

# City of Springdale Council

November 20, 2024

President of Council Anderson called Council to order on November 20, 2024.

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

President Anderson provided the Invocation.

Mrs. Browder took roll call. Council members Anderson, Gleaves, Jacobs, McFarland, Sullivan-Wisecup, Vanover, and Webster were present.

The minutes of the November 6, 2024 meeting were considered. Ms. Sullivan-Wisecup made a motion to accept the minutes; Mr. Vanover seconded. The minutes were approved with seven affirmative votes.

## Committee and Official Reports

### Civil Service Commission

Mr. Coleman: Good evening Council. Civil Service Commission did meet on November 7<sup>th</sup>, and those individuals present were Mrs. Cheryl Darby, Ms. Kathy McNear. Also present was City Administrator Brian Uhl, Assistant City Administrator Stephanie Morgan, and newly hired Human Resources Administrator, Renetta Edwards. Following the disposition of the minutes from the October meeting, general reports were updated by Ms. Morgan. Those reports included the Building Inspector hiring process, Firefighter II/EMT, Firefighter II/Paramedic hiring process, the Fire Lieutenant promotional process, the Police Clerk hiring process, Public Works Inspector hiring process, and the Public Works Maintenance Worker hiring process. These updates included those positions that are waiting to be finalized with several of the individuals in the background investigation aspect for the hiring. Within the Police Clerk hiring process, it was noted that following a background investigation, there still remains one open position. As far as New Business was concerned, a Patrol Officer hiring process timeline was submitted for approval and, within that timeline the active advertisement was posted on November 11<sup>th</sup>, and the application deadline will continue to be open until it's filled. This timeline was approved with a 3-0 vote by the Civil Service Commission. There was other discussions regarding job descriptions for the Facilities Maintenance Department, and those job descriptions are being reviewed awaiting finalization and approval by the Civil Service Commission. That concludes my report.

President Anderson: I did want to say I recognize that there's a lot more people in our body than are usually here for meetings. I believe a big chunk of you are going to be recognized during the Mayor's Report, which should be coming up shortly. We just need to follow our current agenda. So, hang tight with us, and we'll get to the more fun stuff as soon as we can. I know there's also probably a number of people here for the mall development as well. Just so you are aware, there's also a public hearing that will be available for that, and a chance for you to speak on that as well as a presentation. That will be later in the agenda as well.

Rules and Laws

Mr. Jacobs

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No report

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Finance Committee

Mr. Vanover - No report

Planning Commission

Ms. Sullivan-Wisecup: Planning Commission met on November 12<sup>th</sup> in these chambers, and we had six members present. Our first item was Unity Care Group. It was a conditional use at 305 Cameron Road. This was previously the Autism Center, and, they have moved to their new location as they had already planned to do prior when they outgrew this one. The Unity Care Group wants it for a similar use. It's for disabled adults. They would be 18 to however old, and they would provide buses and vans for clients so there wouldn't be as much traffic like there was with the school. That passed with a 6-0 vote. Our second item was a text amendment at 11700 Springfield Pike. It was for the chickens, and there was zero "yes" votes, five "no" votes, and one abstention, and we did give reasons. This was for the chickens, and the reasons that we gave for our "no" votes was that the motion was based on the following concerns and questions raised by Planning Commission: Should there be additional requirements for run areas. Concerns with the drainage and runoff. Definition of fowl, and coop, and run. Is there a justification for the quarter acre lot size? Specific fencing requirement, size and type for the rear yard. Concern on enforcement. Consideration of bees and rabbits. Consideration of lot size, coop size, and run. And, mobile chicken coops and runs. I wanted to make sure to list all of those so that everybody who was unable to attend understood the reason why it was voted "no". That was everything. If anybody has any questions, or comments.

President Anderson: I don't see any. Thank you.

Ms. Sullivan-Wisecup: Thank you.

Board of Zoning Appeals

Mr. Gleaves: The Board of Zoning Appeals met on October 22<sup>nd</sup> at 7:00 p.m. in these chambers. We had six present, and one absent. We had the election of an officer. A motion was made to elect yours truly, David Gleaves, to Vice Chair. That passed with a 6-0 vote. Our first item was BZA Application #20240523; Emotional Support Animals at 389 Cameron Road. The property owners are requesting a variance to keep more than two household domesticated pets; in violation of Zoning Code Section 153.252(F)(6)(a)(i), where no more than two dogs, two cats, or a combination of dogs and cats so as not to total more than two. This application was tabled, and then removed from the BZA agenda at the request of the applicant. Second item was BZA Application #20240570. Sunoco Image Upgrade at 12089 Princeton Road. The property owners are requesting a variance 1) To allow wall mounted signage without channel cut letters to be located on an existing gas canopy, in violation of Zoning Code Section 153.459(2)(d) which requires all wall mounted signs to be channel cut letters, 2) To allow for signage to extend above the canopy, in violation of Section 153.459(C)(2)(e) which states that signs shall not project above the coping or eaves, and 3) To allow a portion of the proposed signage of an existing canopy in violation of Zoning Code Section 153.459(C)(2). This

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Mr. Gleaves (continued): application was also tabled. The current property owners indicated that they were only working with one vendor, and that vendor did not install channel cut signs, so, in good faith we gave them the opportunity to get with other vendors to adhere to our Springdale Zoning Code. They will be back at our next meeting on November 26<sup>th</sup>. They are on our agenda right now.

## Board of Health

Ms. McFarland: The Board of Health met on November 14<sup>th</sup> in these chambers. The Health Department has announced the Part-Time Environmental Health Specialist Pushkar Bhatia began on October 14<sup>th</sup>. We have had a total so far of six Covid cases for the fourth quarter. We also had three resolutions. We had the third reading and voting on those, and those were regarding fees for food service, pool and spa, and hotel/motels. Brandiss, the Public Health Nurse gave her report as well. They did have a total of five immunization clinics in the months of October with a total of 282 vaccines being given. One of those was off-site at Heritage Hill Elementary School. The Board of Health did announce that they still have multiple Covid tests available if anybody wants to stop in, during normal hours, and you can pick those up at no cost.

Capital Improvements                      Ms. Sullivan-Wisecup                      -                      No report

## O-K-I

President Anderson: For those that don't know, the OKI Board is a cross-regional organization that maintains and divvies out a lot of funding that we use, both in Springdale, and the City at large. This is large infrastructure projects that get approved. At our OKI Board meeting on November 14<sup>th</sup>, there were two items that were worth noting. One, we got an update from ODOT about the 471 bridge repair. You may recall there was a fire underneath the bridge and it caused lanes to be shut down. As the meeting was earlier in the week, at the time, they had not been able to do in-person inspections yet; only with drones and robots. Later in the week, they were able to do more "hands on" testing, and found that the damage was quite significant getting into the core of some of the pillars, so, what you might be reading in the news is that the bridge is going to likely need a bit more work than they were hoping and it could be out of commission for some amount of time, be it weeks, months, and they just don't have a date for it yet. It is affecting traffic all through the region and they gave us some numbers that were interesting. But, that's still all very much a work in progress. The second item I wanted to share with Council, and the Community-at-large was a presentation from the Mill Creek Alliance. People might know the Mill Creek; it runs right up 75. It's one of the larger waterways in our region. It's actually 28 miles long, and crosses 37 jurisdictions. It was actually called the most endangered urban river back in 1997. Every year we tend to do cleanup activities in our little neck of the woods that's organized through Public Works and the Mill Creek Alliance, where we actually get into the creek and clean up things. Things like pulling up old tires and refuse, and really trying to restore the waterway. I know several members of Council have been "hands on" in the creek before. It's quite rewarding to do. What was interesting to see is that it's working. The river is improving, and the waterways are becoming more navigable. More wildlife is returning. They've noted everything from minks, beavers, osprey, bald

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President Anderson (continued): eagles, up in Spring Grove, and up in Winton Woods. All that is, they think, because of the work being done in the Mill Creek. The other item worth noting, because we do divvy out money in that board, was a proposal to add a ramp and public access in Cumminsville as part of the Greenway Trail Expansion on the rail corridor. This is in a place where you could actually put in watercraft; small watercraft like canoes and boards, and, actually there's a stretch of waterway in Cincinnati in our backyard that's four to five miles long, where, if that ramp goes in, you could actually go four to five miles all the way down to the City just using that waterway, and the pictures look quite spectacular. It's very much a nature preserve inside of that canal. So, we're really excited to see the progress there. The reason it was brought up in our meeting, aside to share progress, is that there is a earmark in the Federal Appropriations Bill to actually do that work. So, when people see things at the federal level and say, "Hey, there's earmarks", those aren't always bad. In this case, if that earmark stays in, it's an opportunity for us to put in a boat ramp that will really improve our urban core, and give that wilderness experience. So we hope that it will pass at the federal level and we can pass that along through OKI. And, that's it for my OKI report. Questions?

Mr. Vanover: Just to add on to your Mill Creek report. Tuesday, I was down by the creek because it's my back yard, and, there were muskrats migrating upstream. They're back. I haven't seen them in a number of years, but, first I was hoping it was beaver.

President Anderson: They actually had pictures there of beavers that have made up a little dam area down closer to Spring Grove, and to see minks back in the Ohio River Valley feels weird because I feel like we're urban/suburban. The waterway is really beautiful now that it's cleaned up.

Mr. Vanover: Well, that section back there actually is known as Beaver Run historically.

President Anderson: So, it works.

### Mayor's Report

Mayor Hawkins: First off, we had a Ditsch USA ribbon cutting on October 22<sup>nd</sup> of this year. The company has expanded into the old Costco building, and, there were executives and dignitaries, elected officials from locally around the State, but also from several countries in Europe that made their way across the Atlantic to this event. Huge thing. A great deal of new jobs are going to be created as a result of this. And, Ditsch is the largest pretzel manufacturer in the western hemisphere, so, that makes Springdale the Pretzel Capitol of the western hemisphere. We also had a Veteran's Day celebration on November 11<sup>th</sup>, and there were a number of veterans that were present to celebrate. Our Springdale Elementary School third graders choir sang at the event. We also had Springdale resident, Master Sergeant Dierz Avery for the United States Air Force was our guest speaker. She is a recruiter in the local area and she did a wonderful job. It was a great event. We also had GE Aerospace who had a

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Mayor Hawkins (continued): ribbon cutting on November 18<sup>th</sup>, and that is at the old Avon building. And, so, that building has been around for a while when I was most of these kids age, we'd take a field trip over there when they had Kenner there and you'd see how Stars Wars action figures were made, and they'd give you a little piece of ChapStick on the way out. Now, we have the GE Service Technology Acceleration Center there. So, it is literally 50 of the most brilliant minds in the world who are working on engines being faster, safer, and more efficient. The technology there, they can monitor engines that are on the ground, in the air. They say about every two minutes one of their engines takes off. So, it is an amazing, amazing thing that those folks over there are working on. Also, got the opportunity to go speak with our fifth graders over at Springdale Elementary School, and we talked about government. Got a couple of fifth graders here today. They had excellent questions, paid attention, and I learned some things from them, they learned some things from me. So, that was good. And, now, for the main event of what we've got going on. We have some soccer teams that we want to celebrate, and, we're going to have first the Wings team come forward with Coach Connor. You guys come down front and center. Nobody wants to be first. It's alright. Come on down.

President Anderson: It's intimidating up here. I get it.

Mayor Hawkins: So, this team had an incredible season. They went 7-1-2, and really, they got through the whole season, and the last game of the regular season, they were just doing some things just trying to see how some things work out. They were absolutely phenomenal. Won their league, qualified for the State title, and they went and they competed in that tournament. Played on a really nasty, rainy Sunday. I went out there and slogged through and saw some of that. But, they did an outstanding job, and we want to celebrate them. I'll let Coach introduce them, unless you want to make them introduce themselves. It's up to you.

The 2024 Fall Soccer Wings team, coached by Justin Connor, introduced themselves to Council and the audience.

Mayor Hawkins: Let's give them a round of applause. (applause) Great, great work. I'm going to let you guys have a seat, but I don't want you guys to leave. You can meet me in the atrium. I want to talk with you guys out there before you folks take off. If people want to sit, and watch this long meeting you can, but you don't have to.

President Anderson: Is that true of everyone Mayor Hawkins? (laughter)

Mayor Hawkins: You guys have to stay.

President Anderson: Okay.

Mayor Hawkins: Thank you guys. Next up, if we can get Coach Berger's Strikers to come forward. Strikers come on up. Come on down. So, this Strikers team had a record of 9-1, and they came in first place and won their league as well. They scored 42 goals

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Mayor Hawkins (continued) this season. And, qualified for the State championship tournament. They won their first round game, and then they also had to go play in that nasty rain where they lost a close one. These guys had an excellent season as well. Coach do you want to introduce or do you want to have them introduce themselves.

The 2024 Fall Soccer Strikers players of Coach Jamie and Scott Berger were introduced to Council and the audience: Bryan Castro, Noah Chapman, Kylee Earl, Tristen Grathwohl, Hadeeja Kaba, Christian Ortega, Gael Ortiz-Leiva, Jayla Pounds, Christophe Sagna, Jonathan Sanchez Lopez, Adam Telbaz, and Braxton Wyant.

Mayor Hawkins: Let's give them a round of applause too. (applause) Great, great season. You guys meet me out here and I'll give you some things to you real quick. And, that concludes my report.

Administrator's Report	Mr. Uhl	-	No report
Law Director's Report	Mr. Braun	-	No report

Engineer's Report

Mr. Riggs: Just two brief updates. So, you've probably seen what was going on at Northland. They're actually paving tonight. So, the goal is to try to put the asphalt base and intermediate course down on the one side that they've been working on, then switch traffic over to the other side and begin working on the other side. So, that should hopefully happen by the end of this week, we'll see how cooperative the weather is. But, that was the goal. Then, on the Tri County Parkway sidewalk project, the contractor started the first week in November. They were projecting it takes about five weeks to complete, so, early December is when we were expecting them to be completed. The contract completion date is December 20<sup>th</sup>. So, they should be well ahead of schedule. That's all I had.

Rental Program Committee

Mr. Vanover: Later this evening, I will distribute to the Committee members the second traffic report, and we will in a week to two weeks get another meeting scheduled, and move forward, and that will conclude my report.

Urban Farming Special Committee

Ms. McFarland: We did receive our information back from the Planning Commission, so, the Committee will be scheduling a meeting in the next few weeks, and we'll review and determine our next steps at that time.

Communications	-	None
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### Communications from the Audience

Ms. Wall: Councilmembers, I am aware that you're still working on the legislation regarding the chickens, but, I was also hoping you would consider amending the ordinance regarding the maximum number of allowable domestic animals. It's ordinance number 153.252, which I believe you referred to earlier, number six which is "no more than two dogs, two cats, or a combination of dogs and cats so as not to total more than two." I am hoping that you will consider a more modern approach, and review surrounding communities and cities. Also hoping while you're reviewing, that you would delay and cease any pending future citations until resolution. Prior to coming up here, I did contact the Hamilton County Dog Warden office just to see what we had surrounding our area. And, since we also reside within Hamilton County, I asked them if they had any type of limit with their pets, and, they currently do not. They follow the Ohio Revised Code. They said in the past, I guess they used to have a five dog limit, but, that's no longer valid. I also viewed Forest Park and Glendale reviewing their websites, and, I did not see any limit that they imposed. I also looked at City of Wyoming that, in the past, did have a two dog maximum, however, they repealed that ordinance back in 2016. I also know besides the limit, I know that there are other laws in place to help with neglect, and abuse, nuisance laws, leash laws, noise laws, etc. I know that those are already in place. But, I am hoping that you would consider eliminating, or amending the maximum allowable limit. I feel as a property owner, we're paying City taxes, property taxes, that we should have a right to use our property as we see fit. Also, I know I've lived here 28 years, and I have never seen anybody really go after the pet limit, and, so, I know it's not really strictly enforced. However, here recently, I have been seeing a lot more citations and bringing it up within my neighborhood, and it usually seems to be more tied to neighborly disputes. So, it feels like it's being more used as retribution, and, you know, me personally, you know, I do have pets. I do not have children, so, to me, pets are like your babies, so, I know other people feel that same way. And, seeing that is heartbreaking when I see other neighbors using that as revenge and retribution, and, really don't want to have to see people give up their pets because of a neighborhood fight. So, knowing that within our area we do not currently have those limits, I am hoping that you would reconsider amending the law. And, I do appreciate your time and your consideration.

President Anderson: Could you state your name and address for the record.

Ms. Wall: Angela Wall, 342 Glensharon Road.

President Anderson: Did anyone want to speak on that tonight?

Mr. Jacobs: I appreciate you coming out. This is how Council is supposed to work. They hear comments from residents, and then we react to that. Not to put you on the spot, but, if you were to suggest a number up from two, would you suggest a number, or, would you just say remove the limit like some of the communities that you've researched?

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Ms. Wall: You know, I haven't really thought much about that. I mean, either way, I feel that two is too limited. I don't know that I'd think of a number. Part of me thinks without having a limit just because of the surrounding areas, and, if somebody is moving in the area, like, when I moved here, there wasn't the internet searches where you could search for anything. I didn't even know there was a limit, and, so, I know myself I brought in strays, and all of that, so, I've probably exceeded that in the past, not so much now, but, I don't know. As far as a limit, I feel that's hard to say because, even if somebody has indoor pets, you know, how are you going to know the limit? And then, I do know that there's hoarding laws, and things of that nature, so, I don't know that I'd have a limit, and I don't even know when it comes to kennel laws or hoarding laws what that would entail, so, I don't really have a set limit. And, I still don't even really know how that would be enforced.

Mr. Jacobs: Thanks again for coming out.

Ms. Wall: Thank you.

Mayor Hawkins: Ms. Wall you were at the BZA meeting, and I appreciate you using the proper venue to bring up that issue, which is coming to Council. There are some State regulations, I believe with regard to maximum limits. We had talked briefly with regard to Administration that there may be some, but, regardless of that, this is the forum to raise those issues and folks can mull that over if it's something they want to take action on in terms of legislatively. But, thank you for coming out.

Ms. Wall: Thank you. Again, thank you for your time. I tried to look when they mentioned the Ohio Revised Code. I didn't see anything, but, that's a lot of code, so, I don't know. It probably exists.

President Anderson: I will tell you just for your information. So, the way that that would happen, the way it would need to happen is at any point in time a Councilmember, so the seven of us, could bring forward legislation or request legislation like that. Just so you know, typically to change Zoning Code, it's a bit of a process because of the different steps that are required, like what you saw with the Urban Farming Committee. A change like you're requesting doesn't have to have a committee formed, or an investigation. It's really up to the individual Councilmembers if they wanted to do that, or felt that it needed a lot of research. But, any Councilmember could bring forward a request to make an ordinance change like that. Because it's Zoning Code, our rules require that to then be reviewed by the Planning Commission for them to give a recommendation on an ordinance. And then, that would then come back to Council and we could vote on it, so, even if everyone up here was really excited to do it, it would still take, at a minimum, a month or two even at the fastest without having special meetings. Just so you know the process. Any person on Council could request an ordinance like that. We would then have the Law Director make those changes. If it needed research, we could do that research, but, that's the next step is if people were so inclined, they could do that at

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President Anderson (continued): the end of the meeting, or, in future meetings, or outside of meetings, they could make that request. So, the reason I mention that is to encourage you, if you don't see traction, or you don't see action that you think is appropriate, you're welcome to you, or your neighbors reach out to any of your Councilmembers and push them for answers. Just so you know, you have that right to keep it in our field of vision if you think it's important, but, at this point, it's up to Council to make an action.

Ms. Wall: I appreciate that.

President Anderson: And, if you have any questions outside, feel free to get in touch.

Ms. Wall: And, as far as seeing the traction, I imagine through these meetings, and minutes, that's where you would see it happen?

President Anderson: You could, or you could find a friend. I'm not sure which neighborhood you're in. Springdale is broken up into four districts, and they have a district representative that's assigned to it. I think your representative is Mr. Jacobs, and then there's also three "at-large" members that can answer from across the Community, but, the reality is Springdale isn't that big and we're all up here, and we're all neighbors. So, you could pick whoever you feel you want to talk to. You can reach out and send emails to everyone, you could call us. Whatever you want to do to keep it "front of mind". That's your right to do, and any of us could give you an update after the fact. Typically when somebody comes to Council like this and asks for help, we tend to try to follow up so you don't have to hunt and search to see what's in the meeting minutes. So hopefully somebody will be in touch with you and let you know how it's progressing. That's assuming that somebody wants to make that change.

Ms. Wall: I sure hope so. Thank you very much.

President Anderson: Thank you for coming in.

Ms. Wall: Thank you again for your time.

Ordinances and Resolutions

### Ordinance No. 57-2024

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH TEC ENGINEERING, INC. FOR COMPLETION OF A SAFE STREETS FOR ALL STUDY FOR THE CITY OF SPRINGDALE, OHIO

Ms. Sullivan-Wisecup made a motion to adopt Ordinance No. 57-2024; Mr. Vanover seconded.

Ordinance No. 57-2024 passes with seven affirmative votes.

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### Public Hearing

#### Ordinance No. 58-2024

AN ORDINANCE APPROVING A MAJOR MODIFICATION TO THE TRI-COUNTY MALL PLANNED UNIT DEVELOPMENT AND APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 11700 PRINCETON PIKE

President Anderson: Next, we have a public hearing linked to Ordinance No. 58-2024. We will have the second reading of it after the public hearing. At this point I am going to open the floor for comments or feedback related to Ordinance No. 58-2024. Again, just like with Communications from the Audience, if anyone would like to speak on this item, you'd simply need to come forward to the podium, state your name, and address, and you have up to five minutes to speak to Council related to the ordinance itself. And, for what it's worth, I realize that we haven't seen the presentation yet, but the way it works is the public hearing happens first related to the ordinance. If you have questions or feedback, it's an opportunity. This is before the ordinance happens. I know that the developers are here as well, and will also have an opportunity to do the presentation. If they would like to, they can do that inside of the public hearing, or during our deliberations. That is up to them. So, at this point, the public hearing is open related to Ordinance No. 58-2024.

No individuals came forth for the public hearing.

President Anderson: At this point, I'm going to close the public hearing related to Ordinance No. 58-2024.

Ms. Sullivan-Wisecup made a motion to adopt Ordinance No. 58-2024; Ms. McFarland seconded.

A presentation followed the reading of the ordinance.

Mr. John Rickert, President and Managing Director for Lee & Associates, which is a commercial real estate firm. He gave a brief synopsis of what their office offers in regards to the development. Dr. Suneel Gupta is the financier of this endeavor. Mitch Syma was retained to be the leader and Director of Development. Mr. Rickert proceeded to explain the presentation that was on the screen for Council and the audience members. On July 19, 2024, the property was purchased. The differences immediately noticeable of this presentation is that the entirety of the mall would be demolished, with the exception of out lots which included Outback Steakhouse, Starbucks, Chipotle, and Men's Wearhouse, which would remain where they are. The modification that these investors would like to build included the possibility of three apartment buildings which would include fitness rooms, common areas, and pools. The parking structures that are currently on the mall site would remain for the apartments to have quick access to parking. Once assessed, these parking garages would be repaired if needed. There is the potential for two business hotels at opposite ends of property site. There is the possibility of a brewery/restaurant placed in a high

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visibility area. A smaller area in the north section of the property has the potential to include a dog park, pickle ball or sand volleyball courts, as well as portable refreshment areas. This area is greatly limited due to the flood plain designation. In approximately the center of the site, the developers are looking to include an open park area for event possibilities. The apartment sites would have views of the park. The park area at each end also has potential in summer months for a splash pad outdoor entertainment, while the winter could lend itself to a skating rink with holiday lights. There would also be retail opportunities near the park location. This would all lend itself to a pedestrian atmosphere. There would also be other retail opportunities that would wrap around at the base of the apartment sites. Any restaurants that do decide to have some of this retail space could also have outdoor seating next to, or near the restaurants. And additional space near the park could be a farmer's market, or food truck opportunity in warmer weather on the weekends. Council and the audience were also presented with early 3-D images in regards to the height of the development as well.

President Anderson: Just as a reminder to everyone else in the Community, and also for Council, what we're looking at tonight is not a final development plan. What we're voting on tonight, what is being considered, is a modification to the Planned Unit Development (PUD), and approving the Preliminary Development Plan. There's a lot of steps that happen after that. This is just a step in that process. So, things that were mentioned, things like the development agreement, the architectural standards, the covenants, the community authority, even the DORA still needs to be put in place. These types of things will all come after the fact. You'll notice that in the plans that they showed there are white blocks. They don't have business names attached to them yet. Those are still in development. So, what the developer is asking Council's approval for that Planning recommended approval for was the Preliminary Development Plan and the change. The old plan that was approved retained a lot of the structure that existed at the mall. The big change, the big reason we're seeing this tonight is because it's a different approach completely to this development. Where they're tearing down the majority of the environment, and then, proposing this "outward-in" development. Where, along the outer ring, developments will happen as the marketing, as the development grows, and then, each of those individual developments would come before Planning and go through their review before it comes to the City for review. So, what we're approving tonight is the concept; the idea that the demolitions could then start, development agreements could come to terms, we could figure out the rest of the financing. Just so everyone knows where we're at. There's a lot of things that happen, and, even after that, there'd be phases to the development. The developer has mentioned several targets that they have for initially. People they want to work with. They can't do that until we get past this step. So, with that reminder, we're still in questions and deliberations for this change.

Mayor Hawkins: Just piggybacking on that, and a few things in general. Everything President Anderson said is completely correct and what we really appreciate, particularly for the public, I know folks on Planning Commission got to see some of this information already. But, it's great to see the overall vision so everybody can see where

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Mayor Hawkins (continued): folks are trying to go. There are still many steps to go through that. It's also important to note, just piggybacking on something that John (Rickert) had said in terms of them working diligently and want the public to know because there's time when folks are wondering, "Why doesn't the City just make that thing happen?" It's not that easy, but, it's important to know that literally every week, if not every day the City is doing things with regard to this site. I know John is living, sleeping, and breathing this thing on a regular basis. Have had numerous meetings; sometimes in person, sometimes on Zoom, and, so, it is a constant thing, and City Council and Planning Commission have been constantly making themselves available, giving input when there had been developments that had taken place, and, so, it's important that everybody understands that everybody is working diligently to get this site developed and activated. We are here talking about this change in the PUD, and it's important to note from the prior one the other one was far more dense in terms of housing. And, this has a concept that's more of a mixed use idea. I'm sure the school board will be thrilled with there being fewer people on the site, but, this still does reach the goal that my predecessor, Mayor Webster had that I continue to subscribe to that I subscribed to as a prior councilmember, and I think this Council subscribes to that we are trying to increase our population. And, this site, along with another development in the works will get us to where we're trying to be in the next three years or so. So, it's important with regard to that in revenue that would come therein. The other thing is, as noted, this does have the mall removed, which is important. And, the other one was going to keep different facets of it. This gives far more flexibility with regard to the development, and does give more opportunity for green space, and meeting space on a clean slate, versus having to work around that giant monstrosity. So, I just wanted to say that overall there's been great collaboration; there's been give and take. Lots of meetings with John, and Mitch, and Suneel and Barry, and everybody has an idea, and they have a goal, and we have a goal as a City and vision, and I think those things have done a nick job meshing together as we're going forward, but, we still have a long way to go. Thank you.

President Anderson: We're still open for questions from Council.

Mr. Jacobs: This might be a question for Mr. Rickert. We also have an engineer here. Not being an engineer, can anybody speak to the lifespan of those parking structures? It was mentioned that they're in good shape. Is there an average lifespan for structures like that?

Mr. Rickert: So, that has to be studied, and, as part of our due diligence we will have an engineering report on those. Generally speaking, we're programming for a 50 year life. And, with some remedial maintenance now, and major improvements, or major maintenance every five years, it should outlast my lifetime anyway. Yes, you wouldn't go through this development if you didn't think that those structures would be there for the long haul. It's a good question.

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Mr. Jacobs: I did have one more question. You had mentioned that lessons were learned compared to the previous project plan. Could you speak to maybe the biggest mistakes from the first plan, and how you have learned from those mistakes with the second plan?

Mr. Rickert: I wasn't part of the team.

President Anderson: You're welcome to come up if you'd rather answer. Obviously, and I should have said this before. So, technically Council is deliberating. You're not required to answer these questions. If you'd rather defer, you're more than welcome to do that.

Mr. Bayer: So, the mall that is there today, what was trying to happen before was we could not get enough density in the mall itself, residential-wise. Even though it looks really big, you couldn't get enough density in it. The other issue is it's 110 feet from the concourse, or the main mall, all the way back. So, you were going to have units that were almost 50 feet deep; way too deep. That's not a good strategy for residential at all. They were way too deep, there's going to be a lot of dark spots in them. And, the other issue was originally, before I got involved, they were trying to put a second floor, another floor between the second floor and the roof. You couldn't do that. The structure could not take that load. As everyone knows, that whole entire second floor is hung off of 110 foot trusses. The floor load would have gotten way too much, and you couldn't do that. So, the structural engineer that's been involved with this project since the get go, his name is Randy Wilson from THP Limited. I talked with him, we said that was a "no go", so then we got back to these 110 foot long deep apartments divided in half with a corridor. It just didn't work. That's why that got out, and we need to get more density. We were only getting 350 units in the mall itself. And, in addition to that, we were trying to renovate Macy's and the old Dillard's store. The Macy's store is a concrete structure built in 1969. I have the drawings if you'd like to see them from my old firm, with all the old partners that I knew. It was going to be a very hard demolition to turn that into a donut, or even a "C" shape. Dillard's was built in 1990. It is light gauge metal framing with edifice on the outside. That was going to be an easier one to do. We were also going to have to core the center out of it. All of those things just caused the demolition cost to expand, and we weren't going to be able to do it. So, that's why, basically, tearing it all down was the best thing to do.

Mr. Gleaves: Thank you all for coming out. Great presentation. Talked about history of Tri County and keeping it in the realm of our environment. Forgive me if I just did not hear you mention this, but, the soul of Tri County was a grocery store. Tri County Mall had Kroger; a major grocery store, and, you would stay there all day with mama. Go there and go everywhere from there. Another thing I'm concerned about is the marketing of different restaurants and retail that we don't have in this area. Pappadeaux is in Springdale. There are people who drive from Indiana, Columbus, Kentucky because there's not one in the area. We have several restaurants that are northeast, south, and west of us. What I'd like to see is the marketing for things and

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Mr. Gleaves (continued): entities that we don't have here that's just totally different, including a grocery store. Thank you.

Mr. Vanover: It looks nice, but, that view right there, the one thing that comes out, just jumps at me is the size of parking fields. It's like you have little buildings, and then we have this massive parking field. We have that today. And, you can hit just about any retail store and they will all tell you they're over parked. They've got these massive fields, and, I think that whether it goes green space, that's all impermeable surface area. That drives, well, in my neighborhood, that rainwater goes underneath 275 and ends up in my backyard. Just looking at that, that is disappointing to me. I understand you have to have parking, but, can we reconfigure? Can we take a look at the numbers? I know you don't have tenants yet, and that will drive some of this, but, that is disappointing to be honest. And, not only to piggy back on what Mr. Gleaves was talking about named restaurants, but, also variations. There's three or four levels of restaurants that are not existing in Springdale. This would be a great opportunity to get those in. And, I know Andy is working diligently back there. He and I have had conversations along those lines, but, just at a first glance, the huge parking fields just jump right at me, and I hope we can do something with that.

Mr. Bayer: The hotel that's shown here that John talked about, that's 126 keys. According to the Zoning Code, you need one parking spot for every room in there. And, you need a parking spot for the maximum number of employees at one shift. Okay? That layout, I know it's hard to believe, but, that meets that exactly. The 20,000 square foot building to the left of that. The exact same thing. I'd put a "white napkin" restaurant in there, a fast, casual restaurant in there, and then a retail. And, I balanced the square footages out, and all that parking is dictated by the Zoning Code. One of the things that we've talked about as a team is we don't really want people walking across that primary loop road to get to parking. Those lots need to be able to park to the Zoning Code. So, I don't know, unless there's a little alleviation that you can give us, and remember we haven't done anything with that corner lot, so, that parking field might not be that big. There's probably a lot more green space here and open space than there is there today. Also, you have two massive detention systems on this site, which take that water and release it. So, those help with your flooding of streams or something downstream. Then, the second part about marketing other groups in here. Has anybody been to Easton up in Columbus? Fantastic development. Jaromir Schneider, that's his development. We went up there and talked to him probably three times in the last three years. He actually offered to help us with connecting us to retail organizations that are well beyond that are coming from the west coast, the east coast, Dallas, Denver. So, we definitely want to take up on that opportunity to see if we can get those in that inner core. Thank you.

President Anderson: I think they provided you a bottle of water to help you out because you might have more questions. There's a bottle of water at your seat to help you out. I will tell you though, for what it's worth, to Mr. Vanover's comment about the parking fields, I do have a follow up question on that. Do you expect those parking

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President Anderson (continued): fields to remain at that level in Phase One, or during demolition will be making them green space to begin with, because, if you're only going to plop a couple of buildings to begin with, that's a lot of concrete that people will be staring at for a long time.

Mr. Bayer: So, all these parking lots along Kemper Road, and I was showing Suneel this earlier today, from the southern side in to that loop road, some of the topography changes 16 feet, but, we have to set a building pad on that sloping topography; Shawn Riggs knows that. So, we're going to be doing cut and fill calculations to straighten that out. So, as we develop those, those parking lots will be torn up, and reset back in. I think that answers your question. Whatever we demo, we'll put back in green grass until we're finished with the mall. Because, if we develop from the north to the south, or the south to the north, it's going to take years. You know that. So, we want green grass there. Very similar to Summit. That whole corner of Summit and Reed Hartman there, and Pfeiffer Road is going to get developed. Now, they have the advantage that it was an airport and there was already a lot of grass there. But, they're going to develop that eventually, but right now it's all in grass.

President Anderson: But they had temporary uses before it was developed, right? There was some infrastructure put in there during that development phase that allowed the community to use it, be it green field or park space or soccer fields or something that allowed it to be activated before it was sold for later use. So, I hope that you would look at those types of temporary uses and not just have it staked off as a dead zone.

Mr. Bayer: Well, we think that once we start developing that core that the park will start taking shape. You've got to get vegetation and trees built in there and stuff so you start to get some growth on them because there's not going to be a lot of canopy to them yet, so, we'll start that early on in the process. We might not put the venues at the end in yet, but we'll do those in the next phase so we'll have a big park there for people to use at least to start things off. It's going to be a phasing; multiple, multiple phasing.

President Anderson: I will share that I do echo Mr. Vanover's concern about the sheer number of parking. I understand your comment about it being required by the Zoning Code, but, understand with the PUD and the ability we have, that's not a hard and fast rule for developments like this. Those are set up and written as if they were a stand-alone item, and live by themselves. As you mentioned like with the food truck idea, and the farmer's market, there's periods of time where not all that parking is used at the same time for that business, and we can make intelligent decisions and partner with you to take away some of that concrete jungle that I think is a direct attack against the Community feel that we're looking for.

Mr. Bayer: We would love to get that more dense. I know it looks kind of shallow when you look around that perimeter. I completely understand that.

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President Anderson: And, that's not to undercut the community conversations you have with Administration. That's just two Council's people's opinions as I think we would be open to ideas to reduce the parking.

Mrs. Webster: Mr. Gleaves stole my thunder. But, I'd like to know about a grocery store too. The old Tri County, the Tri County Mall had Kroger's in there for years, and it was very nice to go in there, shop for whatever you wanted. We went to McAlpin's, and Shillito's then, and then, if you had to get something for dinner, or just pick up a couple of groceries, you could run in to the grocery store without leaving. And, it really was a plus. I'd really like to see a grocery store.

Mr. Rickert: So, we love that idea. A large format grocery store, like a Kroger really consumes a ton of land, and, it would be very difficult for us to create the sense of community with that. And, there are probably other places in Springdale that are more suitable for that really large format grocery. Something that's a little bit smaller like a Fresh Thyme; that's a lot more feasible on this site. We're simply not that far along on the project. I'm doing the marketing for it. We're talking to all of the players that would be in that space. So, I don't know exactly what your vision is, but if your vision is for a Kroger, probably not on the site. It's just not going to fit.

Mrs. Webster: It wouldn't have to be a Kroger. Something where you could run in for maybe a loaf of bread, a half a gallon of milk.

Mr. Rickert: Of course.

Mrs. Webster: A lemon, anything like that. If you needed something like that to add to your dinner that you were cooking in the crock pot.

Mr. Rickert: You bet. And, with that density of residences, the type of boutique that you're talking about absolutely would be something that we would market to on their space on the site for that.

Mrs. Webster: To save somebody from getting out and driving out of there and going to a store. Would save us time.

Mr. Rickert: And, you want a Community to be walkable. You want to be able to get anything you need for your home without making a major trip. It's a great idea.

Mrs. Webster: It was wonderful back in the day with the Tri County mall.

Mr. Rickert: Well, there were a lot of things that were wonderful. Santa, and the holiday season. I appreciate the comment. That's really good. Thank you.

Mrs. Webster: Thank you.

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President Anderson: I will caution you though that there is an Aldi directly across the street from your site, so I wouldn't want to be put us in a situation where we're competing with them. They had moved down from Forest Park down the road and it has been a very successful move and a good partner to Springdale too. So, it would need to be a complementary type grocery store. Not a completion is what I would encourage you to be careful with. Because Aldi there does very well.

Mr. Bayer: I have one comment about the grocery. If you go downtown along Third Street, where the old Union Central Building goes, there's a street, Broadway. Go in that building. It's the old entrance off of Broadway or Sycamore. Inside there's apartment units in there, and inside there, there is a store exactly like you're talking about where you can get bread, milk, eggs, cheese, fruits, produce. It's not big. You're not going to get laundry detergent there, maybe in a small quantity, but, you can buy things in there. That would easily fit in one of these large residential buildings. It could be in that center one so people could go to it in the middle.

President Anderson: So more like a bodega.

Mrs. Webster: It would be nice for the apartment people too that live there to be able to run down or take an escalator.

Mr. Rickert: That's exactly what that one's for.

Mrs. Webster: Well, that's good. We need that.

President Anderson: So more like a bodega. As opposed to a full grocery store.

Ms. Sullivan-Wisecup: Those are really good questions for the Final Development Plan. This is the Major Modification of the Tri County Mall PUD. I'm glad that we have some ideas of when they do go to Planning for that, that we have ideas for what everyone up here wants. But, I just want to remind everybody that this did go unanimous, a vote of 7-0 at Planning Commission, and I ask for your "yes" vote on this to go forward. Thank you.

Mr. Jacobs: I'm not sure who can speak to this. I mentioned earlier I'm not an engineer, I'm not a developer. My understanding from the first plan and why it went south wasn't so much structural or construction related. I felt like it was a financial situation. They did not have the pockets to finance even the initial phases. Now, if that's an incorrect reading, I'm welcome to be corrected. But, what's your confidence level on financing this project?

Mr. Rickert: So, I think in the first phase, that group could not have started that at a more inauspicious economic time, and interest rates moved wildly against them. And, so, I don't know that it's quite the same comparison. I can tell you with the way that the development is currently capitalized, we have sufficient resources to go forward, and we have sufficient resources to carry it for the long haul. We have

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Mr. Rickert (continued): discussed that we do need to do a syndicated development model and in my portion of the presentation, going around the periphery and then activating in particular that Z-14 parcel area. Those things are important to us. It's also important to us that we have the tax increment financing, the CRA incentives, and those would be important to any developer. And, then, obviously, the City's support which has been absolutely forthcoming and gracious in terms of our grant applications and those things that a development entity needs to do when we're taking down a structure as massive as a 1.2 million square foot mall. So, all of those things factor into the development. Some of what has changed is that the development team has a degree of financial sophistication as well as legal expertise to navigate a multi-faceted capital stack to make this happen. I also think that we have some deeper pockets, but, that would be my answer to that.

Mr. Jacobs: Thank you.

President Anderson: Still in deliberations, questions, or discussion. Not seeing any others, I did want to thank you again for coming in and providing the information you did. I know it's a big project, and I'm sure, assuming this goes well, we'll be seeing a lot more of you. As you've seen, Springdale would be a good partner to you, and, please use the resources as you have been. We're available to help, and we always have ideas.

Mr. Rickert: Thank you very much.

Mr. Bayer: Brian, there's copies here for most everyone.

President Anderson: Again, thank you for travelling down. Hope to see you soon.

Ordinance No. 58-2024 passes with seven affirmative votes.

## Ordinance No. 59-2024

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

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 59-2024; Mr. Jacobs seconded.

Ordinance No. 59-2024 passes with seven affirmative votes.

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## Ordinance No. 60-2024

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A SUBRECIPIENT GRANT AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO RELATED TO THE 2024-2026 HAMILTON COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT REQUEST PROGRAM

Mr. Uhl: As a reminder, earlier this year we had a couple of discussions about this block grant. A couple of ideas that were floated before Council, the list that we had prepared to submit to the County for this grant specifically. This was the only project that was selected for that award cycle. So, we had I think seven that we proposed in various years, but, unfortunately, weren't successful in those other ones, but, we were successful in making some improvements down at the Community Center for our seniors, so, we're looking forward to getting that project started next year.

## Executive Session – Economic Development

Ms. Sullivan-Wisecup: I would like to make a motion to go into Executive Session under Article II(D)(1) of the Springdale Charter to discuss Economic Development issues.

Mr. Vanover: Second.

Motion to go into Executive Session under Article II(D)(1) of the Springdale Charter to discuss Economic Development issues passes with seven affirmative votes. Council departed at 8:58 p.m. Council returned at 9:38 p.m.

## Old Business

Mrs. Webster: I'm going to bring up something for Old Business. I would like to know when we are going to put this chicken issue to bed. We have been working on this almost the entire calendar year. And, I was under the understanding that once Planning met, and come up with whatever, and they have all these "no's", that it was going to come to Council and we were going to vote on it. Now, why has that not happened?

Mr. Jacobs: My understanding of the process is Planning came up with some concerns and I would think the committee should address those concerns.

Mrs. Webster: Well, when do you think we can expect that on the agenda? Before the end of the year I would hope?

Mr. Jacobs: The committee has to set up a meeting. Ms. McFarland and I will set up that meeting, and then we'll go from there, but, I can't make any promises on timelines.

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Mrs. Webster: You know, I don't think this is fair to the people that want the chickens, nor do I think it's fair to the people that don't want them. And, we're just dragging this out, and dragging this out, and I don't think it's right, and I think it's wrong. I really do. I think we need to settle this one way or the other.

Ms. Sullivan-Wisecup: I know that for the part of the Planning Commission, we just met about last month, so I didn't expect to see it now, because we just had our meeting last week, so I don't think they've had enough time to put it all together for us yet because our meeting was just last week.

Mrs. Webster: I know it was.

Ms. Sullivan-Wisecup: I'm hoping that's part of the reason why we don't have it.

Mrs. Webster: Do they have any inkling, or anybody have any inkling when we're going to vote on it?

President Anderson: Well, I think you heard from the committee report that the Planning Committee met last week. You'll recall when we had it before Council, we sent it to Planning and the advice that we got from Administration and Planning was they wouldn't be able to have it due to their notice period until the following meeting, which was last week. So, as I mentioned to the resident who came in to talk about zoning code, any zoning code changes because of the hand off between teams can take several months to actually work through. Those aren't trivial changes. I heard in the committee report that they were planning to have their meeting in the next week or two, which is as soon as you could have it since they just got the report a few days ago. Now, I will tell you that because we do have a requirement inside of our ordinances that requires when we get a negative review, a negative opinion from Planning Commission, City Council is required to schedule a public hearing on that item, irrespective of what the Committee decides to do. Because separate from the Committee's actions, the Committee can send ordinances, or do their job as they see fit because Council sent an item to Planning, City Council is going to be required in our next meeting to schedule a public hearing on that item. So, our ordinances do what you're asking us to do which is make sure we take action. The way that it's set up in our ordinances is in our next meeting we have to schedule a public hearing on that item. Now, if before then the Urban Farming Committee gets together and decides to advance legislation, we can do that all at the same time and move quickly, but, we're only following what's required by our laws. So, at our next meeting, we will set a public hearing.

Mrs. Webster: So, it won't be on the fourth, that's our next meeting, and then it won't be on the last meeting in December, that's when we got committee reports and everything else. A public hearing for that would be really bad, I think.

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President Anderson: Well I can tell you that the deadline to have an item on the agenda is Friday, at noon the week before the Council meeting. So, up until the Friday before our next meeting, which would be by November 29<sup>th</sup> at noon, the Committee has the opportunity to meet any time before then and still be on our agenda using the regular process for our December 4<sup>th</sup> meeting. So, that gives them all of next week to do that too. Now, if it's an urgent matter, anyone can bring the legislation forward. So, the Committee has been asked to do the work. If you want to bring forward an ordinance, you're welcome to do that at any time.

Mrs. Webster: I do.

President Anderson: So, you can take that up with the Law Director.

Mrs. Webster: I can't understand you. Can you say it to me.

President Anderson: When we get to Legislation in Development, you have an opportunity in a Council meeting to ask for legislation. You could also do that outside of it, but, that would be separate, and maybe in conflict with that the Committee has been asked to do. So, the Committee has been asked by this Council.

Mrs. Webster: So, is that going to be a time delay because of what you just said that the Committee hasn't met?

President Anderson: Well, so we voted as a Council to set up a Committee for that. And, the Committee is working, and they gave a report, and they can decide what to do next. If you don't feel like that's working fast enough, you have the opportunity just like any other legislator, any other Councilperson to take action. And, you can decide what you want to do.

Mrs. Webster: And that would come in the form of requesting an ordinance be brought in?

President Anderson: As an individual Councilmember, you can always request an ordinance yourself. But, I will tell you that the entire Council has already asked the Committee to do that work, so, you would be doing that in conflict with the rest of Council.

Mrs. Webster: So tell me what I have to do because you're saying two or three different things. I request an ordinance from the Administration?

President Anderson: No, Administration doesn't create ordinances. Councilmembers do, and they do that either in the Committee, or as an individual Councilmember, and you can work with Mr. Braun to do that if you think that's appropriate.

Mrs. Webster: Alright, and then that will be on the agenda December 4<sup>th</sup>?

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President Anderson: If you want an item on the agenda, if you remember two meetings ago, we updated our Council rules. You'll notice in that Section 30 there's how you bring forward legislation, and, as an individual Councilmember, you can bring forward any legislation you think is appropriate.

Mrs. Webster: I know I can do that, and I'm doing that. I want that on the agenda, December 4<sup>th</sup>.

President Anderson: Well, that's assuming that you have an ordinance prepared.

Mrs. Webster: Please?

President Anderson: So, maybe it would be better if you took that offline with Mr. Braun about how to best bring forward an ordinance.

Mrs. Webster: Alright, I'll talk with Brian then.

President Anderson: With Mr. Braun.

Mrs. Webster: Okay. Thank you.

Mr. Vanover: Well, that's a quandary with the way we had a first reading. Then, we sent it to Planning, and we are anticipating it coming back. If the Committee decides to change it up, we've had a first reading. So, we would have to act on that ordinance first, correct, or at least vote to make amendments.

President Anderson: One thing I'll tell you, and then I'll let Mr. Braun also add. So, earlier this week I had given advice to the Committee about what their options are, and that was in concert with Mr. Braun. They have several options they can pursue at this point. The fact that there was a reading of an ordinance that we then voted to send to Planning does not require us to act on that ordinance. Again, the rules of Council that I mentioned to Mrs. Webster in terms of how legislation gets brought forward describes that. So, the Committee can request to have that ordinance added to the agenda for our next meeting if they so choose. They can have it brought forward as it was read before, and then make amendments in the meeting if they like if they think that that would address the issues that Planning brought forward, or, they can request that it not be brought forward at all. Just because something has a first reading doesn't require it to have a second reading. It goes back to the rules that we set up.

Mr. Braun: The only other thing I would add is that because it is a text amendment, it's slightly different than regular legislation. It's required to go to them. We had a first reading before it went to them. So, it's now, in what we're going to call the "text amendment loop" of what those requirements are, and interestingly our ordinances don't say when Council must take it up after they've had the public hearing. So, there is not a time requirement, but, as was brought up by the President

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Mr. Braun (continued): of Council, if it is brought forward, it could be voted on. It's also possible that the Urban Farming Committee would decide to withdraw it at their meeting that I think they're going to schedule between now and the next meeting, or they could revise it, and then it's going to have to go back.

Mr. Vanover: So, we have a public hearing on the ordinance that Planning Commission worked on, voted on. Then, they come back with an amended, then are we not going to have a public hearing for that? Because we're cheating the public for comments.

President Anderson: A public hearing isn't required for that. We've had a public hearing for that ordinance. If we've had that ordinance, then we've had the public hearing. We are able to have that at any point in time. So, we talked about this before with this amendment because there was so much public interest we wanted to make sure that the public had an opportunity to share their views, so, I think there's two questions that you're bringing forward. One is what is required by the law, and obviously we defer to Mr. Braun on that, and the other part is what is our responsibility as Councilmembers to make sure that the residents are being heard. We can do that. I don't want to get ahead of the Committee. The Committee just received feedback a few days ago from Planning, and there was a bunch of items that they talked about. So, the Committee should have an opportunity to review that and decide what their next course of action is be it withdraw the ordinance, or amend it, and that's completely in line with what our rules of Council allow. So, right now, as it stands today, we've had a reading for an ordinance the Committee proposed, we voted as a Council to send that to Planning. Planning has then, after their required time, sent us back their views, and they declined to recommend it. Because of that action, Council is required to have a public hearing of that because we sent a zone text amendment to them, we are required to have a hearing on that amendment proposal. So, we will schedule that at our next meeting. Between now and then, the Committee will have an opportunity to meet and decide what they want to do. If they think it's appropriate to amend, or if they think it's appropriate to create new legislation, or just advance it "as is", and let us vote on it. But, that's what the Committee is going to do. So, the expectation, and this is the same expectation I sent with them earlier in the week is my expectation is that if they don't meet in time, or we don't have action, that we will have this on our agenda next meeting. That's the expectation that I set, but I do defer to them. If they have a meeting and say, "Gosh, we need another week or two to work through some of the changes proposed" I think we should let them do that.

Mrs. Webster: So, we're beholden to...

President Anderson: If you could bring your mic down.

Mrs. Webster: So, the Council is beholden to the Urban Committee because they have to have a meeting? I would think we'd want to start the new year off with all this old business out of the way. And, I think this is really kind of like shirking our duty. We're not doing it right. We're not getting it done. That poor woman from Cameron has been

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Mrs. Webster (continued): up here 15 million times, and here we are, and she has no answers. It's not right. It's not right to treat these people like this. I don't like the way this is going, and I didn't like the way it was going all year. And, I didn't like the way that the Committee was formed where nobody had an option to say, "I'd like to be on the Committee". No, nobody. I would have like to have been on that Committee, but nobody asked me, nobody told me. You had your mind made up who you were putting on there, and it wasn't me for sure. And, I would have had it done by now. I just think we've got to get it out of the way. One way or the other. What if somebody gets a bunch of chickens for Christmas and they're not allowed to have them? It's just the way I feel about it. I don't like this dragging these things out. I will like to have that on the agenda December 4<sup>th</sup>. Thank you.

Mayor Hawkins: I think you've gone over the different options of where things sit. I did want to say this though, because it's important, and I know that short of Mr. Vanover, who's been here for more than two terms, it's important to understand process-wise, because sometimes these are things that are happening for the first time for folks, and, so, process-wise, the part of this that may be confusing for individuals publicly, or even for elected officials is usually if there's a text amendment, it would be something that would get referred to Planning Commission to go through. Now, Council has every right to have a Committee, form a Committee, have a Committee go look at it, generate legislation; can do that all day long. But, so folks understand what normally happens is it would get referred to Planning, Planning would then go through and do all that stuff. They can make a subcommittee, they could have additional people that aren't on Planning on that, what have you. They could have people that like chickens, that don't like chickens. They can have Councilmembers that aren't on Planning Commission. They could have all of those things. They would work through those things and then they would give their opinion to Council. They'd do the work for Council, give Council their opinion with regard to it, and Council would then do whatever Council wanted to do with it. Council has the ability to do exactly what it did. But, that's why some people may be confused and go, "Well, there was a reading, and then it went to Planning, and then Planning went through it". Then the issue with Planning going through it then, which I preface Ms. McFarland, Mr. Jacobs put in a bunch of time, energy, and effort with regard to it. I appreciate that. I think residents appreciate all the efforts that went through there. But, the analogy is if I go to Mr. Vanover and I hand him a basket full of groceries, and say please make me a lasagna, and he goes, well this isn't the pasta I would use, this isn't the sauce that I would use, this isn't the ricotta I would use. Well, Planning is getting everything and they may have some different viewpoints, and, despite all the time, energy, effort and work that's gone into it from the Committee, sort of like they said, they had some different questions. It doesn't mean anybody's right, or anybody's wrong. They just had some different questions. So, I want to make sure everybody understands process-wise. I spent a bunch of time on Planning Commission. That's why some folks may be confused with the process because it's been a little bit different, but what Council has done is well within Council's ability to do. So, I just want to make sure everybody understands that.

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President Anderson: It is worth mentioning the feedback from Planning for this specific ordinance does exceed the amount of detail that they've asked for in other zone text amendments. So, there's new people on both sides; both on Council and in Planning, so, some of that is a learning curve. I do push back strongly about the effort that was used by the Committee. I know that Ms. McFarland and Mr. Jacobs spent a lot of hours, engaged a lot of the Community, got a lot of good feedback on people's positions, and took that feedback to heart, and then made changes to the legislation. So, that process takes time. One of the challenges with Committees like this in our world of sunshine laws and open meetings is they can't just go to a coffee shop and hammer it out. They have to schedule a meeting and have it in person and open to have each of those discussions that have to be advertised separately. So, that process just takes time. So, I do want to say I appreciate the work that Mr. Jacobs and Ms. McFarland did. It was not a trivial amount of work that got them this far. I think they're very close to the finish line, and, I don't think that it's unreasonable at all to five days after a Planning Commission meeting to not have an answer. So, I push back on that.

Mr. Gleaves: My concern is that you form a Committee and they're not allowed to give a final report. I figured a Committee in process of having a Committee you would have to give a final report. That's my concern because I feel in my tenure that there will be another Committee, and that Committee and other Committees from this point on should be allowed to give a final report. That is the process that I envisioned for a Committee. I'll leave it at that.

President Anderson: So, and I'll tell you as a process question, that is well within their scope of work. So, if you go back and look at the scope, and this was again in the note that I had sent out to them to remind them, the Committee's task was to evaluate that section of Code and come back to Council with either a recommendation or a sample ordinance. It was not just "make chickens legal". The zone text that is there now is chickens are permitted in Springdale. And they have none of the restrictions that the Planning Commission is talking about. So, I think we do need to go back and look at that to see if we need to fix it. A report could be the Committee's final work. It could be, "Hey, based on what we're seeing, with the feedback we're getting from Planning, or from other Councilmembers, this isn't the right time or there isn't enough support for it". But, they can still just create that report and say, "This was the feedback from the public that overwhelmingly 3-1 supports a change". This is the feedback from Planning that says, "We need to make sure our zone text when it involves animals includes all this level of detail that none of the other communities around us have". That's fine. So, that's what the Committee was tasked to do. Not just answer questions for someone who lives on Cameron Road. That's why it's the legislative process that's doing that, and not just a BZA request. A BZA request could just make it legal for a person. We're talking about changing the zone text, so the Committee's task includes the report you're talking about as a package. And, that may or may not include an ordinance. That feedback comes to us. Then, when we get that feedback from the Committee, if Ms. Webster or somebody else says, "Well, you didn't recommend an ordinance, but I think it's required", they're welcome to do that. You could do it yourself.

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President Anderson (continued): Say, "I don't think this goes far enough", or "It's too restrictive". That's your change. So, that's all well within the Committee's work. What you're seeing is this is just how that's the process that we have for Council to do this.

Ms. Sullivan-Wisecup: I do want to thank the Urban Farming Committee. They did do a lot of work. Most of the feedback came from people who came to the public hearing and spoke, and, also, our two people that are on Planning that have been there, one of them for over 45 years. And, the other person, probably about 30 years. So, we had very experienced, very knowledgeable people who've done this for many, many, many, many years. So, they know when we're looking at a land use, what kinds of things are needed and not needed. I do want to clarify one thing on the quarter acre lot because I know I got a lot of questions about that. The main thing that Planning was saying was if you allow for quarter acre lots, though most of the quarter acre lots will not allow for chickens with the setbacks and other rules, there were things like that. So, that's an example of something that maybe they didn't think about when they were looking at those parameters, and that's why they go to different places that have other views, and then it comes back to us. It's all a process, it goes slower than molasses 95% of the time, but, at the end of the day, would you rather be quick and sloppy, or would you rather take longer and be either what we want, or nothing at all. And, that's just my take on it.

President Anderson: And, I'll remind everyone that we're not litigating the ordinance itself during Old Business; just whether or not we want to bring forward or get an update on it.

Mrs. Webster: I am not condemning Mr. Jacobs or Mrs. McFarland. I am not condemning them, but, this has been going on almost this entire year. Now, if they couldn't handle it, or couldn't do it, or couldn't find time to meet, then you should have had somebody else on there. And, Planning Commission did not recommend that. Am I correct? Now, so why are we not voting on it? I know when they met, I know it was just a week ago last night, I know all that. So, why are we not voting on that ordinance when Planning Commission did not vote on it?

President Anderson: Again, the deadline to request to come forward for the agenda is Friday, and noon. We didn't have it by that time, so, the Committee got feedback.

Mrs. Webster: Excuse me just a minute. You didn't have that vote by Friday last week? They met on Tuesday, and you didn't have their vote on Friday to get the agenda ready?

President Anderson: Mrs. Webster, this isn't a debate between two people, so, what is your question. So, we're in Old Business. What are you trying to find out in terms of Old Business?

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Mrs. Webster: Well, I'm new on here, and I don't know all these rules and regs with meetings and time and all that stuff. Maybe somebody should explain it. I don't know. I have trouble understanding you Mr. Anderson. It's not that you mumble, it's that you speak so low and I just have trouble and I can tell you, a lot of people do. Not just me. And, I don't mean up here. I mean out there. So, I just don't understand it, but, I still would like to vote on this December 4<sup>th</sup>, and get it out of our hair. Thank you.

President Anderson: Well, we've received feedback. Mr. Jacobs did you have a comment or is this Old Business?

Mr. Jacobs: The intent of the Committee is to take Planning's feedback and do something with it. And, there was not time to do that before tonight's meeting. I feel like it would be disrespectful to Planning to just ignore that report. Michelle and I haven't had a chance to meet yet. That's the only thing I can tell you. I understand that you want to vote soon, but, I'm not willing to just take Planning Commission's report and ignore it. That's where I am in my seat. Thank you.

Mrs. Webster: I have no problem with that. I agree with you Mr. Jacobs. However, I still think now you have two weeks before the next Council meeting. And, I know you've got to have it done by the Friday the 29<sup>th</sup> or whatever it is. How long would it take? You've already had a couple of meetings haven't you? And discussed a lot of stuff like amount of land and how many animals and so forth and so on? Haven't you had that discussed? And, the acreage?

President Anderson: So, at this point I'm going ask that we move on from the topic. You've made your point that you would like it to happen soon, and I think they've heard that.

Mrs. Webster: Alright.

President Anderson: But, we're not scheduling meetings for the Committee as part of Old Business.

New Business - None

Meetings and Announcements

Mrs. Sullivan-Wisecup: Planning Commission will meet here in these chambers on December 10<sup>th</sup> at 7:00 p.m.

Mr. Gleaves: The Board of Zoning Appeals meeting is scheduled for November 26<sup>th</sup>, 2024 at 7:00 p.m. in these chambers. Thank you.

Mayor Hawkins: We will have our City Tree Lighting at 7:00 p.m. on Monday, December 2<sup>nd</sup>. Also, there will be the Santa 5K on December 7<sup>th</sup> at 9:00 a.m., and the Vendor's Village will be open from 9:00 a.m. until 3:00 p.m.

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Mr. Vanover: I guess throw this to the Rental Committee. Look at your calendar. Typically we go the off Wednesday, but, is there a possibility that we go on say Tuesday the 10<sup>th</sup> of December to meet, and give you time to go through and digest?

President Anderson: Maybe we can do this offline. It doesn't need to be announced in the meeting.

Communications from the Audience - None

## Recap of Legislative Items

Mr. Jacobs: Council, as you review your Legislative Summary, Item Number II was addressed with Ordinance No. 57-2024; An Ordinance Authorizing the Mayor and City Administrator to Enter into an Agreement with TEC Engineering, Inc. for Completion of a Safe Streets for All Study for the City of Springdale, Ohio. That passed with seven affirmative votes after a second reading. Item Number III was addressed by Ordinance No. 58-2024, also received a second reading; An Ordinance Approving a Major Modification to the Tri-County Mall Planned Unit Development and Approving the Preliminary Development Plan for the Property Located at 11700 Princeton Pike. That passed with seven affirmative votes. Item Number IV was addressed by Ordinance No. 59-2024; An Ordinance Declaring Certain City Property as Surplus Property and Authorizing the Sale, Disposal, or Transfer of Said Surplus Property and Declaring an Emergency. That passed with seven affirmative votes.

## Legislation in Development

Mr. Jacobs: Item Number I; An Ordinance Amending Section 153.252(F)(6)(c) of the Springdale Code of Ordinances Regulating the Husbandry of Fowl, Rabbits and bees, and that is coming up at a later date. Item V Ordinance No. 60-2024 received a first reading; An Ordinance Authorizing the Mayor and City Administrator to Execute a Subrecipient Grant Agreement with the Board of County Commissioners of Hamilton County, Ohio Related to the 2024-2026 Hamilton County Community Development Block Grant Request Program. Item VI; An Ordinance Authorizing the Mayor and City Administrator to Amend the Agreement with CT Consultants, Inc. to Provide Engineering Services for the City of Springdale and Declaring an Emergency will be before us on December 4<sup>th</sup>. Item VII; An Ordinance Authorizing the Mayor and City Administrator to Enter Into an Agreement for Design Engineering for the East Kemper Road Improvements, Phase I Project for the City of Springdale, Ohio will receive a reading on the fourth of December as well. The last item, Item VIII; Several Resolutions Either Confirming Mayoral Appointments and/or Council Appointments to Various Boards, Commissions, and Committees will be forthcoming at some point. Unless there's anything else from Administration.

President Anderson: Well, I understand Mrs. Webster might be reaching out to Mr. Braun so Council can be on the lookout for that if she decides to bring something forward.

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Adjournment

President Anderson: Then with that, before I get to Item 17, I just want to wish everyone a Happy Thanksgiving. I hope everyone has a chance to meet with family, and relax a bit before our next meeting. And with that, Item 17.

Ms. Sullivan-Wisecup: Move to adjourn.

President Anderson: Thank you. We're adjourned.

Council adjourned at 10:08 p.m.

Respectfully submitted,

Nicole Browder  
Clerk of Council

Minutes Approved:  
Jeffrey Anderson, President of Council

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