

INTERNAL MEMORANDUM

Office of the Assistant City Administrator

Springdale, Ohio

August 16, 2019

To: Mr. Thomas Vanover
President
Springdale City Council

From: Amanda Zimmerlin
Assistant City Administrator

Re: Report on Pending and Future Legislation

Item I

A Resolution Authorizing the City Administration to File an Application with the Ohio Public Works Commission 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 (East Kemper Road/CSX Bridge Repair)

The City of Springdale has determined that the CSX Bridge at East Kemper Road is in need of repair and has explored grant funding for this project. At the 07/17/2019 meeting, City Council authorized an agreement between the City of Springdale and the Board of Hamilton County Commissioners for the acceptance of Municipal Road Funds (MRF) for the funding of one third of the preliminary construction cost estimate, \$145,430. Due to an increase in the preliminary construction estimate, the City plans to apply for State Capital Improvement Program (SCIP) Funds for \$156,535. If the SCIP funding application is successful, the City's portion of the project cost is estimated to be \$156,535.

A resolution authorizing the City Administration to file an application with the Ohio Public Works Commission 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 for the East Kemper Road/CSX Bridge Repair will be before Council at their **08/21/2019** meeting.

Item II

Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into a Contract with Lebanon Ford for the Purchase of Two 2020 4DR AWD Ford Explorer Police Package Cruisers and Declaring an Emergency

During the 2019 budget process, all rolling stock was taken out of the General Fund budget. The Police Department is in need of two (2) new cruisers. Lebanon Ford has offered the City of Springdale a purchase price for two cruisers lower than the state bid price. The total for the two cruisers from Lebanon Ford would be \$65,910.

An ordinance, with an emergency clause, authorizing the Mayor and Clerk of Council/Finance Director to contract with Lebanon Ford for the purchase of two 2020 4DR AWD Ford Explorer Police Package cruisers will be before Council at their **08/21/2019** meeting. The need for the emergency clause is to execute the contract prior to the expiration of the bid.

Item III

Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into a Contract with Kerry Ford for the Purchase of Two 2020 Ford Explorers and Declaring an Emergency

As previously mentioned, all rolling stock was taken out of the General Fund budget during the 2019 budget process. The Fire Department is in need of two (2) new staff vehicles. Kerry Ford has offered the City of Springdale a purchase price for two 2020 Ford Explorers lower than the state bid price. The total for the two cruisers from Kerry Ford would be \$71,500.

An ordinance, with an emergency clause, authorizing the Mayor and Clerk of Council/Finance Director to contract with Kerry Ford for the purchase of two 2020 Ford Explorers will be before Council at their **08/21/2019** meeting. The need for the emergency clause to execute the contract prior to the expiration of the bid.

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 three-year agreement with NextStep Networking is scheduled to expire on August 31, 2019. The City decided for the 2015-2016 contract year to only enter into a one-year agreement. The two previous agreements with NextStep were each for a three-year period. The Administration recommends the City once again enter into a new three-year agreement with NextStep Networking for technical support services. NextStep has presented the City with an increase in charges for the 2019-2022 contract. They have proposed \$6,052.50. NextStep has not increased their rates since the 2009-2012 contract. 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 services for the City's Local Area Network is scheduled to be before Council at the **08/21/2019** meeting. The need for the emergency clause is to execute the agreement at the earliest possible date.

Item V

An Ordinance Authorizing the Ohio Department of Transportation (ODOT) to Provide Bridge Program Inspection Services for the City of Springdale and Declaring an Emergency

Each year, all bridges in the City of Springdale are required to be inspected. Overall, Springdale has a total of twelve bridges identified by the State of Ohio. Eight of those bridges are the responsibility of the City of Springdale to inspect, one is the responsibility of Hamilton County, and the remaining three bridges are the responsibility of the State of Ohio. The eight bridges the City is responsible for inspecting are as follows: 1) on Glensprings Drive west of Route 4 near the former Beef O'Brady's; 2) on Northland Boulevard near the City's Public Works entrance; 3) at the entrance of Chamberlain Park on Marwood Lane; 4) on Glensprings Drive east of State Route 4; 5) on Chesterdale Road over I-275; 6) on Neuss Avenue between Silverwood Circle and Ruskin Drive; 7) at the Ross Park entrance; and finally 8) on Kemper Road west of State Route 4. Each of the eight locations resides above a culvert at least ten feet in diameter, thereby qualifying them as a bridge. The one bridge Hamilton County is responsible for inspecting is located on E. Kemper Road between Sears and Sam's. The three bridges the State of Ohio is responsible for inspecting all cross Interstate 275 and are located over Kenn Road, State Route 4, and State Route 747. Over the years, the City has always met our responsibility of having the bridges inspected. Unfortunately, other jurisdictions have not and that concerns both the State of Ohio and the Federal Government. As a result in 2014, ODOT was able to secure a grant from the Federal Government to perform bridge inspections for communities throughout Ohio. As long as the community was in agreement, ODOT paid the cost for the inspections. ODOT has once again been able to secure grant funds to cover the cost of bridge inspections and has offered to cover the cost of having the City of Springdale bridges inspected. The City Administration recommends taking advantage of the State of Ohio's offer. The City has entered into two (2) agreements with ODOT in 2014 and again in 2016. Typically, this legislation is presented in October. This year, ODOT is operating on a different timeline necessitating the passage of the legislation in August.

An ordinance, with an emergency clause, authorizing ODOT to provide bridge inspection services for the City of Springdale will be presented to Council at the **08/21/2019** meeting. The need for the emergency clause is to expedite the project to promote highway and bridge safety.

Item VI

An Ordinance Reducing and Recertifying 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 Redevelopment Authority (formerly the 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 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 sold by MEPT to Fairbridge Partners out of Skillman, New Jersey in May of 2016.

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 at the **08/21/2019** meeting. The emergency clause is necessary for the orderly reduction of the assessments.

Item VII

An Ordinance Assessing Property Owners for Improvements Made Related to Their Drive Aprons for the 2018 Street Program and Declaring an Emergency

As the City has been getting back into the neighborhoods making improvements by upgrading our streets, curbs, catch basins, and other infrastructure features, the City has adopted a policy of requiring residents to replace their defective drive aprons. Not all drive aprons are automatically included in this requirement. Only those drive aprons meeting one of the following criteria are required to make the improvements: *1) if more than 1 inch of vertical separation exists between the apron and any adjoining concrete (apron, curb, or sidewalk); 2) if there is deterioration of more than 50% of the apron's surface; or 3) if there is a crack or cracks greater than ½ inch in width in the surface of the apron.*

As a part of the 2018 Street Program, 146 property owners were required to make improvements under the policy. This included the Glensprings Drive project and the Beacon Hills Subdivision. Invoices were sent to 35 property owners for the Glensprings Drive project, totaling \$81,810.90. As of Thursday, August 15, we have received complete or partial payments totaling \$49,753.26 (61%), leaving a balance of \$32,057.64 (39%). Many of the aprons in this project were large commercial aprons which are wider and thicker than residential aprons. Also, the City handled the private road leading back to the hotels (Super 8 and Extended Stay America) and the City-owned parking lot the same way the aprons were handled. The two hotels were billed \$20,576.52 (one has paid), and Springdale covered our own share of \$10,288.26. For the Beacon Hills Subdivision portion, invoices were sent to 111 property owners, totaling \$102,686.40. As of Thursday, August 15, the City received complete or partial payments totaling \$50,661.84 (49%), leaving a balance of \$52,024.56 (41%). If this ordinance is passed by Council, the City will send a letter to each of the remaining property owners notifying them of the legislation and their ability to avoid the assessment.

An ordinance, with an emergency clause, assessing property owners for improvements made to their drive aprons for the 2018 Street Program is scheduled before City Council at the **08/21/2019** meeting. The need for the emergency declaration is provide the certification to Hamilton County by their September deadline.

Item VIII

A Resolution Authorizing the Filing of Continuing Disclosures Related to the March 2017 Street Improvement Bonds

As part of the issuance of the \$8,200,000 of Street Improvement Bonds in March of 2017, the City has a continuing disclosure requirement under the Securities and Exchange Commission Rule 15c2-12. This rule requires that certain disclosures be made annually to the Municipal Securities Rulemaking Board under the Electronic Municipal Market Access system or EMMA. The filing required to EMMA is an update to certain information and tables that were originally included as part of the Official Statement document from the Bond issue. The information included in this filing is updated through December 31, 2018. The filing must be made to EMMA by September 1, 2019.

The City passed, as policy, the documents outlining the post issuance continuing disclosure requirement on 02/15/2017. As part of the requirements, City Council is to review the document to be filed with EMMA before the filing due date of September 1, 2019.

A resolution authorizing the filing of continuing disclosures related to the March 2017 Street Improvement Bonds is scheduled to be before Council for consideration at the **08/21/2019** meeting.

Item IX

An Ordinance Amending Sections 152.33(B) and 152.15 and Removing 152.33(C) of the Springdale Codified Ordinances of the City of Springdale, Ohio

At the **07/17/2019** meeting, City Council set a first reading date for an ordinance amending Sections 152.33(B) and 152.15 and removing 152.33(C) of the Springdale Codified Ordinances of the City of Springdale, Ohio for **08/21/2019** and a second reading and Public Hearing for the **09/04/2019** meeting.

The City seeks to provide additional regulations to prevent the drainage of water from one property onto the property of another. Section 152.33(C) will be removed and incorporated into the newly proposed Section 152.38. This ordinance also seeks to amend Section 152.33(B) to incorporate the International Residential Code 2018 Edition, as published by the International Code Council.

An ordinance amending Sections 152.33(B) and 152.15 and removing 152.33(C) of the Springdale codified ordinances of the City of Springdale, Ohio is scheduled for a first reading at Council's **08/21/2019** meeting. The second reading of the ordinance along with a Public Hearing is scheduled for Council's consideration at the **09/04/2019** meeting.

Item X

An Ordinance Creating Section 152.38 of the Codified Ordinances of the City of Springdale, Ohio to Address Regulations for Swimming Pools, Spas, and Hot Tubs

At the **07/17/2019** meeting, City Council set a first reading date for an ordinance creating Section 152.38 of the Codified Ordinances of the City of Springdale, Ohio to address Regulations for Swimming Pools, Spas, and Hot Tubs for **08/21/2019** and a second reading and Public Hearing for the **09/04/2019** meeting.

This legislation seeks to create Section 152.38 of the Springdale Code of Ordinances, which is included as part of the City's Building Code, to regulate swimming pools, spas, and hot tubs. These regulations were previously contained within the International Residential Code, but are not in the current version, requiring the City to adopt its own regulations for swimming pools, spas, and hot tubs. The City has an interest in ensuring that residents do not purposely cause the drainage of water from their swimming pool to flow onto the property of another resulting in damage. In order to prevent damage from one property owner discharging their swimming pool onto the property of another, the City seeks to add a provision to be included within the newly created Section 152.38 to prohibit any water from a swimming pool or from its use to drain toward or onto adjoining properties.

An ordinance creating Section 152.38 of the Codified Ordinances of the City of Springdale, Ohio to address regulations for swimming pools, spas, and hot tubs is scheduled for a first reading at Council's **08/21/2019** meeting. The second reading of the ordinance along with a Public Hearing is scheduled for Council's consideration at the **09/04/2019** meeting.

Item XI

Amending Ordinance No. 20-2019 to Revise the Pay Table for Full-Time, Part-Time, and Seasonal Employees, and Declaring an Emergency

It has been the desire of the City Administration to create an additional layer of supervision at the Fire Department. Currently, the structure is Fire Chief, Assistant Fire Chief, Fire Captain, and Firefighter. Finance Committee, at their June 5, 2019 meeting, discussed the creation of Part-Time Lieutenant Positions in the Fire Department. City Administration has been working with the Fire

Union to come to an agreement on the inclusion of Fire Lieutenants in the bargaining unit; however, the process has hit an impasse. At the 07/17/2019 meeting, City Council requested legislation creating the position of Part-Time Fire Lieutenant. The Administration has submitted legislation creating and including the Part-Time Fire Lieutenant Position on the Part-Time Firefighter wage table at a rate of \$25.00 per hour.

An ordinance, with an emergency clause, amending Ordinance 20-2019 to revise the pay table for full-time, part-time, and seasonal employees will be before Council for a first reading at the **08/21/2019** meeting. A second reading is scheduled for the **09/04/2019** meeting. The need for the emergency declaration is for proper compensation to be paid to employees for the positions indicated in the ordinance.

Item XII

An Ordinance Amending Various Sections of the Codified Ordinances of the City of Springdale, Ohio (Springdale Zoning Code)

Following a review, staff requested that Planning Commission consider making a recommendation to City Council to amend various sections of the Zoning Code. The first proposed amendment is to eliminate Section 153.460(C) of the Code that is no longer applicable. In April 2007, the Springdale Zoning Code was amended (Ordinance 21-2007) to allow for the inclusion of a large (300 square foot minimum/720 square foot maximum) electronic highway sign to be located at the Tri-County Mall Planned Unit Development. The purpose of the sign was to provide interstate identification for all the tenants of the mall. The sign was never constructed, and Tri-County Mall has not expressed interest in pursuing the signage to date. The second proposed amendment would allow users in the "GB" General Business District to use a portion of the establishment for fabrication as an Accessory Use if the Planning Commission grants Conditional Use.

At their May 6, 2019 meeting, the Springdale Planning Commission voted to recommend to City Council the amendments to Section 153.460 of the existing Zoning Code. A memo from the City Planner, Anne McBride, detailing the proposed amendments is attached to the legislation. At the 06/19/2019 Council meeting, a Public Hearing was set to address the recommended amendments to the Zoning Code.

An ordinance amending various sections of the Zoning Code of the Springdale Code of Ordinances was before Council for a first reading on **07/17/2019**. The second reading of the ordinance along with a Public Hearing was originally scheduled for Council's consideration at the **08/21/2019** meeting. The Public Hearing notice did not make it to the paper in time to be run ten (10) days prior to the 08/21/2019 meeting. The second reading of the ordinance along with the Public Hearing is now scheduled for the **09/04/2019** meeting.

Item XIII

An Ordinance Authorizing the City of Springdale to Join the Suburban Communities Energy Special Improvement District (ESID) and Declaring an Emergency

Property Assessed Clean Energy (PACE) is a financing tool that property owners can utilize to fund energy efficiency improvements. In July 2014, City Council passed a resolution in support of establishing a Property Assessed Clean Energy (PACE) program in Springdale, but due to a number of reasons, this program was never launched. Since that time, five of our neighboring jurisdictions have joined together to create what is called the Suburban Communities Energy Special Improvement District (ESID). Those communities are Sharonville, Loveland, Deer Park, Symmes Township, and Sycamore Township. Mr. Chris Jones, Director of PACE Financing from the Greater

Cincinnati Energy Alliance, attended the 06/19/2019 Council meeting to provide an overview of the PACE program. Joining the Suburban Communities ESID would provide a new way for commercial property owners within Springdale to finance energy efficiency improvements such as new HVAC, windows, lighting, and solar panels.

An ordinance, with an emergency clause, authorizing the City of Springdale to join the Suburban Communities Energy Special Improvement District (ESID) is scheduled to be before Council for consideration at the **09/04/2019** meeting.

Item XIV

Other Items of Interest

- 1) Presentation: ComeUnity Bash – Greg Karle, Parks and Recreation Director – **08/21/2019**.
- 2) City Offices will be closed **09/02/2019** in observance of Labor Day.

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