** meeting.

**Item V**

**Other Items of Interest**

1. Presentation by the American Heart Association to Recognize the Springdale Fire Department – **06/15/2016**;
2. Proclamation Declaring the Month of July as Parks and Recreation Month – **06/15/2016**;
3. Introduction/Swearing-in of New Employee:  
Patrol Officer (Police Department) Kayla Justice – **07/20/2016**.

Mayor  
City Council  
Law Director  
Department Directors  
Reading File

Clerk of Council/Finance Director  
Assistant City Administrator  
City Engineer  
Recording Secretary