

INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

August 28, 2015

To: Mr. Thomas Vanover
President
Springdale City Council

From: Derrick Parham
City Administrator

Re: Report on Pending and Future Legislation

Item I

An Ordinance Enacting and Adopting the 2015 S-16 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 revisions which expand existing language by further defining additional actions that constitute a specific offense as well as the incorporation of an entirely new section into the chapter on sex related offenses. For example, the offenses of menacing, aggravated menacing, and menacing by stalking have been revised to include language such that if Person A makes threats or takes some action against Person B's place of employment or an organization in which Person B belongs, Person A could be charged with some form of menacing. Additionally, a new section outlining the unlawful advertising of massage has been incorporated into Chapter 134: Sex Related Offenses. Under the new section, unlawful advertising of massage is described as the advertising of any type of massage or related service with the suggestion or promise of sexual favor.

In an effort to align the City's Code of Ordinances with the State of Ohio, Council will need to enact the aforementioned supplement. Once adopted, the City's Police Department will be able to enforce these laws in accordance with State law.

An ordinance, with an emergency clause, enacting and adopting the 2015 S-16 supplement will be before Council at the **09/02/2015** meeting. Due to the high number of pages included, 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 II

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

During the 2015 Budget process, the City once again separated the Boggs Lane Rehabilitation and the Jake Sweeney Place Rehabilitation projects into two separate improvements. In an effort to retain the HB51 funds from the Ohio Department of Transportation's Office of Jobs and Commerce, the City agreed to separate the two projects and proceed with the construction of the Boggs Lane Rehabilitation project in 2015. The City also committed to submit an application to OPWC in hopes of securing SCIP funds to implement the Jake Sweeney Place Rehabilitation project. If the City is successful with SCIP funds, the improvements to Jake Sweeney Place will occur as a part of the 2016 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 \$851,835 (March 2015). The City intends to apply for 69% (\$587,766) SCIP funds which mean the City's 31% share would be \$264,069. The deadline to submit for the Round 30 SCIP funds is September 18, 2015.

A resolution authorizing the City Administrator to file an application for OPWC funds for 2016 (Round 30) will be before Council at the **09/02/2015** meeting.

Item III

An Ordinance Accepting a Bid and Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into a Contract with the Lowest and Best Bidder for the 2015 Annual Street Improvement Program and Declaring an Emergency

The proposed 2015 Annual Street Improvement Program was presented to City Council at the meeting of July 15. Elements proposed for this year's program include: paving Cedarhill Road and Yorkhaven Road in Oxford Hills Subdivision; pavement repairs and paving on Rose Lane from Grandin Avenue to the corporation line; crack seal work along with an Onyx application treatment to further preserve our roads in several locations around the City; installing collector lines in several locations in the City; pavement repairs, curb replacements, and catch basin repairs on Vista Glen; and some citywide sidewalk repairs. Not all of the abovementioned work will be performed by the contractor selected from the bid process. Other parts of the program will be farmed out to smaller, more efficient and effective contractors to possibly realize savings for the program. Because the bids, identifying the lowest bidder and their proposed cost, will not be opened until Monday, August 31, there is no ordinance included in the Council packets. Instead due to time constraints, the ordinance will be presented to Council for consideration at the meeting on Wednesday night.

The estimated construction cost for the program described above is \$429,382, although the 2015 Budget only allocated \$410,000. In addition to the construction cost, the engineer's design fee for the program is \$16,000. Hopefully, we will once again receive very favorable and competitive bids.

An ordinance, with an emergency clause, accepting the bid and authorizing a contract with the lowest and best bidder for the 2015 Annual Street Improvement Program will be before Council at the **09/02/2015** meeting.

Item IV

An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with Advanced Data Processing, Inc. dba Intermedix, for Ambulance Billing and Related Professional Services and Declaring an Emergency

For over twenty years, in fact since 1993, Medicount Management, Inc. provided life support services billing for emergency runs made by City personnel. Due to a new ownership at Medicount as well as a reduction in the quality of service, the City entered into an agreement with Advanced Data Processing (Intermedix) in June 2011. At that time, the amount of revenue generated by the City's life support services had been declining drastically. In comparing the City's 2010 paramedic services revenue collection to the 2014 collections, there has been an increase of 42% in this revenue line item from \$356,253 to \$505,042.

The agreement with Intermedix authorized in 2011 appears to have expired during 2013, and since then, we have been operating under the terms of that agreement. Assistant City Administrator Jerry Thamann and Fire Chief Michael Hoffman have been working with representatives of Intermedix to draft a new agreement. According to Mr. Thamann, Intermedix is proposing very few adjustments to the existing agreement. It seems the primary change is to the fee schedule associated with the use of Intermedix's equipment that the department currently uses.

Unfortunately, the appropriate language for our new agreement with Intermedix has not been concluded. As a result, the legislation will not appear at the next City Council meeting. Once both parties have agreed to the proposed agreement, an ordinance, with an emergency clause, authorizing the City to enter into an agreement with Intermedix for ambulance billing services will be presented for Council's consideration perhaps at the **09/16/2015** meeting.

It is anticipated that the agreement (Exhibit A) will exceed twenty pages in length, and therefore a copy will not be included with the legislation when distributed. However, once the agreement is finalized and ready for Council's consideration, a copy will be available for review in the Clerk of Council/Finance Director's office.

Item V

A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies for 2016

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 2015 will be presented to City Council for consideration at the **10/07/2015** meeting.

Item VI

Other Items of Interest

1. Presentations:
 - a) Mill Creek Watershed Council for their 20th Anniversary Celebration – **09/02/2015**;
 - b) Springdale ComeUnity Bash – Greg Karle, Recreation Director – **09/02/2015**;
 - c) Legislative Update from Ohio State Representative Jonathan Dever, District 28 – **09/16/2015**;

2. Introduction of New Employees:
 - a) Account Clerk (Tax Department) Ruth A. Benfer – **09/02/2015**;
 - b) Health Commissioner (Health Department) Matthew J. Clayton – **10/07/2015**.

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