

INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

August 12, 2016

To: Mr. Thomas Vanover
President
Springdale City Council

From: Derrick Parham
City Administrator

Re: Report on Pending and Future Legislation

Item I

An Ordinance Amending the Zoning Code and Zoning Map of the City of Springdale, Ohio to Provide for the Rezoning of Approximately 6.86 Acres Located at the Northeast Corner of Tri-County Parkway and Jake Sweeney Place from General Business (GB) to Planned Unit Development (PUD) (30 Tri-County Parkway, Atrium Hotel & Conference Center)

The owners of the Atrium Hotel and Conference Center filed an application with the Springdale Planning Commission to have their property rezoned from its current zoning of General Business (GB) to Planned Unit Development (PUD). In addition, the Atrium is requesting the City approve their proposed conversion from a 149-room hotel to a 139-bed assisted living facility. The proposed plan would also include an adult daycare facility and several other anticipated accessory uses.

At the June 14, 2016 Planning Commission meeting, the Commission voted one (1) in favor and five (5) against to recommend to City Council the disapproval of the Atrium's proposed plan. According to the City of Springdale Zoning Code, the application for this project must go before City Council for consideration. City Council has the ability to uphold the recommendation of the Planning Commission and reject the Atrium's application. Council can also vote to amend the application and approve it, or Council can simply vote to approve the applicant's submittal as it was voted upon by the Planning Commission. Whether Council votes to amend the application or approve the application, because it was not recommended for approval by the Planning Commission, it will take a super majority of Council (five affirmative votes) to move the project forward.

An ordinance to amend the Zoning Code and Zoning Map to rezone the Atrium Hotel and Conference Center property located at 30 Tri-County Parkway from General Business (GB) to Planned Unit Development (PUD) was before Council at the **07/20/2016** meeting for a first reading. The ordinance will receive a second reading and have a Public Hearing before Council at the **08/17/2016** meeting.

Item II

An Ordinance Approving the Planned Unit Development Plan (PUD) of Approximately 6.86 Acres Located at the Northeast Corner of Tri-County Parkway and Jake Sweeney Place (30 Tri-County Parkway, Atrium Hotel & Conference Center)

This ordinance is the partner ordinance to the one above. This ordinance would address approving the PUD for the Atrium project. The ordinance above addressed only the rezoning of the property. See the details above concerning the specifics of this ordinance.

An ordinance approving the Planned Unit Development (PUD) application of the Atrium Hotel and Conference Center to permit the use of an assisted living facility at the property located at 30 Tri-County Parkway was before Council at the **07/20/2016** meeting for a first reading. The ordinance will receive a second reading and have a Public Hearing before Council at the **08/17/2016** meeting.

Item III

An Ordinance Reducing Special Assessments Levied for the Purpose of Constructing Certain Improvements at Pictoria Island and Declaring an Emergency

Under the terms of the Tax Incentive Cooperative Agreement entered into between the City of Springdale, the Greater Cincinnati Port Authority, and MEPT (the original owner) in August 2006, a special assessment district was established to levy an assessment fee on the ten-story office building at the Pictoria Island development. Under the terms of the TIF agreement, the special assessment amount may be reduced or increased annually based on the amount of funds collected through TIF service payments in the previous year. The purpose is to set the special assessment payments at an amount that will meet the debt service payments in the upcoming year. The Pictoria building was purchased during the month of May from MEPT by Fairbridge Partners out of Skillman, New Jersey.

An ordinance, with an emergency clause, to reduce the amount of the special assessment levied on the office building at Pictoria Island for the next twelve months is scheduled to be before Council on **08/17/2016**.

Item IV

An Ordinance Renewing an Agreement with NextStep Networking for Technical Support Services for the City's Local Area Network and Declaring an Emergency

The City's current one-year agreement with NextStep Networking is scheduled to expire on August 31, 2016. The two previous agreements with NextStep were each for a three-year period. Due to a number of changes in NextStep's organization, the City decided for the 2015 – 2016 contract year to only enter into a one-year agreement until such time as the City felt confident the company and its personnel issues had stabilized. This year, they have demonstrated their stability, and as a result, the Administration recommends the City once again enter into a new three-year agreement with NextStep Networking for technical support services. If accepted by Council, the proposal submitted by NextStep would lock in the City's current rates for the next three years.

NextStep has been the City's long-time service provider and has guided our organization through the development of the City's overall computer network and communication system. They have been effective in their service delivery and their familiarity with our system has been a real asset.

An ordinance, with an emergency clause, authorizing the renewal of the agreement with NextStep Networking for technical support for the City's Local Area Network is scheduled to be before Council at the **08/17/2016** meeting.

Item V

An Ordinance Authorizing a Cost Sharing Agreement with Greater Cincinnati Water Works (GCWW) for the Cloverdale Area Pavement Rehabilitation Project and Declaring an Emergency

On August 31, 2012, the Administration was notified by the Fire Department that a “significant water issue” existed in the Smiley Avenue and Cloverdale Avenue sections of the City. The department worked with Greater Cincinnati Water Works (GCWW) to identify the problem. Days later on September 7, GCWW determined there was “significant deterioration of the mains on Smiley and Cloverdale.” Unfortunately, the GCWW replacement schedule did not show the work being performed until 2016. At that time, GCWW felt the earliest they could possibly begin the project was 2014, but they were doubtful. Clearly the replacement work did not take place. Now in 2016, GCWW is ready to replace the water mains in this section of the City beginning in the fall. The streets getting new water mains under the GCWW project are: Smiley Avenue, Allen Avenue, Cloverdale Avenue, Dimmick Avenue, Greenlawn Avenue, Valleyview Avenue, and a portion of Harmony Avenue. As a part of the GCWW project, they will also replace thirty-nine fire hydrants in the area. Under the City’s contract with the City of Cincinnati and Hamilton County, GCWW is to provide water to the City of Springdale. The contract also stipulates that during water main replacement projects of this magnitude, the City of Springdale (or any other City) is responsible for the cost of the fire hydrant replacements.

Typically, when GCWW has restored a street where they have made repairs, the restoration performed by them has not been to the satisfaction of the City. Usually, there are very visible patches remaining across City streets. This is not what we care to see at the conclusion of the project. In an effort to prevent this from being the outcome following the current GCWW project, it is necessary that the City participate in paying for the true restoration of our streets. In essence, the streets will receive a 2” deep grind and overlay of the full width of the streets as well as new pavement markings. In addition to the streets identified above in the GCWW project, the following streets will also be restored as a part of the City’s project: Park Avenue, Rose Lane, and the balance of Harmony Avenue. For the City’s participation in this pavement rehabilitation project, GCWW has agreed to split the project costs with the City for only those streets identified under their water main replacement project. Both parties will pay 50% of the project costs, currently estimated at \$436,668 each. For the other streets of the pavement rehabilitation project, the additional costs are estimated at \$238,580 for the City. The City’s overall estimated costs for the project are \$675,248. CT Consultants has provided the City with a proposal for the design engineering of the project at a cost of \$35,500. This amount is calculated into the split identified above. Based upon the authority provided by City Council at the June 1, 2016 Council meeting, the City Administration has authorized CT Consultants to begin the design work.

It is anticipated that a public bid for the project would take place around the end of March 2017, with the awarding of the contract to occur at the **04/19/2017** Council meeting.

An ordinance, with an emergency clause, authorizing a cost sharing agreement with Greater Cincinnati Water Works (GCWW) for the Cloverdale Area Pavement Rehabilitation Project will be before Council at the **08/17/2016** meeting.

Item VI

An Ordinance Authorizing an Agreement with the Contractor with the Best Bid for the Asbestos (Vermiculite) Removal and Disposal Project at the Former Sheraton Hotel and Declaring an Emergency

Prior to the bids for the demolition of the former Sheraton Hotel being opened, additional asbestos material (vermiculite) was found in several locations on the first floor of the structure, but not throughout the entire building. There are primarily three focused areas where the material is identified on the walls: 1) in the swimming pool area; 2) in a small stairwell located near the north side of the building and adjacent to the pond; and 3) on exterior walls in and adjacent to the kitchen, mechanical room, maintenance room, and receiving area, all located along the west side of the building. Unfortunately, the former hotel can not be demolished until the vermiculite has been removed and properly disposed of in accordance with State of Ohio regulations. Once the material has been properly removed, O'Rourke can resume their work to demolish the former Sheraton Hotel building.

The City, in conjunction with its consultants (Power Engineers and CT Consultants), put together bid specifications for contractors to provide proposals to perform the work. The bids were opened earlier today, and staff is currently reviewing the results of the bid.

An ordinance, with an emergency clause, authorizing an agreement with the contractor with the best bid for removing and disposing of the vermiculite from the former Sheraton Hotel will be before Council at the **08/17/2016** meeting.

Item VII

An Ordinance Enacting and Adopting the 2016 S-17 Supplement to the Springdale Code of Ordinances and Declaring an Emergency

Each year, the State of Ohio adopts a number of amendments or supplements to the Ohio Revised Code (ORC). By law, cities (even Home Rule Charter cities) are required to adopt some of the supplements while others are at the option of the City whether they will be adopted. It is completely at the discretion of the organization. Historically, the City of Springdale has enacted or adopted the majority of these supplements.

Supplements to be considered by Council include a revision which eliminates in its entirety Section 71.16 Traffic Law Photo-Monitoring Devices from the City's Traffic Code and a revision to extend the statute of limitation on prosecuting rape and sexual battery cases from twenty years to twenty-five years. Under State law, the City is required to adopt the revision related to the photo-monitoring devices. The revision related to the statute of limitation for the prosecution of rape and sexual battery cases is not mandated by the State but is one the Administration recommends Council adopt. In an effort to align the City's Code of Ordinances with the State of Ohio, Council will need to enact the aforementioned supplement.

An ordinance, with an emergency clause, enacting and adopting the 2016 S-17 supplement will be before Council at the **09/07/2016** meeting. Due to the high number of pages associated with this ordinance, a copy of the supplement has not been attached to the legislation, however will be available for inspection in the office of the Clerk of Council/Finance Director.

Item VIII

A Resolution Authorizing the City Administrator to File an Application with the Ohio Public Works Commission (OPWC) for Local Transportation Improvement Program (LTIP) Funds and/or State Capital Improvement Program (SCIP) Funds, and Authorizing the Mayor and Clerk of Council/Finance Director to Execute all Contracts and Other Documents (Jake Sweeney Place)

This will be the fourth time the City has applied for OPWC funding for this project. At no point has the project scored well enough to secure the necessary funding. Whether the project was combined with the Boggs Lane Rehabilitation project or as a stand alone project, it simply has not finished high enough in the rankings to receive funding. In an effort to increase the chances of the Jake Sweeney project being funded, the City's application will request a smaller percentage of grant funding (50% compared to last year's 69%). In addition to this change, the City's application will also request a loan for the remaining 50% of the construction cost of the project. The OPWC loan is interest free and can be paid back over a twenty-year period. This will be the first time the City has ever requested a loan from the program. Prior to this and for many years, the City has been very successful in securing OPWC grants and thus there has not been a need to request a loan. Things have now changed. These days, the infrastructure of many other communities is continuing to deteriorate perhaps at a much faster pace than Springdale streets, and as a result, their projects are scoring better than Springdale. In addition, these communities have begun accepting loans from OPWC. Accepting one of OPWC's loans not only helps the community to meet their required matching share, but it also assists OPWC in fulfilling its requirement to distribute fifteen percent of their annual loan allocation. As a result, the City's success rate of securing OPWC grants has declined. If the City is successful with OPWC funds, the improvements to Jake Sweeney Place are anticipated to begin as a part of the 2018 construction season.

The Jake Sweeney Place Rehabilitation project will involve full curb and gutter replacements, elimination of the crown in the middle of the roadway, total removal of the pavement and replacement with new asphalt, new pavement markings, and catch basin and manhole replacements. In addition, the project will replace the rusted metal corrugated storm sewer pipe which collapsed in 2014 and necessitated a temporary repair of the storm sewer. The latest engineer's estimate for the project is \$939,676. The City intends to apply for 50% (\$469,838) SCIP grant and 50% (\$469,838) SCIP loan. The deadline to submit for the Round 31 SCIP funds is September 16, 2016.

A resolution authorizing the City Administrator to file an application for OPWC funds for 2017 (Round 31) will be before Council at the **09/07/2016** meeting.

Item IX

A Resolution Authorizing the City Administrator to File an Application with the Ohio Public Works Commission (OPWC) for Local Transportation Improvement Program (LTIP) Funds and/or State Capital Improvement Program (SCIP) Funds, and Authorizing the Mayor and Clerk of Council/Finance Director to Execute all Contracts and Other Documents (Beacon Hills Subdivision/Kenn Road)

At the July 20, 2016 meeting, Council passed Ordinance 16-2016 to accept the proposal from CT Consultants for the design and engineering services for the Beacon Hills Subdivision/Kenn Road Rehabilitation project. This project is a part of the City's Comprehensive Capital Improvement Program. Just like the Jake Sweeney Place project, the City plans to submit an OPWC application in an attempt to secure outside funding to assist with the construction of this project. Once again, the City's application will request 50% grant funding and 50% loan funding. The latest engineer's estimate for this work is \$2,449,618. If successful with OPWC funds, the funding breakdown would be \$1,224,809 (50%) grant and \$1,224,809 (50%) loan. The project is anticipated to begin as a part of the 2018 construction season.

The Beacon Hills Subdivision/Kenn Road project is intended to address the major infrastructure problems throughout the entire Beacon Hills Subdivision as well as the section of Kenn Road from the Interstate 275 overpass to the Fairfield corporation line. The improvements will involve full curb replacements, catch basin repairs and/or adjustments, manhole adjustments, sidewalk repairs, ADA curb ramp installations, pavement repairs, some minor storm sewer repair work on Brookston Drive and Kenn Road, some resurfacing on Kenn Road, cape seal application in the subdivision, and drive apron replacements where warranted. The drive apron replacements, if required, will be at the resident's expense. The deadline to submit for the Round 31 SCIP funds is September 16, 2016.

A resolution authorizing the City Administrator to file an application for OPWC funds for 2017 (Round 31) will be before Council at the **09/07/2016** meeting.

Item X

A Resolution Authorizing the City Administrator to File an Application with the Ohio Public Works Commission (OPWC) for Local Transportation Improvement Program (LTIP) Funds and/or State Capital Improvement Program (SCIP) Funds, and Authorizing the Mayor and Clerk of Council/Finance Director to Execute all Contracts and Other Documents (Glensprings Drive)

The Glensprings Drive Rehabilitation project is also a part of the City's Comprehensive Capital Improvement Program. This is the third project in which the City plans to submit an OPWC application to secure outside funding to help with the cost of rehabilitating the road. Once again, the City's application will request 50% grant funding and 50% loan funding. The latest engineer's estimate for this work is \$976,364. If successful with OPWC funds, the funding breakdown would be \$488,182 (50%) grant and \$488,182 (50%) loan. The project is anticipated to begin as a part of the 2018 construction season.

This work is scheduled to address the deficiencies associated with Glensprings Drive and the Glensprings Drive extension to the east of Springfield Pike. The improvements will involve full curb replacements, catch basin repairs and/or adjustments, manhole adjustments, sidewalk repairs, ADA curb ramp installations, pavement repairs, some resurfacing, and drive apron replacements where warranted. The drive apron replacements, if required, will be at the resident's expense. The deadline to submit for the Round 31 SCIP funds is September 16, 2016.

A resolution authorizing the City Administrator to file an application for OPWC funds for 2017 (Round 31) will be before Council at the **09/07/2016** meeting.

Item XI

A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies for 2017

Each year, the City of Springdale and other municipalities must submit a tax budget to the County Budget Commission in June of the year prior to the tax year in question. The tax budget estimates the revenues and expenditures for the City in the upcoming year. As part of its review, the Budget Commission examines the estimated income from property taxes to determine if it is reasonable. In Springdale's case, we only have the 3.08 mils (inside mils) that support the General Fund. If we had any voted property taxes, they would also be subject to review by the Commission.

After the City's tax budget is approved by the Budget Commission, the City must then adopt a resolution accepting the rates approved by the Commission and authorizing the levying of the property tax for the following year.

A resolution accepting the rates and authorizing the City's property tax levy for 2017 will be presented to City Council for consideration at the **10/05/2016** meeting.

Item XII

Other Items of Interest

1. Introduction of New Employee:
Firefighter/Paramedic (Fire Department) Adam Dunaway – **08/17/2016**;
2. Presentation:
Springdale ComeUnity Bash – Greg Karle, Recreation Director – **08/17/2016**.

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