

City of Springdale Council

November 16, 2022

President of Council Vanover called Council to order on November 16, 2022

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

Mrs. McNear provided the Invocation.

Mrs. McNear took roll call. Council members Ghantous, Hawkins, Jacobs, Sullivan-Wisecup, Vanover were present.

President Vanover: Mr. Anderson is out of town. He advised me a week or so ago, and Mr. Ramirez called this afternoon. He is under the weather and didn't want to share it with us. And, with that, while we're at it, Council, be aware that we have three ordinances that are emergency clauses and they do take a majority; a super majority vote, so, it would have to be 5-0 tonight since we are down two.

The minutes of the November 2, 2022 meeting were considered. Mr. Hawkins made a motion to accept the minutes; Mrs. Ghantous seconded. The minutes were approved with five affirmative votes (Anderson and Ramirez were absent).

Committee and Official Reports

Civil Service Commission

Mr. Coleman: Members of Council, good evening. The Springdale Civil Service Commission did meet on November 3rd. Members present was myself, and Mrs. Darby. Mrs. Nienaber had a planned absence and was excused. The minutes from the previous meeting were presented and approved as well. I'm happy to report this evening that things are looking pretty positive for vacancies that, here to date, had been difficult filling. So, I'll start off by indicating that the Firefighter II/EMT, Firefighter II/Paramedic hiring process; that position is filled. The Tax Account Clerk I; that position is filled. The Building Department Property Maintenance Inspector; that position is filled. The Recreation Programmer hiring; that position is filled. The Custodian hiring process; that one is still pending and may, in fact, have to be reposted. Patrol Officer hiring; that position is filled. And, as far as the Maintenance Worker position is still vacant. There were 28 applications received, and those applications are being reviewed. The only other item to note is that within the Finance Department, the Finance Account Clerk II position which had been vacant since 2017; that position is now ready to be moved forward and filled, and the decision was to post it internally for two weeks, and hopefully there will be some current employees that are interested and are qualified and following the two week internal posting, interviews will take place at that point. So, again, it's an opportunity to show employees that internally there are opportunities, and that we do appreciate the work and we would go further by saying it's always good when you can fill from within and keep the morale going. So, that concludes my report.

Rules and Laws Mrs. Ghantous - No report

Finance Committee

Mr. Hawkins: Finance Committee is going to be meeting on November 30th at 5:00 p.m., as we're going through the budget, but, no report at this time.

Planning Commission

Mrs. Sullivan-Wisecup: Planning Commission met in these chambers on November 8th at 7:00 p.m. We had the City of Springdale Connectivity Plan, and you will hear that presentation tonight, and that did pass by a 7-0 vote to affirm to come to here, and that is all that I have.

Board of Zoning Appeals Mrs. Ghantous - No report

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“WHEREAS, It has been brought to my attention that Ian Ewing-Jackson received the distinguished honor of Eagle Scout at the Eagle Scout Board of Review on Tuesday, October 11, 2022; and

WHEREAS, Ian Ewing-Jackson has served as Senior Patrol Leader and Assistant Patrol Leader; and

WHEREAS, Ian attended the National Youth Leadership Training, which is a 6-day long program where scouts learn leadership, communication, planning, problem-solving, and teamwork. Ian did so well at this training, he was invited back to help lead the training; and

WHEREAS, Ian has earned 26 Merit badges, with his favorite being rifle shooting; and

WHEREAS, Ian stays physically fit by participating in extracurricular athletics. Ian is a strong member of the Princeton High School Cross Country Team. Notable, Ian was awarded 2nd place in a local marathon; and

WHEREAS, Ian Ewing-Jackson, in conjunction with the City of Springdale 2022 Bike & Pedestrian Connectivity Plan, raised funds for the purchase and installation of a commercial grade outdoor bicycle tire pump. Ian raised \$1,200 in funding by washing cars and mulching flower beds this summer. This bicycle pump will serve the community and help connect all those who wish to visit our City, our Parks, and our Community Center; and

WHEREAS, It is my great honor to issue this proclamation.

NOW THEREFORE, I DOYLE H. WEBSTER, Mayor of the City of Springdale, do hereby proclaim Wednesday, November 16, 2022 as

IAN-EWING-JACKSON DAY

In the City of Springdale and commend this observance to our citizens.

Mayor Webster: Ian, if you would join me down in front here. By the way, Mr. (Charlie) Wilson has a presentation he wants to make.

Mr. Wilson: So, I was with Ian on the whole journey here, and he wanted to do something, like the rest of his family, they want to make an impact to their Community. So, we got with Mr. (Brian) Uhl and introduced me to Ian here, and we came up with the idea to collaborate with our pedestrian connectivity plan, so, we took pictures of him installing this project; this bike pedestrian pump and with the name faceplate, placed where his name will be stamped for the rest of history, so, we will always be in debt at the City of Springdale here, so, we'd like to congratulate him. Thank you very much Ian.

Mayor Webster: Thank you very much. (applause)

President Vanover: Well, as my grandmother would say, "That apple didn't fall far from the tree." Ms. Ewing it was good seeing you, and we all owe you a vote of thanks for the time you spent up here and served and did your job. We appreciate it. (applause)

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Mayor Webster: First off, I'd just like to mention that last Friday, we had our annual Veteran's Day Ceremony, and, for the second time in the last four years, we had to move it into these chambers. But, I think it worked out extremely well, and most of the comments that I got were that people could hear a lot better than they could with the traffic and the water flowing out there. So, anyway, we hated to have to do it, but, it worked out very, very well. I've got a couple of things. First off, I'm not real pleased about this, but I received a letter from Mr. Don Darby from our Planning Commission and it is dated November 10th.

"Honorable Doyle Webster, Mayor

Dear Mayor Webster:

Please be advised that I will be retiring as a member of the City of Springdale Planning Commission, effective December 31, 2022. Consequently, my last scheduled meeting will be December 13, 2022. Having served several years with appointments from three different Mayors, my service with Springdale has been a great experience. As you are aware, I have been involved in the approval process of many projects with the City. Most recently several housing projects that will conceivably double the City's population. This serves as evidence that Springdale continues to be great and growing. Best wishes to all your staff, business organizations, and most of all, our residents.

Respectfully,

*Don Darby
Planning Commission*

Mayor Webster: We're going to sorely miss Don. Like he indicates, he served three Mayors, starting with Mayor French back in the early 80's, my predecessor, Mayor Pittman, and then he's been with me since day one, since December 1, 1995. So, we're going to sorely miss him and, I will be bringing forth a resolution for a replacement sometime in the next two or three meetings here. Also, it's with a lot of sorrow I have to announce the passing of Mr. Ken Snyder. He was a long-term Law Director for the City of Springdale for over 30 years, starting back in the early 70's. Ken was here for all those years, and very formative years for the City of Springdale, and I think a lot of the people, several of the people up here I think served with Ken, so it's with great sorrow that we announce his passing. Tree lighting ceremony is coming up November 28th at 7:00 p.m. It's always a big event. I think the last thing I wanted to talk about is SOS. We had a meeting this afternoon. It was a very, very good meeting. We talked 90% of the time about the Christmas Program. It's winding into shape. We're still looking for donor families, so, if you'd like to sponsor a child, please give us a call at 346-5725, or, if you want to make a cash donation, that would be great. We've got people who will go out and do the shopping. We're trying to service at least 100 families. I think we're up to close to 90 as I speak. We also are looking for like I said sponsor families. I think we've only got about half of that. About 45 sponsors, so, we're still looking for some help along the way there. But, anyway, the program is going very well. Now, we also have last year that we introduced a new event called the Santa 5k run. And, it's going to take place this year on December 3rd at 9:00 a.m. down at the Community Center. So, it will be a 5k run. Elizabeth Johnson is doing a great job of organizing that, and, she gave us a rundown today. I think they've got four or five stations along the way where people will be singing and cheering people on, and issuing refreshments, and that kind of stuff. Then, this year, she's added, and we're really excited about this, she's added a Vendor Village. This is for anyone that wants to sell some wares. If they want to sell some baked goods, candies, knick knacks, decorative Christmas things, please attend. The booth I think is \$20 is that Charlie (Wilson).

Mr. Wilson: It's \$40 to be a vendor, but it's \$20 to run the race.

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Mayor Webster: Okay, \$20 to run the race, \$40 for a booth, and we're hoping, I think right now she's got 15 I think? Thirteen vendors already signed up. She's hoping to have 25 vendors. I asked her, "Can you accommodate that many?" She said, "Oh, yeah, we can handle it." So, we're really looking forward not only to the vendors, but we need some customers for those vendors so, if you're so inclined, come out and have some hot chocolate, hot coffee, whatever. We're going to have a couple of food trucks there. One for popcorn I understand, and we're going to have the Princeton Choir is going to be there, so, it's just going to be a festive morning starting at 9:00 a.m. on December 3rd, and it goes until 1:00 p.m., so, it's four hours of fun and games, so, we look forward to seeing all of you out there. All the proceeds go to SOS. What a vendor takes in, they keep, naturally, but the \$40 fee goes to SOS, along with the participation fee in the 5k run. Did I leave anything out Julie and Charlie? (addressing Julie Matheny and Charlie Wilson) Believe it or not, that's all I have to say. (laughter) Thank you very much.

Clerk of Council/Finance Director

Mrs. McNear: Before I give my report, I just wanted to comment on the 5k race. If you're registering through EventBrite, which is how you have to do it, be prepared because you have to be very quick. I started signing up today on my phone, and I didn't have my credit card with me. I walked into the other room, pulled it out of my purse, walked back and it said, "Your ticket has expired." You will have to be prepared and you better be fast when you're signing up. So, on to the General Fund Report for receipts through October 31st. Based on the net budget of \$21.218 million dollars, we have received \$21.513 million dollars, which is 101% of our anticipated receipts. Those receipts are made up of five general fund receipt resources and they are Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and Mayor's Court, for a subtotal of \$20.082 million dollars, which is 93%. For expenditures through October 31st, based on the net budget of \$22.149 million dollars, we have spent \$16.634 million dollars, which is 74% of the budget. Our ending balance through October 31st in the General Fund is \$9.509 million dollars. That concludes my report. Thank you.

Administrator's Report

Mr. Jones: I think I would add on to what the Mayor was talking about on the 5k run is just to let people know that the vast majority of the kids and adults actually walk. And the community center and our rec department is very flexible; they don't care if you just walk a portion of it. So, as long as you show up, and it is a nice event. Just a couple of things. We do have a few part time positions open; Maintenance Worker, Customer Service Representative, Fitness Instructor, and Facilities Maintenance Worker. If you have interest in that or know somebody who may potentially be interested in one of those positions, contact our Human Resources Administrator, Stephanie Morgan. Just wanted to give a report. Over the last couple of months, our Police Department has been monitoring East Crescentville, and I thought I'd give an update. During that 60 day period, 47 days were reported. The speed limit there is actually 35 mph, and, as we commonly find out, Mr. President, and our elected officials here, the average speed during that time is 25.98 for the majority of the time, and then the rest of the time it was monitored, it was 26.87. So, we find that about every time even though a lot of people say that there's speeding going on. Speeding is a lot less than people may realize, but it's the abusers that make it seem like it's much quicker. They roughly had about 3,000 cars per day that was being monitored. That's all I have unless there's questions.

Mr. Jacobs: I had a quick question about when we do the speed monitoring, that's when there's a sign that is up.

Mr. Jones: Yes.

Mr. Jacobs: Because I've always had this curiosity, doesn't the sign, by its nature, cut down on the speed? Whereas, if we did it where there's no sign, to me, that would be a true measure of what's happening.

Mr. Jones: Well, if you would like to volunteer to go out and hand do those...(laughter)

Mr. Jacobs: I'm sorry?

Mr. Jones: If you'd like to volunteer to monitor those, you can.

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Mr. Jacobs: No, no. The only way to monitor it is to include a sign that is...

Mr. Jones: But, there's absolutely...

Mr. Jacobs: Do you understand what I'm saying?

Mr. Jones: Sure. The visibility of the signs is much the visibility of a State Trooper on the interstate. Even if you're going the speed limit, you will hit your brakes naturally just because, oh, I see something. You're absolutely correct.

Mrs. Sullivan-Wisecup: I just wanted to ask a quick question though. Because I know that when it was over on Neuss by my house, sometimes it would show me how fast I was going. Other times, it had nothing. Is it still capturing how fast I'm going even if it doesn't show me how fast I'm going?

Mr. Jones: That's a great question, and the answer to that is, "Yes", sort of for the reason you're alluding to Councilman Jacobs. It continues to monitor and read even though it's not lighting up.

Mr. Jacobs: Just to clarify the point, if the goal is to collect data, the best data is to have no visible sign, in my opinion. Now, the sign is going to have a deterrent effect, but if you're gathering data, a deterrent effect is going to mess up your data, right?

Mr. Hawkins: I guess the point is if there's a less conspicuous way to capture radar, that may render some other information or data for us, but, then, along the lines also the opposite, we have had some residents come in and say that folks will do the opposite and they'll try to see if they can get the high score to see how fast they can go.

President Vanover: Well, while you're talking about Crescentville Road, I'm happy to announce that I acquired another nail, so I think I'm sitting at 18 and counting, so...

Mr. Jones: Mr. President, I had one of our employees in the Administration tell me, this individual lives outside the City, and she shared with me that she found a large amount of nails at the end of their driveway, and she's heard us talk, and she observes the Council meetings, and stuff, and said, "Unbelievable; it's happening to me and I don't live in the City." So, I have no answer to that.

President Vanover: Well, and I know for a fact that it's not just here. I know West Chester has been battling the same issue and some other municipalities too. But, you know, it's kind of like Christmas Story; you just keep adding on.

Law Director's Report

Mr. Braun

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No report

Engineer's Report

Mr. Riggs: I'll be brief tonight. The Northland Boulevard Project; we submitted a fee proposal for the shared use path addition and, in fact, the first reading for that ordinance is tonight. The project will shift a little bit with that shared use path addition. So, we've revised Stage 2 plans and final Right of Way plans will plan to be submitted in February of 2023. Then, with final plans being submitted a year later in February 2024 with the project going to bid in May 2024 which is consistent with the schedule OKI allowed us to push back from the bidding schedule from the first quarter of 2024 to the last quarter of 2024. The Kemper Road/CSX Bridge Repair Project; we have a pre-construction meeting on November 21st at 9:00 a.m. That contract was approved to be awarded to Prus Construction last month. And, that's all I have.

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Rental Program Committee

President Vanover: And, we're at the Rental Program, and Mr. Anderson is out, so, we had a meeting November 9th. We have legislation that was presented in near final form. We are meeting again on December 2nd with the hotel group and the plan is to bring that legislation before Council on December 7th for a first reading, and then the 21st for a public hearing and a second reading. I'm very pleased with what we have and where we are with it. It far surpassed any idea when we started that we would have something in this form this quickly, so I'm pleased to report that.

Communications

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None

Communications from the Audience

President Vanover: At this point, I would advise Council before we open the floor for Communications from the Audience, that we are currently considering legislation that will prohibit letters, emails, or texts from third parties who aren't here at the meeting from being read into the record by others. The reason for this proposed rule is pretty clear; the authors of these communications aren't here to verify they wrote them, and the authors can't be confronted or cross examined about the substance of their communications. This does not promote efficiency or transparency. As a result, I would encourage members of Council not to respond to any such communications that are presented from people who are not present at the meeting.

Ms. Matheny: I just wanted to give a report that Charter Revision had their annual required meeting this evening. All five members were in attendance. Jeff Singleton is our newest member, replacing Mr. Jacobs. He was sworn in. I was unanimously elected Chairperson again, and Michelle Gilmore will be our Secretary. That's it. Thank you.

Mr. Haugh: Good evening ladies and gentlemen, my name is Kevin Haugh. I live at 12090 Elkridge Drive. I apologize if you have trouble hearing me tonight; I have a sinus infection, but I know it was important to be here. Some of you know me. I am the author of the letter that has seemed to have caused Council some consternation over the past month. So tonight, I am here to present myself to this Council for cross examination. Debates and discussions are the basis of our democracy. Cross examination is something that you do to a criminal, not a concerned citizen. I will address the letter for discussion tonight, however, I wanted to address some disserving discussion from last week first. After Mr. Anderson, who is not here, fulfilled his promise to bring up the letter, President Vanover went on a tirade about unsigned letters and verifying who wrote them. This has probably been a problem since the first letter was written in 500 BC, but society has taken to accepting letters if they come signed from a proper address, and make contextual sense to the issue being addressed. My letter covered all three. Had their still been a question of validity of my letter, a staffer or the Administration could have completed the arduous task, as described by Mr. Braun, of calling me to verify the letter. Lord knows other members of the Administration know my phone number and love to use it any time my grass grows. No call was made. However, interestingly enough, the validity of my letter was not questioned by Administration. Mr. (Brian) Uhl, and Ms. (Nicole) Browder had no trouble verifying the email, and responding accordingly. Only certain people on this Council have a problem. Then, President Vanover began rambling about accusations in letters and having no ability to respond to, or cross examine the accuser. That's fair. Just the mere mention of an accusation can have negative effects on the Councilmembers or Council in general, regardless of whether they're true or not. My letter made no such accusations; it only contains six questions. My letter was not a form letter. Mr. Braun brought up form letters that you have received in the past, and I agree they are not appropriate for City Council meetings. This was obviously not a form letter as Mr. Anderson pointed out. These questions were very well thought out and detailed. Finally, there's a precedent set for letters being sent in and read for Council. Notwithstanding the discussion of the last meeting, as far back as records indicate, on May 15, 1996, a letter was written and read to Council, but I couldn't find a single instance where a letter was censored by Council. We've read letters from Duke Energy; two in the past year that have absolutely nothing to do with Council, but Council decided to censor a letter concerning the budget, how the money was spent, and clarification of issues that were brought up during that meeting. So, we've established the validity of the letter, signed by me; it came from my personal email address, which I had previously used for communicating with Administration. It was contextually relevant to the questions that I had posed before this Council

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Mr. Haugh (continued): two weeks prior. It was not aggressive, disrespectful, or accusatory. It was not a form letter, and it followed the precedent set decades ago for letters to be read by Council, but it was censored by this Council in these chambers. I'd like to know by whom and why. Before you answer, I also know that it was a surprise to multiple members of this Council that the letter was not read, meaning that it was not a unanimous decision of the Council not to read this, but a small faction of Council who's trying to suppress the voice of a resident. Now, again, I will ask who and why was the letter suppressed?

Mr. Jacobs: I'm glad you could make it out tonight. We have heard you speak, and I have the same thing you're talking about. We've seen you before us three times so far. We all did receive your letter, and I'm going to respectfully counter some of the things you just mentioned. This is not any definition of censorship. I know it feels that way to you, but your letter wasn't censored. There is not a right to send a message to a government body and then expect that government body to express your views in public. That doesn't exist under any reading of any amendment in any constitution. And, so, I feel like we've got a misunderstanding here, and, what you are correct about is that the City had a precedent of reading letters and you have every right to be disappointed that we might consider not doing that anymore, and I understand that, but, I totally disagree with your use of the word censorship here. This has nothing to do with the first amendment; zero. And, if you want to discuss that further with me, I'd be happy to back up what I'm saying, but I really have a problem with that word, because that's just not it at all.

Mrs. Sullivan-Wisecup: I want to absolutely echo what he (Mr. Jacobs) is saying, and you can come and talk to him about that kind of stuff afterwards, because he's a government teacher, not me. He's definitely the one to talk to about the first amendment rights. I want to actually talk to you when you said that there were some people on City Council that knew about it ahead of time. I don't know, except for maybe (President) Tom (Vanover) because he's the President, I don't know of any of the City Council members that knew about this ahead of time other than we got the letter, we all received the letter, and we were not told, "Yes, we will read this", or "No, we will not". That was never a discussion that I had. I don't know, but I can only speak for myself. It was never a discussion that I had. When I read the email, I actually reached out to someone in Administration and I said, "I don't know how to answer any of this. These are all administrative questions. These are all things that you guys handle on your end. Do we need to respond to this?" And, I was told that no, we don't need to respond to it, Administration was handling it, so, as far as I was concerned, I thought that you were getting what you wanted. I thought you were getting your answers. I didn't realize that what you wanted was for someone to read it. I didn't realize that that was the important part you know, from us. I didn't understand that that was a big part of it and I'm sorry that you felt that that was a big part that we didn't do for you. I had no idea that reading it was more important than the answers. The answers to me, I thought, were important, so, when Administration told me that they had handled it, I thought it was over. I had no idea that it was still a situation and I guess I'm sorry for that because I did not know. I don't think anybody really knew that that was the issue. So, I am sorry for that; I did not know. But, as far as I was concerned, I thought it was being taken care of by Administration because they were Administrative questions. That was just my answer to you. Thanks.

Mr. Hawkins: Thanks for coming out and thanks for being interested in what's going on in the process; that's always, good, okay. So, when you look at the agenda, we have not one, but two opportunities for folks to speak and address Council. It doesn't mean that's the only way for folks to reach Council, the Administration, or Elected Officials. So that everybody's clear in terms of procedure, and practices, at no point in time ever since 2009 when I got up here has seven Council members made a decision on what letters would be read. It's not something that Council does, okay? We sit here, there's times where a letter may come through that, in the past, we may not have even seen. We hear it for the first time when it's read by Mrs. (Kathy) McNear. So, Council doesn't make a decision on what gets read or doesn't get read. As it's been stated, and I think I said it probably at the last meeting. When your letter was not read, I was surprised it wasn't read just based on our precedent, but, you know, we're hearing some and there's been some discussion as to what the thought process was in that situation. I want to be clear that it's not something that Council sits before a meeting and says, "We're going to read this letter and not read this letter." That doesn't

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Mr. Hawkins (continued): happen. When there's been discussion about a new policy, and, that's on the agenda for this evening. For me, and I'm just one of seven people, for me, three things that are important with regard to it is that there's going to be consistency. So that, someone, be it you or anybody else, or maybe someone on the dais, if there's information that were to come and someone's not picking and choosing what's going to be read out loud or what's not. So, if there's a consistent policy or procedure, then that's a good thing because that takes away the idea of somebody censoring or making decisions on what's going to be publicized or what's not. The second thing is the accuracy or the verification part. It's important to make sure that if someone is making correspondence and that correspondence is going to be public, if that is truly what's coming from that person. I hear what you're saying that there's different steps that could be taken to verify that. Through the course of this discussion, I think from the last Council meeting, there's been a big thing made about the idea of cross examination. I think the President (of Council) had referenced it, the Law Director referenced it, and I want to make sure that the context of those statements, and I'm not going to speak for Mr. Vanover, or Mr. Braun, but the context of that, and I was looking at the minutes again this week, the context was about making sure that there's accuracy and verification in the person that's coming to speak and that what is being expounded upon, more so than the idea of truly cross examining someone who's coming up here, and you can have it in civil cases as well as criminal cases. But, I'm telling you, as someone who gets paid to do that since 2009, I have yet to cross examine a person who's come up here. And, there have been things that I haven't agreed with. I still, if I'm asking a question, it's usually a clarifying question because if you're here or somebody's here, it's because you have a concern, or a question, or you have input that you want to give and I want to make sure that I'm clear with regard to what the issue is so I can think about it, okay? The third thing is efficiency. So, if, we operate on what we've had before which is no policy. Which no policy means precedence is going to dictate. If we do that, then technically we could have the 1,000 PETA goldfish people that tweak a message that we've got to read. And, so, in terms of the efficiency of that process, that's not an official way to go through and conduct business. Every time we have a Council meeting, we've got Administrative Assistants that we're paying for, we have professional assistants, who, be it our Engineer, be it our Law Director that we're paying that the City is paying for these things. And, so they eat up time with those kinds of things is not the most efficient way to go about doing business. Now, here's the bottom line as far as I'm concerned. To come back to what I started with, it is important to get your input, any other resident, business member, whoever is coming through Springdale's input with regard to questions, concerns, problems, or on the occasional compliment with regard to what's going on. It doesn't happen often, but, we'll take those too. And, so, that can be done a number of different ways. It can be done by you coming in here today, it can be done by writing a letter, it can be done by picking up the phone and calling, email, what have you. There's a number of different ways for that to take place. The main thing that I imagine it is when someone stands at that dais as you are is, they come into this room because they have a question or concern for Administration, the Mayor, the Clerk of Council/Finance Director, or City Council, because those are the people who can answer your question or address your concern. If somebody's bigger interest is they want to make sure that what it is that they think, or that they have a question on is projected out to other people, then there's other avenues and venues for that. I acknowledge and I admit that if you stand at the podium, whatever you say is going to be public by the very nature of it. And, if you stand at that podium, nobody up here can dictate what you can and can't say. There may be a time constriction, but, if you want to get to that podium and say, "Lawrence Hawkins when he played at Princeton was a terrible football player, and he's a terrible Councilman", you can do that. Nobody can stop you from doing that, okay? It wouldn't be the most efficient use of time, but you can go through and do that. So, that would be censorship. We want your input; we want everybody's input. And, so, nobody's limiting that. No one is going through and saying, "You can't do that". If you write a letter, and that goes to everybody on Council, the Administration, and the Mayor, and the Clerk of Council/Finance Director, you are accomplishing the goal of getting the information to the people that can address and fix your question or your problem without it being out here. I don't want you to have to take off work. I don't want you to have to be away from your family. If there's a more efficient way that you can go through and do that without it impacting you, there's a whole bunch of different avenues to do that. So, nobody wants you censored, or anybody else censored. If there's a policy that's put into place that doesn't limit you, okay, that's what I want to make sure folks understand, you still have the opportunity to go through and do that and the most important thing is that it gets to us, and, it will. That's the thing I want you to understand. It will get to us. Thank you.

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Mr. Haugh: I'm sorry, I'm not done. With the precedent being set, and no policy, someone determined not to read the letter. I'd like to know who that was.

Mr. Jacobs: I don't mean to, I wanted to touch base on a couple of things. First off, we're going to be discussing the possible ordinance tonight. And, unless I'm misunderstanding, there will be a chance for you to come back up and speak then as well, so, I don't want to jump ahead to get specifics into the ordinance, but, when the letter was received, when it wasn't read, my first thought was the Mayor wasn't here that night, and there would not have been any answers to those questions. So, while it was not matching our precedents, honestly, to me, nothing productive was going to happen that night, if that makes sense to you because Administration wasn't going to be able to address it, whether it was read or not. And then, I also echo the point, and I still, I think this is where there's some confusion, if a resident reaches out to this body, is it because they want to be heard by us, or they want us to relay their message to the public, and I wanted to know if you see that as a fundamentally different thing. Because to me, they're miles apart Mr. Haugh. They're just miles apart.

Mr. Haugh: I see that the questions I asked are the same questions that I have seen multiple people have asked.

Mr. Jacobs: I'm sorry.

Mr. Haugh: The questions that I asked in the letter were asked by multiple people and I sent the letter to Council in order to get that question answered for everybody. It wasn't just for me. I can easily send a letter to Administration myself. This was to get the information out there for everybody because it's not forthcoming from this Administration or this Council.

Mr. Jacobs: So if I may ask, so, people reach out to you with those questions?

Mr. Haugh: Yes.

Mr. Jacobs: And they wanted you to ask them in their place?

Mr. Haugh: Well, they agreed that they should be asked.

Mr. Jacobs: Okay. And when you received the answers, did you share them with those people?

Mr. Haugh: Yes, I did.

Mr. Jacobs: So, wasn't the mission accomplished? And, I'm not trying to be combative here. I'm really trying to find the disconnect here. Because, again, to me there's a huge difference between expressing viewpoints to your local government and then expecting that government to be a megaphone for those viewpoints. To me, those are fundamentally different things.

Mr. Haugh: If the questions have to do with budgets, and how the Council is run, then why are those questions not appropriate for Council?

Mr. Jacobs: I missed the last part, I do apologize.

Mr. Haugh: If the questions are about the budget, how the money is being spent by the Council and how it's being run, why are those not appropriate for Council? The Council is in charge of the budget and that's why it was addressed to Council.

Mr. Jacobs: I didn't bring up anything about appropriateness with Council. I'm trying to differentiate between addressing your local government, which you have a right to do, and then the expectation that you have that we express those views for you. Do you see a difference?

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Mr. Haugh: I did streamline the process instead of having 30 people ask this Council to come up here and ask the same question. I couldn't be here to ask it myself, so, I sent a letter in to ask the questions. Otherwise, I would have been here myself if I didn't have to go to work.

Mr. Jacobs: I do understand that. I do.

Mrs. McNear: I guess, Mr. Haugh, if you're looking for someone to place blame, you can blame me if you like. I did receive your message. I didn't censor it. I sent it out to everybody sitting up here. Everybody knew about the letter. When I saw the letter, I said, "Oh, you're looking for specific, detailed, numeric financial information, and the people who can do that are down that end of the row. So, that's what we did. That was the most expedient way to get your information and get it started so that they can start researching that information to get that to you. Unfortunately, I think there's a miscommunication in that having the letter read was more important to you than the answer, and I can't help that, but, we sent the letter where it needed to go. Now, I can tell you I've sat up here a long time and I've read a lot of letters, and there's a lot of letters I haven't read. Sometimes we get letters that are anonymous. Those do not get read. Frankly, I almost didn't even take care of your letter because it didn't have your address. I didn't know you before, so I didn't know if you were a Springdale resident or not. I do read letters from Duke (Energy) because if there's a price increase, and the one time in all the years I've been up here, there's been a reduction, I read those because that impacts the City, but, you were looking for specific information and I passed it on to the people who got it to you and I know they did respond to you. So, I wanted to make sure there was clarification there that I made that decision that we move the letter to where it needed to go so that you could get the correct information as expediently as possible.

Mr. Haugh: My next concern is with the attitude of Council that they are somehow over the residents, not part of the residents. Multiple members of Council, and the Mayor have stated that they, the Council should not feel obligated to answer a question posed by a resident. This is not the ideals of a friendly, democratic government. You most certainly do have an obligation to answer our questions. That's why you are elected. If you don't have the answer, that's fine. I don't expect you to come up with facts, and figures, and numbers off of the top of your head. But then you should come back to that resident and answer those questions. This assures transparency and open communications with officials. More disturbing is the idea that President Vanover is pushing that no letters be presented to Council at all. That is a form of communication that is somehow not worthy of Council's time, and while I understand and agree with the policy of the handling of the letters, I don't think it should bar all letters from being publicly shared. Perhaps a certain set of guidelines and basis for letters to be shared or a request that a letter be shared be put in place with this new policy. But a ban on a letter feels like censorship and less than efficiency. Especially seeing as time is spent reading letters and their resulting discussions have occupied a whole 12 minutes of Council's time in the past 12 months. Two letters from Duke that lasted 65 seconds, two letters from the Community Center lasting nine minutes and fifty seconds, and one letter about ride sharing less than 90 seconds. I don't see how censoring letters or not reading letters would improve the efficiency of Council. Further disturbing is President Vanover's idea that is if it's important to you, you should be here. It's too easy to write a letter; we all prioritize our activities and if it's important, you need to make time. This is preposterous. With this statement, you said because I work providing for my family that my opinion doesn't matter to this Council. The time now is 7:45. I've had to take three hours off from work to be here tonight. I should be at work right now providing for my family, and providing medical care for people who are dependent on me instead of being here arguing with this Council about letting me speak to them in letter form. But, I am here so you can cross examine me like a criminal. Yes, it's easier to debate, and talk, and have this discussion if I'm standing here in front of you, but that's not the world we live in. People work late, people have other obligations, and what you're saying by blocking all letters to Council is that you don't care what we have to say. You're belittling my opinions and my thoughts on the City. Will this Council pay me for my lost time to be here? Or, is my family supposed to take a back seat to Council because I care about the City that I live in? I've spoken with other residents in the past weeks who also could not make it tonight. One has a sick child, one had a retirement party for a friend, and many others work. Do their voices mean nothing to you because they can't be here either? Mr. President, do you support military members abroad, fighting for democracy? Do you support the elderly who are infirmed and unable to make it here? Does their pain not matter if they cannot be here in front of you? Do you support absentee voting? If yes, then how are

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Mr. Haugh (continued): political leaders different? If not, would you reject those votes cast for you in November 2025 and only count those votes that are cast in person? I'd like to understand why you oppose the community having a voice via letters in your ideal government. Finally, I'm going to address the letter. My letter asked six questions. These included two asking about how money would be spent, two asking about step increases over five years or a monthly billing option that would allow families to reduce the burden caused by doubling the rates, and two were asking for clarification on the parameters of the inquiry ordered by the Mayor. None of these questions were confrontational or out of line. I even agree that it was time for an increase. None of these questions are currently linked to the discussion, but the questions that myself and others wanted answered, and wanted it answered publicly for transparency. However, certain members of this Council decided it wasn't going to happen. Instead, these members took this as a reason to bar letters from Council and to create a new policy. Why is this? Is it because they didn't want the public to know the answers? Or, maybe because they're scared of people, knowing what's going on, or maybe because what they're doing is wrong because they know that this fee for the Community Center is actually and legally a tax. A tax targeting those residents who use the Community Center and I found this out only after this Council refused to read my last letter. In the court case of *Cavelle vs. the City of Seattle*, heard at the Washington State Supreme Court in 1995, and those definitions that were adopted by the State of Ohio, and 48 other states stipulate three criteria for determining if a charge is classified as a fee or a tax. One, where the primary purpose of the charge is to raise revenue, rather than regulate, then it is a tax. In this case, as stated by the Administration, the purpose was to raise money for the General Fund. Two, whether the money collected must be allocated only to the authorized original purpose. Again, per the Administration, this money is for the General Fund. Three, whether there's a direct relationship between the fee charged and service received by those who pay the fee or between the fee charged and the burden produced by the fee payer. Again, per Administration, these increases do nothing for the Community Center and are just a convenient money grab by the City. These criteria were adopted by the State of Ohio, in Ohio Revised Code Section 5747.2. This section reads, "For the purpose of providing revenue for the support of schools and local government functions and to provide for the General Fund is a tax". I do have a diagram here for any of the members of the audience who would like to see how this works. And, members of Administration and Council can request a copy as well. However, the request must be done in person to ensure that the request is made by a valid requestor. And, unlike those requests made by residents, these requests will not be met with denial by the City's Attorney as mine recently have. So, what does this mean? It means the fee increase is actually a recreation tax. The same recreation tax Mayor Webster decreed that would only occur over his dead body, moments after he presented this increase to Council. And, in doing so, he and the Administration are attempting to levy a tax that can only be leveled by Council and not by the Administration. And, that's why my letter came to Council. It is a tax, not a fee. And, seeing as Mayor Webster has been in politics longer than Joe Biden, he knew what he was doing when he requested this increase. Now, I don't know if this is just a cash grab, without benefit of the new Community Center that it was intended for, or, if this is punishment to the community for speaking out against the failed Community Center. Either way, it is a reprehensible attempt to rob Community Center members in order to rescue a floundering City budget. In closing, what we have is a City Council President whose ideal government doesn't allow for the voice of the people, and a Mayor who is no better than a common thief hiding high on the dais focusing on their own interests rather than the citizens of Springdale. My advice to you both? Next time, read the letter.

Mr. Hawkins: Just for clarity's sake, and I know there are a lot of things that were directed at other individuals, but, the one thing that Mr. Haugh had referenced that I think was more directed towards me with regard to that people from the dais don't have to answer questions. The context, again, of statements, to be clear, look at page 11 of the minutes from the last meeting, in the third paragraph, the last line, I'm indicating "So we shouldn't feel an obligation to respond to anybody coming in immediately." The point is there's times we have to get information, Administration has to get information before they can answer a question or explain something. There's other times where we have that data at our fingertips, and we're able to address that immediately. At no point in time do I feel, and I wouldn't think that anybody has felt based on the conversations that we have had that a resident, a business owner, or anybody coming in here, or writes a letter with concerns or questions, those should

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Mr. Hawkins (continued): be answered. Those should be answered, those should be addressed, that person should be contacted. They may not agree with the answer or information they get, but, nobody should be ignored. Everybody should be addressed. Thank you.

Mr. Jacobs: I just do hope that Mr. Haugh reads what happened after he left because I feel like I was trying to have a dialogue with the resident. I also do know that the ship probably sailed long ago in terms of his perception of the body. The bridge is burned, and I understand that, and I wish that wasn't the case. But, I just, I hope he reads this because I've heard several times that he wasn't listened to, and I don't know how many more times we have to say it; we all read the letter. We all received the letter. I saw the letter posted on social media with the answers. So, I just, and I hope he doesn't feel like I was combative with him, I hope you don't Mr. Haugh, but nothing was censored. No one has been silenced. And, I think what's really unfortunate is we're going to have a first reading of the ordinance that Mr. Haugh and others may not like, and he's left the room to then debate and discuss maybe his concerns about the actual ordinance. So, nothing productive happened at all just now, even though I feel like I gave it a college try to try to maybe bridge some misunderstandings. If he comes back, I'll try again the next time Mr. Haugh, but, that's all I have. Thank you.

President Vanover: Well, Mr. Hawkins you referenced the minutes from the last meeting. I'll reference October 5, 2022. Mr. Haugh stood before this body; he asked questions. They were answered right then and there. Two of those questions that he repeatedly asked were answered and they're in the minutes. If he wants to get a copy of them, they are there, so, he must not have liked the answer he got standing here. Well, it's not going to change, so, Council I apologize for the longevity and we have been given an example of why the policy needs to be adopted. With that, we'll move into Ordinances and Resolutions.

Ms. Chapman: I'd actually like to speak. If you all don't know me by now my name is Megan Chapman. I live on 479 Vista Glen Drive. And, so my questions mainly pertain to the fee structure for the Rec that is forthcoming. I don't know if it's already been approved or not, but, I do want to know, will that money be used for the improvement of the Rec Center in any way?

Mayor Webster: That was one of the questions that Mr. Haugh asked.

Ms. Chapman: Okay.

Mayor Webster: Several meetings ago, we explained to him, the Chairman of the Finance Committee explained that very explicitly that the money that is generated from these fees will go into the General Fund, like all the other fees that come from Mayor's Court, taxes, property taxes, building department, whatever. They go into the General Fund and then those funds are prioritized based upon the needs of the City, so, I can't sit here and tell you that a ten dollar fee for whatever is going to go put a brick in the building down there. I can't do that. It's going to go into the General Fund. The General Fund is roughly \$20 million dollars a year. I know it sounds like a lot of money, and, it is a lot of money, but we provide a hell of a lot of services in this City, and it's expensive to provide those services. As a matter of fact, we spent \$2.2 million dollars at the Rec Center providing the services down there. So, we're asking for \$80,000 more to help offset that \$2.2 million, but, the money, the \$80,000 is going to go into the General Fund, and the Finance Committee and this Council will decide how that's going to be spent. But, you're not going to be able...you can look at the budget all you want; you're not going to find that \$80,000 in there.

Ms. Chapman: Okay, I completely understand that.

Mayor Webster: I'm glad you understand it because I don't think Mr. Haugh does, but, go ahead.

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Ms. Chapman: Okay, so, I appreciate like you trying to do stuff, but, I really would appreciate it if you did not cut me off because I am a grownup. Anyhoo, I want to know, like, what are we going to get for the increase in the Rec fee then, I mean, like, the increase in the Rec fee should correlate with some benefit for the Rec. It's not like, if you were just saying that it was going to the General Fund, and that's all, and, we're not going to see any benefit from it in the Rec, then, why are you increasing the fee?

Mayor Webster: Because it's been 13 years since we've adjusted the fees in the Rec Center. Every other community in the area has constantly, every year...

Ms. Chapman: Every other community in the area has a much nicer Rec Center. They have child care at their Rec Center.

Off mic: Then move.

Mayor Webster: Do you want me to answer your question?

Ms. Chapman: I just moved here.

Off mic: (inaudible)

Mayor Webster: So our fees...

Ms. Chapman: That's hella rude.

Mayor Webster: Our fees are still less than a lot of the other surrounding communities even though we haven't raised them for 13 years, and with this raise, they would still be, they're about in the middle of the pack, and that's why we asked Mr. Wilson to put that together. We didn't want to be the most expensive, but, we're tired of giving away the service, okay?

Ms. Chapman: Okay. Fair. But, okay, so, you do realize that there is a very vast difference in the economics of this Community and you're raising something; you're basically doubling the price. Is there any way that you guys can just like gradually do this over a two to three year period?

Mayor Webster: No, unfortunately, we can't roll back the clock 13 years and do it incrementally every year, raise the fees, every year, raise the fees. We elected not to do that. Somewhere along the way, you have to catch up with it.

Ms. Chapman: Okay, so, at what point did you decide like just now we just decided that we're going to do this and we're going to give people like two minutes notice?

Mayor Webster: Two minutes notice?

Ms. Chapman: Okay, so I speak in hyperbole a lot.

Mayor Webster: That's going into effect January 1st, and we announced it a couple of months ago.

Ms. Chapman: I understand that, and, and this is the first time that I've been able to like actually...

Mayor Webster: So, it's not two minutes.

Ms. Chapman: ...been able to come here and talk to you. If you know me, you know I talk in hyperbole a lot, so, my apologies. Two months I guess, what? So, yeah. Anyway, those are all my questions.

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Mr. Jacobs: If I could, maybe we can talk off the edge here. If I could talk to everybody out there. There's nobody up here that doesn't want that Rec Center to be the best it can be. Nobody, okay? There's no promise, and there never has been a promise that the increase in fees is going to lead to some improvement. But, improvement is part of our plan going forward. We haven't laid out all those details for you yet. I want the best for the Rec Center, you want the best Rec Center, and maybe some context. And, nobody likes raising fees. Nobody's happy about this. But, I think it is relevant to say like Mr. Haugh for example suggested can you do it incrementally as you did as well, and, I think it's fair to say that would have had to have been done in 2010, 2011, 2012, 2013. We would have preferred it, but, we did get that savings from 2009 until today. I know that's not good enough for you and I'm not expecting it to be, but, I'm just trying to shift the way you're viewing it. I know it sucks for the rate to double. No doubt about that, okay? But, one way to think about it; one way, was it went from \$.25 cents a day to \$.50 cents a day, or, it may in January. I also would like to mention to anybody listening, Mr. Haugh, and I know my colleague here, Mr. Ramirez, one of the suggestions was to incentivize the year-long membership by having that at a lower fee to maybe dis-incentivize just monthly memberships. I've expressed support for it, Mr. Ramirez has expressed support for it. I've checked the minutes, I know he's not here, I don't mean to speak for him. There's productive things that can come out of this. I want you to know, we all want that Rec Center to be better. It's going to be better. It's not going to happen fast, and I don't think anybody can expect it's going to happen with an \$80,000 increase in revenue coming to the City. It's going to be much more than that, and we all want more than that, and I hope you understand that. I just thought that was important to express.

Ms. Chapman: And that's fair, and I understand that, but, do you think that you may price people or residents out of being able to use the Rec facility by doing that?

Mr. Jacobs: I don't mean to be evasive. I have no way of knowing. I really don't. I know it's a doubling. And, I know this is framing, but, it is. It's \$.25 cents a day to \$.50 cents a day.

Ms. Chapman: I personally will have no problem affording that, I'm just looking out for other members of the Community.

Mr. Jacobs: I don't want to step on the Mayor's toes here, but I feel pretty confident in saying that when we reach the Rec Center that we all want, it's going to be more than \$80,000 a year better. I think we all want that. But, it's going to take a long time. This building wasn't here 35 years ago, 40 years ago, or however long it was. There's a lot of investments we have to make and we all want to make them. The last time the fees were raised, George Bush was President of the United States. I don't know what, but it is frustrating. You totally have every right to be frustrated. And, we'd rather it not happen all at once. I understand that, but, as the Mayor said, we can't go back in time. I understand your frustration.

Ms. Chapman: It just kind of seems like poor planning.

Mrs. Sullivan-Wisecup: I completely hear what you're saying; I understand it. With the fees that we get in, if we were to take it down and only run the Rec Center off the fees that we get in as memberships, we wouldn't be able to run it. Probably not even a month. And, that's a sad reality about how expensive life is; it's expensive. It's expensive to put water in the pool, it's expensive to put the lights in the place, to have working toilets, to have employees working there with the gym open. Everything costs a penny, and now, right now it's costing a dollar. It's just inflation. It sucks.

Ms. Chapman: No, I understand.

Mrs. Sullivan-Wisecup: I feel your frustration; trust me. Right now, my kids are gone; it's just me and my husband, but, I would still have to pay the \$180, or \$280 a month, whatever it is. It's a lot, or, \$180; it's a lot. Yes, \$180 a year. It's a lot for just two of us, and that's something that everybody has to decide for themselves. Are they going to belong to the Community Center and have the advantages of belonging to the Community Center, or not? Everybody who knows me, and I know you don't know me very well, I am Miss Community Center. I am all about the Community Center, I'm all about our Youth Sports Program, I want to keep the Community as involved in itself as it can. I have always been a big pusher for making the Community Center

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Mrs. Sullivan-Wisecup (continued): as best as it is, but, I'm also a realist. I understand you want to go to Disney, but you've got a Kings Island budget; you're going to Kings Island. And, that's what we're looking at right now. We all want to go to Disney; we're packing for Kings Island. We're going to do whatever we can with the dollars that we're given. Trust me, everybody hears times are tough; everybody feels it, everybody knows it. We're trying to do whatever we can to make it as painless as possible. And, we'll just have to see in the new year how it all goes through, or whatever, but, right now it's tough all around, and we're trying to make it the best for everybody that we can, but we can't improve if don't have any money to improve with. I know that doesn't help the frustration, but I do want to just kind of give a little bit of backstory on how I personally feel about it, and I hope for the best for the Community Center, and we'll always be members. Thanks.

Mayor Webster: You asked if we're going to price people out of the market and are people not going to participate. That's a possibility, but, here's my question to you. Where are you going to go for your recreational activities? You aren't going to go anywhere in the area that's going to be cheaper. I happen to be aware there's a couple from Springdale. Both participate in the Community Center. They were seriously considering selling their house and moving outside this City to an area that didn't have a Community Center, but there was a local YMCA. So, they made a couple of phone calls to the YMCA. You know what they found out? The monthly fee for the two of them for the Y matched what they would pay at the Community Center for the entire year. And we're supposed to worry about people not going to renew their memberships? I'm sorry, but, I mean if you want to recreate, it's the cheapest game in town. Pure and simple; even with the raise. And, that's exactly what we told Mr. (Charlie) Wilson when he started making calls around the other communities. We do not want to be the highest price; we want to be in the middle. We don't want to be the cheapest; we've been the cheapest for far too long; we want to be in the middle of the pack, and, that's exactly the schedule that he's put together.

Ms. Chapman: Okay.

Mr. Hawkins: You're hearing a lot in terms of the money and the finances, and, at the end of the day, you know, we've gone through with all the discussion about the potential Rec Center move previously, and discussion about some facilities, there's a lot of folks that will ask the question, "Well, it seems like folks haven't been prioritizing things, or managing, planning." I think you used the words, "well, over the last 20 years or 15 years, or 13 years". It's important to understand the context of all of those things that when we talk about the General Fund, it's one pot of money, right? There's not something else that we go and pull from. It's important that there was some reference to 2009, 2010. It's important when you go back and look at what was going on in 2009, 2010. The State was pulling money from local governments all over the place. Giving money to townships, but municipalities were suffering from that. We had the estate tax taken, there were a number of different things that created a situation where we, as a City, had less money. The Administration back then, and we had different administrators back then, made choices, and with the Mayor, with Council in terms of how to manage that financial wave of taking money away from us to keep those things that are essential in terms of Police and Fire, and trying to maintain roads and surfaces that our residents were used to. When you go back and think about those times, I don't think that a lot of residents would sit there and say they were suffering any kind of deprivation with regard to anything they were used to having. Now, there were some things we did because employees here that were non-union employees had to take some furloughs and they suffered and we reduced some of the hours at the Rec Center back then to try to manage those things, but, all in all, if you looked around, you'd think things were pretty normal. And, that's a credit to the folks that were here back then to manage that situation, which there are a lot of cities that did not do a good job with that and suffered greatly in the years to come, and that was forecasting, preplanning, to say, "Hey look, we may not feel this right now in 2009, 2010, but, it's going to come, and if we don't do stuff now, come 2011, 2012, it's going to be a major problem." So, folks have been very conscientious with regard to it, and, I'm sure it's just the way you would be at home; everything is budgeted out and there's priorities. We're going to take care of the house, we're going to take care making sure there's health insurance, those kinds of things. And, the things that are extra, maybe it's the vacation to Disney or what have you, that's the thing that is lower down the priority list, because these other things are essential. The Rec Center is important; everybody wants it. Everybody wants it to be the best

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Mr. Hawkins (continued): it can be, but, we've got to make sure that Police, Fire, the roads, these things are taken care of as a priority to it, but, what you can take to the bank is through the course of all of this discussion we've had in terms of the Artisan Village and the potential for a Rec Center move, a deep dive into the buildings, what have you, it is clearly on the radar of everybody, it's clear that it's a priority for the folks that are involved; Elected Officials, Administration, and the residents have made it very clear that it's a priority, and so folks are going to try and find a way to move that up and take care of those dollars. We've still got to take care of Police, Fire, and those kinds of things. Someone calls 911, we want to make sure that the ambulance gets out to them, but the Rec Center is very, very important and, so, we're going to do what we can to make sure that continues to improve. It's not going to be overnight, but, in time, we're going to get there so we can sit there and look at Mason's aquatic center and go, "Ours is better". But, it's going to take time. Okay?

Ms. Chapman: Alright.

Mayor Webster: But, just to emphasize Mr. Hawkins point, over the last two years, we have spent \$300,000 dollars on putting a new roof on that center; \$300,000. We didn't come knocking on anybody's door for donations or we didn't raise the fees. We prioritized the money out of the General Fund, and we put a new roof on there. We're looking at having to replace 13 to 14 air conditioning units in that Community Center. Thirteen to fourteen. Each one of them goes anywhere from \$25,000 to \$75,000 apiece. If you average \$50,000 each, and you're looking at 14 of them, you figure it out. The money has to be prioritized out of the General Fund, and this \$80,000 will be in there helping out to pull that load, and this is exactly what we explained in almost exact detail that we're giving you this evening to Mr. Haugh four or five weeks ago. I don't know what else we can say.

Ms. Chapman: I guess that's it.

Mr. Jacobs: I'm going to ask, I appreciate you coming out tonight, and I hope you can take that passion you brought here tonight, and stay with us as we decide what that Rec Center is going to look like. Because, we're going to look for citizen input. Thank you.

Ms. Chapman: Sorry, I was just saying I'm not moving again.

Mr. Jacobs: Great.

Ms. Wells: Hello, I'm Katie Wells. I live on Bernhart. On a lighter note, I came here a couple of meetings ago, maybe, I forget, since I've been here, but I wanted to bring up for the PTA that we were having the Walk A Thon raising money for the playground, and I just figured in case anybody didn't know the update, and they heard me before, the goal was \$3,000, and they doubled it, so, that's awesome news. And, I just wanted to bring that on a lighter note. The only other thing I want to mention, it's more of just a comment is that the way that everyone up here, all of our Elected Officials speak to people matters. The way that they hear people matters, and I just wanted to remind you of that. I know you already know that, but, I think it's important. Thank you.

Mayor Webster: I'd also like to remind our audience that it matters how you talk to the Elected Officials too, and it also matters when get at home in front of your computer screen and you're King Kong because no one is going to argue with you, and the names you call people, and the statements you make. That matters too, so just keep that in mind.

Ms. Wells: I'm not sure if you directed name calling to me?

Mayor Webster: Yes.

Ms. Wells: Specifically?

Mayor Webster: Yes.

Ms. Wells: But, I'd like to know when?

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Mayor Webster: Please?

Ms. Wells: When? When did I call anyone names?

Mayor Webster: Accusations. "The mean old Mayor did this", "The mean old Mayor did that".

Ms. Wells: I've never said that.

Mayor Webster: I'm not going to argue with you.

Ms. Wells: Never said that, and I really do not appreciate lying about my intentions, because my intentions have been good this entire time and I care a lot about this City. I care a lot about this City. And, the way that I have been treated has been outrageous, and I don't appreciate lies. And, I will always stand up for myself when someone's going to lie and disrespect my name and, I know a lot of people that are sitting up here right now notice that I have not called you any names. I have you on camera calling me names.

Mrs. Webster: I had no plans to do this tonight. Lavonne Webster, Peak Drive, but I cannot take this anymore, my family cannot take this anymore, and we're not going to take it anymore. This is what was posted on her best friend's page, Brad's page, "Let them eat cake". Let me get my glasses. "Let them eat cake". Do you see it? Your friend Brad. Erin Morganroth; Erin Morganroth has never stepped foot in my house, nor will she ever step foot in my house. "Oh my God! I knew there had to be a story when I saw your other post. Now you don't even have to tell me. I already know. I'll be at the next no matter what." Marilee Pollitt "Do they really give money to good causes every year?" Raye Brabs

Off mic: Did you not gavel her last week for that?

President Vanover: (hit gavel to call order) This is enough. I will clear chambers.

Mrs. Webster: May I continue? Marilee Pollitt, "I don't have proof that they don't give to good causes, but anyone can start a non-profit. Erin Morganroth, "They had me at a Christmas party", which is another lie. Marilee Pollitt, true story, but Erin, I know about the Christmas Party. They've been going on for years. My mom used to go." Raye Brabs, or Marilee, "I'd like to see where they donate their money to." Katie Wells, Marilee Pollitt, Erin Morganroth, Raye Brabs "Any non-profit has to make the Form 990 public record. You can request the year-end tax document 990." Marilee Pollitt, "True story, but Erin, I know about the Christmas parties that have been going on for years. My mom used to go." to Raye Brabs, "I'd like to see where they donate their money to." "Marilee Pollitt and Brabs any non-profit" again. This is an insinuation that we make money and take it from the SOS group, and you know it, and Brabs was in on it, and I resent this highly. And, as far as calling him names, "He's not a very good speaker. Old man Webster. He's been there too long. Clear him out of there." On, and on, and on. (President Vanover used his gavel to end the comments) Alright. Thank you.

Mr. Jacobs: I do not know what just happened. All those comments were directed at people that were not here tonight.

Mrs. Webster: Katie Wells is here.

Mr. Jacobs: Please. And, none of them were directed at her. You brought up friends of hers and people on Facebook that made posts. I don't...

Mrs. Webster: Katie Wells has got a comment here Mr. Jacobs.

Mr. Jacobs: I understand that it upset you. I do. But,....

Mrs. Webster: A lot of people (inaudible) Katie Wells, Marilee Pollitt, Erin Morganroth...

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Mr. Jacobs: And, it continues. (President Vanover hit gavel to call to order)

Mrs. Webster: (inaudible)

President Vanover: Communications from the Audience is closed.

Ordinances and Resolutions

Ordinance No. 34-2022

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH CT CONSULTANTS FOR ADDITIONAL DESIGN ENGINEERING SERVICES RELATED TO THE INCLUSION OF A SHARED USE PATH FOR THE NORTHLAND BOULEVARD RECONSTRUCTION PROJECT

President Vanover: Council, this is a first reading. Is there any discussion this evening? (None) Alright, we will see it next meeting.

Ordinance No. 35-2022

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH JUSTIN BARTLETT TO SERVE AS MAYOR'S COURT MAGISTRATE FOR THE CITY OF SPRINGDALE, OHIO, AND DECLARING AN EMERGENCY

Mr. Hawkins made a motion to adopt Ordinance No. 35-2022; Mrs. Sullivan-Wisecup seconded.

Mayor Webster: The next three ordinances all have to do with our Mayor's Court. This is for our Magistrate, and the next one is for our Prosecutor, and the next one is for our Public Defender. And, so, I would certainly ask for Council's support of all three of these. These people have been with us for several years. All three are renewing at the same price and conditions as previously, so, no increase in any one of these three, and it's been several years since we've increased these fees.

Ordinance No. 35-2022 passes with five affirmative votes. (Anderson and Ramirez were absent)

Ordinance No. 36-2022

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH SETH S. TIEGER FOR PROSECUTION SERVICES FOR THE CITY OF SPRINGDALE, OHIO, AND DECLARING AN EMERGENCY

Mr. Hawkins made a motion to adopt Ordinance No. 36-2022; Mrs. Sullivan-Wisecup seconded.

Ordinance No. 36-2022 passes with five affirmative votes. (Anderson and Ramirez were absent)

Ordinance No. 37-2022

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

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 37-2022; Mrs. Ghantous seconded.

Ordinance No. 37-2022 passes with five affirmative votes. (Anderson and Ramirez were absent)

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Ordinance No. 38-2022

AN ORDINANCE AMENDING CHAPTER 30 OF THE SPRINGDALE CODE OF ORDINANCES GOVERNING PROCEDURES AT CITY COUNCIL MEETINGS

President Vanover: Alright Council, this is a first reading this evening. Is there any discussion? (None) Okay, we'll see it again.

Resolution No. R21-2022

A RESOLUTION ADOPTING A CONNECTIVITY PLAN FOR THE CITY OF SPRINGDALE

President Vanover: Alright Council, this is a first reading. We do have a presentation this evening, Mr. Kuchta.

Mr. Kuchta: It's been a long night already, so, I'm going to dispense with any kind of ground-setting, and answering questions afterwards, along with Eric Anderson from KZF. Right now, I'm going to introduce Eric Anderson who's the Lead Project Manager from KZF and he's worked with us on this for the past nine months. He's going to take you through the process and the end product. Thank you.

Mr. (Eric) Anderson: Good evening. Thank you for having me here today Mr. President, Council, Mayor Webster. As Andy (Kuchta) mentioned, my name is Eric Anderson, I'm the Director of Planning Services at KZF Design, and also the Project Manager for the Springdale Bike and Pedestrian Connectivity Plan. I'm here today to present the contents of the plan, and, answer any questions you may have leading up to adoption. So, before I get into the plan, I just wanted to give a little background on the project. So, the City initiated the Springdale Bike and Pedestrian Connectivity Plan for two core reasons. Number one, the City's Comprehensive Plan calls for a well-connected and cohesive connectivity network, and, secondly, with all the development that's being planned throughout the City, there's a need to evaluate the way people walk, and bike, throughout the City, and a desire to connect the residential areas with those new developments. So, the plan was guided by five core goals. Those were developed and ranked by a team of stakeholders within the City, within the City government, and the City staff. The first one is establishing a west to east connection for residents to access other neighborhoods, parks schools, and areas of commerce. The second goal is providing adequate pedestrian and bike infrastructure throughout the City. The third is improving existing transportation corridors to promote safe, multi-modal facilities for all users. The fourth goal is prioritizing connections to regional pedestrian and bike facilities, as well as surrounding cities and villages. And, finally creating a continuous network of safe pedestrian and bike paths along major transportation routes. So, we went through a seven-month process, and then we've had two months here of presentations getting ready leading up to this meeting today. That planning process included mapping of existing conditions, site visits, and field work throughout the City, community engagement, development of a series of recommendations, and then presentation of those recommendations. We held two in-person events to get feedback. The first one was an open house related to existing conditions and what residents, business owners, and visitors were seeing in the City. The second was a presentation of our recommendations. In addition to these in person meetings, we used an on-line community engagement tool to present or to get feedback on what people were seeing within the City relating to existing conditions. We asked for feedback about areas of the City that they liked or didn't like related to how you bike or walk in the City. They were able to indicate and map out their preferred bike or walking routes. They also were able to identify any potential connections that were needed. They also had the opportunity to identify difficult locations in the City for walking and biking, and, then there was an opportunity to provide general map comments. For recommendations, we also mapped those, and went through a similar process on-line to get feedback. So, moving on to the plan, so, our first step was mapping existing conditions and doing fieldwork throughout the City. Our observations were, obviously, there are some neighborhoods, residential neighborhoods that have sidewalks, and some do not. Some sidewalks are two to four feet wide which is functional, but, do not allow two people to walk by cross paths. It also can make navigating in a wheelchair difficult. There also are a lot of missing pieces where you have a continuous sidewalk, and, there might be a gap. That might require people to walk on the sidewalk, or turn around and find a different

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Mr. (Eric) Anderson (continued): path to get from one spot to another. In addition, there is inconsistency between the types of facilities like I said, width, design. The local map work offers some local connectivity, but, it's hard to get from the west side of the City to the east side. Also, if you're trying to commute through Springdale, that also can also be difficult due to missing pieces in the network. Also, local parks offer great connectivity with the local residential areas, but lack internal trails. Interstate 275 and the interchange serve as a significant barrier, but, on a positive side, there is a good trail network. We got a lot of positive feedback about the multi-use facilities around the Community Center, as well as the multi-use paths on Sharon Road. So, our recommendations consist of two types; on-road facilities, and off-road facilities. So, you'll see on the slide here on the left, we're showing two off-road facilities. So, the top left is a shared-use path where both cyclists, and pedestrians would use one, occupy a twelve foot wide pathway. The bottom left shows a six to eight foot wide sidewalk that would be on one side, or both sides of the street. Obviously, the preference would be for both sides of the street. The two images to the right show on-road facilities, so, the top right is a shared facility where you would have bikes and vehicles sharing the same space in the roadway, and the bottom right shows a protected facility where bikes and vehicles are in the same roadway, but there's a buffer between vehicles and bikes. The facilities that we identified in the plan follow public transportation corridors as well as offered some ideas for potential pathways through private property. As we developed these recommendations, we took a lot of things into account. So, a lot of the routes that are in the final plan were identified during community engagement as priority corridors that people preferred to walk or bike on. We also looked at addressing physical barriers to commute from the residential areas to commercial areas, offering connectivity between residential and commercial areas to parks, schools, and other important destinations. We looked at how we could provide multi-modal options for someone to get throughout the City some that might be using a bike, and then getting on a bus, or walking to a bus stop, or, other modes of transportation. We also looked at right-of-way width; is there enough room to fit these facilities along the roadway. And then, we also, the last thing we looked at was connectivity to the surrounding planned or built bike and pedestrian infrastructure like the City of Fairfield's planned improvements, or Forest Park, and, also we looked at connecting to the regional trail system like the west fork of the Mill Creek greenway, and the Glenwood Gardens to Winton Woods trail. So, the recommendations are presented in short-term and long-term maps. The short term recommendations are routes that will be focused on over the next ten years. This is where day-to-day operations, the City staff will be, kind of, you know making decisions, or it will kind of just be part of the day-to-day conversations. Those priority routes include Kemper Road, Princeton Pike, Northland Boulevard, Sharon Road, Springfield Pike, Kenn Road, Cloverdale, Lawnview Avenue, and Tri-County Parkway . We recommended four core types. A 12 use, multi-use path as we showed previously, six or eight foot wide sidewalks, and recommendations for on-road facilities. So, looking at the recommended locations for shared-use paths. Princeton Pike, Northland Boulevard, Springfield Pike, and Sharon Road. So, these would be, again, 12 foot wide paths that are separate from the road, they're for pedestrians and bikes. There would be two-way travel, and they are a low-stress experience for a variety of users. The next kind of core recommendation are the sidewalks; we have Kenn Road, Cloverdale, Lawnview Avenue, Tri-County Parkway, and a section of Springfield Pike, so, these are six to eight foot recommended width; separate from motorized traffic again, low-stress, and these could be combined with on-road shared facilities where you've got the bikes in the road as well. Where you've got bikes in the roadway, we're showing those mostly on residential streets, but, that would be a combination of signage as well as pavement markings that indicate that bikes are in the roadway to drivers. And then, the last series is on-road facilities. Those would be four to five feet wide. Only bikes would use these. They'd be in the roadway. If it's one way, you would have a four to five foot wide bike lane on each side of the road, or, like this image that's shown here, you could have them together on one side of the road; that would be two-way. These on-road facilities are meant for more experienced cyclists. So, just a couple of examples here, like I mentioned, the two-way cycle track is in the top left, bike lanes that would go on either side of the road, are shown in the bottom left, and then, for the more residential streets, signage and what we call sharrows are those green pavement markings that indicate bikes on the roadway. So, those are kind of the core of the short-term recommendations. The longer term, the broader connectivity plan follows the same ideals; we just expanded to the rest of the City and these are the improvements that happen as property redevelops, as feasibility studies are completed, or, as like long-term budgets are developed. This network connects all of your parks, schools, and commercial areas, and it also offers a variety of options for getting around barriers like Interstate 275 or congested intersections. So, this plan is the first step in a long-

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Mr. (Eric) Anderson (continued): term effort. There's a lot of further study that needs to be done. We were looking at the City as a whole. Kind of next steps are to drill down to specific corridors, and start looking at individual properties for how to implement these recommendations. Things that we'll need to take into consideration are phasing, which side of the street some of the sidewalks, or shared-use facilities would go on; whether it's one side or both, impacts to individual properties, driveways, yards, etc. There's still a lot that needs to be figured out, but, this is the first step. A couple of other things that we looked at; so, we identified two potential locations for a potential bridge crossing over Princeton Pike; one of them is close to the Interstate 275 interchange. So, you can see there's kind of these little boxes right here, closer to the 275 interchange, and then another closer to Kemper Road. For both of these options, much more detailed work needs to be done to identify the preferred crossing design plans and secure funding. This is a complicated section of the City. There's a lot of utilities underground and overhead, so, there's a lot to take into account before deciding where or when to construct the bridge crossing over Princeton Pike, but, these were kind of the, after looking at the whole section of roadway here, these kind of came out as the ideal options. And, the preferred option is closer to Kemper Road, and then the second option is up by (Interstate) 275. A few other quick recommendations. Improvements to signage and pavement markings, sharrows, and "Share the Road" signs as we've shown in some of the residential areas, directional signage, and improved lane markings, and striping. Safety elements like high-visibility crosswalks, enhanced mid-block crossings where people might be crossing the street and they're not at a signalized intersection, and installing pedestrian refuge islands at some of those pedestrian crossings. Lastly, some amenities and furnishings to encourage people to bike and walk so that could include benches and lighting, bike racks and pumping stations like Mr. Ian Ewing-Jackson helped install, and improvements to pedestrian facilities and bus stops. So, to wrap this up, next steps; obviously we're in the plan adoption process right now. But, the City next step could be to begin implementing some of the initiatives outlined in the plan, updating existing policies and programs, identifying funding sources for improvements, and start to apply for grant funds in next year's round of funding. So, with that, I'm here to answer any questions before you all discuss adoption.

Mrs. Sullivan-Wisecup: I just wanted to say that you came last week before Planning Commission, and it was unanimously voted to recommend this to Council. It is something that Planning Commission got behind with very little discussion or anything negatively. It was a public hearing. We had advertised it as a public hearing and no one came to speak for or against, so, we took that as a big "thumbs up". People usually come when they complain; they don't usually come and say, "Yes, do it.", so we took that as a "Yes, do it.", with no voices being heard against, so, thank you for coming today, and I do encourage you all to vote "yes" on this.

Mayor Webster: I don't have any questions Eric, except to say that I think you guys have done a really great job and I was amazed when I saw this schedule initially, I thought there's no way in hell they're going to have a plan before Council yet this year, and, here you are. Congratulations, you've done a good job, but, I did speak to Planning Commission and I'd just sort of like to repeat what I told them. As you recall, when we had the Comprehensive Plan before Council, the Chairman of Planning Commission appeared before Council, and he stood there at the podium and he commented on how valuable that plan would be when we went to make applications for grants for the O-K-I Ohio State Capital Improvement Fund, or any other revenue sources for that matter. And, I reminded Planning Commission of that, of Mr. Okum's comments, and I shared with them I feel the same way about this, that, having this adopted by Planning Commission, adopted by Council, I think it speaks volumes for us as we go forward and we drill down into these projects and we get ready to go for funding, I think the funding source is going to look at all the work that we've done here and say, "These people have got their act together", and I think it gives us a "leg up" on other communities that haven't spent the time and the effort to do what the City has done here. So, I would urge Council to adopt this and it's something that will pay huge dividends for the City in the future, and in years to come. Thank you.

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Mr. Jacobs: Thank you. What a great presentation. It's very exciting, the rendition looks great. It's probably the dumbest thing I could probably bring up is to bring up a question about sidewalks right now, after what tonight has been. What would I tell a resident, the best that you can do; I don't mean to put you on the spot, why is an eight foot sidewalk better than a four foot sidewalk? And, the reason I ask is thinking about those residents, I'm thinking about the ramps. We had a gentleman come in last week that has a ramp and he's worried that that sidewalk is going to encroach on his property. So, eight is your recommendation, or six to eight.

Mr. (Eric) Anderson: So, we recommended on the residential streets six foot wide and on the ODOT roadways would be eight foot, typically for commercial areas, you go to eight feet. It's a design standard that the State of Ohio follows, so we would be going for six foot in residential areas, but, it does allow two people to walk by and pass. It does make room if you're in a wheelchair, you can pass by easier, but, it's kind of the standard. So, minimum would be four, as ODOT's standards, and then six to eight is considered for residential or commercial.

Mr. Jacobs: I appreciate that. Thank you.

Mr. Hawkins: With regard to the area particularly over by Artisan Village, formerly known as Tri County Mall, I noticed that the area that's immediately on the part of the property, the long-term things sort of go and connect beyond (Interstate) 275 to the north side of that. But, the initial part around Artisan Village looks like it's going pretty much around that whole space. Is the idea that that would be out closer to the roadway and the train tracks, or to be closer towards the building in terms of what that multi-use path would look like.

Mr. (Eric) Anderson: So, we're showing, let me look here. So, we're showing on Princeton Pike itself, 12 foot multi-use path going north of Kemper, and, we've got a either on-road, or 12 foot multi-use path on West Kemper. So, those would be next to the roadway, and then the loop that you see is on private property. That's what the Artisan Village team has identified as a potential bike shared-use path.

Mr. Kuchta (off mic): Which is theirs to build on.

Mr. (Eric) Anderson: Which is theirs to build, that's why it's marked as "future private".

Mr. Hawkins: Okay. Thank you.

Mr. (Eric) Anderson: Does that answer your question?

Mr. Hawkins: Yes.

Mr. Riggs: I don't have the recommendation from Planning Commission, but I know there was two conditions or considerations with the recommendation for approval. One being the widths that they're recommending, it should be clarified that they're minimum recommended widths. And, the reason why that is, is because ODOT's design guide for multi-modal facilities gives you a lot of flexibility with those widths, depending on the context in which the route is proposed or the right-of-way constraints within that. While these are the recommended minimum, and I think that's what it really is, we do need some flexibility in future design for example, like the Northland Boulevard project, where the route is recommended to be 12 foot wide multi-modal path, we may be only able to get a ten foot in. ODOT's minimum is eight foot, so we can even go lower, but, just throughout more detailed analysis of every corridor, we want to have that flexibility. So, that was one of the tweaks to the final plan that need to be made or recommended to be made with the adoption. The other minor thing; I think it was clarifying the existing condition in front of the Springdale Elementary School. The plan currently shows it being a 12 foot shared, or a share-use path going in front of the school when it's really just a sidewalk currently. So, we just need to update that. But, those are the two main things, the biggest change being the recommended minimum just to give that flexibility.

Mr. (Eric) Anderson: If there isn't room for a six foot wide sidewalk; you should be able to go down to a smaller width to make it work.

Mr. Riggs: The City's current standard is five, or six foot at back of curb.

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Mrs. McNear: So, on Kenn Road, there's already a sidewalk. Would that sidewalk be expanded to a wider width?

Mr. (Eric) Anderson: So, again, our recommended minimum was six feet, so, if there were sidewalks that didn't meet those, and it was part of the pathway. Kenn Road specifically, we heard a lot of feedback that people wanted to be able to get from the west side of town to the east side, and, so, just bringing those up to a current standard is the recommendation.

Mrs. McNear: Okay, and then on Cloverdale, there aren't sidewalks there now. So, how much of a grassy berm would exist from the street before the sidewalk starts, whichever width that concrete would be?

Mr. (Eric) Anderson: So, I believe we showed like a little two foot landscape area. Again, you're going to need to look at the entire pathway for that and do more detailed investigation in design work.

Mrs. McNear: You can see there was a little grassy strip, but you couldn't see how wide that was.

Mr. Kuchta: I'd just like to add a little more flavor to this. This plan is kind of an aspirational plan. In the best case scenario, here's what we should do to provide the best, biggest, safest, multi-modal capacity in each corridor of the City. And, obviously, as you get farther away from neighborhoods, you can have a narrower expanded sidewalk down Lawnview Avenue because it's probably going to just be that neighborhood that's filtering onto that, but, once you get onto Kemper Road, you have multiple neighborhoods that have filtered on to Kemper Road if they're all heading to Artisan Village, you need to think about making it wider. And, once you're at Princeton Pike and Kemper, that's kind of the maximum capacity where you have people filtering in from potentially all parts of the City, and even outside of the City if we eventually connect to other trails to get to Artisan Village or other places. So, that's why the recommendation is for wider as you kind of, and it kind of follows the roadways too. Once you have more lanes, you're probably going to need a wider sidewalk as well, or, path, or whatever it's going to be. Each of these is going to have to start getting worked into the budget process, and the first step for any of these segments is going to be identifying what segment do we want to tackle first, and how far are we going to go, and budgeting for engineering and design study to be done, whether it's CT (Consultants), or we bid it out, or whatever. But, that is going to be the first step, and I would hope and I would imagine that any RFP (Request For Proposal) that we put out there is going to say, "Okay, design it, come up with a detailed cost estimate for doing what the plan calls for, but, then also give us a couple of alternatives that are cheaper". Because, as was mentioned earlier, that section of Princeton Pike from (Interstate) 275 to Kemper Road is a mess. It is going to be the most expensive single location in the City to do anything, because it is filled with infrastructure above and below ground, and we have very little right-of-way to work with, so we would have to be acquiring, and you have businesses who have parking lots right up to the road and, so, that may very well be a scenario where, if we do what it says, and do a 12 foot separated from the road, we'd have to take out like ten businesses, and pay out millions and millions of dollars, which would probably not be realistic; financially, or politically. Another option could be where you turn right out of the parking lot at Jared Jeweler, and that's the last right turn, the southernmost closest to Kemper Road you have, it turns into a right only lane. Maybe that lane gets converted into a bike path, and then you kind of merge it on to Kemper as you start heading west, and that can be the option that isn't a \$20 million dollar bike lane in that one little section of road, so, all these things are going to have to be designed in detail as we start pursuing section by section and those are going to kind of be the next steps, but, we had to lay the ground work first and do the research and the process and the study to figure out what makes the most sense where ideally.

Mrs. McNear: So, on Cloverdale then, would there be additional lighting included in that? Because, it's very dark.

Mr. Kuchta: To be determined in actual design.

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Mrs. McNear: Okay.

Mr. Kuchta: That was way outside of their scope to into those kinds of details.

Mrs. McNear: My last comment about that is the shared roadway that you show where bicycles and cars are using the same roadway. I think that's a horrible idea. I mean, cars are running into each other. They're going to have a difficult time seeing people on a bicycle, and same thing with motorcyclists don't do well when the weather turns nice and they're out, so, that would really frighten me if we would put those types of lanes in.

Mr. (Eric) Anderson: And, so, just to clarify, the bike lanes or the cycle tracks, we do have a buffer and we showed some sort of little physical barrier between the vehicles, and the bicyclists. The other thing is those are meant more for the experience cyclists. I think the general population is going to feel more comfortable riding on the sidewalk. Or, the other thing to note with where we show sidewalk and sharrows where you've got on the residential streets will have signage and pavement markings to indicate that, but, those are also roadways that have lower volumes of traffic. They're residential streets, so, it's not the same condition as Kemper Road, as an example but, yes, the intent was to have the sharrows on the residential streets where there's low traffic and then kind of the facilities with the buffer on the busier roads for cyclists. Does that make sense?

Mrs. McNear: Yes. Thank you.

Mr. Hawkins: Mr. Kuchta sort of touched on this briefly, and, I don't know if you have an answer for this, but, obviously these things are going to be done sort of piecemeal as we go through the process, and maybe things we get grants for, and what have you. But, through the course of putting this together, do you have an estimate in today's dollars what all that would cost if I were to write a letter to the North Pole and ask Santa to pay for all that? (Laughter) What would that project, in full; what would you estimate that to look like?

Mr. (Eric) Anderson: So, the report, what we did is for specific segments of these roadways, we have outlined what it would cost to construct, just as an example, I guess, the sidewalk on Kenn Road. So, what you would do is pick a roadway, figure out how to fund it, and then design it as the next step, and you have the cost for that. I did not total them all up because, typically, you don't do a gigantic project like this. You usually carve out important ones and start building them piece by piece.

Mr. Kuchta: But, I did total them up. (laughter) It's a whole bunch of tables, pages 38 to 41, I believe in the report, and I added them all up, and....

Mr. Hawkins: Does the number start with a "B"? (laughter)

Mr. Kuchta: It was, I think it was like \$42 million dollars, and that did not include the proposed bridge crossing over (Interstate) 275, which I think that was \$7 million to \$8 million dollars all on its own, and, it did not include a pedestrian crossing over Princeton Pike at Artisan Village. So, that's in today's dollars. That's estimates based on recent projects they've done, but, yes, I think it's safe to say we're well north of \$30 million dollars for sure to get this whole thing implemented.

Mr. Hawkins: Thank you.

President Vanover: Well, and we're talking about a four foot sidewalk, and, all of this, well, part of it is contingent upon the maintenance. Because, right now, and somebody out here will back me up, there are sections of sidewalk that are three feet, but, there is vegetation that encroaches in, and, if you get 18 inches, you've done well. So, that's all going to play a part of it, because we're going to have to have and maintain the old until all of this can be, and, is there, I don't think there is, but, refresh my memory there is nothing over on the Crescentville Road project dealing on our side right now currently, is that correct Mr. Riggs?

Mr. Riggs: I don't believe so.

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President Vanover: It's all north of us. Alright. Any other questions Council? (None)
Well, I've got one more. This is a resolution. It can be enacted on this evening. What is your pleasure?

Mrs. Sullivan-Wisecup made a motion to adopt Resolution No. R21-2022; Mrs. Ghantous seconded.

Resolution No. R21-2022 passes with five affirmative votes. (Anderson and Ramirez were absent).

Old Business - None

New Business

Mr. Hawkins: More of a question for our Law Director, and more I think for others edification since we've had some of these discussions about different policies. Is there anything that an individual is prohibited from saying at the dais? I'm surmising that they probably are not with the first amendment. Short of us having a policy that is narrowly tailored to address a compelling interest such as what we're talking about with regard to the reading of letters. Is there anything that you would deem would have to be cut off?

Mr. Braun: Yes. Council can adopt rules as far as there's two different types of rules. You're asking just in general, right?

Mr. Hawkins: Yes sir.

Mr. Braun: Yes, I mean, threatening, slanderous, profane, things like that, you can, as a body, adopt a rule that would prohibit that; from the lectern, or the dais. And then, in the absence of a rule, no. And, currently, you don't have such a rule, and, since we're talking about this in "New Business", one of the things I might propose to you is that we may want to consider amending the proposed ordinance that's had a first reading tonight to include something like that. And, so, I was actually looking that up. It's as if you're looking at my thoughts here, but, I might suggest something that says, "The President of Council" (not that I'm just reading this, but), "reserves the right to rule 'out of order' for disruptive, threatening, profane, abusive, slanderous or otherwise unprofessional conduct." That is something that we could grant the power to the presiding officer to control both at the podium, and, from the dais. So, I'm going to suggest to you that that might be something that you would want to consider on second reading of the current ordinance that's going to amend Rule 30. Is that what you were looking for?

Mr. Hawkins: Yes, and I know people are going to ask questions about what folks can and can't say and my read on it was that you've got the first amendment freedom of speech, and we don't have rules to dictate that otherwise.

Mr. Braun: As you're aware of, like any type of speech, it's not unlimited. You'll recall from law school, that they teach us you can't yell, "fire" in a crowded theatre as they like to say. However, there are types of speech that you can't engage in but, again, you have to have content-neutral rules. Now, there are certain types of speech that you are able to regulate, if they're viewed to be disruptive of the meeting. And so, what I would say to you is it might be wise, as part of the amendments to Rule 30 that you're looking at to provide some guidance to the public, and to members of Council as to what types of conduct are disruptive, then they would past muster. And the types I read would qualify.

Mr. Hawkins: I for one, would be interested in anything that you would bring to Council with regard to information along those lines, as well as, I didn't reference this during the time, but, of reviewing Ordinance No. 38-2022, but, also, some operational definition with regard to what constitutes official business.

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Mr. Braun: And, for the edification of the other members of Council, Councilmember Hawkins asked me prior to the meeting about that, and I've had a little time to think about it. He indicated what types of speech are we looking to say would be read by the Clerk of Council, and, when I drafted that, I was specifically thinking just as Mrs. McNear pointed out, that most frequently, Council is tasked with reading liquor license correspondence that comes in where you're asked to say, "Do you have any objection to it?" I was advised by other members of the Administration that we do get PUCO notifications as well of rate increases, and asking if there's going to be a public hearing on that, and, we're invited to provide comment. To me, that would be official business, and, I know that we've in the past received communications from the Hamilton County Board of County Commissioners on various issues going on in the county. So, those are the types I was thinking of. What I might do is go back and look at that and see if we need to add any other language to clarify, in light of Mr. Hawkins' comments. But, unless there's objection by other members of Council, I would also like to bring back to you at the next meeting, some proposed language regarding the types of speech that we would view as disruptive, or impeding the ability of Council to conduct business.

Mrs. Sullivan-Wisecup: I have a question. So, then, when you come, would we then vote to revise this one, or this is a whole new one, and we start over from stage one?

Mr. Braun: What I was going to propose was I'll bring a "red-line" version that you can either adopt, or treat as a first reading, whichever you decide to do.

Meetings and Announcements

Mr. Hawkins: Finance Committee will meet on November 30th of this year at 5:00 p.m. in the Administrative Conference Room.

Mr. Jacobs: Board of Health will meet on December 8th.

Mrs. Sullivan-Wisecup: Planning Commission will meet in the chambers at 7:00 p.m. on December 13th, and the Rental Program Committee will meet on December 2nd at 1:00 p.m. in the conference room adjacent to these chambers.

Mrs. Ghantous: Board of Zoning Appeals will meet on Tuesday, November 22nd at 7:00 in the chambers here.

Mr. Uhl: Civil Service will be meeting on Thursday, December 1st at 2:00 p.m. in the Council Conference Room.

Communications from the Audience - None

Update on legislation still in development

Mr. Hawkins: As you review your Internal Memorandum, Item Number I was addressed with Three Separate Ordinances Authorizing Contracts with the Mayor's Court Magistrate, Prosecutor, and Public Defender with Emergency Clauses. Ordinance No. 35-2022 addressed the magistrate, Ordinance No. 36-2022 addressed the prosecutor, and Ordinance No. 37-2022 addressed the public defender. All of those passed with a 5-0 vote. Item Number II was addressed with Ordinance No. 34-2022; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter into an Agreement with CT Consultants for Additional Design Engineering Services Related to the Inclusion of a Shared Use Path for the Northland Boulevard Reconstruction Project. That was a first reading. Item Number III was addressed with Ordinance No. 38-2022; An Ordinance Amending Chapter 30 of the Springdale code of Ordinances Governing Procedures at City Council Meetings. That was a first reading. Item Number IV was addressed with Resolution No. R21-2022; A Resolution Adopting a Connectivity Plan for the City of Springdale. That passed with a 5-0 vote. All other matters were forthcoming.

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Recap of legislative items requested for next Council meeting

Mr. Hawkins: There will be a second reading of Ordinance No. 34-2022; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with CT Consultants for Additional Design Engineering Services Related to the Inclusion of a Shared Use Path for the Northland Boulevard Reconstruction Project. There will also be a second reading of Ordinance No. 38-2022; as potentially amended with a red-line version of An Ordinance Amending Chapter 30 of the Springdale Code of Ordinances Governing Procedures at City Council Meetings. There will also be An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Amend the Agreement with CT Consultants, Inc. to Provide Engineering Services for the City of Springdale and Declaring an Emergency. That would be it unless there's anything else from Council or the Administration. We also will have some additional matters we will take care of in terms of Resolutions Either Confirming Mayoral Appointments and/or Council Appointments to Various Boards, Commissions, and Committees, which the list we have will now include Mr. Darby I would imagine as well.

President Vanover: Mr. Darby, if I remember right, is a Mayoral appointment, correct? Okay, yes, but okay, Council we have some work to do. I've been in contact, and Ms. Matheny is willing to continue on, on Charter Revision. I'll reach out to Mrs. Darby and see if she's still interested in continuing, and Mr. Gregory Johnson. And, then, that should get us. We've got that coming. We'll have to address that next meeting.

Mayor Webster: We'll have an ordinance for Mrs. Hart and Dr. Ketring sometime before the end of the year. Their terms don't expire on December 1st. They go until the end of the year, so sometime in December, I'll have those two in.

President Vanover: Okay.

Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Sullivan-Wisecup seconded. Meeting adjourned at 9:18 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

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