

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, January 17, 2017, in the Forum of City Hall, was called to order.

Roll call was answered by Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and President Copeland.

The invocation was offered by Mr. Copeland, who then led the assembly in the Pledge of Allegiance.

On motion of Mr. Martin, seconded by Mr. O'Neill, members approved the minutes of the December 20, 2016, regular meeting as presented.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

FIRST READINGS—ORDINANCES

The following legislation was presented for the first time and requires presentation at a second regular meeting before vote on passage:

16-17 An Ordinance titled, "Confirming and approving the acceptance of a donation from Walmart, Facility No. 2429 on Bechtle Avenue, in the amount of \$1,000 to be utilized by the Fire Prevention Bureau for the purchase of new equipment."

17-17 An Ordinance titled, "Authorizing the City Manager to enter into a contract with The Endurance Group, LLC, dba Emerald Green Lawn and Landscape Pros, for the mowing of boulevards for a period of three years with an option to renew for two additional one-year periods, for an amount not to exceed \$112,200.06."

18-17 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Dayton Sweeping Service, Inc., dba DSS Sweeping Service, Inc., for the sweeping and cleaning of City streets for a period of three years, with an option to renew for two additional one-year periods, for an amount not to exceed \$474,293."

127-15 An Ordinance titled, "Authorizing the City Manager to enter into the First Amendment to the Agreement for Professional Engineering Consulting Services between the City and Strand Associates, Inc., in connection with the Combined Sewer Overflow Long-Term Control Plan to increase the contract amount by \$186,705, for a total contract amount not to exceed \$972,635, and to extend the project completion date to December 31, 2017; and confirming and approving related expenditures incurred from January 1, 2017, to the effective date of this Ordinance."

40-15 An Ordinance titled, "Authorizing the exercise of the City's option to renew the contract with Chemical Services, Inc., for the purchase of sodium hypochlorite for use by the City's Wastewater Treatment Plant, for an amount not to exceed \$82,080."

41-15 An Ordinance titled, "Authorizing the exercise of the City's option to renew the contract with PVS Chemical Solutions, Inc., for the purchase of liquid sodium bisulfite for use by the City's Wastewater Treatment Plant, for an amount not to exceed \$60,800."

142-16 An Ordinance titled, "Confirming and approving Change Order No. 4 to the contract between the City and Inland Waters Pollution Control, Inc., for the 2016 Miscellaneous Sanitary Sewer Lining Project to extend the project completion date to January 9, 2017; and authorizing the City Manager to execute said Change Order No. 4."

Next regular City Commission meeting: January 31, 2017.

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

1-17 An Ordinance No. 17-7 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

22-13 An Ordinance No. 17-8 titled, "Authorizing the exercise of the City's option to renew the contract with Everett J. Prescott, Inc., for the purchase of water meter equipment, for an amount not to exceed \$250,000."

On motion of Mr. O'Neill, seconded by Mrs. Chilton, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

2-17 An Ordinance No. 17-9 titled, "Authorizing the City Manager to enter into a Grant Agreement with the Turner Foundation for a grant to partially support CultureFest 2017 in an amount up to \$1,000; and authorizing the City Manager, Finance Director, and Director of Community Development to perform all acts and execute all documents they

consider necessary to fulfill the City's obligations under said grant and to comply with all relevant local, state, and federal legal requirements."

On motion of Mrs. Chilton, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

3-17 An Ordinance No. 17-10 titled, "Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 30081 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$330,000 for the CLA Trail Maintenance Project, PID No. 104829; authorizing the City Manager, Law Director, and Finance Director to do all things they deem necessary to implement said agreement; and authorizing an expenditure up to \$82,500 to be used as matching funds in connection with the agreement to be entered into with the Ohio Department of Transportation."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

4-17 An Ordinance No. 17-11 titled, "Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 30082 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$1,883,730 for the CLA McCreight Avenue Project, PID No. 104831; authorizing the City Manager, Law Director, and Finance Director to do all things they deem necessary to implement said agreement; and authorizing an expenditure up to \$368,432 to be used as matching funds in connection with the agreement to be entered into with the Ohio Department of Transportation."

On motion of Mr. O'Neill, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

5-17 An Ordinance No. 17-12 titled, "Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 80083 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$1,462,448 for the CLA Derr Road 0.00 Project, PID No. 104833; authorizing the City Manager, Law Director, and Finance Director to do all things they deem necessary to implement said agreement; and authorizing an expenditure up to \$300,612 to be used as matching funds in connection with the agreement to be entered into with the Ohio Department of Transportation."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

6-17 An Ordinance No. 17-13 titled, "Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 30080 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$1,042,360 for the CLA Yellow Springs Street Resurfacing Project, PID No. 104815; authorizing the City Manager, Law Director, and Finance Director to do all things they deem necessary to implement said agreement; and authorizing an expenditure up to \$214,240 to be used as matching funds in connection with the agreement to be entered into with the Ohio Department of Transportation."

On motion of Mrs. Chilton, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

SECOND READING—RESOLUTION

The following legislation was presented for a second time:

7-17 A Resolution No. 5961 titled, "Declaring the necessity of an election on the question of approving an amendment of Section 196.012 of the Codified Ordinances of The City of Springfield, Ohio; providing for a temporary increase in the tax on earned income of four-tenths of one percent (0.4%); and providing the effective date for said ordinance."

On motion of Mr. O'Neill, seconded by Mrs. Chilton, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

19-17 Emergency Ordinance No. 17-14 titled, "Providing for Supplemental Appropriations within various funds, and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mr. O'Neill, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

20-17 Emergency Ordinance No. 17-15 titled, "Authorizing an expenditure in an amount not to exceed \$72,725.65 to contract with SunGard Public Sector, Inc., to provide the City with maintenance services for various computer software applications for the period January 1, 2017, through December 31, 2017; confirming and approving maintenance services provided by SunGard Public Sector, Inc., under said contract for the period January 1, 2017, to the passage of this Ordinance; and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

21-17 Emergency Ordinance No. 17-16 titled, "Confirming and approving the application and acceptance of a Local Government Safety Capital Grant in an amount up to \$100,000 from the Ohio Development Services Agency to be used for the purchase of 52 new Taser Electronic Charge Weapons; authorizing the City Manager, Finance Director, and Police Chief to do all things necessary for the submission of the application and acceptance of the grant, and to comply with all relevant local, state, and federal legal requirements; authorizing a local matching expenditure not to exceed \$17.59; and declaring an emergency."

On motion of Mr. O'Neill, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

208-16 Emergency Ordinance No. 17-17 titled, "Confirming and approving Change Order No. 2 to the contract between the City and J & J Schlaegel, Inc., for the CSO Backwater Valve Project to extend the project completion date to April 7, 2017; authorizing the City Manager to execute said Change Order No. 2; and declaring an emergency."

On motion of Mr. O'Neill, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

171-16 Emergency Ordinance No. 17-18 titled, "Confirming and approving Change Order No. 3 to the contract between the City and J & J Schlaegel, Inc., for the 2016 Miscellaneous Water and Sewer Replacement Project to increase the contract amount by \$17,322.22, for a total contract amount not to exceed \$489,714.27, authorizing the City Manager to execute said Change Order No. 3; and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

EMERGENCY RESOLUTIONS

The following emergency legislation was presented for the first time:

22-17 Emergency Resolution No. 5962 titled, "Finding the necessity and declaring the intent to appropriate real property in connection with providing the real estate needed for the purpose of making and repairing roads, which shall be open to the public, without charge, to wit: the widening, construction of a center left-turn lane, and rehabilitation of Middle Urbana Road between Villa Road and State Route 334; and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

23-17 Emergency Resolution No. 5963 titled, "Consenting to the appointment of Christina Walters to the Mediation Board, and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mr. Martin, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

COMMUNICATIONS

The following communications were ordered received and filed:

86-16 Minutes of the October and November, 2016, City Planning Board.

98-16 Minutes of the December, 2016, National Trail Parks and Recreation District Board.

126-16 File-stamped copy of Ordinance No. 16-344 (2017 appropriations ordinance), received by Clark County Auditor.

282-16 File-stamped copy of Ordinance No. 16-358 (notes/bonds for 2016 Sidewalk, Curb, and Gutter Program), received by Clark County Auditor.

COMMENTS ON AGENDA ITEMS

6-17 City Engineer Shanayda reported that the Yellow Springs Street Resurfacing Project would extend from Main Street to Fair Street. The project would commence in 2021.

7-17 Mrs. Duncan addressed the necessity of placing a temporary four-tenths of one percent temporary tax on earned income on the May ballot. She stated, as a City Commissioner, she would work to take some of the burden off staff members and assist with the promotion of this issue. Springfield has no way forward without this increase. Everyone needs to work together with enthusiasm and goodwill.

Mr. Martin agreed that the temporary income tax question should be placed on the ballot. Funding changes at the state and federal level created an unstable financial situation for the City. More expectations have been placed on the local government to do more with less state funding. If passed, the new tax will stabilize safety forces. He wants to see a restructuring of government operations, including consolidating services with other local governments, to insure that the temporary tax does not need to be renewed after it expires in five and one-half years.

Mrs. Chilton noted that the proceeds of the tax will benefit the Police and Fire Divisions and create funding for residential streets. Citizens need to decide the issue. The tax will allow everyone to pay a fair share.

Mr. O'Neill stated he was in favor of placing the question of an additional temporary tax on the ballot for voters to decide. He felt the City needed to maintain the higher level of taxation. City Commissioners and staff members must continue to look for ways to trim down Springfield's spending while still delivering necessary services.

Mr. Copeland stated that it is terribly important that the issue pass in May. In reality, the additional four-tenths of one percent will not be enough. Commissioners and staff members must work diligently to find additional money in the coming years. He urged Commissioners and citizens to recognize that passage of this issue is not the final solution.

COMMENTS FROM THE COMMISSION

24-17 Mrs. Duncan provided information relative to a meeting between People For Safe Water and the Ohio EPA to discuss the Tremont City Barrel Fill.

COMMENTS FROM THE AUDIENCE

7-17 Mr. Jerry Lahman, 376 West Sparrow Road, and Mr. Bradley Carey, 738 Rubsam Street, stated that it was too soon to place the question of the temporary tax on earned income back on ballot.

Mr. Copeland noted that if the levy passes, a portion of the funds collected would be placed in a contingency fund. In past years, the City cut its work force by 120 positions.

Mr. David Estrop, 1736 Audubon Park Drive, stated that the Commission has shown courage in voting to place the levy on the ballot. State of Ohio revenue has been lost, but the City needs to provide good services to citizens. The temporary increase will not solve the problems. Springfield must run as lean as possible. The community needs jobs, economic development, and more people choosing to live and work in Springfield.

Mr. Bradley Miner of South Hadley Drive, stated staff members provide a great deal of services.

Mr. Andy Rigsby, president of Firefighters Local 333, thanked the City Commission for voting to place the tax issue on the May ballot. Voters must be educated on the situation. He noted that employees are not overpaid as they have gone years with wage increases.

Mr. Rob Rue, 1752 Stratford Place, stated he was pleased the tax levy will be placed before the voters in May. He noted that he would speak openly about supporting the levy. If the voters are educated, the levy will pass.

Mr. Bruce Williams, 226 Corlington Drive, encouraged community partners to support the levy.

Mr. Mike Robbins of Southfield Drive stated that the Council of Neighborhood Associations supports the temporary tax on earned income.

Mr. Bob Hulsizer, 1909 West Washington Avenue, urged the City Commission to consider alternate financing options.

Mr. O'Neill agreed with Mr. Hulsizer. He stated he would pursue such an option if the levy was successful. Alternate financing would accelerate a neighborhood street improvements program.

Mr. Raymond Upshaw, 325 West Liberty Street, and Mr. David Sanford, 528 South Yellow Springs Street, both spoke in favor of the levy.

Mr. Steve Bevan, 6868 Zerkle Road, stated the City could receive additional revenue if it decreased its fee on accepting sewage from businesses. Springfield's rate are much higher than other sources available for the service.

179-16 Mr. James Cultice spoke to an auto body shop business he formerly operated at 730 Sherman Avenue. He stated that he was required to move his business from that address due to zoning issues. A neighboring business and a new business operating at 730 Sherman Avenue are also not properly zoned. He wondered why those businesses have not been dealt with similarly.

Deputy City Manager Heck reported on the current actions taken by the Code Enforcement Division with regard to Sherman Avenue businesses. Staff members will follow through on the zoning violations.

15-17 Mr. Raymond Upshaw, 325 West Liberty Street, addressed the juvenile criminal justice system.

Mr. David Sanford, 528 South Yellow Springs Street, spoke to correspondence received from EPA regarding ground contamination created by a transmission repair business. The business operated in the 1990s.



There being no further business, on motion of Mr. Martin, seconded by Mrs. Chilton, the meeting adjourned.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION