

# INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

October 31, 2014

To: Mr. Thomas Vanover  
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

### **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. Each of the three have indicated to Mayor Webster 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 II

### **An Ordinance Enacting and Adopting the 2014 S-15 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 a number of these supplements. The majority of the supplements to be considered by Council are related to the City's Traffic Code and other Law Enforcement issues. The City's Police Administration has reviewed the amendments, and it is their recommendation that these supplements be adopted by City Council.

Many of the supplements redefine terminology used throughout a particular code section. For example, the definition of “unloaded” as used in §135.04 Improperly Handling Firearms in a Motor Vehicle has been expanded to provide more specificity on the separation of a firearm and ammunition. In Chapter 136: Gambling, the definition of a “scheme of chance” has been further outlined to include the use of electronic devices. Additionally, definitions for “sweepstakes” and a “sweepstakes terminal device” have been added.

The 2014 S-15 supplement originally submitted by American Legal Publishing for the City’s approval included changes to State law passed in 2013 however not taking effect until January 1, 2017. These revisions fell under the City’s Traffic Code. In an effort to maintain consistency between our code sections and the current versions of the corresponding State code, as well as eliminate any potential confusion in the Police Department’s enforcement of the City’s code, the amendments not effective until 2017 were removed from the 2014 S-15 supplement being presented for consideration. These will be incorporated into our code at the applicable time.

An ordinance, with an emergency clause, enacting and adopting the 2014 S-15 supplement will be before Council at the **11/19/2014** 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 III**

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

In 2013, the City submitted an application for OPWC (SCIP) funds for improvements on Jake Sweeney Place and Boggs Lane. Unfortunately, our 2013 application was not successful. Nevertheless, we remain persistent in our attempt to obtain SCIP funds for these improvements. Therefore, in an effort to enhance our chances of receiving SCIP funding, in our new 2014 SCIP application we have increased the City’s local contribution for the project. In the previous application, the City’s share was 31% of the total construction cost. In our new application, the City’s share is now 41% of the construction cost.

In addition to increasing the City’s contribution for these improvements, the City combined the two improvements (streets) into one single project (Jake Sweeney Place/Boggs Lane Rehabilitation Project) and submitted an application to the Ohio Department of Transportation’s (ODOT) Office of Jobs and Commerce for a grant under their HB 51 funding program. The newly created HB 51 program provides funding opportunities for road improvement projects with a special emphasis on economic development and more importantly job creation. In Hamilton County, the Hamilton County Transportation Improvement District (HCTID) is tasked with the responsibility of administering the HB 51 program on behalf of ODOT. Earlier this fall, the City was notified that we were successful in our application for HB 51 funding in the amount of \$100,000. This amount is slightly under 10% of the estimated construction cost for the Sweeney/Boggs Rehab project. As a result of this new funding opportunity, and if the City is successful in obtaining our SCIP funding, the new estimated cost breakdown will be approximately: HB 51 - \$100,000; SCIP - \$521,779, and the City - \$443,076. This breakdown is based upon the City’s engineer’s most recent construction cost estimate (\$1,064,855). In order to receive the HB 51 funding, the City must enter into an Intergovernmental Agency Agreement with the HCTID.

An ordinance, with an emergency clause, authorizing the City to enter into an Intergovernmental Agency Agreement with the HCTID for HB 51 funding for the Jake Sweeney Place/Boggs Lane Rehabilitation project will be before Council for consideration at the **11/19/2014** meeting.

**Item IV**

**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.

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