

INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

September 1, 2017

To: Mr. Thomas Vanover
President
Springdale City Council

From: Derrick Parham
City Administrator

Re: Report on Pending and Future Legislation

Item I

An Ordinance Approving a Major Modification to the Planned Unit Development (PUD) and Preliminary Development Plan of Approximately 130 Acres at the GEEAA Park

At its October 21, 2015 meeting, Springdale City Council approved a major modification to the Planned Unit Development (PUD) for the Crossings at the Park PUD located at GEEAA Park. With the approval of the 2015 modification, the new PUD became known as the Tri-County Commerce Park. It included a new preliminary development plan that consisted of nine industrial buildings with well over 1.28 million square feet of space. Unfortunately, that developer lost their opportunity to acquire the property and as a result, lost their ability to create the proposed development.

At their meeting on July 11, 2017, the Springdale Planning Commission voted to recommend approval of a major modification to the Tri-County Commerce Park PUD and a new preliminary development plan by a vote of five in favor and zero opposed. Two members of the Commission were not in attendance. The new plan is being proposed by Strategic Capital Partners Springdale LLC (SCP). Presently, SCP has the former GEEAA Park property under contract to purchase. As a part of their development plans, SCP is proposing to construct five separate buildings consisting of primarily industrial and office buildings. A sixth building is being proposed for a potential retail or office use. The development would total slightly over 1 million square feet of space.

An ordinance approving a major modification to the Planned Unit Development (PUD) and preliminary development plan of approximately 130 acres at the GEEAA Park was before Council for a first reading at the **08/16/2017** meeting. A second reading and Public Hearing is scheduled to take place at the **09/06/2017** meeting.

Item II

An Ordinance Approving a Zone Change from Residential Single Household – High Density (RSH-H) to Planned Unit Development (PUD) to Allow a Day Care Facility at 1391 E. Crescentville Road (Higher Ground Ministries House of Favor Church)

At their June 13, 2017 meeting, the Springdale Planning Commission by a unanimous vote of seven in favor and zero against recommended approval of a zone change from Residential Single Household – High Density (RSH-H) to Planned Unit Development (PUD) for the Higher Ground Ministries House of Favor Church (Higher Ground) located at 1391 E. Crescentville Road. Higher Ground is proposing to operate a day care facility at the church's location.

An ordinance approving a zone change from Residential Single Household – High Density to Planned Unit Development at 1391 E. Crescentville Road was before Council for a first reading at the **08/16/2017** meeting. Following the first reading, the zone change is scheduled to be before Council for a second reading and a Public Hearing at the **09/06/2017** meeting.

Item III

An Ordinance Approving a Preliminary Development Plan to Allow a Day Care Facility at 1391 E. Crescentville Road (Higher Ground Ministries House of Favor Church)

At their June 13, 2017 meeting, the Springdale Planning Commission voted to recommend approval of a day care facility at 1391 E. Crescentville Road for Higher Ground Ministries House of Favor Church (Higher Ground). The vote of the Commission was seven in favor of the proposal and zero members not in favor of the proposal.

An ordinance approving a preliminary development plan to allow a day care facility at 1391 E. Crescentville Road was before Council for a first reading at the **08/16/2017** meeting. A second reading and Public Hearing will be before Council for consideration at the **09/06/2017** meeting.

Item IV

An Ordinance Amending Various Sections of the Codified Ordinances of the City of Springdale Zoning Code

At its August 8, 2017 meeting, the Springdale Planning Commission voted by a count of seven in favor and zero in opposition to recommend to Council a variety of text amendments to the Springdale Zoning Code. The following are some of the amendments being proposed and recommended for Council's consideration: (1) adding "Educational Institutions" to the City's Public Facilities Zoning Districts; (2) creating and permitting with standards a use of "Multi-Household Dwellings with Age Restrictions" and locating it in the Public Facilities Zoning Districts; (3) clarifying the difference between Automotive Sales - New, Automotive Sales - Used, and Automotive Rentals; and (4) providing an expiration date for final development plans for a Planned Unit Development (PUD) of 18 months.

An ordinance amending various sections of the Springdale Zoning Code is scheduled for a first reading before Council at its **9/06/2017** meeting. The ordinance is also anticipated to have its second reading along with a Public Hearing at Council's **09/20/2017** meeting.

Item V

An Ordinance Amending the Codified Ordinances of the City of Springdale, Ohio, to Amend Section 153.254 of the Springdale Zoning Code Related to Medical Marijuana

In 2016, the legalization of medical marijuana was passed by the Ohio State Legislature and signed by the Governor with an effective date of September 8, 2016. The implementation process was assigned to the State Board of Pharmacy and the Department of Commerce. They were charged with the development of the rules and regulations for the process. Within one year, the law stated, they were to have some of the process ready for implementation, and within two years, the entire program was to be operational.

Under the law, there are three types of medical marijuana facilities that can be regulated by a municipality: cultivation facilities, processing facilities, and retail dispensaries. Cultivation facilities are operations that essentially grow the product. Processing facilities are operations where the packaging and preparation to sell the product takes place. Finally, retail dispensaries are locations where persons can go to purchase the product. According to the law, municipalities have two options relative to the abovementioned operations. The City can prohibit the facilities from operating within their jurisdiction, or they can limit the number of facilities permitted within the jurisdiction. To give the State adequate time to develop the rules, on two occasions, the City imposed a 180-day moratorium on granting permits for any of the three types of medical marijuana facilities.

Following a request from Council to provide a recommendation on how the City should participate in the regulation of medical marijuana facilities, the Springdale Planning Commission met to address the issue. At its August 8, 2017 meeting, the Springdale Planning Commission voted by a count of seven in favor and zero in opposition to recommend to Council a Zoning Code text amendment that would prohibit the cultivation, processing, and retail distribution of medical marijuana in any zoning district within the City of Springdale.

An ordinance amending Section 153.254 of the Springdale Zoning Code prohibiting the cultivation, processing, and retail distribution of medical marijuana in any zoning district in the City is scheduled for a first reading before Council at its **9/06/2017** meeting. This ordinance is also anticipated to have its second reading and Public Hearing before Council at the **09/20/2017** meeting.

Item VI

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

In the 2017 5-Year Capital Budget, several upgrades to the SR 4 Streetscape, originally completed in 2002, were budgeted for calendar year 2018. As pointed out in the budget, some of the features of the project are showing signs of deterioration and are in need of attention. In particular, the curbs and gutters as well as some of the catch basins are in need of replacement/repairs. By submitting a SCIP application for the SR 4 Curb and Gutter Replacement and Catch Basin Repair Program, the City Administration is hoping to secure a SCIP grant to help pay for 50% of the estimated \$489,000 cost of construction or \$244,500. The improvements under this application would consist of the removal and replacement of the existing curbs and gutters, catch basin repairs, pavement repairs as needed, and sidewalk and paver repairs. Only those pavers and sidewalks adjacent to and directly impacted by the removal of the curbs and gutters would be addressed under this project. The limits of this potential improvement would take place on SR 4 from Cameron Road to Glensprings Drive.

In addition to the SR 4 project, the City is requesting to submit an application for the Jake Sweeney Place Rehabilitation project. This would be the fifth time the City has submitted an application for this project. The latest cost estimate for this project is \$939,676. The application is intended to request a SCIP grant in the amount of \$469,838 or 50% of the costs.

The deadline to submit a 2018 application for Round 32 OPWC funding is Friday, September 15 at 3:00 pm. Unfortunately, the **09/06/2017** meeting is the only Council meeting scheduled before the deadline. As a result, if Council is in agreement with submitting an application for SCIP funding, authorization would have to be granted at the **09/06/2017** meeting in order to meet the deadline.

A resolution authorizing the City Administrator to file an application with the Ohio Public Works Commission for Local Transportation Improvement Program funds and/or State Capital Improvement Program funds, and authorizing the Mayor and Clerk of Council/Finance Director to execute all contracts and other documents will be before Council for consideration at the **09/06/2017** meeting.

Item VII

An Ordinance Authorizing a Contract with the Best Bidder for the Replacement of the Roof at the Springdale Police Department and Declaring an Emergency

Earlier this year at the June 21, 2017 meeting, I shared information with Council concerning several leaks in the roof at the Springdale Police Department Building. During a significant rainstorm in April, the building had several locations where water was entering and ponding on the floor. Informal quotes for replacing the roof all exceeded \$50,000, which is the maximum dollar amount the City can contract without seeking public bids. The informal quotes ranged from \$68,000 to \$122,000.

At the June meeting, the decision was made to solicit public bids for the replacement of the roof at the station in an effort to have the work completed as soon as possible. Because the City had not anticipated replacing the roof this year (2017), there were no funds appropriated for this work in the 2017 Budget.

An ordinance, with an emergency clause, authorizing a contract with the best bidder for the replacement of the roof at the Springdale Police Department is planned for the **09/20/2017** meeting.

Item VIII

An Ordinance Authorizing an Agreement with Simple Recycling for the Collection of Soft Recyclables and Declaring an Emergency

Simple Recycling, out of Solon, Ohio, is a recycling company that contracts with local governments to provide a service of collecting what they refer to as “soft recyclables.” According to their definition, soft recyclables are items weighing less than fifty pounds and able to be carried by one person. Examples of soft recyclables are clothing, jewelry, toys, blankets, drapes, small furniture and appliances, and other household goods.

Simple Recycle is currently providing this service for other communities in the Greater Cincinnati area, including the City of Sharonville. According to Sharonville’s Public Works Director, “the Simple Recycling program has worked very well for Sharonville and we have had very minimal calls.” He further states, “Overall, the program serves a valuable purpose and there is literally no work on the part of the City, I highly recommend participation.”

An ordinance, with an emergency clause, authorizing an agreement with Simple Recycling for the collection of soft recyclables is anticipated to be presented to Council for consideration at the **09/20/2017** meeting.

Item IX

A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies for 2018

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 mills (inside mills) 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 2018 will be presented to City Council for consideration at the **10/04/2017** meeting.

Item X

Other Items of Interest

1. Introduction of New Employee: Debra L. Huber, Account Clerk I, Finance Department – **09/20/2017**;
2. Public Hearings – Community Development Block Grant (CDBG) Program Years 2018 – 2020.
Proposed projects due to Hamilton County: November 22, 2017;
Proposed Public Hearing meeting dates: October 18, 2017 and November 1, 2017.

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