

# INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

September 13, 2013

To: Mrs. Marjorie Harlow  
President  
Springdale City Council

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From: Derrick Parham  
City Administrator

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Re: Report on Pending and Future Legislation

**Item I**

**An Ordinance Amending the Zoning Code to Create Regulations Regarding a Farmer's Market**

At the start of this season the Springdale Chamber of Commerce Farmer's Market was relocated from the northwest corner of the Springdale Town Center to the southwest corner by the center's ownership. The Farmer's Market will once again be forced to change locations as a result of the pending construction of a new restaurant at the southwest corner of the Town Center. When notice of this was received earlier this year, the Chamber and Administration began a search for a new location for the market. As you can imagine, visibility for the Farmer's Market is essential to its survival. After exploring several options, it was determined the City's Church Street parking lot could serve as a possible location.

This ordinance will create a definition for a Farmer's Market as well as make it a permitted use in a General Business zoning designation. Presently, a Farmer's Market is not defined nor regulated in the Springdale Zoning Code. The issue was deliberated by the Springdale Planning Commission at its August 13, 2013 meeting. By a unanimous vote of 6-0, the Planning Commission recommended the Zoning Amendment to City Council.

An ordinance to amend the Zoning Code creating regulations regarding a Farmer's Market had a first reading at Council's **09/04/2013** meeting. A second reading of the ordinance along with a Public Hearing is scheduled before Council at the **09/18/2013** meeting.

**Item II**

**An Ordinance Amending the Zoning Map for the Municipal Parking Lot at Walnut and Peach Streets Changing the Zoning From Residential Single Household High Density (RSH-H) Zoning to General Business (GB) Zoning**

This ordinance would rezone the City's municipal parking lot located at the southwest corner of Walnut and Peach Streets from a Residential Single Household High Density Zoning district to General Business. The lot is presently surrounded by Walnut Street, Church Street, Elm Alley, and Peach Street. The Springdale Town Center is to the northwest of the parking lot and is a PUD. The property immediately adjacent to the west of the parking lot is zoned GB.

An ordinance amending the Zoning Map for the municipal parking lot at Walnut and Peach Streets changing the zoning from RSH-H to GB had a first reading at Council's **09/04/2013** meeting. A second reading of the ordinance along with a Public Hearing is scheduled before Council at the **09/18/2013** meeting.

**Item III**

**A Resolution Commending CDS Associates, Inc. On The Occasion Of Their 45<sup>th</sup> Anniversary Of Providing Quality Professional Engineering and Architectural Services to Both Public and Private Sector Clients As Well As Contributing To The Betterment Of The City Of Springdale**

In 1968, CDS Associates, Inc. was founded under the name of Construction Design Service, Incorporated. The firm began as a private practice professional engineering firm with a total of three (3) staff members. In 1975, CDS began its relationship with the City of Springdale with Wayne Shuler serving in the role of Springdale City Engineer. In 1982, the firm expanded its services to include architectural and structural services. It was at that point when the firm changed its name to CDS Associates, Inc.

Today, CDS has grown from a staff of three to approximately 40 professional, technical, and administrative team members. The firm's growth has always been based on its foundation and commitment to provide quality design and dedicated service as well as a sincere concern for the needs of the client.

A resolution commending CDS Associates, Inc. on their 45<sup>th</sup> Anniversary is scheduled to be before Council at the **09/18/2013** meeting.

**Item IV**

**A Resolution Declaring The Necessity of Improving The Driveway Aprons In the Public Right-of-Way**

In 2012 and again in 2013 as a part of the City's Annual Street Improvement Program, the City adopted the policy requiring when curbs and gutters are being replaced under the program, residents on the selected streets whose drive aprons meet a certain criteria will be required to repair/replace their drive apron. If an affected resident chooses not to comply with the policy, the City will make the necessary repairs and assess the associated cost on the resident's property tax bill. Unfortunately, whenever the City decides to assess the cost of an improvement to property owners, there are several steps required. One such step is the adoption of a Resolution declaring the improvement to be necessary. Because the City did not adopt such a resolution in 2012, the adoption of this resolution shall cover both the 2012 and 2013 process.

The next step in this process will be to forward to each affected property owner the cost associated with the improvements for their property. If any resident objects to the process and their responsibility under the policy, the City will be required to establish an Equalization Board to allow their concerns to be heard. Following that appeal process, the City would also adopt an Ordinance of Assessment. This would actually authorize the Administration to assess each of those affected property owners and place the related cost on their tax bill.

A resolution declaring the necessity of the drive aprons improvement program will be before Council at the **09/18/2013** meeting.

#### **Item V**

#### **A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies for 2014**

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 2014 will be presented to City Council for consideration at the **10/02/2013** meeting.

#### **Item VI**

#### **An Ordinance Accepting the Amendments to the Joint Self-Insurance Agreement with the Center for Local Government Benefits Pool and Declaring an Emergency**

Since August of 2010 the City of Springdale has participated in the Center for Local Government Benefits Pool (CLGBP) through the Center for Local Government (CLG). CLGBP consists of a group of communities that have come together to self-fund and share their health insurance experience, costs, and savings. To become a participating member of CLGBP, a prospective community would need to adopt legislation authorizing their participation and execute the Joint Self-Insurance Agreement.

For the majority of the member communities, this is their first opportunity to be involved with a self-funded health insurance program, and it has been a learning experience for all involved. After four (4) years of experiencing the process, the CLGBP Board determined a number of amendments to the pool were necessary. It was felt those changes would need to be identified in the Joint Self-Insurance Agreement and adopted by the membership. As a result, amendments to the Joint Self-Insurance Agreement have been developed and are being recommended for approval by City Council.

Several of the most significant amendments to the agreement are: (1) removing the name of USI Midwest, the former broker for CLGBP; (2) authorizing CLGBP to take action without approval of the executive board of CLG; (3) clarifying how the monthly contributions are calculated; (4) including a 2% penalty for member communities paying their monthly contribution

late; and (5) modifying the "Authorized Withdrawal from the Pool Period" from 90 days to 30 days.

In order for the amendments to become effective, two-thirds (2/3) of the members' legislative bodies must adopt them. The CLGBP executive board is asking member communities to approve the Agreement as soon as practical, but no later than the end of October.

An ordinance, with an emergency clause, accepting the amendments to the Joint Self-Insurance Agreement with CLGBP is scheduled to be before Council at the **10/02/2013** meeting. A summary authored by Assistant City Administrator Jerry Thamann identifying the proposed amendments is attached to the hard copy of this report.

**Item VII**

**Special Recognition/Information**

**1. The Vineyard Church Healing Center Presentation**

A representative from the Vineyard Church's Healing Center is scheduled to make a presentation to City Council at the **09/18/2013** meeting.

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