

Agenda

1. Open Meeting

2. Pledge of Allegiance

3. Roll Call

4. Minutes

[September 11, 2024 and September 18, 2024](#)

5. Proclamation

Fire Prevention Week (*Mayor Hawkins*)

6. Presentations

Fire Department Introductions (*Chief Stanley*)

7. Communications

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

9. Ordinances and Resolutions

[Ordinance No. 52-2024 \(Second Reading\)](#)

[AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CWL CONSULTING, LLC FOR BUILDING OFFICIAL, RESIDENTIAL BUILDING OFFICIAL, AND MASTER PLANS EXAMINER SERVICES FOR THE CITY OF SPRINGDALE, OHIO](#)

[Ordinance No. 53-2024 \(Second Reading\)](#)

[AN ORDINANCE AMENDING SECTIONS 30.03 AND 30.05 OF THE SPRINGDALE CODE OF ORDINANCES](#)

[Ordinance No. 55-2024 \(First Reading\)](#)

[AN ORDINANCE AMENDING SECTION 153.252\(F\)\(6\)\(c\) OF THE SPRINGDALE CODE OF ORDINANCES REGULATING THE HUSBANDRY OF FOWL, RABBITS AND BEES](#)

10. Old Business

11. New Business

12. Meetings and Announcements

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

14. Recap of Legislative Items

15. Legislation in Development

16. Adjournment



City of Springdale Council

Town Hall Meeting

September 11, 2024 – 7:00 p.m.

The Town Hall Meeting was called to order at 7:00 p.m. in the Springdale Community Center by Mayor Lawrence C. Hawkins III. In attendance were Council President Jeffrey Anderson, Council Vice-President Dan Jacobs, and Council Members David Gleaves, Michelle McFarland, Meghan Sullivan-Wisecup, and Thomas Vanover. Elected officials responded to questions from audience members on a variety of topics. The meeting was dismissed at 8:50 p.m.

Prepared by: Stephanie Morgan
Assistant City Administrator

Respectfully submitted,

Nicole Browder
Clerk of Council

Minutes Approved:
Jeffrey Anderson, President of Council

_____, 2024

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President of Council Anderson called Council to order on September 18, 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 September 4, 2024 meeting were considered. Mr. Vanover made a motion to accept the minutes; Mr. Gleaves seconded. The minutes were approved with seven affirmative votes.

President Anderson: At this point the Chair is open to motions related to the agenda.

Ms. Sullivan-Wisecup: I would like to make a motion that we remove Ordinance No. 54-2024 from the agenda, and also remove the agenda item number 11, Executive Session from the agenda.

Mr. Gleaves: Second.

Motion to remove Ordinance No. 54-2024 from the agenda, and also remove the agenda item number 11, Executive Session from the agenda passes with seven affirmative votes.

Presentation – Police Department Swearing-In and Introductions

Chief Butler: Thank you Mr. President. Thank you Mr. Mayor. One of the good things we get to do here and bring on some new qualified people with the support of Council, we have finally reached our goal of 33 sworn officers. The first time we've been fully staffed in about five years, I believe. So, with tonight's promotion of Sergeant Setters, and the additional four more patrol officers, we've reached that goal. So, I'll call each one down and have a little bio on each one, if that's okay Mayor, and then we'll do it. Sergeant Derek Setters. Derek is married to the lovely Jen Setters, who I've known for many years of SWAT; she was our dispatcher. They've been married for 33 years; two children; four grandchildren. He's worked 13 years at St. Bernard before he decided to see the light and came to join us in Springdale in 2020. He's assigned as the Night Shift Sergeant right now. He's also a certified drone pilot for the new drones team we started, and he's also in the hobby of a private pilot. He flies his own plane around here, so, if somebody is buzzing you in the City, it could be him.

Mayor Hawkins swore in Sergeant Setters. (Applause)

Chief Butler: Officer Keith Carpenter will be next. I'll do it alphabetically, not by favorites. Keith is a 2010 graduate of Edgewood High School. He's been married for 12 years, and has two children. Keith, before joining us, served in the U.S. Army for 11 years. I think he's on to his twelfth year now. He still serves in a reserve capacity. He'll be leaving us here in October?

Officer Carpenter: July next year.

Chief Butler: July now. Okay. He's going to Drill Instructor school to be a drill instructor to yell at new recruits. So, he's going to have a change in his voice. Keith is a recent hire after he

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Chief Butler (continued): graduated from the Police Academy at Scarlet Oaks. This was his first stop, and, hopefully last stop in law enforcement.

Mayor Hawkins swore in Officer Carpenter. (Applause)

Chief Butler: Next, Alex Janszen. Alex is a graduate of Elder High School, and he was questioned on what “altiora” means. He’s also a graduate of Cincinnati State, and the University of Cincinnati. Alex kind of started his career here originally as a Loss Prevention Officer at Tri-County Mall, working at Sears. I believe this is where you met your wife, right?

Officer Janszen: Yes it was.

Chief Butler: You didn’t arrest her, did you?

Officer Janszen: I don’t recall.

Chief Butler: You don’t recall. Okay. So, Alex kind of has a relationship with us. He actually interned here when he went to the University of Cincinnati, so, that’s where he kind of got to know the men and women here. Unfortunately, when he graduated the Police Academy, he was hired by the City of Montgomery. They took him from us. So, he spent ten years there. Six years as a K-9 correct?

Officer Janszen: Correct.

Chief Butler: So, he just retired, the better part, Ricky, his K-9 just retired, the smart half? I also got to know Alex also prior to this. He was a member of the SWAT team prior to coming here, and, he’s also a member of the Honor Guard. I will turn him over to the Mayor now.

Mayor Hawkins swore in Officer Janszen. (Applause)

Chief Butler: Next will be Nick Price, our latest edition. Nick makes us 33. He’s our last hire, so, he made us full. Nick is an adventure-seeking, football-loving, weightlifting, food-obsessed world traveler in his own description. Born and raised in Cincinnati, he’s a graduate of Colerain High School in 2006. Nick comes to us from the Sheriff’s office where he served 17 years in corrections and patrol. Most recently, Nick served in Symmes Township on night shift. I had the pleasure of interviewing Nick there and here. So, bringing another good quality candidate with us.

Mayor Hawkins swore in Officer Price. (Applause)

Chief Butler: Last but not least, we have Matthew Richwine. Matt was born and raised in Cincinnati. Attended Milford High School. He has a bachelor’s degree in Criminal Justice from the University of Cincinnati. He is a proud graduate of the Great Oaks Police Academy. He comes to us with eight years of law enforcement experience, most recently, at Colerain Township prior to coming and joining us. He is a firearms instructor, and field sobriety instructor which helps us with our continued training of our officers. He’s currently assigned to night shift, that’s why he’s in his full gear. He actually just made a run and came back real quick to join us. He is also one of our two certified drone pilots right now along with Sergeant Setters, so, they’re going to be training quite a few more officers, and City employees who will be on the drone team. He enjoys golfing in his free time, and spending most of his time with his wife and three daughters. That’s why you’re late always, right? (laughter) Okay.

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Mayor Hawkins swore in Officer Richwine. (Applause)

President Anderson: Is that everything Chief?

Chief Butler: Yes sir.

President Anderson: Thank you guys, and thank you to all of you in blue that came and showed support for your fellow officers. We always appreciate it when we have these opportunities to meet you. You're an asset to our Community, and we really appreciate the work you do here. You have our full support as you go out there, and please be safe. The rest of you are welcome to stay and watch us talk about taxes and swim contracts (laughter), but we understand if you want to go on and celebrate with your families. So, we'll wait a minute while you do that. I know the audience looks quite a bit more empty now, but, I only assume that's because they have such faith in the work that we do that they don't need to sit here and watch us. They can see the notes later.

Committee and Official Reports

President Anderson: We'll continue next with Committee and Official Reports. First up we have Civil Service Commission; Mr. Coleman, when you're ready.

Civil Service Commission

Mr. Coleman: I actually thought that they would stay long enough to hear my report, but, you know, that happens. (laughter)

President Anderson: If you can't keep them here, what chance do the rest of us have?

Mr. Coleman: I guess. That's correct. Good evening to all of the members of the Springdale Council. Civil Service Commission did meet on September 5th in the Springdale Municipal Building. The meeting was called to order by myself, and Mrs. Kathy McNear was present as well. Just a few items here I need to check and make sure Fire Chief Stanley isn't here. And I say that because he has reached his full complement as well. So, the Fire Department is at full staff now, and we made a request to close that process, so, that's a good thing. Chief Butler stole part of my thunder by introducing Mr. Price, and, as a result of Chief Butler advising that the Police Department is also at full complement, we have also requested to close the process there to recruit additional officers at this time. So, again, Fire Department is full complement, and the Police Department is at full complement. A few other items here. The Public Works Inspector job description and Assistant Director Public Works job description, the Commission reviewed those particular job descriptions and following the review, both descriptions, the order of items listed in the qualifications sections will be rearranged so that the educational requirements are in proximity of each other. So some paperwork items that will be concluded and we will take a vote on that at our October meeting. Final item to note is that there were two permanent appointments in the Fire Department, and, two probationary appointments within the Fire Department as well, so, again, as the work of the Departments has continued to keep us very busy, I would add that thanks to Ms. Morgan, and Mr. Uhl, we've done a really good job of closing the loop so that we are full complement in all of the different areas, so, again, thank you very much for the Civil Service Commission, and for your support. That concludes my report.

Rules and Laws

Mr. Jacobs

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No report

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Finance Committee

Mr. Vanover: Due to the way the calendar fell, the quarter reports, or, the monthly reports are not prepped yet, so, I'll catch it up at the next one.

Planning Commission

Ms. Sullivan-Wisecup: Planning Commission met on September 10th, and, we had our first thing of business was a driveway extension at 11716 Kenn Road. They have a short entrance off of Kenn Road, and it was actually dangerous with the types of trees that we have on Kenn Road, and, so, the owner had asked if they could do a driveway that actually comes out on Allen, which is their side street. They're on the corner of Allen, and Kenn, and that passed with a 7-0 vote. We had a landscape plan for 370 Glensprings Drive, that's Wawa. They fell short of the exterior landscape that they needed. They are going to be working with the City to comply and get that taken care of so that they will be in compliance and that passed with a 7-0 vote as well. Raising Cane's at 705 Kemper Commons came with a new aluminum composite sign that they want to put on the side. It will not be self-illuminated, but there is currently a light right where they're going to be hanging it, so it will be lit up from exterior lights. That passed with a 7-0 vote. We had a maintenance facility, a PUD Minor Modification on a Final Development Plan for 12100 Lake Circle Drive. This is at the Mallard Lakes facility. They wanted a maintenance facility, a shed, so they had come a few months ago, and they didn't have what we were asking for, so, this time they came, they are going to be tearing down the tennis court, and building the maintenance facility there, and that did pass with a 7-0 vote. We had donation boxes at 11711 Princeton Pike, Building A. They wanted two donation boxes. They did put them out without permission from the City, and, when they were told they could not have them there, they moved them to a fire lane, and they were told that that was also in violation, and that they needed to come to the meeting. They did not show up. We voted 0-7 for them to have that, so, they will need, if they have not already removed those, they would need to be removed. Springdale Cinema Apartments, they came at 505 W. Crescentville Road. It's what we had voted last meeting about the new development, and, they had new information that they gave us the day of, which, we could not see because staff had not reviewed it, so, we had voted 7-0 to continue it until a special meeting being held on Tuesday, the 24th, which we will then view what they have turned in, and, what the City has had a chance to review. And then, finally, we did have our liaison from Planning that goes to the BZA meetings was Steve Galster, and, he had chosen to step down from that position due to medical reasons, and he had nominated Joe Ramirez and that went through 7-0 vote, so, Joe Ramirez is our new liaison from Planning to BZA. And, that is everything that I have, unless there's any questions, or anything else that Ms. McFarland would like to add.

President Anderson: I will say that Mr. Ramirez has a great deal of experience with Planning and BZA, and will be a real asset to that Community I know. I think he served during part of the time with Mr. Gleaves and I when we were on that committee, and his experience will be certainly welcome. We appreciate that update.

Board of Zoning Appeals

Mr. Gleaves: The Board of Zoning Appeals met August 27th at 7:00 p.m. in these chambers. We had six members present, and one absent. And, our old business was BZA Application # 20230858; 329 Cameron Road, the property owners are requesting a variance to keep five chickens on their property until their natural death, in violation of Zoning Code Section 153.252 (F)(6)(c)(i) where the husbandry of fowl may be raised or kept for residence owner's use on a lot of not less than three acres of area. And, in violation of Zoning Code Section 153.252(F)(6)(c)(ii) which requires no less than 100 feet from all adjacent residential lots. A

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Mr. Gleaves (continued): motion was made to deny this variance. The motion passed to deny it; four “yes”, two “abstained”. The next business we had Application # 20240423; 396 Glensharon Road, the property owners are requesting an appeal to build a new garage which requires to be more than five feet from the side property line, and more than 20 feet from the residence of a neighborhood lot, per Zoning Code Section 153.252 (F)(14)(a)(vi). A motion was made to approve that and it passed 6-0. That’s all I have. Any questions? (None) Thank you.

Board of Health

Ms. McFarland: The Board of Health met last on September 12th in these chambers. We have moved our location to in here. The first thing we talked about was Lefty’s Tobacco. We did get an update. They are currently getting their water from Noodles & Company. They’re still working on additional testing to determine the issues that they were having with their incoming water. The Commissioner’s Report, we did get an update on COVID cases. For Quarter 3, they are up to 89 cases. Numbers have gone up. The Health Department does want everybody to know that there are many free COVID tests available in the Health Department. Those are provided to us by the State of Ohio, so, please feel free to stop by at any time. You can get those at no cost to you. We had an update on Wawa. The utilities are currently in progress, and they now have a targeted opening of 2025. Fall intern update, they currently have five students from UC, and one from Xavier University. The Health Department is also currently recruiting a new part-time Environmental Health Specialist. The Health Department is also currently actively billing for four grants, including the Mosquito Grant that they recently obtained this year. We will be having a public hearing at the October 10th Board of Health meeting for a few Board of Health Regulations. Those regulations are for establishing fees for licensing, and inspection for food service, public pools and spas, and hotels and motels. There will be an annual Health Fair on September 26th from 12:00 p.m. until 2:00 p.m. There will be a VA Mobile Unit, as well as a UC Mobile Mammography Van. There will also be, on September 30th, a blood drive from 1:00 p.m. until 3:00 p.m. Then, the Public Health Nurse did provide an update. They have had, again she spoke to the increasing COVID cases, she did talk about the vaccine clinics where they are working with the school nurses for under-insured, and uninsured children to get them caught up on any vaccines that they may be behind on. I believe that is all.

Capital Improvements

Ms. Sullivan-Wisecup

- No report

O-K-I

President Anderson: OKI Executive Committee did meet on September 12th, just last week. There was an update on a number of administrative items; contracts that needed to be updated, freight plan approved, and the TIF Amendment where the money gets passed around, was updated to remove a couple of projects from jurisdictions that weren’t able to meet their part of the commitments. One of them notable was a bike path extension that would have helped hook up part, not up here, but further south near the City, and that was removed due to excessive stream erosion nearby, which is just something that people need to keep in mind. You know, when we approve these infrastructure projects like Northland, sometimes it’s done years in advance, and changes happen, so, it was unfortunate to see a bike path get removed, but, hopefully, it will come back. But, otherwise, the only thing that was, I think, interesting to share, was the update on the ballot initiative that I’ve talked about in past reports where there was an initiative to remove Cincinnati from the OKI organization as a ballot initiative. That actually was defeated, or is not going to be on the ballot anymore due to insufficient signatures, which is pretty unusual for something like that in a year like this, but, I take it as good news, just so you’re aware, you won’t be hearing anymore about that, at least this cycle. So, that’s it for OKI, unless there’s any questions.

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Mayor’s Report

Mayor Hawkins: Just recapping, we have on September 7th the ComeUnity Bash, and, I think all of those that came enjoyed themselves. There has been some discussion that we’ve been having since last Spring, we’re going to have some changes and evolution with regard to our Community event next year, and there will be more information forthcoming with that, in the next 30 to 45 days. We also had a Town Hall meeting on September 11th, and, it was well attended. There was a great amount of discussion, and interaction, and, so, that’s something we hope to do again next year around this time. Lastly, in the area of personnel discussions, we have hired Melissa Hays as our new head of the Building Department Official, and she’ll be starting next week. So, we’re excited to have her on board. We also have filled the role with regard to our Human Resources Director and you’ll hear some more information about that as time goes on with regard to that individual starting up. And, lastly, I’m sad to say we’re going to lose Katie Smiddy. She’s been selected as the City of Oakwood’s City Manager in Montgomery County. So, it’s sad for us, but, we’re happy for her. It’s something that, when we went through the interview process, as a goal, she had indicated that it was a goal that she had, so, she will be with us another month or so, and, but, wanted to make sure that everyone’s aware of that. That concludes my report.

President Anderson: Alright. That’s too bad about Katie. She was hitting the ground running and certainly kept things moving already. And, I did want to say you mentioned the Town Hall, Mayor Hawkins, and I also want to say thank you to yourself and Administration for the work to put that together. It was well attended. We did have a full room and spent two hours answering questions from residents. One of the things that I thought was really neat about that opportunity was that every elected official that was there had the opportunity and took the opportunity to speak to the residents and

President Anderson (continued): answer questions at different times, which is a nice thing to see it wasn’t just one or two people monopolizing the time. Everybody was involved and it was intimate, but still a lot of attendees. I do hope we can do it again.

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

Engineer’s Report

Mr. Riggs: The only update I have is about the Tri County Sidewalk Extension Project. The contractor indicated that they’re going to start early October with the tree removal and plantings, then, to follow in late October with the actual sidewalk installations. The work is still planned to be completed within five weeks, at least the sidewalk work. The contract completion date is December 20th, so, they should have no problems meeting that schedule. And, that’s all I had.

President Anderson: Alright, thank you, and, for what it’s worth, in that “Q and A” session we had, we were able to reference your reports. There were a number of questions about construction projects that people are interested in; Northland, and then also Route 4, and they had questions about dates, and it was very nice that we were able, in the meeting, to pull up your last report, and give the updated information on the construction schedule, so I just wanted to say those reports do get used, and thank you for putting them out every time.

Mr. Riggs: Glad to hear it.

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Rental Program Committee

Mr. Vanover: Rental Committee is going to meet again on September 30th at 2:00 p.m.. We are awaiting some additional information we requested from our Law Director, so, we'll see everybody then.

President Anderson: Thank you for that. And, again, that was another item that came up during the "Q and A" session. People were asking about items that the Rental Program Committee was doing, and it was nice that we were able to show proactive action, so, that was also nice to have.

Urban Farming Special Committee

Mr. Jacobs: The Urban Farming Committee met on September 17th, and after all our meetings, we've got a draft ready to present to Council. We intend to present that draft for discussion at the October 2nd meeting. In general, what we've been working on, I've always felt is a very conservative approach. We are relaxing the existing standards, but, the general approach that I'm seeing us carry out is that we're drafting something for the neighbor of somebody who wants to own chickens, as opposed to the person who wants to own the chickens. Just a skeleton of what we're working on so far; it would be a permit system. We'd limit the number of permits per year. The resident would have to block the coop from view from neighbors. There'd be a 15 foot setback for any coop. There'd be a maximum of six animals confined to the rear yard only. I want to thank Administration for working with us because obviously, they'd be the ones that will have to enforce this if it does pass. And, I think it's been a really solid relationship so far. We took a lot of their advice and brought their counsel in because they're the ones that would have to enforce it if it does pass. So, in general, we'll have something for Council at the October 2nd meeting.

President Anderson: One question on that. In the past, at least when it was being formed, we talked about an opportunity for a public hearing, or the public to speak on the ordinance as well. Are we planning to advertise a formal public hearing for something like this or just use the Communications from the Audience during the session? Have you given thought to that?

Mr. Jacobs: It didn't come up at the last meeting. I'm open to anything this body wants to carry out.

Ms. McFarland: I don't have an answer for that. I don't think we discussed it, but, we can confirm that before it makes it to the agenda for the next meeting. There were just a few things that I wanted to add in general. This was a very thought-provoking process. We worked with our Law Director. We reviewed reports and rules from many communities around us, including Sharonville, Glendale, Montgomery, Miami Township. There was several places that we reviewed and we used some things from each of those when making the restrictions that we did. One thing to note. Any homeowners association communities, this is already prohibited, and that will continue. And, we have really made this more restrictive as Dan said to protect the neighbor of the person who has chickens, while still allowing people to do that throughout the community. We should have that ready for you at the next meeting.

President Anderson: And, we certainly will have conversations about the ordinance there. This is still focused on the Committee and its work.

Mr. Vanover: I for one think we would be short-changing our constituents if we did not have a public hearing, especially since this is, what I would call, a major change to our Code. For what it's worth, my two cents.

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President Anderson: I agree. I think at least having that opportunity, even if it's not a formal public hearing with the announcement, we should certainly have time built in to accommodate that, so think about that. I know you're having a meeting before it would be presented, so, maybe if we need to include something on the next agenda, or the agenda after it, or advertise, let's put that on the Committee's "to do list" please.

Communications -
None

Communications from the Audience

Mr. Coleman: Robert Coleman, and I'm actually wanting to bring something up here that I think it may have been confusing in regards to Civil Service activity. And, I would like for the public record to reflect that there were two permanent hires in the Fire Department. One in fact was the permanent appointment of Mr. Thomas Jackson, Jr. who chose the position of Fire Captain in the Springdale Fire Department, and I thought that was significant to make sure that the public was aware that we in fact have fielded the position of Fire Captain, and the other permanent appointment was Mr. Scott Harley to the position of the Firefighter II/Paramedic in the Fire Department, and, as a result, again, of those two hires, we have reached full staff within the Fire Department, so, I wanted the public to be aware, and for Council to be aware that we have, in fact, concluded that activity.

President Anderson: Thank you for that update. I didn't even need to start the clock. We'll count that as part of your official report, so, it's on the record, but, thank you.

Ordinances and Resolutions

Ordinance No. 49-2024

AN ORDINANCE AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR PARTICIPATION IN THE H2OHIO RIVERS INITIATIVE CHLORIDE REDUCTION GRANT PROGRAM

Ms. Sullivan-Wisecup made a motion to adopt Ordinance No. 49-2024; Mr. Vanover seconded.

Ordinance No. 49-2024 passes with seven affirmative votes.

Ordinance No. 50-2024

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

Mr. Vanover made a motion to adopt Ordinance No. 50-2024; Ms. Sullivan-Wisecup seconded.

Ordinance No. 50-2024 passes with seven affirmative votes.

Ordinance No. 51-2024

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE AN ADDENDUM TO THE CURRENT AGREEMENT BETWEEN THE CITY OF SPRINGDALE AND SWIMSAFE POOL MANAGEMENT, INC.

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Mrs. Webster made a motion to adopt Ordinance No. 51-2024; Ms. Sullivan-Wisecup seconded.

Mr. Jacobs: I just wanted to give a “shout out” to Cole Spradlin for giving us those updates about how the pool was going this year. I initially had some concerns with SwimSafe. The concerns weren’t conceptual with us privatizing the service of the pool. I wasn’t really comfortable with how they presented some of their information, but, Cole has completely allayed any concerns I had, so, I’m looking forward to another good year with this company. Thank you.

Ordinance No. 51-2024 passes with seven affirmative votes.

Ordinance No. 52-2024

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH CARL LAMPING FOR BUILDING OFFICIAL, RESIDENTIAL BUILDING OFFICIAL, AND MASTER PLANS EXAMINER SERVICES FOR THE CITY OF SPRINGDALE, OHIO

Mr. Gleaves: Before we go forward, will Carl have anything to do with the BZA anymore? Will he have the capability? His expertise was much needed in the meeting many times.

Mr. Uhl: Yes. Our intention is to have Carl available for these meetings where it would be most helpful to BZA and Planning Commission as well, just as we have our City Engineer and City Planner as well.

Mr. Gleaves: Thank you.

President Anderson: Any other questions or discussion? I will say that I’ve worked with Mr. Lamping several times, especially in BZA, and his experience was invaluable every time I was there. I’m glad we can keep him around at least for a little while as we transition.

Ordinance No. 53-2024

AN ORDINANCE AMENDING SECTIONS 30.03 AND 30.05 OF THE SPRINGDALE CODE OF ORDINANCES

President Anderson: Council, this is the first reading of Ordinance No. 53-2024. Are there any questions or discussion for that tonight? And, before we get to questions, I will say that this was a collaborative effort between Administration, Mayor Hawkins, and myself to address some outdated language and rules that had been in place for some time to better reflect the way that agendas and ordinances are submitted. You will have noticed over the past couple of meetings, we’ve had to have a little bit of extra steps in our meetings to get the agenda ready for the next one. This is all intended to streamline that, and just better reflect the way that we do business, and, I believe as it is, already has the support of Mayor Hawkins and myself, but, it’s certainly open to questions or discussion.

Mr. Jacobs: As I was reading it, I was looking at Section “F” on the first page, and I may be reading it incorrectly, as I was reading it, it seemed a bit confusing to me, so, I’ll read it out: *“An ordinance or resolution requested under 30.03(A)(3) shall be automatically placed on the agenda by the Clerk of Council for the next meeting under Old Business and for all future regular or Special Council meetings until:”* It seems as if we’re missing the word “not”.

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President Anderson: So, it is, the intent of that section is that if Council, as a body, has opted to make a recommendation for an ordinance, like we did for this, for example, with 30.03 where we said we should update it. That's saying that until there's an ordinance ready to be acted on, the facilitator for the meeting, the Chair, needs to make sure that we don't lose sight of it, and we do that by including that item in Old Business until it's ready to show up as an ordinance. So, it's just simply saying, it's not discretionary. If this body, as a body said, "We want something", that section is to make sure that no single person could overrule the will of the body. So, that entire section (F), is really guardrails and guidance for the agenda creation to make sure that if the body has voted that we want an ordinance to be worked on, that it's going to keep showing up on the agenda until the body says, "We don't want it anymore". Does that make sense?

Mr. Jacobs: Yes. Thank you. These are always a bit "word salad", but thank you.

President Anderson: And, for what it's worth, understand that when we talk about process and procedures, it's not the most exciting thing. Roberts Rules of Order is about 1,000 pages long; just over in its latest version, and anytime we create sections like this 30.03, it's to supplement or change those rules. So, sometimes we have to be a little bit "wordy" in that to make sure that we've covered cases, and that's why that's there.

Mrs. Webster: What necessitated the need for this ordinance and all these changes?

President Anderson: Sure, so, I can start with that. The first change, this was requested by both Council as a whole, and Mayor Hawkins specifically had asked for it as well. Because, the original, the ordinances, the rules of Council that are on the books right now do not permit one of the changes. It does three different things really, but the major driver was the Mayor and City Administrator were not permitted by our rules to submit ordinances to our agenda, which is just not how we do business.

Mrs. Webster: But things have been going along fine before. Why the change?

President Anderson: This is so the rules reflect it. So, when we found that that wasn't being done properly, we needed to address it so we could maintain order with the meeting. So, Mayor Hawkins had found in the reading that he couldn't submit things without first talking to somebody on Council, which is why, at the end of the last meetings you saw that the different than in the past when Administration would request a number of ordinances, say around grant proposals, or specific contracts, so, because of the rules of Council, he had to ask us to put it on the agenda for the next one. He couldn't just do it himself. So, this changes to let the City move smoothly as it's been doing in the past, so the rules need to match the way we do things. It was just frankly against the rules what was being done before.

Mrs. Webster: Thank you.

Mayor Hawkins: The issue, there's a lot within this 30.03, and 30.05, but the biggest thing with regard to, that I was concerned about for the Administration, was the ability to bring legislation forward. There's a lot of things that, obviously, are only going to be known administratively, and, I find Administration's job, and my job is to get the business in front of Council. So, the way, when it was raised that I, and the Administration couldn't bring legislation, it slows up the process for us to be able to get business in front of you, and that's the main thing. So, from July through this point, it's been challenging to go through that process. You

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Mayor Hawkins (continued): guys saw the July meeting where we literally came into that meeting and asked for six, seven pieces of legislation. That's how that would be if the Administration can't bring that legislation. So, I'm looking for folk's support with regard to that specifically, the 30.03 (A)(4), and, again, it doesn't take anything away from Council, it just allows us to be able to get the business to you, and you're correct. It's what's been going on for at least fifteen years. I won't speak for but for me, but, I think this addresses that issue. And, then there's other parts of that that are more Council-related, and Council can look at, and address those.

President Anderson: I will add, just for clarity, just because it was against the rules before, that doesn't mean what was done was necessarily wrong. In that 1,000+ page of Roberts Rules of Order that are referenced in our ordinances, it says that if a group like this is making a mistake like that, that doesn't mean that what we did was invalid, but, once you know that it's wrong, you have to correct it. So, this was a case where we were reviewing it for other reasons, and we found that that rule was out of date, so we just need to fix it. It's not pointing fingers, it's not pointing blame, and the way that things have happened in the past are fine, but the rules need to reflect the way we do it just to keep us above board.

Mr. Vanover: Well, while we're cleaning up, and, Mrs. Sullivan-Wisecup brought this up, Section (M) on our redline copy calls out, it's page 5, calls out the Clerk of Council/Finance Director, and both in the first sentence, and the third sentence, so, while we're cleaning up things, we can take that.

President Anderson: So, Mr. Braun, are we okay just to do a proposed amend the ordinance to strike those references to finance director from that section, or do we need to do that separately?

Mr. Braun: This is a first reading, so, what we can do is on the next version that comes back to you, I'll just include that as additional section in the second reading.

President Anderson: Just by general assent of Council, is there any concern with making that change?

Mr. Braun: And, we did look into that when we originally did those wholesale changes, and then it went off to American Legal Publishing, that was just a section that was overlooked quite frankly. And, that goes back two years ago? A year and a half ago. We made those changes because we made the changes before they actually went into effect, so, yes, we'll make sure those are updated as part of the second reading.

President Anderson: Thank you for that.

Mrs. Webster: I haven't seen any problem with the way things we were doing before. Is this a little fight for power?

President Anderson: No. I can say that this actually doesn't change the process before, it just updates our rules to reflect the way that it was being done. So, if you look at the specific changes in your red line, there's three major things that have changed. The first thing that changed was what Mayor Hawkins referenced just now where we cleaned up the fact that in the current rules, the Mayor is not permitted to submit ordinances, except for appointments. So, that's just a rule, which means it's a law for Springdale and our Council that they weren't permitted to do that without the assent of a Councilmember. So, this gives that power there to keep Administration moving.

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Mrs. Webster: I noticed on the page titled, "red line reference", "except for emergency ordinances and resolutions, all others must be at the Clerk of Council's office", of which who is our Clerk of Council?

President Anderson: Nicole Browder.

Mrs. Webster: Okay. "No later than 12:00 p.m. on Friday". I think sometime that's hard to meet when there's ordinances and stuff coming in from departments, and even the Law Director, City Engineer, so, I think that's kind of hard.

President Anderson: So, that's the current rule, that's not a change. If you're proposing that we extend it, we can talk about that, but, that's not a change. That's what the rule is now.

Mrs. Webster: Well, it's never been like that before. Has it? We haven't gotten our stuff at noon.

President Anderson: No, this is noon into the Clerk's Office.

Mrs. Webster: They have to have it by noon.

President Anderson: Right. Because of the idea that they need to collate it, and provide it to the rest of Council after doing any reviews. But, that's not a change with this. That's already in there.

Mayor Hawkins: Mrs. Webster, the main thing is for the Administration to be able to get all the information for proposed legislation so they can be put together and assembled and then be able to be distributed to all the Councilmembers. What we tend to try and do is get that out to you guys some time on Friday. It gets publicized usually on Monday or Tuesday, on Tuesday, but, that gives everybody the opportunity to review it, and see if there's anything that maybe there's something that's not right that's in there, and, you guys can then contact Administration and say, "Hey, there's a typo here", or, "This information wasn't accurate", and then we make it public and we do it that way so that all of Council gets the chance to review legislation first before you might get a call from a resident. Because if we put it all out at the same time, you may get a call, you may have gotten your packet, but not had the chance to review it. Someone's calling you Friday night saying, "Hey, Mrs. Webster, Mr. Jacobs, why is such and such?" Well, I haven't gotten a chance to look at it yet. So, we try to stagger that to give everybody the opportunity. The other thing, and I'll just say this, the efforts of Ms. Browder, and the rest of the staff in terms of going through legislation is amazing, and, I know when I was on Council, I didn't appreciate fully what that process was. I would come to a meeting, sit there and go, "Okay, we've got two weeks before we come to our next meeting. We've got plenty of time." It's not the way it goes. When you think about it, from the first Wednesday, you get Thursday, Friday, and then that next week, by the end of that week, you have to have legislation to distribute to Council, so, you're really talking about seven business days, but you're really not talking about seven business days because the Directors have to get legislation in by Wednesday, so, you're talking about a week from the last meeting when Administration is saying, "Hey, Fire Department if you've got something you need in, you've got to get it in so we can put it together and organize it and get it ready to go." So, it's really a fast turnaround, even though we've got two weeks, it's less than that. So, we're trying to do whatever we can to make sure it goes as smoothly as possible and we get the information to Council.

Mrs. Webster: Thank you.

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Mayor Hawkins: Thank you ma'am.

President Anderson: And you'll also notice we struck what the old Section B was, which had a ten day notice period to the Law Director to write the ordinances. So, if anything, we've opened it up to make it more flexible in that regard. And, in terms of power, that was never an issue in our discussions when Mayor Hawkins and I were working with the Law Director. There was never any concern about power; it was all about clarifying the process. I did mention there were three things, the changes we're doing. The first one we just talked about, which was making sure that Administration can submit ordinances to keep the City running the way it has been. The other change, it was right at the top of 30.03, which is just clarifying language for how ordinances could be drafted. The way the language existed, exists today there was no mechanism where we would permit outside legal counsel from giving us ordinances. That could be problematic in cases, like what we're working on right now with Economic Development where there might be a TIF, or an outside counsel where the Law Director, our Law Director may review it for form, but, he hasn't drafted that legislation. Based on the rules, we wouldn't have been able to submit it to Council for consideration unless we made that change. Another example where that would be an issue is like when we had a special subcommittee for the Council Investigative Committee. In that case, part of that investigation that Council did, involved our previous Law Director, and it would have created a weird situation where we would require the Law Director to possibly write an ordinance, or censure, or remove himself and hire a replacement. Those type of things we're just trying to avoid. So, that was the other thing that we needed to clean up that we learned from past experience. The third thing that this changed as the major item that the rules change does is addressing how we deal with ordinances that are done at the request of Council. That's that 30.03(A)(3) section. Because there wasn't really rules for how that would happen, right? So, if the body as a group is requesting an ordinance, we can't all respond to those and verify things. So, this is just one of those cases where Robert's Rules of Order 1,000 pages has guidelines for how to deal with that, but, the way that we wrote our rules before didn't account for the way that we do things now. So, it's just making sure that if the body does it, that it's taken care of, and that's what the rest of those changes are for. So, if the group creates something, then the group is going to be accountable for it until the group takes it away. That doesn't change any individual Councilmember's ability to create ordinances, submit ordinances. All of that is unfettered. This is just saying in those cases we give guidance to the facilitators so that you mentioned "power grab", it actually would restrict a single person from taking control. If the body wants something, one person that we'll say, sitting in this chair shouldn't be able to overrule the other six. So, that section is specifically more to limit power than anything else. Good questions.

Mr. Vanover: In going through, if we remove an item from the agenda that is looked upon as if we defeated it, correct?

President Anderson: So, in that case, if it's something that had been voted on to be created, and then an ordinance could not be created and the body decided we didn't want that anymore, then in that case, where there was two votes; a vote to add it, and a vote to remove it, that would have the same effect of being defeated, which just means we can't go back and touch that again, for, I think, 60 days, unless four people on Council make a motion to agree to ignore that, and do it anyway.

Mr. Vanover: Okay, because my question is we removed Ordinance No. 54-2024, then, by the rules, we can't see this again for 90 days.

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President Anderson: No. So, in that case, that ordinance was requested under a different section. That rule that talks about defeated is only if something is done at the request of Council as a whole. So far, we haven't done any of those, and that requires a vote. And, that's why I was saying that's why we need the clarifying language. So, in your case specifically you talked about, that's not related to that. And, again, if there was a case where that happened, Council can vote to ignore that rule, and do it anyway. The idea for that rule is just to make sure that we maintain order that a single Councilperson can't keep requesting things that we know are just going to slow down the business of the City. So, it's giving a voice where there should be a voice, but, not allowing abuse if that makes sense. Good questions.

Mr. Gleaves: Hats off to our Administration, Mr. Uhl, Ms. Morgan, Ms. Browder, you all do a fantastic job. From day one, I was amazed. I'm still amazed today. So, it should be known that you're able to juggle even my requests, along with what you have to do, and I have a lot of requests sometimes, but, it should be known that you all do a fantastic job. Any way you can streamline and make it easier, or make it a little better, quicker, whatever it may be, it just enhances your ability to do what you have to do. So, thank you. Thank you, thank you.

President Anderson: Alright, good questions. You see why this took a little bit of time to make sure we got it right. We're changing a lot of rules, so, we just wanted to make sure. And, again, this is to make sure we're consistent with what works best for the City, and not prevent any one person, or group from being able to prevent the City from doing its business. We'll see this again next time; next meeting.

Resolution No. R13-2024

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Mr. Gleaves made a motion to adopt Resolution No. R13-2024; Mrs. Sullivan-Wisecup seconded.

Resolution No. R13-2024 passes with seven affirmative votes.

Old Business - None

New Business - None

Meetings and Announcements

President Anderson: I'm going to take the opportunity. That's unusual to take the first speaking here, which, I know, is a bit of a faux pas, but, I'm really excited about this item. I wanted to make sure that everyone has seen it, and that's the new library opening. It was the Parkdale Library, but, now it's the Forest Park Library that opened last week. If you haven't been out there, it's on Northland Boulevard right next to the post office. It is amazing. It is beautiful. They had a number of officials out there the day before to see it, and then they had a grand opening where they had something like 2,000 people show up to come through on that first day. There's a giant makerspace with laser printers. They have screen printing or laser printing for shirts, laser cutter. They've got everything. They have a drive-thru for picking up your holds. They have an outside place where you can get your holds after hours. They have meeting rooms that are beautiful, study rooms, break rooms, quiet areas, a children's area that's really designed for kids to be able to be kids. Spaces for teenagers to congregate without being

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President Anderson (continued): disruptive from other parts of the library. It's amazing what they did with that space. So, if you haven't seen it, I encourage everyone to go check it out.

Mr. Vanover: First off, I have one meeting which we referenced earlier. The Rental Committee meets the 30th at 2:00 in Chambers. And, secondly, and this, well, I'm a meeting late, but, we talk about jewels within the City, Mapleknoll, and some other things. Well, there's a jewel that I saw, well, a friend of ours, their father-in-law passed in Wyoming, and he's Butler County, Liberty Township, very involved over there, and, the Vineyard stepped up and hosted his celebration of life, and there were probably over a thousand people there, and it's not the first time they've done that, I know, with Officer Grant, her funeral was there, but, it's nice, and it's one of those things that we don't pay any attention to, and it's just quietly done, but, I think that just a tip of the hat for the organization because they are a very integral part of our Community.

Ms. McFarland: The Urban Farming Committee will have a meeting, September 24th, and I believe it's at 5:30 p.m. prior to the Planning Commission meeting. And then, also, on Saturday, September 28th, Springdale Youth Boosters, together with the Springdale PTA will be having the Movie in the Park Night. They will be showing The Addams Family, and, there will be hot dogs, and cotton candy for sale, and free popcorn for everybody. It is a free event, so, feel free to come out. We will probably start the movie, it usually ends up being I think around 8:30, maybe closer to 8:00, but, please come out and support some of our local organizations. Thank you.

Ms. Sullivan-Wisecup: Planning Commission has a special meeting on Tuesday, the 24th at 7:00 p.m., and we do have our regular meeting scheduled for October 8th at 7:00 p.m. in these chambers.

Mr. Uhl: Just a couple of announcements. The Shred Day will be set up Saturday, October 5th, and that will be down at Community Center. I will get the exact times on that, but, I believe it starts in the morning, late morning. And then also our Fire Department Open House will be that day as well, on October 5th. Then, one announcement; I know you may have seen the news coverage yesterday for an unfortunate, or tragic incident that occurred over at LaQuinta Inn. I just want to publicly recognize our Police Department for their outstanding teamwork, and, they were able to apprehend our suspect within 14 hours of that incident occurring. So, that was a fantastic job that our men and women did at our Police Department in connection with a couple of other partners, and kudos to the Columbus SWAT Team for capturing our suspect. Thank you.

President Anderson: Fourteen hours and still going across jurisdictions all the way to Columbus to finding a suspect, that's very impressive.

Mr. Gleaves: The BZA meeting for September 24th has been cancelled, and the next scheduled meeting is October 22nd.

Ms. Morgan: Just a reminder that the Auditor of State Fraud Prevention Training is due by September 28th. Secondly, the Civil Service Commission will meet next on Thursday, October 3rd, 2:00 p.m. adjacent to these chambers. Thank you.

Mayor Hawkins: Just piggybacking on Ms. McFarland; will the concession stand be open for the Movie in the Park?

Ms. McFarland: They will be selling drinks, Gatorade, pop, hot dogs. I don't know that they're selling anything other than that, and then the PTA will be selling cotton candy.

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Mayor Hawkins: So, just not sure if they'll do the liquor license thing or not, but, it's important, and we talked about this at the Rec Commission meeting, but for SYB, folks, don't bring outside alcohol. Buy from the concession stand. They are using this as a fundraising opportunity, and they're paying for the licensing. It also came up in terms of the past that the City had done the Movies in the Park and the City stopped doing the Movies in the Park because they were poorly attended, and, so, at some point, we're not going to spend tax dollars if folks aren't doing that. SYB picked it up for a fundraising opportunity. So, please patronize those, the concession stand, buy your goods there versus bringing them in. Thank you.

Ms. McFarland: Just to clarify, we also have support this year from the Firefighters Union. They are helping to fund the event as well, because there is a licensure fee to show the movie. But, yes, along with what Mayor Hawkins said, we, I'm not sure we'll be carrying liquor for that, or beer for that. But, when we hold that liquor license, that does hold us responsible as well, well, Springdale Youth Boosters as an organization. So, we do have law enforcement present when we do that for regulation purposes.

Communications from the Audience

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None

Recap of Legislative Items

Mr. Jacobs: As you review your Legislative Summary, Item I was addressed by Ordinance No. 49-2024; An Ordinance Authorizing the Execution of a Grant Agreement with the Ohio Environmental Protection Agency for Participation in the H2Ohio Rivers Initiative Chloride Reduction Grant Program. That passed with seven affirmative votes. Item II was addressed by Ordinance No. 50-2024; An Ordinance Declaring Certain City Property as Surplus Property and Authorizing the Sale, Disposal, or Transfer of Surplus Property. That passed with seven affirmative votes. Item III was addressed by Ordinance No. 51-2024; An Ordinance Authorizing the Mayor and City Administrator to Execute an Addendum to the Current Agreement Between the City of Springdale and SwimSafe Pool Management, Inc.. That passed with seven affirmative votes. Item IV was removed from the agenda. Item V was addressed by Resolution No. R13-2024; A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor. That passed with seven affirmative votes. Item VI was addressed by Ordinance No. 53-2024; An Ordinance Amending Sections 30.03 and 30.05 of the Springdale Code of Ordinances. That received a first reading. Item VII was addressed by Ordinance No. 52-2024; An Ordinance Authorizing the Mayor and City Administrator to Enter Into a Professional Services Agreement with Carl Lamping for Building Official, Residential Building Official, and Master Plans Examiner Services for the City of Springdale, Ohio. That received a first reading.

Legislation in Development

Mr. Uhl: I did receive an email earlier this week from Hamilton County Auditor, Jessica Miranda who was requesting to come in to speak a little bit about the Homestead Exemption, and some other relief opportunities that the Auditor would make available for them. So, with your permission, I'd like to coordinate with her for a future Council meeting when it works with her schedule.

President Anderson: Please. Yes, thank you.

President Anderson: Any other items that need to be added in the future?

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Mr. Jacobs: Just as we mentioned that we intent to bring something before Council in regards to the Urban Farming Committee product.

President Anderson: Yes, and, just as a process, you're not required to make any statements like that, you can just go ahead and submit it. The Committee can submit it if they make an action, they can just submit it like they've been doing. But, it's good to know it's coming.

Adjournment

President Anderson: All that's left then is Item 18.

Ms. Sullivan-Wisecup: Move to adjourn.

President Anderson: We're adjourned. Thank you everyone.

Council adjourned at 8:24 p.m.

Respectfully submitted,

Nicole Browder
Clerk of Council

Minutes Approved:
Jeffrey Anderson, President of Council

_____, 2024

ORDINANCE NO. 52-2024

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CWL CONSULTING, LLC FOR BUILDING OFFICIAL, RESIDENTIAL BUILDING OFFICIAL, AND MASTER PLANS EXAMINER SERVICES FOR THE CITY OF SPRINGDALE, OHIO

WHEREAS, Building Official, Residential Building Official, and Master Plans Examiner services are required by the City of Springdale (the “City”); and

WHEREAS, Carl Lamping, as the owner of CWL Consulting, LLC, is qualified to perform these professional services for the benefit of the City; and

WHEREAS, the City seeks to enter into a professional services agreement with CWL Consulting, LLC to provide Building Official, Residential Building Official, and Master Plans Examiner services to the City.

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

Section 1. That the Mayor and City Administrator are hereby authorized to enter into a professional services agreement with CWL Consulting, LLC for Building Official, Residential Building Official, and Master Plans Examiner services for the City of Springdale, Ohio (the “Agreement”). A copy of the Agreement is attached as Exhibit A and incorporated herein by reference.

Section 2. That CWL Consulting, LLC is to perform the services and receive compensation as set forth in the attached Agreement.

Section 3. That the Finance Officer/Tax Commissioner is hereby authorized to pay CWL Consulting, LLC compensation for the Building Official, Residential Building Official, and Master Plans Examiner services according to the terms of the Agreement.

Section 4. Council hereby finds and determines that all formal actions relative to the passage of this legislation were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance shall take effect on the earliest date allowed by law.

Passed this ____ day of October, 2024.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date

PROFESSIONAL SERVICES AGREEMENT

This Agreement is made and entered into this ____ day of October, 2024 by and between the City of Springdale, Ohio, (the "City") and CWL Consulting, LLC, an Ohio limited liability company ("Consultant"), both of whom understand as follows:

WHEREAS, the City of Springdale desires to engage Consultant to perform the professional services of a Building Official, Residential Building Official, and Master Plans Examiner in accordance with Ohio state laws and regulations;

WHEREAS, the CWL Consulting, LLC agrees to provide such services under the terms and conditions set forth in this Contract;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION 1. DUTIES AND AUTHORITY

1. The City hereby agrees to contract with CWL Consulting, LLC to serve as a consultant to the City and assist with various projects and assignments in the City Building Department on an as-needed basis (the "Services").

2. In performance of the Services, the Consultant shall report to and receive work assignments from the City Administrator, or his designee. The Services shall include inspection of commercial and residential structures in compliance with current building, zoning, and property maintenance codes; approving and signing building permits, plans, and Certificates of Occupancy; and other associated duties as may be requested by the City Administrator. The Consultant shall provide his own vehicle, phone, and any other equipment that may be necessary to perform the Services. The Consultant may be given access by the City Administrator or designee to City-owned software for record keeping and communication purposes. The Consultant is an independent contractor and not an employee of the City and as such shall not be entitled to any benefits from the City. The Consultant shall be responsible for the payment of all payroll taxes, workers' compensation, and insurance as required by law.

3. The Consultant agrees to provide Building Official, Residential Building Official, and Master Plans Examiner services to the City that will fulfill all applicable duties and requirements of Chapters 3781. and 3791. of the Ohio Revised Code (ORC) and Section 4101:7-3-01 of the Ohio Administrative Code (OAC). Services will include the administration and interpretation of the applicable building codes, examination of plans for compliance with the Ohio Building Code and Residential Code of Ohio, and technical direction to certified Building Inspectors employed by the City. Consultant must maintain a license to practice architecture in the state of Ohio and certification as a Chief Building Official, Residential Building Official, and Master Plans Examiners as prescribed by Section 4101:7-3-01 OAC.

SECTION 2. TERM

This Agreement shall be effective November 1, 2024 and continue until otherwise terminated. The Agreement is terminable at-will by written notice to either party.

SECTION 3. COMPENSATION

The City agrees to pay Consultant for the Services rendered pursuant to this Agreement at the hourly rate of One-Hundred Thirty Dollars and 00/100 (\$130.00) per hour payable monthly. In further consideration of this agreement and the anticipated work, Consultant agrees to be available to assist the City on matters on an as-needed basis for the Services as outlined in this Agreement.

In consideration of the services provided by Consultant, the City agrees to pay a retention payment in the amount of \$12,000.00, disbursed as follows:

1. Payment 1: The first installment of \$4,000.00 shall be paid on or before November 30, 2024.
2. Payment 2: The second installment of \$4,000.00 shall be paid on or before June 30, 2025.
3. Payment 3: The final installment of \$4,000.00 shall be paid on or before January 31, 2026.

The retention payments are contingent upon the Consultant's continued employment with the City through each respective payment date. Should the Consultant voluntarily terminate employment or be terminated for cause prior to any scheduled payment date, he shall forfeit any remaining unpaid retention payments.

The retention payments are in addition to the Consultant's regular rates and are subject to all applicable taxes and withholdings.

SECTION 4. INSURANCE REQUIREMENTS

1. The Consultant shall, at their own expense, maintain Errors and Omissions Insurance coverage throughout the duration of this Agreement and for a period of at least twelve (12) months after the termination or completion of services provided under this Agreement. The insurance policy shall have a minimum coverage limit of \$1,000,000 per occurrence and \$2,000,000 aggregate.
2. Proof of Insurance: The Consultant shall provide the City with a certificate of insurance evidencing the required coverage and naming the City as an additional insured. The Consultant shall provide updated certificates upon the renewal of the insurance policy or upon request.
3. Notice of Cancellation or Material Change: The Consultant's insurance policy shall provide that it cannot be canceled or materially changed without at least thirty (30) days' prior written notice to the City Administrator.

SECTION 5. HOURS OF WORK

Consultant and City Administrator will determine the hours reasonably necessary to complete the Services as outlined in this Agreement. The consultant will invoice the City for services rendered monthly.

SECTION 6. GENERAL PROVISIONS

1. This text shall constitute the entire agreement between the parties and supersedes any previous agreement entered into by the City and Consultant;
2. Consultant agrees to observe and comply with all federal, state and local laws, ordinances and resolutions in any manner affecting the performance of services under the terms of this Agreement.
3. The obligations in this Agreement shall become effective commencing upon the date of signature and continuing until terminated by either party as provided for herein;
4. If any provision of the Agreement is found to be unlawful or invalid, the remainder of this Agreement, or portions thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, the City has caused this Agreement to be signed and executed by the City and the Consultant has signed and executed this Agreement, in duplicate, the day and year first above written.

THE CITY OF SPRINGDALE, OHIO

CWL CONSULTING, LLC

By: _____
Brian C. Uhl, City Administrator

By: _____
Carl Lamping, Managing Member

By: _____
Lawrence C. Hawkins III, Mayor

APPROVED AS TO FORM:

Joseph J. Braun, Law Director

ORDINANCE NO. 53-2024

**AN ORDINANCE AMENDING SECTIONS 30.03 AND 30.05
OF THE SPRINGDALE CODE OF ORDINANCES**

WHEREAS, the Council of the City of Springdale, Ohio (“Council”), has previously adopted certain rules and procedures contained in Chapter 30 of the Springdale Code of Ordinances related to the manner in which legislation is prepared for Council meetings; and

WHEREAS, Council seeks to revise Section 30.03 in its entirety and portions of Section 30.05 to better reflect the actual manner in which legislation is prepared and presented to Council for its consideration.

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

Section 1. Section 30.03 of the Springdale Code of Ordinances shall be amended in its entirety to read as follows:

§ 30.03 ORDINANCES AND RESOLUTIONS.

- (A) With the exception of pre-drafted ordinances or resolutions from other governmental agencies, or ordinances drafted by outside legal counsel, all ordinances and resolutions shall be in writing and prepared and reviewed as to form by the Law Director and may be submitted to Council for its consideration:
 - (1) By the appropriate Committee;
 - (2) By an individual Councilmember;
 - (3) At the request of Council;
 - (4) By the Mayor; and
 - (5) By the Law Director (administrative matters of a legal nature only).
- (B) Except for emergency ordinances and resolutions, all others must be at the Clerk of Council's office no later than 12:00 p.m. on the Friday prior to the regular Council meeting.
- (C) There shall be a standard distribution of all ordinances and resolutions established. That shall be: Council, the Mayor, the Clerk of Council, Finance Officer/Tax Commissioner, the Law Director, the City Administrator, and the Assistant City Administrator.
- (D) Tabled ordinances and resolutions shall be automatically placed on the agenda by the Clerk of Council for the next meeting, or for any other meeting as specified by Council at the time the ordinance or resolution is tabled.
- (E) An ordinance or resolution, or one similar in effect to one, that has been defeated by Council, shall not be brought to the floor of Council by any member for consideration for 90 days after the date of defeat except by prior motion of Council, with four votes in favor.
- (F) An ordinance or resolution requested under 30.03(A)(3) shall be automatically placed on the agenda by the Clerk of Council for the next meeting under Old Business and for all future regular or Special Council meetings until:
 - 1. The President of Council has received a suitable ordinance and requests the item moved to the ordinances and resolutions agenda to be acted upon by Council;
 - 2. The item is tabled indefinitely by approved motion by the majority of Council and removed -items removed this way are considered “defeated by Council” and subject to the restrictions listed in 30.03(E),
 - 3. The item is requested to be assigned, by approved motion, to a Council standing or special subcommittee where the item is removed from

the Council agenda until such time as the assigned committee submits the ordinance for consideration.

Section 2. Section 30.05(D) and (G) of the Springdale Code of Ordinances shall be amended to read as follows:

30.05 MEETINGS

D. The conduct of business of the Council may be in accordance with the following suggested agenda.

A draft Proposed Agenda for each Regular and Special Council Meeting shall be prepared in advance by the City Administration. The Proposed Agenda shall be circulated to the President of Council, Mayor and City Administrator. The President of Council shall confirm to the City Administration that all legislative items requested by City Council have been placed on the Proposed Agenda. The Mayor shall also confirm to City Administration that all requested agenda items appear on the Proposed Agenda. The President of Council, Mayor and City Administrator, or their designee, shall give their assent to the Proposed Agenda no later than 48 hours prior to the related City Council Meeting unless it is an emergency meeting called with less than 48 hours notice.

If assent has not been given by the President of Council, Mayor, and City Administrator, or their designee, within 48 hours prior to the meeting, it is at the discretion of the Clerk of Council to distribute and publish the Proposed Agenda.

The draft Proposed Agenda shall include all items properly submitted in Section 30.03(A) and items listed in Section 30.05(D)(1)-(13) as determined to be appropriate. Neither the President of Council, City Administration, nor the Clerk of Council shall remove any items from the Proposed Agenda that were properly submitted, without the approval of the submitting party.

Council may in accordance with the following suggested agenda conduct business. With the consent of the majority of the members of Council, or by general assent, the Agenda may be modified during the meeting, including adding and removing items from the agenda, and the order in which items are disposed of may be changed, as is permitted by Section 30.06.

- (1) Call meeting to order by President.
- (2) Pledge of Allegiance/Invocation.
- (3) Roll call by Clerk of Council.
- (4) Acceptance of minutes of previous regular meeting.
- (5) Committee reports.
- (6) Official reports(for example, Mayor's report).
- (7) Communications.
- (8) Communication from the residents.
- (9) Ordinances and resolutions.
- (10)Old business
- (11)New business
- (12)Meetings and announcements
- (13)Adjournment

(G) Any individual or organization outside the City wishing to address Council may be required to make known their desire to the Clerk of Council at least 48 hours before the scheduled meeting. Any individual or organization shall include their name and the purpose of appearing before Council. Remarks shall be limited to the subject as stated in the request. The rule requiring permission does not apply in the case of a public hearing which has been properly announced. Any individual or organization is still subject to the same time constraints, which may be extended at Council's desire, and terms of civility.

Section 3. The references to “Clerk of Council/Finance Director” in Section 30.05(M) shall be revised to read “Clerk of Council”.

Section 4. That this Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. That this Ordinance shall be effective from and after the earliest period allowed by law.

Passed this ____ day of October, 2024.

Attest:

Clerk of Council

President of Council

Approved:

Mayor

Date

ORDINANCE NO. 55-2024

AN ORDINANCE AMENDING SECTION 153.252(F)(6)(c) OF THE SPRINGDALE CODE OF ORDINANCES REGULATING THE HUSBANDRY OF FOWL, RABBITS AND BEES

WHEREAS, the Council of the City of Springdale, Ohio (“Council”), previously adopted regulations that prohibited the husbandry of fowl on any property in the City of Springdale (the “City”) that was less than three (3) acres in size; and

WHEREAS, Council seeks to revise the regulations regarding the husbandry of fowl on property located in the City; and

WHEREAS, Council held a public hearing regarding these amendments on October 16, 2024 and the Urban Farming Committee is recommending their approval.

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

Section 1. Section 153.252(F)(6)(c) of the Springdale Code of Ordinances shall be amended in its entirety as follows:

- (F)(6)(c) Husbandry of fowl, rabbits, or bees shall be regulated as follows:
- (i) Rabbits or bees may be raised or kept for a resident owner’s use on any single family residential property in the City that is greater than three (3) acres in size. Any structure for housing rabbits or bees may only be located in the rear yard and shall be at least one hundred (100) feet from any property line.
 - (ii) No more than six (6) hens may be raised or kept on any single family residential property in the City. The property on which the hens are raised or kept must be one quarter (1/4) acre or greater in size. No roosters may be raised or kept on any property in the City. Fowl may not be raised or kept on any residential property for any commercial use. Fowl must be confined to the rear yard area by fencing or a chicken coop at all times. A chicken coop must be screened from view from adjacent properties with a combination of fencing and/or landscaping, and shall not be more than thirty (30) square feet in area and seven (7) feet tall. The chicken coop may only be located in the rear yard and shall be at least fifteen (15) feet from any property line. Enclosures and chicken coops must be kept in a clean, dry, odor-free, and sanitary condition. A chicken coop shall not be considered when determining the total number of accessory structures on a property. A non-transferable permit must be obtained from the City by the property owner. A certification of completion will be issued by the City following an inspection. The total number of certificates to be issued under this section shall not exceed fifty (50) at any given time. Each certification shall be for a two (2) year period of time and may be renewed following a request by the property owner and an inspection by the City.
 - (iii) The City may revoke a certification issued under Section 153.252(F)(6)(c)(ii) following two (2) violations of any provision of that section.

Section 2. City Administration is directed to create a permit and certification for raising or keeping fowl in the City consistent with the provisions of this Ordinance.

Section 3. That this Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance shall be effective from and after the earliest period allowed by law.

Passed this ____ day of October, 2024.

Attest:

Clerk of Council

President of Council

Approved:

Mayor

Date