

# INTERNAL MEMORANDUM

Office of the Assistant City Administrator

Springdale, Ohio

August 29, 2014

To: Mr. Thomas Vanover  
President  
Springdale City Council

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From: Jerry Thamann  
Assistant City Administrator

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Re: Report on Pending and Future Legislation

## Item I

**A Resolution Authorizing the City Administrator 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**

The City's 2013 OPWC application for SCIP funding included W. Kemper Road as the primary project and Jake Sweeney Way/Boggs Lane (Sweeney/Boggs) as our secondary project. The City was successful in receiving funding for the W. Kemper Road project. Unfortunately, we were not as successful with the Sweeney/Boggs project. The City's 2014 5-Year Capital Improvement Budget proposed a number of road improvement projects during 2015. At the August 14 Capital Improvement Committee meeting, the Administration recommended the Sweeney/Boggs project as the City's primary project in 2015 for an OPWC application for SCIP funds. The SCIP application deadline for this project is Friday, September 19.

During the video taping of several City storm sewers, staff discovered a rusted metal corrugated storm sewer pipe located below the surface of Jake Sweeney Way between W. Kemper Road and Boggs Lane. Earlier in 2014, the road surface began to experience what started out as a small depression in the pavement. Soon that small depression developed into a rather sizable sinkhole where the corrugated pipe had begun to fail. The Public Works staff covered the hole with a metal plate until we were able to employ a contractor to temporarily repair both the pipe and pavement.

In the interim, the City filed an application with the Ohio Department of Transportation's Office of Jobs and Commerce (HB51) for funding to help pay for the construction of the Sweeney/Boggs project. The newly created Office of Jobs and Commerce provides funding of road improvement projects with a special emphasis on Economic Development and more importantly job creation. In July, the City was notified our application was one of three projects in Southwest Ohio to be approved for funding. The funding amount the City is expected to receive is \$100,000. The Sweeney/Boggs project now has a construction cost estimate of \$1,064,855. The \$100,000 HB51 funding represents approximately 9.4% of the construction cost. If we are successful in our SCIP application, the remaining funding breakdown

would be SCIP funds in the amount of \$521,779 (49%) with the City being responsible for \$443,076 (41.6%).

A resolution authorizing the City Administrator to file an application for OPWC funds for 2014 (Round 29) will be before Council at the meeting of **09/03/2014**.

**Item II**

**An Ordinance Transferring Ownership and Maintenance Responsibility of the City's Outdoor Warning Sirens from the City of Springdale to the Hamilton County Emergency Management Agency and Declaring an Emergency**

Earlier this year, the Springdale Public Works Department was informed by the Hamilton County Emergency Management Agency (HCEMA) that they had secured a grant for the replacement and upgrade of the outdoor warning sirens in Hamilton County. In 2012, perhaps under this same grant, HCEMA paid for the installation of a new siren on Kemper Commons Circle near Sam's Club and Home Emporium. This siren replaced one that was previously located on the top of Tri-County Mall.

As a part of the discussions with our Public Works Department, HCEMA indicated their desire to take ownership and maintenance responsibility for all of the City's outdoor warning sirens. The City would simply need to transfer the sirens over to HCEMA. Presently, the City is covered by three warning sirens. We have the siren identified above on Kemper Commons Circle, a second siren located on top of the Springdale Fire Department, and a third located adjacent to Temple Baptist Church on Kenn Road.

This ordinance was previously scheduled to be on the 09/03/2014 meeting agenda. Unfortunately, the HCEMA has not provided all necessary details to the City for the transfer of the sirens to. Therefore, the presentation of an ordinance for consideration has been delayed. An ordinance, with an emergency clause, is tentatively proposed to be before City Council at the **09/17/2014** meeting.

**Item III**

**An Ordinance for the Acceptance of the Dedication Plat for Right-Of-Way Along a Portion of Commons Drive and Declaring an Emergency**

When the Tri-County Commons subdivision was developed in the early to mid 1990s, a portion of the right-of-way along Commons Drive was never properly recorded, and therefore, the City never accepted the dedication plat of the right-of-way. According to the City's engineer, the right-of-way was set aside as a buffer strip to the adjacent residential area abutting the commercial development. Eventually, the residential property was rezoned and commercially developed. A portion of the buffer strip was then turned into an access drive for the Target development. When this development occurred, a new plat was created and signed by the new property owner, Kimco. However, the new plat was incorrectly recorded. Recently a registered land examiner was able to get the plat recorded in registered land and a certificate was filed for the plat in June of 2014. At this point, two items need to take place: 1.) acceptance by the City of the dedication plat for the right-of-way portion along Commons Drive, and 2.) an amendment to the existing covenants of the Tri-County Commons development. This amendment will relinquish the requirement that the portions of the accepted dedicated right-of-way (Lots 3B and 6B) do not have to be retained or sold with their abutting "parent parcels" (Lots 3A and 6A.)

An ordinance, with an emergency clause, for the acceptance of the dedication plat for right-of-way along a portion of Commons Drive is anticipated to be before City Council at the **09/17/2014 meeting**.

#### **Item IV**

#### **An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter into a Collective Bargaining Agreement with the Fraternal Order of Police, Ohio Labor Council, Inc. for the Patrol Officers Bargaining Unit and Declaring an Emergency**

Earlier this year, the Patrol Officers Bargaining Unit and the City reached a tentative agreement after both parties accepted the fact finder's report. The members of the bargaining unit have ratified the tentative agreement. The notable changes from the existing agreement were the articles covering wages, step increases, insurance, and duration. The parties agreed to a 2.0% wage increase in 2014, 2015, and 2016. If the non-union employees receive a raise greater than 2.0% in any year, the bargaining unit members are entitled to the same increase. The step increase article states that those increases will be automatic upon the employee's anniversary date. The significant changes in the health insurance article are the bargaining unit members will begin to pay a percentage of the monthly health insurance premiums and the elimination of the working spouse rule. Employees will continue to pay \$1,000 for single and \$2,000 for employee plus dependent(s) toward their deductible. The duration article was modified to depict a three-year agreement commencing January 1, 2014 and ending December 31, 2016.

An ordinance, with an emergency clause, authorizing the Mayor and Clerk of Council/Finance Director to enter into an agreement with the FOP/OLC (Patrol Officers) bargaining unit will be before Council at the **09/17/2014** meeting.

#### **Item V**

#### **An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter into a Collective Bargaining Agreement with the Fraternal Order of Police, Ohio Labor Council, Inc. for the Supervisors Bargaining Unit and Declaring an Emergency**

Again, earlier this year, the Supervisors (Sergeants and Lieutenants) Bargaining Unit and the City reached a tentative agreement after both parties accepted the fact finder's report. The members of the bargaining unit have ratified the tentative agreement. The notable changes from the existing agreement were the articles covering wages, step increases, insurance, and duration. The wage increase is contingent upon the rates for the Patrol Officers. A Sergeant's beginning pay is 15% above the Step 3 Patrol Officer's rate. A Lieutenant's beginning rate is 10% above the Sergeant's Step 1 rate. The step increase article states that those increases will be automatic upon the employee's anniversary date. The significant changes in the health insurance article are the bargaining unit members will begin to pay a percentage of the monthly health insurance premiums and the elimination of the working spouse rule. Employees will continue to pay \$1,000 for single and \$2,000 for employee plus dependent(s) toward their deductible. The duration article was modified to depict a three-year agreement commencing January 1, 2014 and ending December 31, 2016.

An ordinance, with an emergency clause, authorizing the Mayor and Clerk of Council/Finance Director to enter into an agreement with the FOP/OLC (Supervisors) bargaining unit will be before Council at the **09/17/2014** meeting.

#### **Item VI**

#### **A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies for 2015**

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 **10/01/2014** meeting.

**Item VII**

**An Ordinance Authorizing the City to Participate in a Group Retrospective Rating Program for Workers' Compensation for 2015 and Declaring an Emergency**

In an effort to save on workers' compensation premiums, the City began participating in a group rating program with the Miami Valley Risk Management Association (MVRMA) in 1993. The experience of being in a group has served our organization well. When MVRMA discontinued their group rating program beginning with the 2011 program year, the City was presented with an opportunity to join the Ohio Municipal League's (OML) program. The City has participated with OML every year since, and the program continues to prove beneficial to our organization. Although OML is once again offering the program, unfortunately, the City's workers' compensation claims experience is too high to participate.

Fortunately for the City, OML offers another alternative rating program in which the City is eligible to participate. OML's other program is the Group Retrospective Rating Program (Group Retro). Group Retro is a performance-based incentive program where although cities group together, they continue to pay their own individual premiums to the Bureau of Workers' Compensation (BWC). Depending upon the performance of the entire group, each City could receive either a refund or an assessment.

The key to the success of the Group Retro program is based on best safety practices, education, and aggressive claims management. CompManagement, the program administrator, is rather selective in which Cities are allowed as members into the Group Retro program. If a City's BWC claims experience exceeds the industry standard, that City will not be allowed to enroll in the program. This selective process protects the group's ability to receive a larger refund and minimizes the possibility of an assessment. Because the enrollment deadline for the 2015 Group Retro program is not until October 31, 2014, legislation will be delayed until the **10/15/2014** meeting.

An ordinance, with an emergency clause, authorizing the City to participate in the OML Group Retro program for 2015 will be presented to Council for consideration at the **10/15/2014** meeting.

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