

**PLEASE TURN OFF CELL PHONES**  
AGENDA  
REGULAR MEETING OF THE COUNCIL OF THE CITY OF SPRINGDALE  
JANUARY 18, 2023  
7:00 P.M.

1. Open Meeting
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Minutes – December 21, 2022, January 5, 2023
6. Committee and Official Reports
  - A. Civil Service Commission Mr. Coleman – Mrs. Nienaber – Mrs. Darby
  - B. Rules and Laws Mrs. Ghantous - Mr. Jacobs
  - C. Finance Committee Mr. Hawkins – Mr. Ramirez
  - D. Planning Commission Mrs. Sullivan-Wisecup - Mr. Ramirez
  - E. Board of Zoning Appeals Mrs. Ghantous - Mr. Anderson
  - F. Board of Health Mr. Jacobs
  - G. Capital Improvements Mrs. Ghantous
  - H. O-K-I Mr. Anderson
  - I. Mayor’s Report Mayor Webster
  - J. Clerk of Council/Finance Director Mrs. McNear
  - K. Administrator’s Report Mr. Jones – Mr. Uhl
  - L. Law Director’s Report Mr. Braun
  - M. Engineer’s Report Mr. Riggs
  - N. Rental Program Committee Mr. Anderson
7. Communications
8. Communications from the Audience
9. Executive Session
10. Ordinances and Resolutions
  - Public Hearing  
Ordinance No. 02-2023  
AN ORDINANCE ENACTING CHAPTER 139 OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO REGULATING THE ABATEMENT OF CHRONIC PROPERTY NUISANCES AND DECLARING AN EMERGENCY
  
  - Ordinance No. 03-2023  
AN ORDINANCE AMENDING CHAPTER 77: SCHEDULE IV OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO RELATING TO SNOW EMERGENCY ROUTES IN THE CITY OF SPRINGDALE
  
  - Ordinance No. 04-2023  
AN ORDINANCE AMENDING SECTION 70.10 OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO RELATING TO THE IMPOUNDING OF VEHICLES IN THE CITY OF SPRINGDALE

Ordinance No. 05-2023

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO EXECUTE A SUBRECEPIENT GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES RELATED TO THE URBAN CANOPY RESTORATION GRANT PROGRAM

Ordinance No. 06-2023

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE SPRINGDALE PROFESSIONAL FIRE FIGHTERS (IAFF LOCAL 4027) AND DECLARING AN EMERGENCY

11. Old Business

12. New Business

13. Meetings and Announcements

14. Communications from the Audience

15. Update on legislation still in development

16. Recap of legislative items requested for next Council meeting

17. Adjournment

**ORDINANCE NO. 02-2023**

**AN ORDINANCE ENACTING CHAPTER 139 OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO REGULATING THE ABATEMENT OF CHRONIC PROPERTY NUISANCES AND DECLARING AN EMERGENCY**

WHEREAS, chronic nuisance properties present grave health, safety and welfare concerns, where the persons responsible for such properties have failed to take corrective action to abate the nuisance condition; and

WHEREAS, chronic nuisance properties have a tremendous negative impact upon the quality of life, safety and health of the neighborhoods where they are located; and

WHEREAS, the City is recommending that this ordinance be enacted to remedy nuisance activities that are particularly disruptive to quality of life and repeatedly occur or exist at properties by providing a process for abatement; and

WHEREAS, this proposed ordinance is not an exclusive remedy under any state or local laws and may be used in conjunction with such other laws; and

WHEREAS, chronic nuisance properties are a financial burden to the City because of repeated calls for service to the properties because of the nuisance activities that repeatedly occur or exist on such property; and

WHEREAS, this proposed ordinance is intended to provide a means to ameliorate those conditions and hold accountable those persons responsible for such property or business owners; and

WHEREAS, the City is pursuing additional measures to expand housing and business enforcement tools to eliminate conditions of deterioration, as well as criminal and nuisance behavior, in order to protect the health, safety and welfare of occupants, neighbors, police officers and firefighters; and

WHEREAS, this Council believes that the Springdale Police Department should be authorized to include criminal activities occurring near a person's residence and considered against the owner of the residence under the Chronic Property Nuisance Ordinance, which would cover the right of way, street and homes located near the property where the person committing the criminal activity lives; and

WHEREAS, this Council believes that criminal activities occurring near a business or within its parking lot and adjacent areas where patrons park or congregate should be considered against a business owner, operator or employee under the Chronic Nuisance Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Springdale, Ohio, \_\_\_\_\_ members elected thereto concurring:

SECTION 1. Chapter 139 of the Codified Ordinances of the City of Springdale shall be enacted to read as provided in the attached Exhibit A which is incorporated herein by reference.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II(D)(3)(d) of the Charter, be effective immediately. The reason for the emergency is the need to begin enforcement of these regulations at the soonest date possible.

Passed this \_\_\_\_ day of January, 2023.

Attest:

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Clerk of Council/Finance Director

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

## EXHIBIT A

### CHAPTER 139 ABATEMENT OF CHRONIC NUISANCE ACTIVITY

The following activities occurring on, or near, residential or commercial property within the City of Springdale, and engaged in by an owner, occupant or invitee of the owner, occupant or person in charge of commercial (including retail, restaurant and liquor establishments) or residential property (including individual apartment, townhome, and condominium units), are declared to be public nuisances:

#### **139.01 DECLARATION OF NUISANCE VIOLATIONS.**

- (a) Any animal violations under Section 90 of the Codified Ordinances to include; dogs running at large, biting, and noise, wild or dangerous animals, vicious dogs, killing or injuring animals, cruelty to animals of the Codified Ordinances, or similar state offense;
- (b) Any disorderly conduct, disturbance of the peace, public intoxication, or other violation of Chapter 133 of the Codified Ordinances, or similar state offense;
- (c) Any drug abuse violation under Chapter 138 of the Codified Ordinances, or similar state offense, although nothing in this ordinance shall be used to discourage an owner, operator, employee or tenant from reporting a drug overdose;
- (d) Any gambling violation under Chapter 136 of the Codified Ordinances, or similar state offense;
- (e) Any health, safety, or sanitation violation under Chapter 95 of the Codified Ordinances, or similar state offense;
- (f) Any obstruction of official business violation under Section 130 of the Codified Ordinances, or similar state offense;
- (g) Any alcohol violations under Chapter 92 of the Codified Ordinances, or similar state offense;
- (h) Any sex offenses under Sections 134 to include; public indecency, displaying or disseminating harmful materials to juveniles, procuring, soliciting, or prostitution of the Codified Ordinances, or similar state offense;
- (i) Any offense against another person under Sections 131 to include assault, negligent assault, aggravated menacing, menacing, menacing by stalking, telecommunications harassment, and Section 137 to include; endangering children, contributing to the unruliness and delinquency and Section 128 (misuse of 9-1-1) of the Codified Ordinances or similar state offense; (This does NOT include domestic violence or incidents under similar ordinance, as its intention is not to penalize the victim of such acts.)
- (j) Any littering or deposition of waste under Section 155 of the Codified Ordinances;
- (k) Any theft violation under Section 132 of the Codified Ordinances involving criminal damaging or endangering or criminal mischief, petty theft, unauthorized use of property, receiving stolen property, or similar state offense;
- (l) Any weapons, explosives, firearm or handgun violation under Chapters 135 of the Codified Ordinances, or similar state offense;
- (m) Any violation under Chapter 91 of the Codified Ordinances, or similar state offense;
- (n) the issuance of any violation of the Ohio Fire Code;
- (o) Any offenses for operating an illegal or unlicensed business;
- (p) the issuance of any violation of the zoning, building, or property maintenance regulations contained in Chapters 152, 153 or 155 of the Codified Ordinances; and
- (q) the issuance of any violation of a regulation implemented and enforced by the Springdale Board of Health.

### **139.02 CALCULATION OF PROHIBITED VIOLATIONS**

(a) The following shall be used to determine the number of prohibited nuisance violations identified in Section 139.01 in order to determine a violation of this ordinance has occurred on any property with any rental units, housing units, or any commercial units, located on the property:

Property with 1 to 3 units:	7 nuisance violations
Property with 4 to 19 units:	15 nuisance violations
Property with 20 to 39 units:	19 nuisance violations
Property with 40 to 199 units:	27 nuisance violations
Property with over 200 units:	31 nuisance violations

(b) An initial violation of any fire, zoning, building, or property maintenance regulation shall not be considered when calculating a prohibited violation under this Section, however, after the issuance of an initial violation, upon re-inspection each unabated fire, zoning, building, or property maintenance violation shall be counted as a prohibited violation for purposes of this Section.

### **139.03 FINDING AND NOTICE OF NUISANCE.**

- (a) The Chief of Police, or their designee, upon finding that less than the prohibited number of nuisance activities have occurred within any twelve (12) month period at or near a property or rental unit, as defined in the Code of Ordinances, or within the defined confines of any business establishment within the City limits may serve a written warning letter to the residential property owner, business property owner and/or lessee, and/or business operator of the property/business declaring that such property/business may be declared a nuisance property.
- (b) The Chief of Police or his designee, upon finding that the prohibited number of nuisance activities declared in this Chapter have occurred within any twelve (12) month period at or near any residential property/business, shall cause a written notice and order to be served on the residential property owner, business property owner and/or lessee, and/or business operator of the property/business declaring that such property/business is a nuisance property.
- (c) The notice or warning letters shall be served by delivering it personally, leaving it at the person's usual place of business or residence, by posting it in a conspicuous place on the property involved, or by mailing it to the person by certified mail.
- (d) The notice and order to be delivered under this Section shall set forth:
  - (1) The nuisances identified in Section 139.01 that constitute violations under this Chapter.
  - (2) An order to abate the nuisances and a statement of the act or acts that need to be taken by the residential property owner, business property owner and/or lessee, and/or business operator of the property/business to abate it;
  - (3) The estimate of the cost of abating the nuisance plus any material or equipment costs if done by the City, or a third party or contractor as otherwise provided herein;
  - (4) A reasonable time, of at least fourteen (14) calendar days, within which the residential property owner, business property owner and/or lessee, and/or business operator of the property/business shall abate the nuisance or pay the estimated cost to the City;
  - (5) A statement explaining the procedures of the appeals process, as set forth in Section 139.07 herein.
  - (6) A statement that failure to abate the nuisance as ordered, pay the estimated cost, or timely appeal will result in the charge being certified to the County Auditor for collection as other taxes and assessments against the property.

#### **139.04 ENFORCEMENT**

(a) On regulatory violations such as fire code, health code, zoning code, property maintenance code, building or electrical codes that are required to be corrected within the time period specified on the notice or be considered a violation, if the owner or operator is determined to have begun the corrective process in a timely manner and provide supply or repair options that requires additional time to be repaired or remediated, additional time may be granted for the completion of such measures.

(b) Any violation investigated as a nuisance activity will not count as a nuisance activity under this ordinance if the owner can demonstrate the call for service is proactively made by the owner, operator, employee, or tenant provided that it either occurred in the presence or view of the owner.

#### **139.05 ABATEMENT OF NUISANCE AND COLLECTION OF COSTS.**

(a) If no abatement occurs by the owner, operator, employee, or tenant after the designated time period for remediation following the service of a notice as provided for in Section 139.03, the City may enter the property and remediate the nuisance and the residential property owner, business property owner and/or lessee, and/or business operator of the property/business will be assessed the costs of abatement. If more than one person received a notice declaring a property a nuisance, the costs of abatement will be divided equally.

(b) The costs of abatement will be calculated based on the hourly wage of each participating City employee multiplied by the number of hours it is estimated will be required to abate the nuisance. The minimum charge shall be two (2) hours for each participating City employee.

(c) If the abatement is not to be performed by a City employee, the cost of abatement by any third party or contractor hired by the City shall be used to determine the cost of abatement plus a ten (10) percent City administrative cost.

(d) If the party noticed fails to abate the nuisance, pay the costs of abatement, or file an appeal within the time period designated in the notice, the City may assess the cost of abatement against the property. Should the City elect this option, the City shall provide notice to the owner of the nuisance property of the City's intent to assess the costs of abatement against the owner's property at least thirty (30) days before such costs are certified to the County Auditor for assessment against the property, and such notice shall contain a description of the nuisance activity that is the basis for the notice of intent to assess the property, and the cost to abate. Any election of the City under this subsection does not affect or limit the City's right or authority to bring criminal prosecution under this ordinance.

#### **139.06 RETALIATION**

If an occupant or person associated with the occupant feels that they have been intimidated or discouraged from in good faith reporting crime, disorder or regulatory violations to the City of Springdale they should file a complaint with the City. Such complaint will be investigated and a written report of the findings will be submitted to the City Administrator.

An investigation by the City can look for the following actions which may be indicative of potential harassment, intimidation, or discouragement of reporting a crime, disorder or regulatory violation:

- (a) The specific raising of their rent after a potential violation is reported by them to the City;
- (b) Discipline or termination after a violation is reported to the City;
- (c) Reducing or denying of their services after a potential violation is reported to the City;
- (d) Verbal harassment or threats;
- (e) Ordering a person to not call the police, fire or other City services without calling management first.



Such presumption can be rebutted by the preponderance of the evidence that the actions taken by the owner, landlord or operator was based upon good cause. "Good cause" as used in this subsection means that an owner, landlord or operator must show good cause for his or her actions, other than one related to or caused by the operation of this section.

#### **139.07 RIGHT OF APPEAL.**

(a) A person who receives notice and order referred to in Section 139.03(b) may appeal such notice and order by submitting a written request for reconsideration to the Chief of Police within ten (10) days of receiving the notice and order. Such written request shall include the reasons the person feels that warning, notice or order is not justified or that the person should not be named in the notice and any mitigating circumstances.

(b) If the Chief of Police finds that the facts do not support the notice and order based on the information provided he shall rescind the notice and order. Otherwise, the Chief of Police shall advise the person in writing that the request for reconsideration has been denied and that the person may appeal to the Board of Zoning Appeals. The person may appeal the denial of the request for reconsideration by submitting a letter to the Board of Zoning Appeals setting forth the reasons for appeal. The Board of Zoning Appeals shall conduct their meeting consistent with the procedural processes outlined in Section 153 of the Code of Ordinances. The Board of Zoning Appeals after reviewing the facts, shall render a decision as to whether the notice and order shall stand and notify the parties in writing.

(c) During the appeal process, the City has the right to abate further nuisances and to assess the costs providing the City ultimately prevails in the appeal process.

(d) If a person appeals the Chief of Police's decision, the requirement to pay the costs of abatement is stayed until a final decision is rendered.

#### **139.08 FAILURE TO PAY ABATEMENT COSTS.**

(a) No person shall fail to abate the property or pay the abatement costs assessed under Section 139.03 within the prescribed period of time described therein unless a proper appeal is filed. Each thirty (30) day period a person fails to abate the property or pay the abatement costs is a separate violation. A person found guilty under this section is not relieved of the duty to abate the property or pay the abatement costs.

(b) Whoever violates this Section is guilty of failure to abate or pay the abatement costs, a misdemeanor of the first degree and shall receive a fine in an amount not less than \$100.00 per violation.

(c) The City is permitted to abate the property, or take action to assess the abatement costs against the property regardless of whether the City pursues a criminal action under this section.

#### **139.09 EFFECT ON CITY AUTHORITY.**

(a) The declaration of a nuisance property, an order to abate a nuisance or the assessment of costs by the City on a property, do not affect or limit the City's right or authority to bring criminal prosecution or other legal action against any person for violation of the City's ordinances.

**ORDINANCE NO. 03-2023**

**AN ORDINANCE AMENDING CHAPTER 77: SCHEDULE IV OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO RELATING TO SNOW EMERGENCY ROUTES IN THE CITY OF SPRINGDALE**

WHEREAS, the Council of the City of Springdale (the “Council”) has previously established Snow Emergency Routes in the City through the passage of Ordinance 35-1978 and amending Ordinance 84-1996; and

WHEREAS, the Council seeks to adjust the language relating to Snow Emergency Routes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Springdale, \_\_\_\_\_ members elected thereto concurring:

Section 1. Chapter 77: Schedule IV of the Codified Ordinances of the City of Springdale shall be amended as provided for in the attached Exhibit A which is incorporated herein by reference.

Section 2. Council hereby finds and determines that all formal actions relative to the passage of this legislation were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall take effect on the earliest date allowed by law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
Clerk of Council/Finance Director

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

## EXHIBIT A

Chapter 77: Traffic Schedules, Schedule IV: Snow Emergency Routes of the Codified Ordinances of the City of Springdale shall be amended as follows:

### SCHEDULE IV: SNOW EMERGENCY ROUTES.

(A) There are established snow emergency routes in the city which are designated by official signs.

(B) The streets designated as snow emergency routes on the snow emergency route map on file in the office of the City Administrator are those streets which should be kept open and clear in times of a snow emergency for the safety and convenience of the public. This map may be amended from time to time by the City Administrator or Mayor to reflect changes in traffic patterns or additions to the city's street system.

(C) The City Administrator or Mayor may declare a snow emergency when snow, sleet, freezing rain, or other weather conditions cause or appear likely to cause, in the judgment of the City Administrator or Mayor, slippery or hazardous conditions which might lead to serious congestion or hazard.

(D) The snow emergency conditions are automatically deemed to exist in the city whenever a declaration of a Level III - Snow Emergency is made by the Hamilton County Sheriff.

(E) No person shall park on that portion of any street designated as a snow emergency route during any period that is declared to be a snow emergency.

(F) The City Administrator or Mayor shall declare termination of a snow emergency as soon as conditions permit.

(G) Anyone who violates the prohibition of parking in an area marked snow emergency after a declaration of the snow emergency shall be guilty of a minor misdemeanor.

(Ord. 35-1978, passed 7-19-78; Am. Ord. 84-1996, passed 11-20-96)

## CHAPTER 77: TRAFFIC SCHEDULES

### Schedules

- I. Decrease of state law maximum speed
- II. Restricting truck traffic
- III. (Reserved)
- IV. Snow emergency routes

### SCHEDULE IV: SNOW EMERGENCY ROUTES.

(A) There are established snow emergency routes in the city which are designated by official signs.

(B) The streets designated as snow emergency routes on the snow emergency route map on file in the office of the ~~Clerk of Council~~ [City Administrator](#) are those streets which should be kept open and clear in times of a snow emergency for the safety and convenience of the public. This map may be amended from time to time by the City Administrator or Mayor to reflect changes in traffic patterns or additions to the city's street system.

(C) The City Administrator or Mayor may declare a snow emergency when snow, sleet, freezing rain, or other weather conditions cause or appear likely to cause, in the judgment of the City Administrator or Mayor, slippery or hazardous conditions which might lead to serious congestion or hazard.

(D) The snow emergency conditions are automatically deemed to exist in the city whenever a declaration of [a Level III - sSnow eEmergency](#) is made by the ~~city manager or Mayor of the City of Cincinnati~~ [Hamilton County Sheriff](#).

(E) No person shall park on that portion of any street designated as a snow emergency route during any period that is declared to be a snow emergency.

(F) The City Administrator or Mayor shall declare termination of a snow emergency as soon as conditions permit.

(G) Anyone who violates the prohibition of parking in an area marked snow emergency after a declaration of the snow emergency shall be guilty of a minor misdemeanor.

(Ord. 35-1978, passed 7-19-78; Am. Ord. 84-1996, passed 11-20-96)

**ORDINANCE NO. 04-2023**

**AN ORDINANCE AMENDING SECTION 70.10 OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO RELATING TO THE IMPOUNDING OF VEHICLES IN THE CITY OF SPRINGDALE**

WHEREAS, the Council of the City of Springdale (the “Council”) has passed ordinances establishing procedures for the impounding of vehicles; and

WHEREAS, the Council seeks to adjust the language relating to the impounding of vehicles with the passage of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Springdale, \_\_\_\_\_ members elected thereto concurring:

Section 1. Section 70.10 (A)(1) of the Codified Ordinances of the City of Springdale shall be amended as follows:

- (1) When any vehicle is left unattended upon any street, bridge, or causeway and is so illegally parked so as to constitute a hazard or obstruction to the normal movement of traffic, or so as to unreasonably interfere with street cleaning or snow removal operations, or so as to block construction work or street maintenance where signage is posted;

Section 2. Council hereby finds and determines that all formal actions relative to the passage of this legislation were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall take effect on the earliest date allowed by law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
Clerk of Council/Finance Director

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

§ 70.10 IMPOUNDING OF VEHICLES.

(A) Police officers are authorized to provide for the removal and impounding of a vehicle under the following circumstances:

(1) When any vehicle is left unattended upon any street, bridge, or causeway and is so illegally parked so as to constitute a hazard or obstruction to the normal movement of traffic, or so as to unreasonably interfere with street cleaning or snow removal operations, or so as to block construction work or street maintenance where signage is posted;

(2) When any vehicle or ABANDONED JUNK MOTOR VEHICLE, as defined in R.C. § 4513.63, is left on private property for more than 72 consecutive hours without the permission of the person having the right to the possession of the property, or on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right-of-way of any road or highway, for 48 consecutive hours or longer, without notification to the Police Chief of the reasons for leaving such vehicle in such place. Prior to removal of an ABANDONED JUNK MOTOR VEHICLE, as defined in R.C. § 4513.63, it shall be photographed by a law enforcement officer in the place where abandoned;

(3) When any vehicle has been stolen or operated without the consent of the owner;

(4) When any vehicle displays illegal license plates or fails to display the current lawfully required license plates;

(5) When any vehicle has been used in or connected with the commission of a felony;

(6) When any vehicle has been damaged or wrecked so as to be inoperable or violates equipment provisions of this traffic code whereby its continued operation would constitute a condition hazardous to life, limb or property;

(7) When any vehicle is left unattended due to the removal of an ill, injured, or arrested operator;

(8) When any vehicle has been operated by any person who has failed to stop in case of an accident or collision;

(9) When any vehicle has been operated by any person who is driving without a lawful license or while his license has been suspended or revoked;

(10) When any vehicle is found for which 2 or more citation tags for violations of this traffic code have been issued and the owner or operator thereof has failed to respond to such citation tags as lawfully required.

(B) The police department shall notify the registered vehicle owner of the fact of the removal and impounding, the reasons therefor, and the place of storage. Any person desiring to redeem an impounded vehicle shall appear at the police department to furnish satisfactory evidence of identity and ownership or right to possession. Prior to issuance of a release form, the claimant, owner, or operator shall either pay the amount due for any fines for violations on account of which the vehicle was impounded or, as the court may require, post a bond in an amount set by the court, to appear to answer to such violations. The pound operator shall release such vehicle upon the receipt of the release form and payment of all towage and storage charges.

(Ord. 16-1975, passed 2-19-75)

**ORDINANCE NO. 05-2023**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO EXECUTE A SUBRECIPIENT GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES RELATED TO THE URBAN CANOPY RESTORATION GRANT PROGRAM**

WHEREAS, the City of Springdale (the “City”) has an established urban forestry program; and

WHEREAS, the Council of the City, through Resolution R18-2022, authorized and endorsed the filing of an application through the Ohio Department of Natural Resources (“ODNR”) for Urban Canopy Restoration Grant Program funding for tree planting and maintenance; and

WHEREAS, ODNR has awarded a Federal Financial Assistance Award grant subaward not to exceed \$24,580.00 to the City for tree planting and maintenance related to the East Crescentville Road Improvement Project and within the Springdale Industrial Park area of the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Springdale, Ohio, \_\_\_\_\_ members elected thereto concurring:

Section 1. That the Mayor and Clerk of Council/Finance Director are hereby authorized to execute a subrecipient grant agreement with the Ohio Department of Natural Resources related to the Urban Canopy Restoration Grant Program. A copy of the Agreement is attached as Exhibit A and incorporated herein by reference.

Section 2. Council hereby finds and determines that all formal actions relative to the passage of this legislation were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This ordinance shall take effect on the earliest date allowed by law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
Clerk of Council/Finance Director

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**URBAN CANOPY RESTORATION GRANT PROGRAM**

**APPLICATION FORM**

**Grant Applicant:** City of Springdale, Public Works Department - East Crescentville Road Project

**Unique Entity ID#** 12-380-7679 **State of Ohio Supplier ID#** 31-6010111

**Project Lead:** Provide the contact information of the grant administrator for the project.

**Name:** Mike Huxsoll **Address:** 11700 Springfield Pike

**Email:** mhuxsoll@springdale.org Springdale, OH 45246

**Phone:** (513) 346-5520

**Funding Requested:** \$ 15,100.00 **County:** Hamilton

**Budget:** Complete the budget table and provide a budget explanation that outlines the proposal request and includes the specifics of the cost share match.

Budget Items	Funding Request (\$)	Match Amount (\$)	Budget Detail/ Source of Match
Personnel	\$ 0.00	\$ 0.00	
Fringe	\$ 0.00	\$ 0.00	
Equipment	\$ 0.00	\$ 0.00	
Supplies	\$ 15,100.00	\$ 2,331.90	Purchase of trees, watering bags, and tree protection
Contractual Services	\$ 0.00	\$ 12,315.00	Contracted tree planting per ANSI A300
Administrative	\$ 0.00	\$ 1,213.10	Coordinate, supervise, and inspect contract work
Volunteer	\$ 0.00	\$ 0.00	
Other	\$ 0.00	\$ 0.00	
<b>TOTAL</b>	<b>\$ 15,100.00</b>	<b>\$ 15,860.00</b>	

**Budget Explanation:** Provide additional information that will help clarify your budget request. For example, partner contributions or details on expected expenditures.

The City of Springdale has portion of the City budget allocated to the Public Works Department for Urban Forestry expenses. The 2023 annual Urban Forestry budget has set aside \$30,000 for forestry expenses in addition to the \$25,000 necessary to match grant applications. The City of Springdale understands that this is a reimbursement grant opportunity and is able and willing to cover all costs and work with ODNR staff to submit all necessary paperwork for reimbursement purposes. We plan to have City staff, supervised by ISA Arborist, Rich Borgman, perform the work as reported in the personnel match amount. We plan hire a contractor to make the improvements over a period of two (2) weeks. Supplies include the purchase of the tree stock materials, watering bags, and tree protection supplies. Administrative time includes time to submit the necessary paperwork and for the Arborist Rich Borgman to coordinate the efforts of the contractor and supervise their work.



Urban Canopy Restoration Grant - Budget Details - East Crescentville Road

Budget Items	Funding Request	Match Amount	Notes
	\$ -	\$ -	
	\$ -	\$ -	
<i>Personnel</i>	<u>\$ -</u>	<u>\$ -</u>	
<i>Fringe</i>	\$ -	\$ -	
	\$ -	\$ -	
	\$ -	\$ -	
	\$ -	\$ -	
<i>Equipment</i>	<u>\$ -</u>	<u>\$ -</u>	
	\$ 13,400.00	\$ -	67 trees x \$200/ tree for purchase
	\$ 1,000.00	\$ -	\$2,000 for delivery fee
	\$ -	\$ 2,331.90	67 tree diapers x \$40/unit
	\$ 700.00	\$ -	67 tree guards
<i>Supplies</i>	<u>\$ 15,100.00</u>	<u>\$ 2,331.90</u>	
	\$ -	\$ 12,315.00	Contracted tree planting services for 67 trees
	\$ -	\$ -	
<i>Contractual Services</i>	<u>\$ -</u>	<u>\$ 12,315.00</u>	
	\$ -	\$ 43.05	\$43.05/hr x 1 hr - Mike Huxsoll
	\$ -	\$ 1,170.05	\$33.43/hr x 35 hr - Arborist Rich Borgman
<i>Administrative</i>	<u>\$ -</u>	<u>\$ 1,213.10</u>	
<i>Volunteer</i>			0
<i>Other</i>			0
<b>Total</b>	<u><b>\$ 15,100.00</b></u>	<u><b>\$ 15,860.00</b></u>	

**URBAN CANOPY RESTORATION GRANT PROGRAM**

**APPLICATION FORM**

**Grant Applicant:** City of Springdale, Public Works Department - Springdale Industrial Area (Avon)

**Unique Entity ID#** 12-380-7679      **State of Ohio Supplier ID#** 31-6010111

**Project Lead:** Provide the contact information of the grant administrator for the project.

**Name:** Mike Huxsoll      **Address:** 11700 Springfield Pike

**Email:** mhuxsoll@springdale.org      Springdale, OH 45246

**Phone:** (513) 346-5520

**Funding Requested:** \$ 9,480.00      **County:** Hamilton

**Budget:** Complete the budget table and provide a budget explanation that outlines the proposal request and includes the specifics of the cost share match.

Budget Items	Funding Request (\$)	Match Amount (\$)	Budget Detail/ Source of Match
Personnel	\$ 0.00	\$ 5,816.00	Arborist and City staff payroll to complete planting
Fringe	\$ 0.00	\$ 0.00	
Equipment	\$ 0.00	\$ 1,195.00	Rental of excavation equipment to complete plantings
Supplies	\$ 9,480.00	\$ 350.00	Purchase of trees, watering bags, and tree protection
Contractual Services	\$ 0.00	\$ 0.00	
Administrative	\$ 0.00	\$ 2,175.00	Coordination of planting activities and volunteers
Volunteer	\$ 0.00	\$ 0.00	
Other	\$ 0.00	\$ 0.00	
<b>TOTAL</b>	<b>\$ 9,480.00</b>	<b>\$ 9,536.00</b>	

**Budget Explanation:** Provide additional information that will help clarify your budget request. For example, partner contributions or details on expected expenditures.

The City of Springdale has portion of the City budget allocated to the Public Works Department for Urban Forestry expenses. The 2023 annual Urban Forestry budget has set aside \$30,000 for forestry expenses in addition to the \$25,000 necessary to match grant applications. The City of Springdale understands that this is a reimbursement grant opportunity and is able and willing to cover all costs and work with ODNR staff to submit all necessary paperwork for reimbursement purposes. We plan to have City staff, supervised by ISA Arborist, Rich Borgman, perform the work as reported in the personnel match amount. We plan on 4 employees performing work over a 1 week period. Equipment costs include the rental of excavation equipment for a period of one week. Supplies include the purchase of the tree stock materials, watering bags, and tree protection supplies. Administrative time includes time to submit the necessary paperwork and organize the volunteer event.

Urban Canopy Restoration Grant - Budget Details - Springdale Industrial Area (Avon)

Budget Items	Funding Request	Match Amount	Notes
	\$ -	\$ 2,674.40	\$33.43/hr x 80 hr. - Rich Borgman
	\$ -	\$ 3,141.60	\$26.18/hr x 120 hr. - 3 employees
<i>Personnel</i>	<u>\$ -</u>	<u>\$ 5,816.00</u>	
<i>Fringe</i>		\$ 757.00	\$757/week for compact loader rental
		\$ 228.00	\$228/week for post hole digger
		\$ 126.00	\$126/week for 36" bit
		\$ 84.00	\$84/week for forks
<i>Equipment</i>	<u>\$ -</u>	<u>\$ 1,195.00</u>	
	\$ 7,000.00	\$ -	35 trees x \$200/ tree for purchase
	\$ 1,000.00	\$ -	\$1,000 for delivery fee
	\$ 1,480.00	\$ -	35 tree diapers x \$40/unit
	\$ -	\$ 350.00	35 tree guards
<i>Supplies</i>	<u>\$ 9,480.00</u>	<u>\$ 350.00</u>	
<i>Contractual Services</i>			
	\$ -	\$ 453.92	\$56.74/hr x 8hr - Jeff Agricola
	\$ -	\$ 1,722.00	\$43.05/hr x 40 hr - Mike Huxsoll
<i>Administrative</i>	<u>\$ -</u>	<u>\$ 2,175.92</u>	
<i>Volunteer</i>			
<i>Other</i>			
<b>Total</b>	<u><u>\$ 9,480.00</u></u>	<u><u>\$ 9,536.92</u></u>	

## URBAN CANOPY RESTORATION GRANT PROGRAM

### APPLICATION FORM

**Scope of Work:** Provide a detailed narrative that addresses each of the evaluation criteria.

The City of Springdale is planning through this grant application to make tree canopy restoration efforts within existing Right of Way that is owned by the City to help increase Tree Equity in the industrial area of the City. The planned project has been developed to increase tree species diversification by installing new trees along an area that has no trees due to a previous overhead utility line project. The selections of a variety of five tree species have been identified for this project to help the City and subdivision goals for tree diversity.

As noted in a 2020 study conducted by Hamilton County through AppGeo, the City of Springdale was noted as having a tree canopy coverage of 26.7% for the community. The City is planning to increase this canopy coverage over the next 10 years with the hopes of increasing the canopy coverage by 10%. We are looking to increase canopy in the areas of low coverage percentages. While the City is looking to increase coverage with current construction redevelopment opportunities, the Public Works department is looking to increase canopy in areas of greatest need according to tree equity scores. Our current Tree Equity score for the community is 69 and we hope to raise that to 75 by 2025. To meet that goal, the City plans to invest money in census block districts with the lower equity scores and try to increase those scores by 10 over the next 5 years. Springdale is a community of 11,007 people according to the 2020 census data available has been a Tree City USA community for 30 years, spending approximately \$3.50 per Capita, which exceeds the Tree City USA benchmark of \$2.00 per Capita. We have two City ordinances that help us support our efforts in managing canopy in the City, a Property Maintenance ordinance #155 and a Tree Preservation Ordinance #156. In lieu of a tree commission, the City of Springdale partners with the Garden club on many events and the forestry efforts are guided by ISA Arborist Rich Borgman through the Public Works Department.

The City of Springdale Crescentville Rd Project is located north of I-275 along E. Crescentville, West of State Route 747, and East of Chesterdale Road. This area is predominantly comprised of single and multi-family housing occupied by a diverse group of lower income residents. It is part of Census Block Group 390610223011, has a tree equity score of 75 and a noted canopy cover of 22%, according to National Explorer, Tree Equity Score (Ref: <https://www.treeequityscore.org/map/#16.67/39.300003/-84.452008>). The planting of trees along the Right of Way in this area will help to address tree canopy coverage along the streets, which will begin to help to address temperature and health index. The City plans to contract for the planting of the trees that will be purchased as part of this grant opportunity. City staff plans to communicate the benefits of trees and to help educate the residents on the trees planted in the Right of Way and how the plantings will help to improve the quality of life in front of their homes with the plantings. By 2025, it is our hopes that we can increase canopy coverage to 30% in this area, with the understanding that with proper maintenance and continued plantings in the area, this canopy coverage will continue to increase over the next 20 years as these trees mature.

**URBAN CANOPY RESTORATION GRANT PROGRAM  
APPLICATION FORM**

**Scope of Work continued:**

The City ISA Certified Arborist, Richard Borgman, reviewed the area using the Urban Site Index methodology established by Ohio Department of Natural Resources. Within the City of Springdale E. Crescentville Road Project area, there are overhead wires on the south side of the street where the trees will be planted. The area was surveyed while construction was taking place and received a USI score of 13, taken into account that we have not had rain for some time. Currently the area is devoid of trees due to a recent overhead utility line relocation project, however there was a small population of Pear, Maple, and . There are a total of 67 available planting spaces within the Right of Way of the street on the Southside of the road. In keeping with our master planting design parameters for the City, we look at planting the largest, best possible candidate tree species that we can to help increase tree diversity and canopy. The arborist selected a total of five species; Quercus acutissima (Sawtooth Oak), Betula lenta (Sweet Birch), Ostrya virginiana (American Ironwood), Acer griseum 'paperbark' (Paperbark Maple), and Ulmus parvifolia (Allee Lacebark Elm).

Trees will be procured through local nurseries in strict accordance with ANSI Z60.1 standards for nursery stock. Arborist Rich Borgman, will inspect all stock prior to purchase and delivery. The plan is to visit nurseries and make selections in the month of May 2023 and to purchase trees of the 2 " -2 ½ " caliper size B&B or container type tree stock to allow for easy transport and installation by contractors. Trees will be scheduled for delivery in the month of October and installed prior to November 2023. Plantings will be done by contractor, under the supervision of the City ISA Arborist, in accordance with tree planting specifications, which are direct interpretation of the ANSI A300 Part 6 tree planting specifications. We use a best management process in advance of the planting process of making modifications to the composition of the soil This modification includes the introduction of compost materials to amend the existing soils and to over excavate the proposed location for trees to allow for the trees to establish root zone more readily and reduce shock on the new plantings. The City of Springdale contact, Mike Huxsoll, will continue to work with ODNR Division of Forestry to meet and inspect all trees and to complete all necessary paperwork for grant compliance. Arborist Rich Borgman will continue to work with Mike Huxsoll to address needs of the trees.

In the Spring of 2024, tree diapers or water bags will be added to the newly planted trees to help aid in watering for the first year of establishment. The City Arborist Rich Borgman will review the trees weekly and coordinate young tree care including watering the trees as necessary. Any tree staking materials used to secure the tree in its planting location will be removed after the first year of installation. In the second year, or 2025, the Arborist will continue to monitor the trees for long term health and durability and the trees will begin young tree structure pruning program towards the end of the year. Trees will continue to be young tree structure pruned to train the trees to grow in a habit that will increase health and vigor for the newly planted trees on a bi-annual basis over the next 10 years. The City plans to manage these trees through their life and has the responsibility, funding and authority to do so as they will be within the City Right of Way.

**Checklist for a completed application:**

- Letter of support from tree commission
- Authorizing council resolution
- State of Ohio [Supplier ID Number](#)
- [Unique Entity ID](#) (UEI) with *active* registration status in [SAM.gov](#)
- Signed statement certifying responsibility for maintenance

**IF ANY OF THESE ITEMS ARE MISSING YOUR APPLICATION WILL BE EXCLUDED FROM CONSIDERATION.**



**APPLICATION DEADLINE  
OCTOBER 14, 2022**

## URBAN CANOPY RESTORATION GRANT PROGRAM

### APPLICATION FORM

**Scope of Work:** Provide a detailed narrative that addresses each of the evaluation criteria.

The City of Springdale is planning through this grant application to make tree canopy restoration efforts within existing Right of Way that is owned by the City to help increase Tree Equity in the industrial area of the City. The planned project has been developed to increase tree species diversification by complimenting the existing planting of crabapple and pear trees with Trident Maple and Overcup Oak. The selections for this project help the City and subdivision goals for tree diversity.

As noted in a 2020 study conducted by Hamilton County through AppGeo, the City of Springdale was noted as having a tree canopy coverage of 26.7% for the community. The City is planning to increase this canopy coverage over the next 10 years with the hopes of increasing the canopy coverage by 10%. We are looking to increase canopy in the areas of low coverage percentages. While the City is looking to increase coverage with current construction redevelopment opportunities, the Public Works department is looking to increase canopy in areas of greatest need according to tree equity scores. Our current Tree Equity score for the community is 69 and we hope to raise that to 75 by 2025. To meet that goal, the City plans to invest money in census block districts with the lower equity scores and try to increase those scores by 10 over the next 5 years. Springdale is a community of 11,007 people according to the 2020 census data available has been a Tree City USA community for 30 years, spending approximately \$3.50 per Capita, which exceeds the Tree City USA benchmark of \$2.00 per Capita. We have two City ordinances that help us support our efforts in managing canopy in the City, a Property Maintenance ordinance #155 and a Tree Preservation Ordinance #156. In leu of a tree commission, the City of Springdale partners with the Garden club on many events and the forestry efforts are guided by ISA Arborist Rich Borgman through the Public Works Department.

The City of Springdale Industrial Area (Avon) is located north of I-275, south of Crescentville, East of State Route 747, and West of State Route 4. This area is predominantly comprised of manufacturing, warehousing and office buildings with large parking lots. It is part of Census Block Group 390610223013, has a tree equity score of 35 and a noted canopy cover of 16%, according to National Explorer, Tree Equity Score (Ref: <https://www.treeequityscore.org/map/#13.84/39.28983/-84.47999>). The planting of trees along the Right of Way in this area will help to address tree canopy coverage along the streets, which will begin to help to address temperature and health index. The City plans to partner with surrounding area businesses to coordinate a volunteer planting of the trees that will be purchased as part of this grant opportunity. The volunteer opportunity will allow City staff to communicate the benefits of trees and to help educate the businesses on the Rights of Ways that they can also help to improve the canopy cover on their property. By 2025, it is our hopes that we can increase canopy coverage to 25% in this area, with the understanding that with proper maintenance and continued plantings in the area, this canopy coverage will continue to increase over the next 20 years as these trees mature.

**URBAN CANOPY RESTORATION GRANT PROGRAM  
APPLICATION FORM**

**Scope of Work continued:**

The City ISA Certified Arborist, Richard Borgman, reviewed the area using the Urban Site Index methodology established by Ohio Department of Natural Resources. Within the City of Springdale Industrial (Avon) area, there are overhead wires on one side of the street along Progress Place, Tricon Road, Centron Place and Container Place. All four streets were surveyed and received a USI score of 16, taken into account that we have not had rain for some time. The existing diversity of trees in the area consists of pear and crabapple varieties along the Right of Ways with some maples, oaks and crabapple that are on private property. There are a total of 35 available planting spaces within the Right of Ways of the streets. In keeping with our master planting design parameters for the City, we look at planting the largest, best possible candidate tree species that we can to help increase tree diversity and canopy. The arborist selected *Acer buergerianum*, also known as Trident Maple, and *Quercus lyrata*, also known as Overcup Oak, as the two varieties of trees that will be planted within the planting area to compliment the existing crabapple and pear varieties.

Trees will be procured through local nurseries in strict accordance with ANSI Z60.1 standards for nursery stock. Arborist Rich Borgman, will inspect all stock prior to purchase and delivery. The plan is to visit nurseries and make selections in the month of May 2023 and to purchase trees of the 2" -2 1/2" caliper size B&B or container type tree stock to allow for easy transport and installation by volunteers and City staff. Trees will be scheduled for delivery in the month of October and installed prior to November 2023. Plantings will be done per City of Springdale tree planting specifications, which are direct interpretation of the ANSI A300 Part 6 tree planting specifications. We use a best management process in advance of the planting process of making modifications to the composition of the soil. This modification includes the introduction of compost materials to amend the existing soils and to over excavate the proposed location for trees to allow for the trees to establish root zone more readily and reduce shock on the new plantings. The City of Springdale contact, Mike Huxsoll, will continue to work with ODNR Division of Forestry to meet and inspect all trees and to complete all necessary paperwork for grant compliance. Arborist Rich Borgman will continue to work with Mike Huxsoll to address needs of the trees.

In the spring of 2024, tree diapers or water bags will be added to the newly planted trees to help aid in watering for the first year of establishment. The City Arborist Rich Borgman will review the trees weekly and coordinate young tree care. Any tree staking materials used to secure the tree in its planting location will be removed after the first year of installation. In the second year, or 2025, the Arborist will continue to monitor the trees for long term health and durability and the trees will begin young tree structure pruning program towards the end of the year. Trees will continue to be young tree structure pruned to train the trees to grow in a habit that will increase health and vigor for the newly planted trees on a bi-annual basis over the next 10 years. The City plans to manage these trees through their life and has the responsibility, funding and authority to do so as they will be within the City Right of Way.

**Checklist for a completed application:**

- |   |   |
|---|---|
| <input type="checkbox"/> Letter of support from tree commission           | <input type="checkbox"/> <a href="#">Unique Entity ID (UEI)</a> with <i>active</i> registration status in <a href="#">SAM.gov</a> |
| <input type="checkbox"/> Authorizing council resolution                   | <input type="checkbox"/> Signed statement certifying responsibility for maintenance   |
| <input type="checkbox"/> State of Ohio <a href="#">Supplier ID Number</a> |   |

**IF ANY OF THESE ITEMS ARE MISSING YOUR APPLICATION WILL BE EXCLUDED FROM CONSIDERATION.**



APPLICATION DEADLINE  
OCTOBER 14, 2022

**ORDINANCE NO. 06-2023**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE SPRINGDALE PROFESSIONAL FIREFIGHTERS ASSOCIATION (IAFF LOCAL 4027) AND DECLARING AN EMERGENCY**

WHEREAS, the City of Springdale has negotiated a collective bargaining agreement with the Springdale Professional Firefighters Association (IAFF Local 427) to establish wages, benefits, and other terms of employment for its members for the period of January 1, 2022 through December 31, 2024.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Springdale, \_\_\_\_\_ members elected thereto concurring:

Section 1. That the Mayor and Clerk of Council/Finance Director are hereby authorized and directed to execute a collective bargaining agreement with the Springdale Professional Firefighters Association (IAFF Local 4027) as set forth in the attached Exhibit A, which is incorporated herein by reference.

Section 2. Council hereby finds and determines that all formal actions relative to the passage of this legislation were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall take effect on the earliest date allowed by law.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to provide the benefits as set forth in the new agreement at the earliest possible date.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
Clerk of Council/Finance Director

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date