

INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

October 13, 2014

To: Mr. Thomas Vanover
President
Springdale City Council

From: Derrick Parham
City Administrator

Re: Report on Pending and Future Legislation

Item I

An Ordinance Authorizing the City's Participation in the Ohio Municipal League 2015 Worker's Compensation Group Retrospective Rating Program 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.

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.

Item II

An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with MediSync Midwest, LLC Related to Job Retention and Creation Incentive Agreement and Declaring an Emergency

MediSync Midwest, LLC (MediSync), currently located in the City of Norwood, is a company which provides physician management services to medical groups across the United States. They are looking to occupy up to 17,000 square feet of office space in the Executive Centre III Building. MediSync anticipates they will initially relocate approximately 65 full-time jobs from Norwood to Springdale. Over the next ten-year period, they plan to expand the number of jobs up to 141, generating an estimated payroll of over \$12,000,000. A MediSync representative is expected to be in attendance at next Wednesday's meeting.

An ordinance, with an emergency clause, authorizing an agreement with MediSync Midwest, LLC related to job retention and creation incentives is scheduled before Council at the **10/15/2014** meeting.

Item III

An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Accept the Necessary Easements from the Property Located at 140 West Kemper Road as Part of the West Kemper Improvement Project and Declaring an Emergency

At the August 20, 2014 meeting, City Council adopted Ordinance No. 33-2014 declaring the necessity and intention to appropriate certain easements at 140 West Kemper Road as a part of the West Kemper Road Improvement Project. As previously reported, the City was in need of both a temporary and a permanent easement from this property owner. Up until now, the property owner has displayed very little interest in either donating or even selling the required easements to the City. The City is fortunate because the property owner has apparently reconsidered and is in the process of obtaining the required signature of his business partner. Thus far, the City has only received the local owner's signature on the easement documents, and now the partner's signature must be secured. Late last week, the documents were sent overnight to the partner. The property owner has until Tuesday, October 14 to return the completed easement documents. If the documents are not provided by that date, the City will proceed with the appropriation of the easements. The Law Director's office has recently filed the necessary paperwork with the court to appropriate the required easements. Once this paperwork was filed with the court, the City was legally authorized to take possession of the easements. At the time of the filing, the City deposited with the court an amount deemed to be the value of the easements. If the court agrees with the deposited amount, the property owner would be entitled to that compensation. If the court disagrees, the City may be required to provide additional funds.

It is the City's preference to resolve this issue with the property owner directly, without the involvement of the court. Unfortunately, there is not a lot of time remaining before the contractor is scheduled to begin their work. According to staff, the contractor was hoping to start construction much sooner. It is my understanding as articulated by the City Engineer, language within the construction documents does not permit the contractor to begin their work until Monday, November 3, 2014. As a result of that language, the City was able to delay the start of the project until such time as all the easements were secured and utilities were relocated.

An ordinance, with an emergency clause, accepting easements from the property owner at 140 West Kemper Road as a part of the West Kemper Road Rehabilitation Project will be presented to Council for consideration at the **10/15/2014** meeting. If Council is going to adopt legislation to accept the easements through the preferred process, it must occur at this meeting. The next Council meeting is not until November 5, 2014 and the project would already be underway.

Item IV

Ordinances Authorizing Annual Contracts with the Mayor’s Court Magistrate, Prosecutor, and Public Defender with Emergency Clauses

Each year, the City contracts for legal services required to operate our Mayor’s Court. The positions involved are those of Magistrate, Prosecutor, and Public Defender. The terms of the annual contracts run from 12/1 through 11/30. Once again this year, Mayor Doyle H. Webster has recommended that Donald W. White serve as Court Magistrate, Mark E. Piepmeyer as City Prosecutor, and Jonathan Smith as Public Defender. During their meeting with Mayor Webster, each one has indicated their desire to continue their affiliation with the City at their current rate for the next twelve-month period.

Three (3) separate ordinances, with emergency clauses, will be before Council for consideration at the **11/05/2014** meeting.

Item V

An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter into an Intergovernmental Agreement with the Hamilton County Transportation Improvement District (HCTID) to Further Enhance and Fund a Joint Transportation Improvement Project and Declaring an Emergency

The City has submitted previous applications for SCIP funds for the Boggs/Sweeney Redevelopment Project, but unfortunately we have not been successful. We remain persistent to obtain SCIP funds for this improvement project and therefore, to enhance our chances of receiving SCIP funding, we have increased the City’s local funding contribution to approximately 41.6% and reduced the SCIP funding level to 49%. We have also been approved to receive funding of approximately 9.4% of the construction cost from the Ohio Department of Transportation’s Office of Jobs and Commerce (HB 51). This newly created program provides funding for road improvement projects with a special emphasis on economic development and more importantly job creation. The program’s funds are cycled through the Hamilton County Transportation Improvement District (HCTID), and our expected funding amount is \$100,000. In order to receive the funding, an Intergovernmental Agency Agreement has to be entered into by the City and the HCTID.

If we are successful in obtaining SCIP funds and accept the HCTID funds, the breakdown for the Boggs/Sweeney project will be: \$521,779 SCIP (49%); \$443,076 Local Funds (41.6%); and \$100,000 HCTID (9.4%), for a total estimated construction cost of \$1,064,855.

An ordinance, with an emergency clause, authorizing the City to enter into an intergovernmental agreement is expected to be presented to Council for consideration. Presently, the Administration and the HCTID are working through the proposed language in the agreement; therefore, a date for the legislation is to be determined.

Item VI

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 presented on several occasions, however the City continues to wait for additional details and information from HCEMA on the sirens. An ordinance, with an emergency clause, transferring ownership and maintenance responsibility of the City's outdoor warning sirens to the Hamilton County Emergency Management Agency (HCEMA) will be presented to Council at a future date.

Item VII

Other Items of Interest

The second of two required Public Hearings to discuss the list of potential projects for the Hamilton County Community Development Block Grant (CDBG) Program will be held at the **10/15/2014** Meeting. Residents are encouraged to participate in this public process.

Council will be asked to finalize a list of prioritized projects for submission to the Hamilton County CDBG Program following the second Public Hearing on **10/15/2014**.

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