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## Agenda

**1. Open Meeting**

**2. Pledge of Allegiance**

**3. Invocation**

**4. Roll Call**

**5. Minutes**

[Regular Meeting Minutes of October 18, 2023](#)

**6. Communications**

**7. Communications from the Audience** *(Five minutes each speaker, Springdale Code §30.05)*

**8. Ordinances and Resolutions**

[Ordinance No. 44-2023](#)

[AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH SAMANTHA R. PHILLIPS FOR PUBLIC DEFENDER SERVICES FOR THE CITY OF SPRINGDALE, OHIO, AND DECLARING AN EMERGENCY](#)

[Ordinance No. 45-2023](#)

[AN ORDINANCE AMENDING CHAPTERS 30 AND 38 AND REPEALING SECTION 94.202 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, OHIO](#)

[Resolution No. 15-2023](#)

[A RESOLUTION ADOPTING THE 2023 HAMILTON COUNTY MULTI-HAZARD MITIGATION PLAN](#)

**9. Executive Session**

**10. Old Business**

**11. New Business**

**12. Meetings and Announcements**

**13. Communications from the Audience** *(Five minutes each speaker, Springdale Code §30.05)*

**14. Update on Legislation Still in Development**

**15. Recap of Legislative Items Requested for Next Council Meeting**

**16. Adjournment**

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President of Council Vanover called Council to order on October 18, 2023

The governmental body and those in attendance recited the Pledge of Allegiance.

Mrs. McNear provided the Invocation.

Mrs. McNear took roll call. Council members Anderson, Hawkins, Jacobs, Ramirez, Sullivan-Wisecup, and Vanover were present. Mrs. Ghantous was absent.

The minutes of the October 4, 2023 meeting were considered. Mr. Jacobs made a motion to accept the minutes; Mr. Hawkins seconded. The minutes were approved with five affirmative votes, and one abstention (Sullivan-Wisecup). Mrs. Ghantous was absent.

Committee and Official Reports

Civil Service Commission

Mr. Uhl: Mr. Coleman unfortunately had a conflict; a special meeting came up that he had to attend. I'll be providing the Civil Service report this evening. Civil Service met on October 5<sup>th</sup>. All three members were present. Several discussions about some ongoing hiring processes. Of note, the Building Department Administrative Assistant, we have one person for full-time in the background phase. We have our Firefighter/EMT and Firefighter/Paramedic hiring process for one full-time position. They actually conduct the physical ability test tomorrow morning at Fairfield's training tower. That's tomorrow at 9:00 a.m. They have 14 candidates that will be participating in that. We have a fleet mechanic in the background phase. We have a Patrol officer in the background phase. We have Police Clerk hiring process for one position for a retiring member who will be retiring December 1<sup>st</sup>. So, we have interviews scheduled later on in October. And, we have one full-time Public Works Maintenance Worker hiring process underway and we have provided two conditional job offers to two candidates; one declined, and one is in the background process. We have a new Tax Account Clerk hiring process that we just started yesterday.

Rules and Laws	Mr. Jacobs	-	No report
Finance Committee	Mr. Hawkins	-	No report

Planning Commission

Mr. Ramirez: Planning Commission met October 10<sup>th</sup>. Very light schedule. The only thing on the agenda was the Wawa for conditional use for their signage. They're looking to have three signs, and modifications to the Code for the three signs. That's all we had unless there's any questions.

Board of Zoning Appeals	Mr. Anderson	-	No report
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Board of Health

Mr. Jacobs: The Board of Health met on the 12<sup>th</sup> of October. We had met previously during the big summer lag, so there wasn't a lot happening at the meeting. It's just some miscellaneous items. As always, we talk about updates on COVID. Numbers do continue to rise, but they're very mild in terms of the impact on individuals. There was a discussion about vaccines in terms of recommendations, and, basically the recommendation that came out of the discussion was that getting a flu shot is still recommended, getting a COVID shot is recommended. There's also, we found last year RSV infections had gone up right around the time that we're seeing less COVID infections, and RSV, also, there is a vaccine that goes with that. So there's lots of choices for people to make. As always, I think the advice is depending on your personal health situation, check with your individual doctor. If you've got comorbidities, you're older, you've got other issues, then a vaccine is probably for you. It would be a short version of that longer conversation. (Health) Commissioner Clayton talked about increasing grants that we continue to receive for the Board of Health. Workforce Development Grants continue to be a great boon for the City, and a lot of thanks for that go to Commissioner Clayton. He's a great grant writer, and we depend on that quite a bit. As far as the food report, Hibachi Express on the Pike is open. Dave and Busters and Dunkin Donuts are having kitchen remodels that is pending or still in progress. And, in general, this is kind of just procedural stuff,

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Mr. Jacobs (continued): each year the Board of Health has to update the annual fee schedule for food vendors, pools, and hotel vendors, and so, that was the first of three readings of those fee schedule updates. Our next meeting will be on November 9<sup>th</sup> unless there's any questions, that's all I have.

### Capital Improvements

President Vanover: That's Mrs. Ghantous. We'll suspend that one and pick up later.

### O-K-I

Mr. Anderson: OKI board met on the 12<sup>th</sup> of October. There are three items that I think are worth sharing from that. First, OKI announced a program, a new grant program that opens November 1<sup>st</sup>. It'll be on the OKI website. There will be a call for projects. It's a carbon reduction program. There was a pilot of this previously. This is money that could be used for things like electrical car outlet things; buildouts like that, so, they're calling for projects there. That will start next month. The second thing we're sharing is the ICC (Intermodal Coordinating Committee), and that's where the board formally approved the block grants that we talked about at the last meeting. There are \$40 million dollars of grants that were approved in the Board meeting on the 12<sup>th</sup>. One of those was Springdale's Kemper/Northland Project. That represents \$4 million (dollars) of the \$40 million (dollars), so we got a big chunk out of that for that project, and we talked about that at the last meeting, but, this was the meeting where it was actually approved. That went through unanimously. It was nice to see Springdale was called out in one of the slides as our project as they reviewed the major projects that were approved, and it was nice seeing that being shared with a lot of other communities. The third thing we're sharing is the Metropolitan Transportation Plan 2050 Survey is coming at the end of the month. In the past, a few months ago, OKI did a survey to do a different regional plan that was based on trucks and transit. This is the one that's geared towards transportation planning, roads, and that sort of thing. It sets the priorities for the funding, so, the \$4 million dollars that Springdale just got, if the projects that we have don't meet the criteria for the long term plans, it's harder for us to get approved. So, individual communities are asked to publicize the survey, and residents get to fill out the survey and you say what's important to you. This is a survey where people can say, "I'm really in to bike trails", or, "These are the roads I use", or "This is what's important to me". That stuff does get used by the board to determine where the money goes. So, the first call for those surveys will be coming out later this month. So, look for those. In the past, Springdale has been well represented in terms of surveys. We've spoken up and been heard, and we see that as we get money back. So, I'd encourage people when the survey comes out. Typically, the City will send out a Facebook notice that a survey is available. If you see that link, take a few minutes and fill it out. It is important and it does get used. That's all I have for today, unless there's any questions.

### Mayor's Report

Mayor Webster: I don't have a whole lot to talk about tonight. I would like to give you an update on SOS. We had our monthly meeting this afternoon. Pleased to report that 26 of the 42 vendor spaces have been committed, so, we've got 16 left, so, if you want to display your wares on December 2<sup>nd</sup>, you better be calling Elizabeth (Johnson) down at the Community Center. We've got 16 left, and they're going fast. We also decided today we're going to create a "GoFundMe" account. Some people just don't want to write a check, don't want to give cash, so, we're going to make it easy for people to donate to SOS, and we also are now accepting donor family calls at (513) 346-5725. Talk to this young lady down here, Debi Boggs, and get you all signed up, but we are starting to take those volunteers, and so I guess that's about all I've got to say except last year we helped 100 families with 375 children with gifts, food, and warm clothing, and so forth here during the holiday season. So, it's a great cause. We started it back in 2008, and 100% of every penny that's ever been collected through SOS has been put in to the treasury and has been used to help, not only this Christmas program that we've also helped elderly people get their houses painted, trees trimmed, last couple of years we started a scholarship program. And, we're going to continue that. It's a great Springdale charity and I would urge all of you to please open up your hearts and your wallets and help us to make this another merry, merry Christmas for a lot of underprivileged children. Thank you.

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Mrs. McNear: Mayor, don't you also do the baskets at Thanksgiving out of the SOS funds as well?

Mayor Webster: I'm sorry.

Mrs. McNear: Thanksgiving baskets?

Mayor Webster: Yes. We'll have I think 16 food drop off locations and we're still looking for some of those, as a matter of fact.

Mrs. McNear: The funds that go to SOS also are used for Thanksgiving baskets that are handed out to people throughout the Community, so it's not just the Christmas gifts and food.

Mayor Webster: We also give out boxes of food, is that what you're asking?

Mrs. McNear: Yes.

Mayor Webster: Yes. A ton of food gets collected. As a matter of fact, I think I took most of you downstairs and showed you, a couple of years ago, we had it lined up and down the hallway there. We've since moved it over to basement of the Fire Department, but, it's a real operation where we put these bins out, a lot of office space, factories, whatever, and the employees drop off food, and those go out in another couple of weeks here. We'll collect those a week or so before the cutoff, and sort the food out, and make sure that every family gets a balanced basket of food, if you will, and it's a real operation. I'm very proud of how much food we've been able to accumulate, and, Meijer's has been a real contributor, Sam's also with their generous donations, and if you have some food that you'd like to drop off, the Rec Center will have a bin down there, and so will the Fire Department, and the Police Department, and several other businesses throughout town.

Mrs. McNear: Thank you.

Clerk of Council/Finance Director

Mrs. McNear: The General Fund update through September 30, 2023. For receipts based on the net receipt budget of \$24.123 million dollars, we've received \$17.948 million dollars, which is 74% of the anticipated budget. Those funds are made up of five major general fund receipt sources which is an accumulation of \$17.278 million dollars, which is 96% of that budget. And, for expenditures through September 30<sup>th</sup>, based on a net expenditure budget of \$24.108 million dollars, we have spent \$15.884 million dollars, which is 61% of the budget. And, our general fund ending balance as of September 30, 2023 is \$8.691 million dollars, and that concludes my report. Thank you.

Administrator's Report

Mr. Jones: A couple of things here. Charlie Wilson wanted me to report that we had on Shred Day over 5,800 pounds of shred material. He said that he heard a lot of feedback with regard to residents grateful that they had the opportunity to shred things, but, also, they liked the idea that we were checking I.D.'s to make sure they were actual residents. Kids Spooky Boo Bash, this Saturday, October 21<sup>st</sup> 2:00 p.m., kids ten and under, Halloween event, and there's 14 new games and activities at the Community Center, costume contest, and haunted hallway tours. Winter sports registration is about to end, so, if you have basketball, cheerleading interest with children or grandchildren, please connect down at the Community Center and then a SYB Family Dance fundraiser is Saturday, November 4<sup>th</sup> from 6:00 p.m. until 8:00 p.m. Tickets will be purchased, if interested at the Community Center. Thank you.

Mrs. McNear: I did attend the shred event, and, as I pulled up, I had my I.D. available, and of course they laughed at me because they knew me when I pulled up, and I said, "Well, how's it going? Is anybody giving you a hard time about having to show their I.D.?" They said, "Not at all." They said that people appreciated the fact that the line wasn't as long, because people who were not residents were not showing up, and they really appreciated the fact that all they do is show their I.D. and only residents were there. They really appreciated it. Thank you.

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Mr. Anderson: I'm hoping we can get an update on a matter, if you're not ready, another meeting. A few meetings ago, we had a resident come in and ask about "jake braking", or engine braking on Crescentville, and I know the Administration said you were going to go back and do some research before we decided if it was something Council needed to take up. I was just curious if there was an update on that, and, if you're not ready for it tonight, I'm happy to get the update next time.

Mr. Uhl: I have had some conversation with the resident who came in. We're still looking into it. Public Works is looking into a couple of things as well in conjunction with West Chester along that stretch, so, it's in progress.

Mr. Anderson: So, we don't necessarily have a law on the books, it's something we'd have to add, we think?

Mr. Uhl: Currently, there's nothing that exists on our books, no. The Police Department researched that. There's nothing that exists, so, we're looking into it. There's some sample language to kind of put something together, but, I would expect that to be forthcoming in the next couple of meetings.

Mr. Anderson: Thank you.

Law Director's Report

Mr. Braun

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No report

Engineer's Report

Mr. Riggs: So, on the Northland Boulevard Reconstruction Project, we're moving along in the right-of-way acquisition process. We had signed appraisals returned back to our right-of-way consultant, offers have gone out, and I know there have already been negotiating some of the purchases of the property. We're going to have a meeting with the right-of-way consultant on October 27<sup>th</sup> to discuss the progress. The right-of-way acquisition phase has to be complete by January 19<sup>th</sup> I believe. Right now, we're on track to do that. You may recall, last meeting we mentioned that the Northland Boulevard Project was awarded \$2 million dollars in SORTA funds. So, the contract signing will take place sometime early next year. We also submitted an OPWC (Ohio Public Works Commission) grant application for a little over \$1 million dollars on September 26<sup>th</sup>. We will probably hear about the award sometime in January next year. Then the State Route 4 and (Route) 747 Urban Paving Projects, both of those projects are substantially complete, so they can come off our list next month. The Springdale Community Center HVAC Replacement Project. We had a second pre-construction meeting that since so much time it has passed since the first one. We had it on September 19<sup>th</sup>, and, work began on the installation of the small air handlers and condenser units during the first week of October. The Crescentville Road/747 State Route 4 Road Improvement Project. All the storm lining work is complete. The catch basin repair replacements are ongoing, and the spot curb replacement work is expected to begin later this month. The Tri County Parkway Sidewalk Extension Project; 80% plans were submitted to Public Works on October 5<sup>th</sup>, and we just got review comments back today, and we're going to have a review meeting next week. That's all I have.

President Vanover: There were crews working on Chesterdale Road basically from the apartment complex south to in front of the ice cream factory, and there was a long pipe; looks like about four to six inches in diameter. Do we know, I've had a couple of calls. Do we know what that is?

Mr. Riggs: I'm not sure. I can look into it. I'll talk to Public Works and see if they know what encroachment permits are out there. It sounds like it may be water or gas. Was the pipe yellow?

President Vanover: No. The pipe was not, and they had the one fitting, or connection there in front of the ice cream factory. It looked like something we'd see out of a water submarine, the multi bolts around it. And, actually, there was a crane there lifting part of it today, but this has been ongoing for probably three or four weeks anyway. So, I'm just curious, and I've gotten a couple of calls.

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Mr. Riggs: I'll find out for you. It sounds like it's definitely a utility project. Maybe water, potentially sewer with a forced vein. I think there's a pump station there. I'll look into it.

President Vanover: Okay. Appreciate it. Thank you.

Rental Program Committee	Mr. Anderson	-	No report
Communications		-	None

Communications from the Audience

Mr. Davidson: Good evening Council, and City Administrators as well, my name is Shaun Davidson, I'm the Manager of the Forest Park Branch of the Cincinnati and Hamilton County Public Library, located at 655 Waycross Road in Forest Park, Ohio. I'd like to briefly provide an overview of our recent activities over the past year, and also provide some updates on the Northland Boulevard project. While the name is the Forest Park Branch Library, we, along with neighboring library branches, serve many residents here in Springdale. I recognize a few of you as our library customers, and a couple of folks in the audience as well as customers. Not only do we serve residents at the branch, but through outreach to schools, early childhood education centers, and retirement centers here in Springdale. Year to date, the branch has had over 49,000 visitors; a 14% increase over last year. We've checked out over 47,000 items, provided access to 10,000 computer sessions and 16,000 Wifi connections. We've also hosted over 180 programs and events for all ages. Specifically, I'd like to highlight our extremely popular small business and non-profit series that has connected local entrepreneurs to experts in business planning and fundraising. Many local business owners use the library as a hub to print material, host meetings and simply have a place to work outside of their home. We've also made health education a priority, partnering with closing the health gap to offer several health care seminars, and every Thursday afternoon, Mercy Health holds a free baby café at the library to provide critical guidance and education for new and expecting mothers. We have also acted as a host for distributing and installing free car seats, distributing bicycle helmets, and providing bicycle safety education to children on-site. The library has also supported Princeton City Schools at various family literacy nights, and also delivering curated collection of books to the educators that work there. This has also been a stand-out year for bringing in unique learning opportunities from around the region. Just this year, we've hosted Great Parks of Hamilton County, the Cincinnati Ballet, Cincinnati Art Museum, Contemporary Arts Center, the Observatory, and the Newport Aquarium. So, we're really striving to provide these types of unique experiences to residents without having to leave your own neighborhood. Very quickly, I'd like to talk about the next generation library project. If any of you have driven over on Northland Boulevard, near the Parkdale Post Office, you've certainly seen the steel structure take shape as the new library starts to form. Just from seeing that, I hope that it's clear that this investment will be a special asset to the entire region. This will be a 26,000 square foot facility, not only housing more resources, but larger community and private study spaces, a robust children's space, an outdoor courtyard, and a drive-thru pick up window. And, just a couple of weeks ago, we had a meeting regarding the public MakerSpace, and I can tell you that the tools that will be available in this facility will be on par with the maker space in downtown Cincinnati. Just some of the tools that will be in that space, and I always say, subject to change, a large scale vinyl printer, a laser engraver, and new to any library location, a direct to garment printer for printing custom t-shirts, tote bags, and other fabric items. The project is currently on track to open summer of 2024, and we can't be more excited for the opening, and I also can't be any prouder to work for this area of the County. So, if thank you all for your time. I'm happy to answer any questions. I'll be staying after the meeting as well. Thank you.

Mr. Anderson: I just wanted to say Shaun I think it's wonderful what the library investment has been over there in Forest Park right near us. The MakerSpace stuff is especially exciting to the people I talk to. The vinyl printer and the material downtown is always booked. You have to do weeks or months out. Having another option so close is wonderful. So, we're super excited for it. And, one of the things that I thought was really great about the way the library went about doing it was all those listening sessions they had, and you saw them make real changes to the design based on what people were saying. It wasn't just, "These are shelves", it's how people use the library and they really listened to that, so I thought that was great. So, thank you for

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Mr. Anderson (continued): what you do over there. It's always so welcoming over there. Even though we still call it the Parkdale Library, even though you call it Forest Park, I think that still applies. Thank you.

President Vanover: Thank you. Good luck.

Mr. Knox: Mr. Mayor, Mr. Anticipated Mayor, and members of Council, my name is Ed Knox. My wife Joan and I live at 881 Yorkhaven Road in the excellent City of Springdale. I had the honor of being the Clerk of Council/Finance Director for 12 years, and a member of Council for four. I am proud of my service and proud of my City. However, some of the events that I have witnessed recently make me believe that those good days may be gone. It is unnerving to view some of the nonsense which the Mayor and Council are subjected to by some of those who speak before Council. They ask complex questions and repeatedly state that they cannot grasp what they are being told. The truth is in many cases there is no answer to their questions. This is particularly true in Zoning Appeal cases. Having served on that Board, I can testify that definitive information is very, very hard to come by in many cases. It was, however, after another event that made my vision of what could happen to Springdale come into focus. The incident I'm bringing before you occurred on Thursday, October 5<sup>th</sup>. Our doorbell rings when someone is placing something in our mailbox. Just before 1:00 in the afternoon it rang. As you can see, being very slow afoot, I had some time before I retrieved that the person who placed it in the mailbox was gone. Each one of you should now have a copy of what we received. It was a crude attempt to vilify a person who is running for Council. The envelope had no stamp on it, and no return address. Most people are aware that any item placed in a mailbox without a stamp and a return address is in violation of postal regulations. Given the nature of the piece, and a lack of postage, I informed the U.S. Postal Service by email. It is now their Case Number 55815665. The following day, I contacted Mrs. Lavonne Webster, the subject of the piece. I thought it was fair that she should be informed as to what had been said. She asked if my doorbell recorded a video of the person who delivered it. It did, but, I'm exceptionally bad at using my cell phone; most people my age seem to be. But, because of that problem, it was the 13<sup>th</sup> before we had a clear and easily identifiable video. This piece of vile literature stated in bold print that Mrs. Webster refused to account for S.O.S. money. My question is why should she? It is the duty of the Health Department, and the S.O.S. Board to keep that information. It is they who are charged with that; records that she does not have. If they want information, they should contact the Health Department. She neither works for the Health Department, nor is she a member of the S.O.S. Board. Her only association with those entities is when she and her daughter do the grunt work of buying the presents, wrapping them, and delivering them to the Fire Department, who, by the way, are the elves who make the deliveries. Note that they generously use their time and transportation and do so without any payment. It appears that there is a certain element within the City that does not want Lavonne Webster on Council. They spread lies and innuendos to achieve their goal. They know that Mrs. Webster has enough knowledge, gumption, and forthrightness to challenge ideas that would make changes to the detriment of the City of Springdale as we now know and enjoy it. Please do what you can to rectify this, and make sure that it does not happen again. I thank you all for listening, and, I thank you for your service.

Mrs. Sullivan-Wisecup: I have a question for Administration, or maybe Joe (Braun), I'm not sure. I saw what was distributed. It's not true. I've donated to S.O.S. before, and Lavonne Webster I know is not in S.O.S. so I thought that it was funny that she should supposed to count her money. But, my question was is anything being done about this now? I know from what I've always understood was that if you put something into a mailbox that doesn't have postage and it isn't mail that that is a crime, and I just didn't understand what's going on here? I don't understand what's going on here. Can someone please help.

Mr. Braun: I think the City's official position should be that we should not discuss an ongoing investigation. So, I think it would not be appropriate to comment from the dais.

Mrs. Sullivan-Wisecup: Thank you very much.

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Ms. Darnell: Good evening. I normally wouldn't be here at City Council. The City does their business. I'm a resident here for 28 years with my husband and family. Wouldn't normally be here either except for I've got a concern I'd like to raise and request the review by the Council and Administration for a review of the recent enforcement involving the parking ordinances. My husband would be here, and some of our neighbors, but, it's been impromptu and I'll get to that point here shortly. So, back on August 23<sup>rd</sup>, as I mentioned we've been residents for 28 years; never had an issue in this area. August 23<sup>rd</sup> of this year, we have a notice, so I call and ask the Building Department what's the scoop. Why are we getting a parking violation notice. They indicate, "Okay, you've got parking on the yard." Peace. We had a car parked in the yard and we removed it. Think everything is settled. September 5<sup>th</sup>, we get a violation order. Talked with the Council Rep and the Building Department and this is when I called the Building Department was after the first two violations; the notice and the violation, excuse me. They mentioned this, I said, "What's going on here? Who reported it?" We asked our neighbors. The neighbors are not complaining. They indicated that the Police Department reported those in both situations. Police Department. Both of these, the notice and the violation were taken care of. There was a car parked in the yard. On the full yard mind you, but, it was taken out. We had no room in the driveway those evenings, and, again, it was overnight and then gone during the day when we have to go to work. So, then escalated it, talked with our City District Council Rep and then actually some emails to City Administration. I fully understand what you're trying to do with cleaning up the neighborhoods and stuff, but, I just feel that this is an impractical, illogical, and irrational enforcement of what we're doing here. Case in point; I'm calling my husband on my way home from work. He said, "Excuse me, there's someone at the door." We thought it was our neighbor. Police Officer is there to give him a ticket. Apparently, and we think it's from a Saturday morning from a Building Department person, Lord knows who is asking them to go out and look on our driveway on a Saturday morning, and indicates that apparently he's got to come to Mayor's Court because my Honda Pilot, it's not his, it's both registered to us, is parked in the driveway, but has one tire off the driveway. It's on gravel mind you, it's not in grass. It's a mix, but it's just right off the driveway. It's not fully in the yard like the other two. And yet, now he's got to come to Mayor's Court. He refused. It's not his vehicle for one, he's not going to be here. I'm not going to tell you where he is because now we've got a felony potential or a warrant for his arrest because of a parking ordinance. There are more critical priorities in this City. There's speeding on our street, incessantly. That's why we don't park in the street. There's a shooting at Northland Boulevard. I don't know if that crime has been solved, or what's been done about it. The Police have better things to do. We have heard from our neighbors and other City residents that this is an irrational application. Yes, it's the law, but, it's an irrational application of that ordinance when we have bigger things to do in the City. Again, I've lived here 28 years, and I kind of agree with this gentleman if we've got these priorities to harass people who are paying their taxes and don't commit crimes beyond parking off their driveway slightly, we've got a big problem here in this City, and I would request that the people take that into account. I have heard from other folks that this is Citywide. The Police Officer told my husband that we have gotten several complaints, and I fully understand what you're trying to do, but you're approaching it totally the wrong way, and I'd request that you relook at that and stop. You're going to force people who like to live here, pay your taxes, to move out of the City, and I don't think that's what you want. Thank you for your time.

Mr. Hawkins: Ma'am, can you state your name and address for the record.

Ms. Darnell: Shelly Darnell 329 Cameron Road. Thank you.

Mr. Hawkins: Appreciate you coming out. I don't know of the situation. I'm not a district rep, so I'm unaware what the ordinance was specifically, and what have you. I'll check in with the Administration when we finish and see what's going on.

Ms. Darnell: (off mic) Appreciate it. That's all I ask.

Mr. Hawkins: To be clear though, is your concern, because I don't know what the ordinance is of all those circumstances, is the ordinance speaking to vehicles that are parked in yards, or vehicles that are parked.



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Ms. Darnell: I don't know what it's speaking to, so maybe it needs some clarity. Ordinance 153.302(A)(C)(2) Parking "No motor vehicle shall be parked or stored on any unimproved area...". Okay, what's the definition? We've got one tire off a driveway. "...Both the owner of any such improperly parked or stored motor vehicle and the owner or occupant of the property on which the vehicle is parked shall be considered in violation of this section. " "To resolve this issue, you must remove vehicles from non-approved surfaces before...blah blah blah". We did that in all cases. But, frankly, my pilot in the driveway with one tire off is not something that's going to go away, so, if you're going to pull us to Mayor's Court and we're going to go and have a felony warrant for our arrest because I can't park one tire off the driveway, then there's a problem.

Mr. Jacobs: I'm glad you could make it to the meeting. I know we've spoken by the phone, and through email as well. Can we clarify that there's actually a felony issue here? Because that doesn't sound correct. Can we clarify for the resident?

Mr. Jones: (off mic) That's not correct.

Ms. Darnell: (off mic) No, that is true because my son had to go for parking and they said that at court; Mayor's Court. We went there and they said it was a felony and the Police Officer said that it would be a felony if he doesn't show up at Mayor's Court.

Mr. Braun: Ma'am, we'll certainly look into it. I can tell you that our Mayor's Court only hears misdemeanors. So, I don't know if someone miscommunicated that or maybe there's another matter going on maybe in another court, but, we'll certainly look into it and get back to you.

Ms. Darnell: Thank you.

Mr. Jones: As someone who lives in and around that area, I drive through there seven days a week. And, I want to make sure that the resident is representing herself accurately, and some of the things she is saying is factually inaccurate. I drive by there seven days a week. On a regular basis, there are vehicles parked in the yard, not off the driveway in the yard; physically in the yard. So, that's why the Police and other folks have gotten active and gotten involved. I not only witness it personally, but I've had several other people complain to me about it. I just felt I should share.

### Ordinances and Resolutions

#### Ordinance No. 40-2023

AN ORDINANCE ACCEPTING A PROPOSAL UNDER THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH SOUTHEASTERN EQUIPMENT CO., INC. IN THE AMOUNT OF \$187,885.00 FOR THE PURCHASE OF A WHEEL LOADER AND DECLARING AN EMERGENCY

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 40-2023; Mr. Hawkins seconded.

Mr. Jones: As you will see on the little descriptive information we had there. The current one we have in operation is a 2007. It is still operational and it's working, but, it's starting to head towards its last leg and we're trying to get out in front of this. This is something that we use for a different variety of things, but, it can be used for loading rock salt and so forth. We have to have that. We have to be able to put our salt up in the dome and get it. It's not legal for us to leave it outside of the dome. It has to be covered, and it has to be stowed away. So, I applaud Public Works efforts to get out in front of this and then we also, or I should mention too that even if we get it ordered today, we're not going to be dealing out first payment until 2024, and it's going to be some time before it's actually delivered. It could be several months. So, I just thought I'd share.

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Mr. Anderson: I agree. It's good to get out ahead of it. The reason it's an emergency is because we're trying to maintain a bid price from the end of October, so that's why we're using this process for this one and the next one?

Mr. Jones: Good point, and I'm remiss in not saying that. That is one of the factors. Just like when we, I think Mr. Hawkins reported it in previous meeting that with regard to the ladder truck, the prices get locked in and then each month it starts to change, and this is a locked in price for now, but, it will change if we don't address it. So, yes, that is why we've asked for an emergency. Thank you.

Mr. Anderson: I appreciate that. And, this isn't just competition with the Fire Department where they need a new truck too? (laughter)

Mr. Ramirez: As normal, the old device will be sent off for auction or to GovDeals? Thank you.

Ordinance No. 40-2023 passes with six affirmative votes. (Mrs. Ghantous was absent)

### Ordinance No. 41-2023

AN ORDINANCE AUTHORIZING THE CITY OF SPRINGDALE, OHIO TO ENTER INTO A FIVE-YEAR LEASE-PURCHASE AGREEMENT BY AND BETWEEN HUNTINGTON PUBLIC CAPITAL CORPORATION AND THE CITY OF SPRINGDALE, OHIO IN A PRINCIPAL AMOUNT OF \$190,000.00 TO FINANCE THE PURCHASE OF A SHEEL LOADER FOR THE CITY OF SPRINGDALE AND AUTHORIZING THE OTHER DOCUMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 41-2023; Mr. Hawkins seconded.

Mr. Ramirez: This being a lease purchase, at the end of the term of five years we own the property without any further cost?

Mr. Jones: Yes. We will own the property at the end of the lease. And, I might mention too since I have the mic just briefly that this was the lowest rate out there that our Tax Commissioner was able to secure.

Mr. Ramirez: Thank you.

Ordinance No. 41-2023 passes with six affirmative votes. (Mrs. Ghantous was absent)

### Ordinance No. 42-2023

AN ORDINANCE DECLARING CERTAIN CITY PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING THE SALE, DISPOSAL, OR TRANSFER OF SAID SURPLUS PROPERTY AND DECLARING AN EMERGENCY

Mrs. Sullivan Wisecup made a motion to adopt Ordinance No. 42-2023; Mr. Ramirez seconded.

Mr. Hawkins: I just had a question on the body worn cameras. Have we gone to a different style or model or something?

Mr. Uhl: Correct. The Viewu model that the Police Department used over the years is discontinued and no longer available. Viewu was actually purchased by Axon, so they have migrated over to the Axon platform.

Mr. Hawkins: Thank you.

Mr. Anderson: The emergency clause at the end of this it mentions to complete other transactions. I think that's a new one for one of these surplus deals. Does that mean we're trading in some of these cars for new vehicles, of what does that mean?

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Mr. Uhl: You're correct. Some of these vehicles will be traded in. There's others that are going to be sold to a dealer. There is a production company that likes to purchase police vehicles to use in movies and what not. So, some of these will go as marked. They'll remove Springdale logos and whatnot, but they'll go outfitted. So, these will all be applied towards the purchase of new.

Mr. Anderson: Thank you.

Ordinance No. 42-2023 passes with six affirmative votes. (Mrs. Ghantous was absent)

### Ordinance No. 43-2023

AN ORDINANCE AMENDING ORDINANCE NO. 51-1999 TO EXTEND THE EXEMPTION FROM TAXATION FOR CERTAIN PARCELS IN THE CITY PURSUANT TO ORC 5709.51; AND DECLARING AN EMERGENCY

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 43-2023; Mr. Jacobs seconded.

Mayor Webster: Before we go any further, I'd like to thank Andy Kuchta and Brian for bringing this thing to our attention because this is a seldom-used ordinance, and we don't know why it was put on the books, but we're going to take advantage of it, and you visit a 24 year old TIF (Tax Increment Financing), and during the time of this TIF, there's been several years where the payments have been short, but the developer has always been very diligent in making the service payments up, so this thing has not cost the City a penny during the 24 years, and this gives us a golden opportunity to collect for another 30 years of some TIF payments here, and it does not involve the school system, so, the school will be made whole, which is good, and it will give us some much needed resources to apply to that site, and also there's also some undeveloped properties over there, and we could use this money all the way out at the Crescentville Road if we need to make some improvements on Crescentville, and I think it's really a windfall for the City, and we certainly hope Council would see fit to support that. Thank you very much.

Mr. Anderson: I just had one question on it. As Mayor Webster mentioned, the developer has been keeping up payments and performing well now. In Section 3, the school district is made whole, right? So, they're going to get full payments. There's no negotiation. In the event that the developer isn't able to keep up payments, or the payments don't keep up, does this extension create any liabilities for the City, or do we still remain without liability if the TIF doesn't perform? Does that make sense? I just wanted to make sure we're not adding a new...

Mayor Webster: We'll turn the expert loose on you here.

Mr. Anderson: Thank you.

Mr. Kuchta: I don't know about expert, but I do know the answer to this question. So, the developer made payments in the first few years when bonds had to be issued for the construction of Pictoria Drive and Northwest Boulevard, but there was not real property improvement yet, so, no TIF funds were being generated. So, the developer had to put in about \$3 million dollars in the first few years of this TIF before revenues generated. We have been making payments back to that developer as the agreement required, in the last at least five years, so, the balance that is left now to be paid back to that developer is \$1.6 million, and I think last year it was about \$450,000 that was paid to the developer because we have excess TIF revenue that doesn't have to go towards payment of some other bond pledges for the construction of Pictoria Drive and Northwest Boulevard, as well as the City had also pledged a little bit towards the construction of the garage next to Pictoria Tower. It's a Port Authority project so the developer will be paid off at this current rate within the next three years before the current TIF expires in 2029, so there's absolutely no liability for the City in that TIF extension to make any further payments in that developer, and that developer is not going to have to pay anything more into the TIF between now and when it expires because it's generating more than enough revenue to pay off the bonds that are out there.

## City of Springdale Council

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Mr. Anderson: But the school district payments are going to increase when we extend it. So, I guess the question is I understand the developer part is covered and that payback, but, we're not introducing a new liability to the school districts if the revenues don't come in. Still if the TIF doesn't perform, they just don't get that as payment either.

Mr. Kuchta: If say, for example, some of the properties get devalued over the next few years, when this extension kicks in, whatever the equivalent of a real estate tax payment would be, the school districts are going to get their equivalent share of what their normal millage would be. So, if the tax revenue, or the service payments goes down in the year 2030, 2031, then whatever percentage the school districts would normally get, that's what they're going to continue to get for the next 30 years.

Mr. Anderson: So, we're not introducing ourselves as a payer into that.

Mr. Kuchta: No.

Mr. Anderson: I think it's great that we're being able to use this extension to improve developments there. I just wanted to make sure we weren't introducing a liability. Thank you.

Mayor Webster: Andy, could you briefly define the area where we can spend this money?

Mr. Kuchta: Well, it is not 100%. There's not very firm set in stone boundaries. There has to be some nexus to the area of the TIF, and the parcels of the TIF include the Pictoria Tower, the Pictoria Garage, Pappadeaux Restaurant, the restaurant that's vacant now, formerly known as SmoQ, the Home2Suites, and a couple of vacant parcels right around Pictoria Tower. So, additionally, we can certainly use it on repaving, reconstructing Pictoria Drive, Northwest Boulevard, because that's what part of his TIF was originally targeted for, but then, if you think about anybody coming to use those restaurants, anybody coming to work at Pictoria Tower, they go along Crescentville Road, so, we can use those dollars to repave that. We can use those dollars for stormwater improvements in the area, which are Springdale-owned infrastructure for the most part, as well as sidewalk expansions, or new sidewalk construction in the future connecting those properties further.

Mayor Webster: What about helping us with the payment on the Tower we just purchased?

Mr. Kuchta: We'll have to dig into that more with our Public Finance Attorney to see if that could be an eligible use of those dollars. I do not know that answer tonight.

Ordinance No. 43-2023 passes with six affirmative votes. (Mrs. Ghantous was absent)

### Old Business

Mr. Anderson: I know there have been discussions going on for some time with the changes coming up for Council meetings with Ms. McNear's position leaving. I just wanted to make sure and check in. Is there anything we need to do as a Council to change our rules for like readings starting in December? Things that we need to do that we might have to take care of in next month's meeting before those changes happen? What's that going to look like? Because I don't think we've talked about that as a group.

Mr. Uhl: A couple of things; yes, all that is under construction at this time. There's going to be several meetings over the next couple of weeks to kind of iron out how that process should look and how we want that to flow. In advance of that, in conjunction with that, there will be probably a couple of meetings worth of several Code changes as a result of the Charter Amendment that was made to kind of delineate responsibilities and what not. But, everything you're speaking to is kind of under development right now, and we're looking at different municipalities to see how they conduct business and what not and provide a couple of options and present that to President Vanover to see how we would move forward.

City of Springdale Council

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Mr. Anderson: Thank you. I knew it was in the works. It was getting close, and if we're going to make Code changes, it would have to be pretty soon. I know there's still some straggler Code in there about some duties for the Clerk would still that need to be cleaned up like I think right now a resident could send a letter in, a self-addressed stamped letter, and then the Clerk has to hold it and send out meeting announcements that way, things like that. I just want to make sure we clean up too. Thank you.

New Business - None

Meetings and Announcements

Mr. Jacobs: The Board of Health will meet on November 9<sup>th</sup> at 7:00 p.m. adjacent to these chambers.

Mr. Anderson: The Board of Zoning Appeals is planning to have a meeting in these chambers on October 24<sup>th</sup>, so next Tuesday, at 7:00 p.m.

Mrs. Sullivan-Wisecup: Planning Commission will meet in these chambers on Tuesday, November 14<sup>th</sup> at 7:00 p.m.

Mr. Hawkins: No meeting, but just an announcement, our very own Don Darby was announced to be inducted into the Princeton High School Hall of Fame, so congratulations to Mr. Darby.

Communications from the Audience - None

Update on legislation still in development

Mr. Hawkins: We had before us Ordinance No. 40-2023; An Ordinance Accepting a Proposal Under the State of Ohio Department of Transportation Cooperative Purchasing Program and Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with Southeastern Equipment Co., Inc. in the Amount of \$187,885.00 for the Purchase of a Wheel Loader and Declaring an Emergency. That passed with a 6-0 vote. We also had Ordinance No. 41-2023; An Ordinance Authorizing the City of Springdale, Ohio to Enter Into a Five-Year Lease-Purchase Agreement by and Between Huntington Public Capital Corporation and the City of Springdale, Ohio in a Principal Amount of \$190,000.00 to Finance the Purchase of a Wheel Loader for the City of Springdale and Authorizing Other Documents in Connection Therewith and Declaring an Emergency. That passed with a 6-0 vote. We had Ordinance No. 42-2023; An Ordinance Declaring Certain City Property as Surplus Property and Authorizing the Sale, Disposal, or Transfer of Said Surplus Property and Declaring an Emergency, which passed with a 6-0 vote. We also had Ordinance No. 43-2023; An Ordinance Amending Ordinance No. 51-1999 to Extend the Exemption from Taxation for Certain Parcels in the City Pursuant to ORC 5709.51, and Declaring an Emergency, and that passed with a 6-0 vote.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: I don't have anything unless there's anything from Council or the Administration.

Mr. Uhl: Just as a reminder, we will have, as mentioned, several Code changes coming through. We're going to try and bunch these together. We go in the Code to change one item, we find three more that need to be updated. Some related; some unrelated. Nonetheless, while we're in there, we're going to do some cleanup language while we're in each of those Code sections as well. We'll try and lump them all together. We're obviously going to prioritize some of those, but you'll start to see those effective next meeting so that they're in place in December.

City of Springdale Council

October 18, 2023

Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Sullivan-Wisecup seconded. Meeting adjourned at 8:12 p.m.

Respectfully submitted,

Kathy McNear  
Clerk of Council/Finance Director

Minutes Approved:  
Tom Vanover, President of Council

\_\_\_\_\_, 2023

**ORDINANCE NO. 44-2023**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH SAMANTHA R. PHILLIPS FOR PUBLIC DEFENDER SERVICES FOR THE CITY OF SPRINGDALE, OHIO, AND DECLARING AN EMERGENCY**

WHEREAS, the City of Springdale operates a Mayor’s Court which requires the services of a public defender for certain eligible matters which take place in that court.

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 enter into an agreement with Samantha R. Phillips to serve as Mayor’s Court Public Defender for the City of Springdale, Ohio (the “Agreement”). A copy of the Agreement is attached as Exhibit A and incorporated herein by reference.

Section 2. That Samantha R. Phillips is to perform the services and receive compensation as set forth in the attached Agreement.

Section 3. That the Clerk of Council/Finance Director is hereby authorized to pay compensation for the public defender services according to the terms of the Agreement.

Section 4. 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 said declaration of emergency is the need to ensure continuity of public defender services available to the City without interruption and as soon as possible.

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

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

Attest:

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

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**AGREEMENT FOR MAYOR’S COURT PUBLIC DEFENDER SERVICES**

This Agreement, made and concluded at Springdale, Ohio, this \_\_\_\_ day of \_\_\_\_\_, 2023, between the City of Springdale, Ohio, and Samantha R. Phillips, Attorney at Law.

**WITNESSETH:**

1. Samantha R. Phillips is hereby appointed as Mayor’s Court Public Defender for the City of Springdale.
2. Springdale agrees to pay \$150.00 per case handled, payable monthly. For said compensation, the Mayor’s Court Public Defender is to serve as a Public Defender for any qualified defendants on matters before the City of Springdale Mayor’s Court. The Public Defender shall receive no other benefits afforded other City employees.
3. Samantha R. Phillips agrees not to engage in any other legal services in Springdale which create a conflict of interest with regard to the responsibilities to the City of Springdale. In other words, Samantha R. Phillips will not accept any cases in opposition to the City of Springdale nor handle any matters representing clients before any Board of Commission of the City of Springdale or before the City Council.
4. This agreement is in full force and effect from December 1, 2023, through November 30, 2024, and shall continue for successive periods of one year on the same terms and conditions as the original agreement. At the option of either party, the agreement may be terminated upon sixty (60) days’ written notice of said intent to terminate in order to provide a smooth transition of duties.

CITY OF SPRINGDALE

BY: \_\_\_\_\_  
Doyle H. Webster, Mayor

BY: \_\_\_\_\_  
Kathy McNear, Clerk of Council/  
Finance Director

BY: \_\_\_\_\_  
Samantha R. Phillips



**ORDINANCE NO. 45-2023**

**AN ORDINANCE AMENDING CHAPTERS 30 AND 38 AND REPEALING SECTION 94.202 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, OHIO**

WHEREAS, a Charter Amendment was passed by the voters of Springdale in the general election of November 2021 which eliminated the elected position of Clerk of Council/Finance Director and created the appointed position of Clerk of Council; and

WHEREAS, the approved elimination of the position of Clerk of Council/Finance Director and creation of the position of Clerk of Council becomes effective December 1, 2023; and

WHEREAS, Council seeks to make certain amendments to Chapters 30 and 38, and repeal Section 94.202 of the Code of Ordinances consistent with the Charter revisions that eliminated the position of Clerk of Council/Finance Director Charter and created the position of Clerk of Council; and

WHEREAS, along with these changes, other revisions are being recommended to other City positions consistent with current City operations.

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

Section 1. Chapters 30, 38, and 94 of the Code of Ordinances of the City of Springdale shall be amended as provided for in the attached Exhibit A which is incorporated herein by reference. Section 94.202 of the Code of Ordinances of the City of Springdale shall be repealed in its entirety. All other provisions contained in Chapters 30, 38, and 94 of the Code of Ordinances of the City of Springdale not specifically amended or repealed herein shall remain in full force and effect.

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 October, 2023.

Attest: \_\_\_\_\_  
President of Council

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

Approved:  
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

# EXHIBIT A Ordinance 45-2023

## CHAPTER 30: COUNCIL

*Editor's Note: Councilmanic districts are established by map attached as Exhibit A to Ordinance 7-2013, passed April 3, 2013.*

Section

### ***Rules of Procedure***

- 30.01 Officers
- 30.02 Standing committees and boards and commissions
- 30.03 Ordinances and resolutions
- 30.04 Special functions
- 30.05 Meetings
- 30.051 Confidential information
- 30.052 Executive sessions; Committee of the whole
- 30.053 Pre-election meetings and mailings
- 30.06 Parliamentary authority
- 30.07 Amendments

### ***Other Rules***

- 30.10 Captions and section numbers for ordinances
- 30.11 Correction of form of ordinance
- 30.12 Newsletter authorized; content

## **RULES OF PROCEDURE**

§ 30.01 OFFICERS.

(A) President of Council.

(1) At the first meeting of record of a new Council, the current President of Council, or Vice President if the President is not present, shall cause an election for President of Council to be held.

(2) The term for President of Council shall be for two years unless vacated by reason of death, resignation or recall.

(3) The duties and responsibilities of the President of Council shall be as prescribed in the Charter of the city and such additional duties and responsibilities as are described in the Council Rules of Procedure.

## EXHIBIT A Ordinance 45-2023

(4) The President of Council shall conduct all regular and special meetings of Council and all committee meetings of Council as a whole unless he or she is acting Mayor or is unable to preside.

(5) As soon as possible after the hour appointed for Council to meet, the President shall call the meeting to order. He or she shall preserve proper decorum during the meeting and shall enforce the Council Rules of Procedure.

(6) It shall be his or her responsibility to see that all members of Council and also the Mayor and Clerk of Council/~~Finance Director~~ receive notice of all meetings. This responsibility can logically be delegated to the Vice President or another Councilmember.

(7) The President of Council or his or her designated representative shall notify members of boards and commission appointed by Council of their appointment.

(8) The President of Council shall assume the office and duties of acting Mayor in the event of vacancy in the office of Mayor.

(9) The President of Council shall appoint the standing committees established by the Council rules of procedure and such other special committees as may be required from time to time.

(B) Vice President.

(1) At the first meeting of record of a new Council, the new or current President of Council shall cause the election of Vice President of Council to be held.

(2) The term for Vice President for Council shall be for two years unless vacated by reasons of death, resignation or recall.

(C) Vacancies.

(1) When the office of President of Council becomes vacant by reasons of death or resignation, the Vice President will immediately succeed to that office. At the first meeting of record thereafter, he or she shall cause a new election to be held for the post of President of Council for that unexpired term.

(2) When the office of Vice President becomes vacant by reason of death, resignation or his or her election to the office of President of Council, the President of Council shall cause an election to be held for the office of Vice President to serve the unexpired term of that office.

(3) The procedures provided for in divisions (C)(1) and (2) above shall not apply to vacancies caused by recall.

(D) Recall procedure. The President and Vice President of Council can be removed from their respective offices at any time by Council for reasons of health or lack of confidence. The following procedures for removal may be used.

(1) A motion for removal must be made and seconded.

(2) Affirmative vote of at least five members of Council are necessary for this motion to carry.

(3) A motion naming the person to succeed office must be made and seconded.

(4) Upon approval of the motion by a simple majority vote the person so named will succeed immediately to this office.

(Ord. 13-2011, passed 4-20-11; Am. Ord. 4-2018, passed 2-7-18)

**EXHIBIT A**  
**Ordinance 45-2023**

§ 30.02 STANDING COMMITTEES AND BOARDS AND COMMISSIONS.

(A) Appointments to standing Committees shall be made by President of Council as soon as practical after his election. Appointments can be changed from time to time by the President of Council on his or her own initiative or at the request of five members of Council.

(B) Appointments to special Committees shall be made by the President of Council with the concurrence of a majority of Council.

(C) Each Committee shall consist of a chairperson and one or more additional members. In the absence of the chairperson, the other member (or one of the other members) of the Committee shall act in his or her stead and present his or her report or recommendations to Council.

(D) It shall be the duty of each Committee to study and discuss all matters assigned to it, to make reports and recommendations to Council, and to request ordinances and resolutions pertaining to the work of the Committee as required.

(E) All ordinances, resolutions, or other matters requiring special study or research shall be referred to the appropriate standing Committee. Legislation on matters of a general nature may be referred to a special Committee appointed for the specific purpose of taking the matter under study or it may be studied by Council as a Committee of the Whole. It shall be the duty of the chairperson or designee of the Committee to bring before the Council the findings and recommendations pertaining to any legislation or other matters referred to his or her Committee for study.

(F) The following standing Committees, with duties and general nature as outlined, shall be appointed, along with such other standing committees as may be established as provided by amendment of the Council Rules of Procedure.

(1) Finance - matters pertaining to a financial nature;

(2) Public Works - matters pertaining to streets, highways, sewers, and sidewalks, buildings and grounds; extension and repair of such services;

(3) Public Utilities - matters pertaining to gas, electricity, water, and other public utilities, contracts for such services; extension of such public utilities;

(4) Rules and Laws - matters pertaining to enforcement of the Council Rules of Procedure.

(G) Council shall have the authority to appoint one member to serve as a liaison to the Board of Health, but in no event shall that Council member hold a seat on such Board.

(H) All other board and commission appointments, including but not limited to Board of Health, Planning Commission, Board of Zoning Appeals, Volunteer Firefighters' Dependents Board, Tax Review Board, Charter Revision Committee, Civil Service Commission, and Civil Service Review Board shall be made pursuant to the Charter and ordinances of the city.

(Ord. 13-2011, passed 4-20-11)

## EXHIBIT A Ordinance 45-2023

### § 30.03 ORDINANCES AND RESOLUTIONS.

(A) With the exception of pre-drafted ordinances or resolutions from other governmental agencies, ordinances and resolutions shall be prepared by the Law Director in writing and may be submitted to Council:

- (1) By the appropriate Committee which requests an ordinance or resolution;
- (2) By an individual Councilmember who drafts or requests an ordinance or resolution;
- (3) At the request of Council after recognizing the need or desirability of such an ordinance or resolution;
- (4) By the Mayor (administrative ordinances of appointment, and the like only, which require approval by Council); and
- (5) By the Law Director (administrative matters of a legal nature only).

(B) Except for emergency ordinances and resolutions, requests to the Law Director to make final drafts of an ordinance or resolution shall be made not less than ten days prior to the next Council meeting at which Council will hear the first reading.

(C) Except for emergency ordinances and resolutions, all others must be at the Clerk of Council/~~Finance Director~~'s office no later than 4:00 p.m. on the Friday prior to the regular Council meeting.

(D) There shall be a standard distribution of all ordinances and resolutions established. That shall be: Council, the Mayor, the Clerk of Council, ~~Finance Director~~Officer/Tax Commissioner, the Law Director, ~~the Secretary~~, the City Administrator, and the Assistant City Administrator.

(E) Tabled ordinances and resolutions shall be automatically placed on the agenda by the Clerk of Council/~~Finance Director~~ for the next meeting, or for any other meeting as specified by Council at the time the ordinance or resolution is tabled.

(F) An ordinance or resolution, or one similar in effect to one, that has been defeated by Council, shall not be brought to the floor of Council by any member for consideration for 90 days after the date of defeat except by prior motion of Council, with four votes in favor.

(Ord. 13-2011, passed 4-20-11)

### § 30.04 SPECIAL FUNCTIONS.

(A) The Law Director shall be engaged by contract, as provided by the charter, to keep the Council, the Mayor, and the ~~Clerk of Council/Finance Director~~City Administrator informed as to the legality of actions taken or expected to be taken, and under such other terms as the Council deems advisable. He or she shall be present at all regular meetings of Council and such special meetings and Committee meetings as required by Council. He or she may introduce ordinances or resolutions of an administrative legal nature. This contract for services shall not preclude Council's prerogative to seek other professional help in this area.

(B) The City Engineer shall be engaged by contract, as provided by the Charter, to keep the Council, the Mayor, City Administrator and the ~~Clerk of Council/Finance Director~~Public Works Director

## EXHIBIT A

### Ordinance 45-2023

informed on matters of an engineering nature. When there are items involving matters pertaining to engineering to be discussed or acted upon, he or she should be present to give a report on the progress or status of the project and be prepared to answer questions pertaining to it as required. He or she shall be required to keep the Council, the Mayor and the Clerk of Council/~~Finance Director~~ supplied with the latest revision of the municipal zoning map. This contract for services shall not preclude Council's prerogative to seek other professional help in this area.

(C) The chairperson of all boards, commissions, standing committees, and special committees shall be present at Council meetings at the request of council. Such boards, commissions, and committees shall be required to furnish a written copy of their reports to the Clerk of Council/~~Finance Director~~ in order to ensure greater accuracy in recording the activities of such boards, commissions, and committees.

(Ord. 13-2011, passed 4-20-11)

#### § 30.05 MEETINGS.

(A) Regular meetings of Council will be held the first and third Wednesday of each month at 7:00 p.m. unless a change is announced at a regular meeting of Council.

(1) Any elected officials unable to attend a Council meeting shall notify the city administration prior to the meeting.

(2) In the event that the President of Council is absent, the Vice President shall preside over the Council meeting. If the President and the Vice President are absent, ~~the Clerk of Council/Finance Director~~ Council, by majority vote, will appoint a President Pro Tempore to ~~shall~~ preside over the Council meeting.

(3) In the event that the Clerk of Council/~~Finance Director~~ is absent, another individual employed or appointed by the City Administrator may serve as the Acting Clerk of Council ~~the Vice President shall assume the roll of the Clerk of Council/Finance Director~~ for that Council meeting.

(B) All special meetings shall be limited to the discussion of the subject which was the reason for calling such a special meeting, except as provided by the Charter, which requires assent of the majority of the membership of Council to consider and act upon any other business properly presented. Providing legal notice of special meetings shall be the responsibility of the Clerk of Council/~~Finance Director~~.

(C) Special meetings of Council as a Whole may be called by the President of Council as required. They may also be called by any three members of Council who have specific items for discussion, in accordance with general law. A quorum of Council is required to conduct any business at a special meeting.

(D) The conduct of business of the Council may be in accordance with the following suggested agenda. With consent of the majority of the members of Council or by general assent, the order in which the items are disposed of may be changed.

- (1) Call meeting to order by President.
- (2) Pledge of Allegiance/Invocation.
- (3) Roll call by Clerk of Council/~~Finance Director~~.
- (4) Acceptance of minutes of previous regular meeting.

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- (5) Committee reports.
- (6) Official reports (for example, Mayor's report ~~and Clerk of Council/Finance Director's report~~).
- (7) Communications.
- (8) Communication from the residents.
- (9) Ordinances and resolutions.
- (10) Old business.
- (11) New business.
- (12) Meetings and announcements.
- (13) Adjournment.

(E) The Clerk of Council/~~Finance Director~~ shall furnish each member of Council, the Mayor, the Law Director, and the engineer with a copy of the minutes prior to the next regular meeting. The minutes need not be read at the meeting, but may be corrected and approved without reading. The minutes should give a complete and objective account of what happened at the meeting and shall become a permanent record which may be referred to concerning all business discussed and all actions taken. Every motion, whether adopted or rejected, should be recorded with the name of its maker, the person seconding it, together with the results of any action taken on the same.

(F) Debate shall be germane or limited to the item before the Council and shall be of a reasonable length so as not to delay the conduct of business needlessly.

(G) Any individual or organization outside the city wishing to address the Council may be required to make known his or her desire to the Clerk of Council/~~Finance Director~~ at least 48 hours before the scheduled meeting. He or she shall include his or her name and the purpose of appearing before Council. His or her remarks shall be limited to the subject as stated in his or her request. The rule requiring permission does not apply in the case of a public hearing which has been properly announced.

(H) It shall be the duty of the Clerk of Council/~~Finance Director~~ to give notice of the time, place, and purpose of any special meetings at least 12 hours in advance of the meeting, except in the event of an emergency requiring immediate official action, in accordance with the Charter and the Ohio Sunshine Law as provided for in R.C. § 121.22. In the event of such an emergency, the Clerk of Council/~~Finance Director~~ shall immediately notify the news media that have requested notification of the time, place and purpose of the meeting. Notice of public hearing shall be published by the Clerk of Council/~~Finance Director~~.

(I) Any person or group ~~that provides the Clerk of Council/Finance Director with a self-addressed stamped envelope will be seeking to receive given~~ notice of any change in regular meeting dates and any scheduled special meeting dates, as well as notice of a regular meeting at which any specific type of public business (such specific type to be designated by such person or group in writing) is to be discussed, may elect to receive email notifications on the City's website.

(J) All official action shall be taken, and all deliberations upon official business shall be conducted by Council only in open meetings, except that Council may hold an executive session at a regular or special meeting by either placing the item on the agenda or by motion of Council and consent of a majority present and voting, notwithstanding any provisions under R.C. § 121.22, for the sole purpose of considering any of the following matters:

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(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee or official. Except as otherwise provided by law, Council shall not hold an Executive Session for the discipline of an elected official for conduct related to the performance of his official duties or for his removal from office.

(2) (a) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal or private interest is adverse to the general public interest. No public employee or official shall use this division as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

(b) If the minutes of Council show that all meetings and deliberations of Council have been conducted in compliance with this section, any instrument executed by Council purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

(3) Conferences with an attorney for the city concerning disputes involving the city that are the subject of pending, possible, or imminent court action.

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

(5) Matters required to be kept confidential by federal law or rules or state statutes.

(6) Specialized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law.

(7) Conference involving matters pertaining to future development of the community, including meetings with the Planning Commission or the Community Improvement Corporation and outside consultants, if premature disclosure of information could give an unfair competitive or bargaining advantage to any person.

(K) An ordinance or resolution is invalid unless adopted in an open meeting of the public body. An ordinance or resolution adopted in an open meeting that results from deliberations in a meeting not open to the public is invalid unless the deliberations were for a purpose specifically authorized in division (J) of this section and conducted at an Executive Session held in compliance with that section.

(Ord. 13-2011, passed 4-20-11)

### § 30.051 CONFIDENTIAL INFORMATION.

(A) No Councilmember shall disclose or use, without appropriate authorization, any information acquired in the course of his or her official duties which has been clearly designated by the presiding officer of the meeting to him or her as confidential when such confidential designation is warranted



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because of the status of the proceedings or the circumstances under which the information was received, and preserving its confidentiality is necessary to the proper conduct of government business.

(B) Councilmembers who violate this rule shall be subject to expulsion by a vote of five members of Council, after receiving notice of the charge and an opportunity to be heard.

(Ord. 13-2011, passed 4-20-11)

### § 30.052 EXECUTIVE SESSIONS - COMMITTEE OF THE WHOLE.

(A) The City Council may conduct Executive Sessions of Council, or as they are referred to in the Charter “Council meeting as a Committee of the Whole” according to the terms of the Charter and the Council Rules of Procedure. Although the subject matter of Committee of the Whole meetings or Executive Sessions is not limited by the Charter, the Council has chosen to limit the subject matter as set out in § 30.05(J) of the Council Rules of Procedure.

(B) The following officials who have traditionally been present at executive sessions shall continue to be present: the Mayor, ~~Clerk of Council/Finance Director~~, City Administrator, Assistant City Administrator and all Council members. In addition, the Law Director and City Engineer will be in attendance unless excused. Also members of City Commissions and Boards, individuals working as consultants for Council and/or other persons required for discussion on a specific topic may be requested to attend if approved by a majority of the Council members.

(C) There are some instances where individuals may choose to excuse themselves from an Executive Session. In other instances, it may be desirable to excuse certain non-elected and contract employees:

(1) If there is a conflict of interest or the possibility of a conflict of interest, any individual participant should request to withdraw from said Executive Session of Council. If a majority of the Council members feel that any participant, other than the Council members themselves and the Mayor ~~or Clerk of Council/Finance Director~~, should be excluded from any particular Executive Session of Council for a valid reason, said issue shall be resolved by a majority vote of the Council members present and voting after an informal discussion about the potential conflict of interest. A valid reason shall include, but not be limited to, a conflict of interest as set forth in division (C)(1) of this section, in addition to those items set forth below in divisions (C)(2) and (C)(3).

(2) In the event that a discussion is scheduled pertaining to job performance, salary, professional contract or other matters of a personal nature involving any contract employee or other non-elected official who normally attends Executive Sessions (for example, Law Director, City Engineer, City Administrator, Assistant City Administrator), then that individual will be excused from that portion of the session.

(3) In the event that it is determined prior to an Executive Session that the subject to be discussed does not involve a particular contract employee or other non-elected official (for example, Law Director, City Engineer, City Administrator, Assistant City Administrator), then that individual will be excused prior to the meeting.

(D) All subjects discussed in Executive Sessions are considered confidential unless the President of Council or the person chairing the Executive Session or Committee of the Whole meeting releases from said confidentiality. Once confidentiality has been released as provided for in this section, all those in attendance shall be released from any confidentiality requirements.

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(E) Council members who are not present at an Executive Session of Council may be informed of the content of the Executive Session on a confidential basis by any other member of Council, provided that the absent Council member is not precluded from having the information due to conflict that might otherwise exclude that Council member from participating in the executive session.

(Ord. 13-2011, passed 4-20-11)

#### § 30.053 PRE-ELECTION MEETINGS AND MAILINGS.

Although special meetings called by an elected official and mailings relative to city business can be paid for at city expense, no such meetings or mailings shall take place within 75 days prior to any municipal election. It is the intent of Council that such meetings and mailings not appear to give an advantage to an elected official over a new candidate. However, any elected official may call meetings and provide mailings at his or her own expense at any time. Further, the 75-day limitation shall not apply to special meetings called by the City Council as a Whole, or to publications or mailings related to Charter amendment.

(Ord. 13-2011, passed 4-20-11)

#### § 30.06 PARLIAMENTARY AUTHORITY.

The rules contained in Robert's Rules of Order, Revised, shall govern the conduct of business in all cases to which they are applicable, and in which they are not inconsistent with the Charter or this chapter.

(Ord. 13-2011, passed 4-20-11)

#### § 30.07 AMENDMENTS.

The provisions of this chapter may be amended by a favorable vote of at least five members of Council.

(Ord. 13-2011, passed 4-20-11)

#### OTHER RULES

#### § 30.10 CAPTIONS AND SECTION NUMBERS FOR ORDINANCES.

Each measure enacted as provided in the Charter shall be assigned an appropriate caption and section number.

('68 Code, § 4.6) (Ord. 39-2010, passed 12-15-10; Am. Ord. 13-2011, passed 4-20-11)

#### § 30.11 CORRECTION OF FORM OF ORDINANCE.

It shall be the duty of the Clerk of Council/~~Finance Director~~ and of the Law Director, or either, whenever the form of a proposed measure does not comply with the provisions of the Charter, to call

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attention of Council thereto, and the Law Director shall submit a draft of such measure which, if adopted, will correct the omission.

(68 Code, § 4.8) (Ord. 39-2010, passed 12-15-10; Am. Ord. 13-2011, passed 4-20-11)

§ 30.12 NEWSLETTER AUTHORIZED; CONTENT.

(A) Council may determine that it is desirable and authorize the publication of a city newsletter. The City Administration shall be responsible for such publication.

(B) The content of said newsletter should be limited to subjects concerning the health, safety and general welfare of the community. Under no circumstances should the newsletter be used to advance partisan politics or personal gain in violation of the Ohio Ethics Laws.

(C) Distribution of the newsletter shall not be made on election day or within 75 days prior thereto in any year in which there is an election involving any city offices.

(Ord. 34-1981, passed 6-17-81; Am. Ord. 26-1990, passed 4-4-90; Am. Ord. 39-2010, passed 12-15-10; Am. Ord. 13-2011, passed 4-20-11)

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CHAPTER 38: OTHER DEPARTMENTS AND STAFF

Section

*Administrative Staff*

- 38.01 City Administrator
- 38.02 Assistant City Administrator
- 38.03 ~~Senior Administrative~~ Assistant to the City Administrator
- 38.04 Administrative Assistant
- 38.05 Finance Officer/Tax ~~e~~Commissioner
- 38.06 ~~Tax commissioner's secretarial assistant~~ Clerk of Council
- 38.07 ~~School crossing guards~~ Human Resources Administrator
- 38.08 ~~Public Safety Planning Coordinator~~ Reserved
- 38.09 ~~Assistant to the City Administrator~~/Economic Development Director

*Recreation Center Staff*

- 38.10 Recreation ~~d~~Director
- 38.11 Assistant ~~r~~Recreation ~~d~~Director
- 38.12 Administrative ~~a~~Assistant
- 38.13 Part ~~t~~Time and ~~s~~Seasonal ~~r~~Recreation ~~staff~~Staff
- 38.14 Fitness Center Manager

*Park Maintenance Force*

- 38.20 Complement and classification

*Public Works Department*

- 38.25 ~~Superintendent~~Director of ~~p~~Public ~~w~~Works
- 38.26 Assistant ~~superintendent~~Director of ~~p~~Public ~~w~~Works
- 38.27 Complement and ~~e~~Classification
- 38.28 Temporary and ~~s~~Seasonal ~~p~~Personnel
- 38.29 ~~Inspector of p~~Public ~~w~~Works Inspector

*Building Department*

- 38.30 Chief ~~b~~Building ~~e~~Official
- 38.31 Plan ~~r~~Review
- 38.32 Building ~~i~~Inspector
- 38.33 Property ~~m~~Maintenance ~~i~~Inspector

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38.34 Administrative ~~a~~Assistant

~~38.35 Administrative secretary~~

*Miscellaneous*

38.50 ~~Custodian~~ Facilities Maintenance

38.51 Technical Services Administrator

**ADMINISTRATIVE STAFF**

**§ 38.01 CITY ADMINISTRATOR.**

The City Administrator is appointed by the Mayor and serves under his general direction as the Chief Administrative Officer of the city. The City Administrator has oversight responsibility for and authority over all executive departments under the appointing authority of the Mayor. The position is in the unclassified service.

(Ord. 34-1997, passed 4-16-97)

**§ 38.02 ASSISTANT CITY ADMINISTRATOR.**

The Assistant City Administrator serves under the general direction of the City Administrator, and is appointed by the Mayor. With the exception of the City Administrator, the Assistant City Administrator shall have executive authority over all personnel appointed by the Mayor. The position is in the unclassified service.

(Ord. 34-1997, passed 4-16-97)

**§ 38.03 ~~SENIOR ADMINISTRATIVE ASSISTANT~~ to the CITY ADMINISTRATOR.**

There is hereby created the classified position of ~~Senior Administrative Assistant~~ to the City Administrator in the Administrative Office. The ~~Senior Administrative Assistant~~ to the City Administrator shall provide administrative support under the general direction of the City Administrator and the Assistant City Administrator.

(Ord. 34-1997, passed 4-16-97)

**§ 38.04 ADMINISTRATIVE ASSISTANT.**

There is hereby created the classified position of Administrative Assistant in the Administrative Office. The Administrative Assistant shall provide administrative support under the general direction of the City Administrator and the Assistant City Administrator.

(Ord. 34-1997, passed 4-16-97)

**§ 38.05 FINANCE OFFICER/TAX COMMISSIONER.**

There is hereby established the unclassified position of Finance Officer/Tax Commissioner. tax commissioner whose duties shall be those set out in § 94.13. The Finance Officer/Tax Commissioner shall serve as the director for both the Finance and Tax Departments and serve under the general direction of the City Administrator and Assistant City Administrator. The position shall be responsible for all financial

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responsibilities and obligations of the City. The Finance Officer/Tax Commissioner shall serve as the Tax Administrator for the City and shall have the responsibilities and authority expressed in the Charter and Ohio Revised Code.

(Ord. 34-1997, passed 4-16-97)

~~§ 38.06 TAX COMMISSIONER'S SECRETARIAL ASSISTANT.~~

~~—There is established the position of secretarial assistant for the tax commissioner who shall be appointed by the Clerk, subject to the rules and regulations of the Civil Service Commission.~~

~~(Ord. 34-1997, passed 4-16-97)~~

§ 38.06 CLERK OF COUNCIL

There is hereby created the position of Clerk of Council. Under the guidance and supervision of the City Administrator, the duties of the Clerk of Council may be assigned or employed in a full or part-time capacity. The Clerk of Council shall exercise all powers and duties created by the city's Charter; keep all records of Council; keep all records of Council current and up to date; maintain all public records for examination; and perform all other duties as assigned by the City Administrator.

~~§ 38.07 SCHOOL CROSSING GUARDS.~~

~~—(A) The Mayor is authorized to employ two persons who, in his opinion, are suitable for the position, to serve as school crossing guards.~~

~~—(B) The Mayor may employ such additional school crossing guards as are required to provide safe street crossing for pedestrian school children, as traffic conditions, from time to time, dictate.~~

~~—(C) The hours and stations of duty of the school crossing guard shall be as directed by the Mayor, with consultation with the Chief of Police.~~

~~—(D) They shall receive no benefits in addition to their hourly compensation.~~

~~(Ord. 34-1997, passed 4-16-97)~~

§ 38.07 HUMAN RESOURCES ADMINISTATOR.

There is hereby created the unclassified position of Human Resources Administrator. The Human Resources Administrator serves as a member of the management team under the supervision of the City Administrator and Assistant City Administrator. The Human Resources Administrator shall be responsible for a wide range of administrative tasks, maintaining employee records, coordination with all departments regarding the selection process for full and part-time employees, policy development, benefits administration, and ensures compliance with employment laws and regulations.

~~§ 38.08 PUBLIC SAFETY PLANNING COORDINATOR.~~

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~~—There is hereby created the position of Public Safety Planning Coordinator. The Public Safety Planning Coordinator is responsible for the long term emergency preparedness planning activities for the city, and the coordination of such planning with all elements of the organization including the Fire, Police, Building, Public Works, Health and Recreation Departments. The Public Safety Planning Coordinator reports directly to the City Administrator.~~

~~(Ord. 40-2001, passed 7-19-01)~~

**§ 38.08 RESERVED**

**~~§ 38.09 ASSISTANT TO THE CITY ADMINISTRATOR/ECONOMIC DEVELOPMENT~~**

**DIRECTOR.**

There is hereby created the unclassified position of ~~assistant to the City Administrator~~/Economic Development Director. The ~~assistant to the City Administrator~~/Economic Development Director serves as a member of the municipal management team along with the City Administrator and Assistant City Administrator; plans and coordinates the city's economic development program; performs administrative and management responsibilities on behalf of the City Administrator as directed; conducts studies, surveys and other research on administrative, organizational, and operational matters; other appropriate duties as assigned by the City Administrator. The ~~assistant to the City Administrator~~/Economic Development Director reports ~~directly~~ to the City Administrator and Assistant City Administrator.

(Ord. 57-2001, passed 11-7-01)

**RECREATION CENTER STAFF**

**§ 38.10 RECREATION DIRECTOR.**

There is hereby created the position of Recreation Director. The Recreation Director is the executive director of the Recreation Department and the Park Maintenance Work Force. The Recreation Director serves under the general direction of the City Administrator, and is appointed by the Mayor. The position is in the unclassified service.

(Ord. 34-1997, passed 4-16-97)

**§ 38.11 ASSISTANT RECREATION DIRECTOR.**

There is hereby created the position of Assistant Recreation Director. The Assistant Recreation Director serves under the direction of the Recreation Director. The number of persons filling such position shall be no more than three. The position is in the unclassified service.

(Ord. 34-1997, passed 4-16-97)

**§ 38.12 ADMINISTRATIVE ASSISTANT.**

There is created the classified position of Administrative Assistant for the Springdale Recreation Department. The Administrative Assistant shall provide administrative support under the direction of the Recreation Director and the Assistant Recreation Directors.

(Ord. 27-1997, passed 4-2-97; Am. Ord. 34-1997, passed 4-16-97)

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**§ 38.13 PART TIME AND SEASONAL RECREATION STAFF.**

There are hereby created the part-time and seasonal positions of Aquatic Director, Assistant Aquatic Director, life guard, concession worker, party worker, ~~office helper~~ customer service representative, instructor, ~~park patrol officer~~ recreation attendant and ~~temporary seasonal~~ maintenance worker. There shall also be such part-time and seasonal employees as deemed necessary by the Recreation Director and approved by the Mayor or City Administrator. These employees shall be in the unclassified service.

(Ord. 34-1997, passed 4-16-97)

**§ 38.14 FITNESS CENTER MANAGER.**

There is hereby created the position of Fitness Center Manager. Under the direction of the Parks and Recreation Director, the Fitness Center Manager will be responsible for the daily management and operation of the Springdale Community Center Fitness Center. This involves the development and implementation of policies, schedules and written material relevant to the Fitness Center and supervision of fitness instructors. In addition, the Fitness Center Manager is expected to provide equipment orientations, health screenings, fitness assessments and instruction on the proper and safe use of the fitness equipment to patrons. The Fitness Center Manager will be responsible for the instructional programs primarily hosted in the Studio. These duties will include but not be limited to the selection and scheduling of programs as well as recruitment of contract instructors to conduct the classes.

(Ord. 30-2001, passed 4-18-01)

**PARK MAINTENANCE FORCE**

**§ 38.20 COMPLEMENT AND CLASSIFICATION.**

(A) The Park Maintenance Force shall consist of such probationary and/or permanent classified employees as may, ~~in~~ at the discretion of the Mayor, be deemed necessary from time to time. The Park Maintenance Force shall be authorized to have the following classifications:

- (1) Parks Supervisor
- (2) Crew leader.
- ~~(2)(3)~~—Maintenance worker.

(B) There shall also be such temporary and seasonal employees as deemed necessary by the Recreation Director and approved by the Mayor or City Administrator. These employees shall be in the unclassified service.

(Ord. 34-1997, passed 4-16-97)

**PUBLIC WORKS DEPARTMENT**

**§ 38.25 ~~SUPERINTENDENT~~ DIRECTOR OF PUBLIC WORKS.**

The ~~Superintendent~~ Director of Public Works is the executive director of the Public Works Department. The ~~Superintendent~~ Director of Public Works serves under the general ~~director~~ direction of the City Administrator, and is appointed by the Mayor. The position is in the unclassified service.

(Ord. 34-1997, passed 4-16-97)



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**§ 38.26 ASSISTANT ~~SUPERINTENDENT-DIRECTOR~~ OF PUBLIC WORKS.**

There is hereby created the position of Assistant ~~Superintendent-Director~~ of Public Works who shall serve under the direction of the ~~Superintendent-Director~~ of Public Works. The position is in the unclassified service.

(Ord. 34-1997, passed 4-16-97)

**§ 38.27 COMPLEMENT AND CLASSIFICATION.**

The Public Works Labor Force shall consist, in addition to the ~~Superintendent-Director~~ of Public Works and Assistant ~~Superintendent-Director~~ of Public Works, of such probationary and/or permanent classified employees as may, ~~in-at~~ the discretion of the Mayor, be deemed necessary from time to time. The labor force in the Public Works Department shall be authorized to have the following classifications:

- (A) Crew Leader;
- (B) Public Works Inspector;
- (C) ~~Motor Equipment Fleet~~ Mechanic;
- (D) Maintenance Workers; and
- (E) Administrative ~~Secretary Assistant~~.

(Ord. 27-1997, passed 4-2-97; Am. Ord. 34-1997, passed 4-16-97)

**§ 38.28 TEMPORARY AND SEASONAL PERSONNEL.**

There shall also be such temporary and seasonal employees as deemed necessary by the ~~Superintendent Director~~ of Public Works and approved by the Mayor or City Administrator. These employees shall be in the unclassified service.

(Ord. 34-1997, passed 4-16-97)

**§ 38.29 ~~INSPECTOR OF PUBLIC WORKS~~ INSPECTOR.**

(A) In addition to the work force of the Public Works Department, the Mayor is authorized to contract for such additional personnel as he deems necessary for the purpose of inspecting the construction of public works whether the work is done by the city, by contract, by private developer or otherwise.

(B) When such improvement is being performed by a private developer, the developer shall be charged an hourly rate for each hour of inspection services required, to cover the compensation of the Inspector and the cost of overhead.

(Ord. 34-1997, passed 4-16-97)

**BUILDING DEPARTMENT**

**§ 38.30 CHIEF BUILDING OFFICIAL.**

The Chief Building Official is the executive director of the Building Department. The Building Official serves under the general direction of the City Administrator, and is appointed by the Mayor. The position is in the unclassified service.

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(Ord. 34-1997, passed 4-16-97)

**§ 38.31 PLAN REVIEW.**

For the assistance of the Chief Building Official, the Mayor may, at his discretion, contract with a registered architect or professional engineer for the purpose of plan review. ('68 Code, § 14.6) (Ord. 34-1997, passed 4-16-97)

**§ 38.32 BUILDING INSPECTOR.**

(A) There ~~are-is hereby~~ established ~~two-the~~ positions of Building Inspector ~~as assistant to under the supervision of the Chief Building Official as directed by the Mayor and City Administrator.~~

(B) The Mayor, at his discretion, may contract for the services of any competent person as a Building Inspector.

(Ord. 34-1997, passed 4-16-97)

**§ 38.33 PROPERTY MAINTENANCE INSPECTOR.**

(A) There is hereby established the position of Property Maintenance Inspector under the supervision of the Building Official as directed by the Mayor and City Administrator.

(B) The Property Maintenance Inspector shall inspect existing buildings and properties for conformance with the city's property maintenance and zoning codes and issue notices and orders for compliance as necessary and perform other duties as directed.

(Ord. 17-1990, passed 2-21-90; Am. Ord. 34-1997, passed 4-16-97)

**§ 38.34 ADMINISTRATIVE ASSISTANT.**

There is hereby created the classified position of Administrative Assistant in the Springdale Building Department. The Administrative Assistant shall provide administrative support under the direction of the Building Official.

(Ord. 27-1997, passed 4-2-97; Am. Ord. 34-1997, passed 4-16-97)

~~**§ 38.35 ADMINISTRATIVE SECRETARY.**~~

~~—There is hereby created the classified position of Administrative Secretary to be shared by the Building Department and Health Department. The Administrative Secretary shall be under the direction of both the Building Official and the Health Commissioner. See § 37.08.~~

~~(Ord. 27 1997, passed 4 2 97; Ord. 34 1997, passed 4 16 97)~~

**MISCELLANEOUS**

**§ 38.50 CUSTODIAN, FACILITIES MAINTENANCE**

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There is hereby created the position of ~~eustodian~~ Facilities Maintenance within the classified civil service of the city. The Mayor may ~~employee-employ~~ such ~~eustodial~~ personnel as he deems necessary to maintain the facilities of the city.

(Ord. 34-1997, passed 4-16-97)

**§ 38.51 TECHNICAL SERVICES ADMINISTRATOR.**

There is hereby established the position in the classified service of Technical Services Administrator, under the direction of the City Administrator and Assistant City Administrator. ~~; pursuant to the job description on file with the City of Springdale, which job description is attached to Ordinance 6-2009 as Exhibit A, and incorporated herein by reference, and which may be amended in the future to reflect the city's need concerning the responsibilities of the Technical Services Administrator. The Technical Services Administrator coordinates technical support for the City's network and provides technical assistance for all information technology infrastructure.~~

(Ord. 6-2009, passed 3-18-09)

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CHAPTER 94: TAXATION (EFFECTIVE BEGINNING JANUARY 1, 2016)

Section

~~94.202 RESPONSIBILITY OF CLERK OF COUNCIL/FINANCE DIRECTOR  
AND TAX COMMISSIONER.~~

~~—There is created one unclassified position of Tax Commissioner for this city. The Tax Commissioner shall be appointed by the Clerk of Council/Finance Director. The appointment is subject to the approval and confirmation of the City Council, who shall set forth compensation as provided. The Clerk of Council/Finance Director shall also appoint other clerical and administrative assistants as are required for the proper administration of the tax, subject to the rules of the Civil Service Commission, at such compensation as set by the Council. The final responsibility for the administration and collection of the earnings tax rests with the Clerk of Council/Finance Director. The Tax Commissioner shall be responsible to and subject to the supervision of the Clerk of the Council/Finance Director in the exercise of all powers and duties assigned by this chapter.~~

Repeal section as the responsibilities are now incorporated into Chapter 38

**RESOLUTION NO. R15-2023**

**A RESOLUTION ADOPTING THE 2023 HAMILTON COUNTY  
MULTI-HAZARD MITIGATION PLAN**

WHEREAS, the City of Springdale, Ohio is vulnerable to an array of natural, technological, and human-caused hazards that have the potential to cause loss of life and damages to public and private property; and

WHEREAS, the Hamilton County Emergency Management & Homeland Security Agency and the Hazard Mitigation Steering Committee, comprised of representatives from the County, municipalities, and stakeholder organizations, have prepared a recommended Multi-Hazard Mitigation Plan that reviews the options to protect people and property and reduce damage from these hazards; and

WHEREAS, the City of Springdale has participated in the planning process for development of this Plan, providing information specific to local and county-wide hazard priorities, encouraging public participation, identifying desired hazard mitigation strategies, and reviewing the draft Plan; and

WHEREAS, the Hamilton County Emergency Management & Homeland Security Agency, with the Hazard Mitigation Steering Committee, has developed the 2023 Hamilton County Multi-Hazard Mitigation Plan (the “Plan”) as an official document of the County pursuant to the Disaster Mitigation Act of 2000 (PL-106-390) and associated regulations (44 CFR 210.6); and

WHEREAS, the Plan has been widely circulated for review by the County’s residents, municipal officials, and regional, state, and federal partner agencies and has been revised to reflect their concerns; and

WHEREAS, the Ohio Emergency Management Agency and the Federal Emergency Management Agency have reviewed the Plan for legislative compliance and approved the plan pending the completion of local adoption procedures.

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

Section 1. That the 2023 Hamilton County Multi-Hazard Mitigation Plan is hereby adopted as an official plan of the City of Springdale.

Section 2. The City Administrator is charged with supervising the implementation of the Plan’s recommendations, as they pertain to the City of Springdale and within the funding limitations as provided by the Council of the City of Springdale or other sources.

Section 3. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

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

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

Attest:

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

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date