

INTERNAL MEMORANDUM

Office of the City Administrator

Springdale, Ohio

November 1, 2013

To: Mrs. Marjorie Harlow
President
Springdale City Council

From: Derrick Parham
City Administrator

Re: Report on Pending and Future Legislation

Item I

An Ordinance Establishing A Land Reutilization Program To Acquire Tax Delinquent Property Within the City of Springdale Pursuant to Chapter 5722 of the Ohio Revised Code and Declaring an Emergency

As communities continue to witness a rise in home foreclosures, often leading to homeowners abandoning their property, they search for tools to help prevent the creation of blight amongst their neighborhoods. Several years ago, the Ohio State Legislature adopted language in Chapter 5722 of the Ohio Revised Code creating such a tool. The "Land Reutilization Program" (LRP) is a tool which allows a municipality to gain control of properties within their boundaries deemed to be non-productive. Under this legislation, a City is allowed to establish an LRP to acquire nonproductive land with the purpose of returning such land to a tax revenue generating status or to be eventually dedicated for public use. Nonproductive land is described as "delinquent land within the municipality which a tax foreclosure proceeding has been instituted and is pending." A LRP can be a very effective tool in preventing and/or eliminating blight in a community.

An ordinance, with an emergency clause, is scheduled to be before Council for consideration at the **11/06/2013** meeting.

Item II

An Ordinance Authorizing the Trade-In of Two (2) Mowers Declared to be Surplus Property and Declaring an Emergency

As a part of the 2013 Budget, both the Parks Department and the Public Works Department were scheduled to replace older model lawn mowers. When both departments placed their order for the new mowers, they were given the opportunity to trade-in our older aged mowers.

In the case of the Parks Department, we are purchasing a *Groundsmaster 3280-D, 72 inch riding mower* for \$31,054 from Century Equipment in Hamilton, Ohio. Century Equipment has offered \$1,000 as a trade-in for our 1999 John Deere F1145 mower with over 3,700 cutting hours, thus reducing our purchase price to \$30,054. The 2013 Budget has \$29,000 in the Parks Department for the purchase of a 72" riding mower. During the year, both purchases were delayed as we closely monitored the City's overall revenues and expenses. Unfortunately, in the case of purchasing this mower, the cost increased from the quote received in late 2012.

In the Public Works Department, we are purchasing a new *EZ Exmark Z, X-Series mower* in the amount of \$10,799 from Bud Herbert Motors in Cincinnati. We have been offered \$850 as a trade-in for our 2002 Exmark Lazer Z, Zero Turn Mower, which brings our purchase price down to \$9,949. Our 2002 Exmark has over 2,650 cutting hours. We budgeted \$12,000 for the purchase of the Exmark this year.

Due to the value of each of our existing mower exceeding \$500, legislative action on the part of City Council is required to take advantage of these trade-in opportunities. An ordinance, with an emergency clause, authorizing the trade-in of two (2) mowers is scheduled to be before Council for consideration at the **11/06/2013** meeting.

Item III

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 Webster has recommended that Donald W. White serve as the Court Magistrate, Mark E. Piepmeyer as City Prosecutor, and Jonathan Smith as Public Defender. Each of the three (3) has agreed to return at their current rate for the next twelve month period.

Three (3) separate ordinances, with emergency clauses, will be before Council for your consideration at the **11/06/2013** meeting.

Item IV

An Ordinance Declaring Police Department Property as Surplus Property and Authorizing the City Administrator to Donate the Property to Valley Vineyard Church for a Two-Year Period, Donating the Property Every 180 Days, and Declaring an Emergency.

Over time the Police Department collects bicycles that may have been lost, stolen, confiscated, etc. This property is stored by the Police Department until it can be properly disposed. The Police Department has obtained a court order, providing approval for the disposal of the bicycles as surplus property. The Department has also made arrangements to donate the bicycles to Vineyard Church in an "as is" condition. When the church receives them, their congregation makes any necessary repairs and then the bicycles are distributed to the poor. This would be the sixth time since 2004 in which the City has donated these surplus bicycles for such an opportunity.

An ordinance, with an emergency clause, authorizing the City Administrator to donate the surplus bicycles to the Vineyard Church will be before Council at the meeting of **11/20/2013**.

Item V

An Ordinance Authorizing a Contract with the Lowest and Best Bidder for the Ashmore Court and Woodvale Court Rehabilitation Project and Declaring An Emergency

In 2013, the City filed an application for SCIP funds listing both Ashmore Court and Woodvale Court for consideration as one project. Presently, in the 2013 Budget, each street is accounted for separately. When the City was notified by OPWC the projects would not be funded, the City decided to include them in the 2013 Annual Street Improvement Program. Unfortunately, these improvements would only involve intermediate repairs as opposed to the complete rehabilitation of both streets as was presented in the SCIP application. After the Street Improvement Program was awarded, the City was unexpectedly notified by the Hamilton County Engineer's Office we would receive the requested \$165,033 in SCIP funding (\$82,223 - Ashmore & \$82,810 - Woodvale). The City's estimated share for the two (2) streets is \$85,580 (51%) for Ashmore Court and \$86,190 (51%) for Woodvale Court for a total estimated cost of \$171,770.

In addition to the two (2) streets above, the bid also includes paving Elm Alley and the small City parking lot on Osborn Way. The Municipal Building parking lot is also included as an alternate bid. Staff's estimate early this spring for the additional work was as follows: Elm Alley (\$8,251), small parking lot (\$8,619.10), and the Municipal Building Parking lot (\$41,511).

The project is currently out to bid with results expected on Tuesday, November 5 at 10 am. Although we will have the results of the bid by Wednesday's meeting, a complete review by the City Engineer more than likely will not have occurred by that time; therefore, a recommendation on the preferred contractor may not be available at the meeting.

An ordinance, with an emergency clause, authorizing a contract with the lowest and best bidder for the Ashmore Court and Woodvale Court Rehabilitation Project will be before Council at the meeting of **11/20/2013**.

Item VI

Adopting the Final Appropriation and Transfer Ordinance for 2013

This ordinance is adopted each December in order to balance out all departments in the General Fund and to insure we balance within all funds at the end of the year. This is accomplished by either moving funds already appropriated or by adopting additional appropriations to cover actual expenses. An appropriation ordinance does not require an emergency clause and will go into effect immediately after adoption by Council and execution by the Mayor.

The 2013 final appropriation ordinance will be presented for Council's consideration at its meeting on **12/18/2013**.

Item VII

Adopting A Temporary Appropriation Ordinance for the Period January 1, 2014 until the Fiscal Year 2014 Appropriation Permanent Ordinance is Adopted by City Council

The first Council Meeting of the New Year falls on January 1, 2014. The Administration has discussed with the President of Council the feasibility of re-scheduling the first meeting of the year to the following Wednesday (January 8). Should Council concur with this recommendation, this ordinance will need to be adopted in order to provide for City operations until the Annual Appropriation Ordinance can be considered on January 8. The adoption of the temporary appropriation ordinance is an annual practice of the City.

A temporary appropriation ordinance will be presented for Council's consideration at the meeting of **12/18/2013**. Because this is an ordinance dealing with financial matters, it may take effect on 01/01/2014 without an emergency clause.

Item VIII

An Ordinance Setting the Employee Pay Rates for 2014 and Declaring an Emergency

During the 2013 Budget process, the City Administration will present a recommendation for Council to authorize a modest wage increase for all non-union full-time City employees and part-time firefighters. The pay ordinance would be designed to go into effect on 12/15/2013, meaning the employees will receive the benefit of the pay increase on the first pay for 2014 (January 2, 2014).

Members of both of the City's Police bargaining units (Patrol Officers and Supervisors) are currently negotiating with the City's bargaining team. They will not be considered for a wage increase until the negotiating process has been concluded.

An ordinance, with an emergency clause, setting pay rates for full-time City employees not covered by a collective bargaining agreement, as well as part-time firefighters, is scheduled to appear before City Council at the **12/18/2013** meeting.

Item IX

Several Resolutions Either Confirming Mayoral Appointments and/or Council Appointments to various Boards, Commissions and Committees

A quick review of the Boards and Commissions document (dated 1/15/2013) reveals the terms of several members of the various boards and commissions expire either prior to or at the end of the calendar year.

Below are a number of board or commission members, according to the document, with terms expiring this year: Board of Zoning Appeals – Mr. Dave Nienaber (11/30/13); Charter Revision – Mr. James Bush Jr. (12/31/13); Civil Service Commission – Mr. Thomas Goines (12/31/13); Board of Health – Mr. Scott Garrison, Ms. Lynn Jones and Mr. George Kellner (12/31/13).

Item X

An Ordinance Adopting the Annual Appropriation/Estimated Receipts for Fiscal Year Ending December 31, 2014

This ordinance, scheduled for the **01/08/2014** meeting, authorizes the approval of appropriations for current expenses and other expenditures of the City of Springdale, Ohio, for the fiscal year ending December 31, 2014. It also adopts the estimated receipts the City anticipates on collecting in the fiscal year ending December 31, 2014. The appropriations and receipts are consistent with the 2014 budget scheduled to be presented at the December 4, 2013 Council meeting. An appropriation ordinance does not require an emergency clause and will go into effect immediately after adoption by Council and execution by the Mayor.

Item XI

A Resolution Authorizing the Investment of Municipal Funds

Article III, Section G, Paragraph 6, (i) of the Charter requires the Clerk of Council/Finance Director shall “Invest any such funds as Council, by resolution, declares are not needed for any Municipal purpose for more than ninety (90) days.” At the beginning of the year, it has been Council’s long-standing practice to adopt a blanket resolution authorizing the Clerk to invest those funds she determines not to be needed for more than 90 days. Such a resolution for the year 2014 will be before City Council on **01/08/2014**.

Item XII

A Resolution Requesting Advance Payment from the County Auditor

At its first meeting each year, Council adopts a resolution requesting the County Auditor “pay to the Clerk of Council/Finance Director of the City of Springdale all funds currently available for distribution to said City of Springdale.” If we fail to adopt such a resolution, the County will hold our property tax settlements as long as they can in order to derive the interest from the investment of such funds. As a result of this resolution, the County must distribute our property tax settlements as soon as the money is collected and available. The resolution covering 2014 will be before Council at the **01/08/2014** meeting.

Item XIII

Other Items of Interest:

1. The Presentation of the 2014 Budget is scheduled for the December 4, 2013 City Council meeting;
2. The Introduction of the City’s new Fire Captain;
3. Introduction of a new Firefighter.

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