

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, March 28, 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 Mrs. Chilton, seconded by Mrs. Duncan, members approved the minutes of the February 28, 2017, 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:

49-17 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio, by rezoning 185.03 acres at 0 Laybourne Road, Springfield, Ohio, from M-1, General Manufacturing District, to CH-1, Highway Commercial District."

50-17 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio, by rezoning 0.56 acre at 2001 Lagonda Avenue, Springfield, Ohio, from CC-2, Community Commercial District, to CI-1, Intensive Commercial District."

Next regular City Commission meeting: April 11, 2017.

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

25-17 An Ordinance No. 17-72 titled, "Approving an amendment to the existing CC-2A District Development Plan for 4.93 acres located at Bechtle Avenue and St. Paris Connector, comprised of parcel 3200200001000128 to modify the site layout on the subject development."

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

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

Yeas 5, Nays 0.

1-17 An Ordinance No. 17-73 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

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.

29-12 An Ordinance No. 17-74 titled, "Confirming and approving Change Order No. 1 to the contract between the City and R. B. Jergens Contractors, Inc., for the CLA - Villa Road Project, PID No. 89421, to increase the contract in an amount not to exceed \$21,770, for a total amount not to exceed \$1,465,858.57."

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.

84-12 An Ordinance No. 17-75 titled, "Amending Ordinance No. 16-106 by increasing the authorized expenditure for the City's Home Loan Program to \$102,279."

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

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. 17-76 titled, "Providing for Supplemental Appropriations within various funds, and declaring an emergency."

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.

69-17 Emergency Ordinance No. 17-77 titled, "Authorizing the City's continued participation in the Ohio Municipal Joint Self-Insurance Pool for the period from April 1, 2017, through March 31, 2020; authorizing payment to the Ohio Municipal Joint Self-Insurance Pool in an amount not to exceed \$435,363 in premiums for law enforcement liability, EMS liability, public officials, general liability, automobile, property and inland marine, excess liability, surplus, and equipment breakdown through the premium period for the period from April 1, 2017, through March 31, 2018; and declaring an emergency."

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.

70-17 Emergency Ordinance No. 17-78 titled, "Authorizing the City Manager to apply for an EMS Priority 1 Training and Equipment Grant in an amount up to \$3,500 from the Ohio Department of Public Safety; authorizing the City Manager, Finance Director, and Fire Chief to do all things necessary for the submission of the application and to comply with all relevant local, state, and federal legal requirements; and declaring an emergency."

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.

62-17 Emergency Ordinance No. 17-79 titled, "Authorizing the City Manager to submit the 2017 Action Plan of The City of Springfield, Ohio to the United States Department of Housing and Urban Development; authorizing the City Manager, Finance Director, Law Director, and Community Development Director to do all things they deem necessary to implement, operate, and administer the City's Community Development Block Grant Program, Emergency Solutions Grant Program, and HOME Program for the 2017 fiscal year (April 1, 2017, to March 31, 2018); and declaring an emergency."

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.

71-17 Emergency Ordinance No. 17-80 titled, "Authorizing the City Manager to execute a Contract of Sale and Purchase with Douglas Badgeley and Lisa L. Badgeley to purchase certain real estate located at 252 North Western Avenue; authorizing an expenditure in an amount not to exceed \$25,000 for the purchase of said real estate and other related expenses, and declaring an emergency."

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

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

Yeas 5, Nays 0.

73-15 Emergency Ordinance No. 17-81 titled, "Correcting Assessment No. 11956 of the 2015 Sidewalk, Curb, and Gutter Program, and declaring an emergency."

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.

4-13 Emergency Ordinance No. 17-82 titled, "Confirming and approving Change Order No. 5 to the contract between the City and R. B. Jergens Contractors, Inc., for the CLA - Lowry Bridge Project, PID No. 96375, to extend the project completion date to May 1, 2017; authorizing the City Manager to execute said Change Order No. 5; and declaring an emergency."

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

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

Yeas 5, Nays 0.

195-16 Emergency Ordinance No. 17-83 titled, "Authorizing the City Manager to enter into Amendment No. 1 to the Timber Removal Agreement between the City and Greg Myers, dba Myers Logging, aka Gregory Myers, dba Myers Logging, to extend the contract completion date to September 30, 2017; and declaring an emergency."

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.

73-17 Emergency Ordinance No. 17-84 titled, "Reaffirming the appointment of Warren Copeland and Karen Duncan to the Community Improvement Corporation, asserting that they serve in their official capacity, and declaring an emergency."

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

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

Yeas 5, Nays 0.

EMERGENCY RESOLUTION

The following emergency legislation was presented for the first time:

72-17 Emergency Resolution No. 5971 titled, "Consenting to the appointment of Patsy Ault to the City Planning Board, and declaring an emergency."

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

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

Yeas 5, Nays 0.

EMERGENCY RESOLUTION—MOTION TO RECONSIDER

64-17 On motion of Mr. O'Neill, seconded by Mr. Martin, the following emergency resolution was reconsidered for adoption.

Yeas, Mrs. Duncan, Messrs. Martin, O'Neill, and Copeland; Nays, Mrs. Chilton.

Yeas 4, Nays 1.

Emergency Resolution No. 5972 titled, "Opposing the centralized collection of net profit tax returns and other provisions of Governor Kasich's proposed budget related to the municipal income tax, which will cause a substantial loss of revenue needed to support the health, safety, welfare, and economic development efforts of The City of Springfield, and declaring an emergency."

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

Yeas, Mrs. Duncan, Messrs. Martin, O'Neill, and Copeland; Nays, Mrs. Chilton.

Yeas 4, Nays 1.

LIQUOR PERMITS

60-17 On motion of Mr. Martin, seconded by Mrs. Duncan, the administration's report relative to notification from the Ohio Department of Liquor Control of a request for a new class of liquor permit for Un Mundo Café, LLC, dba Un Mundo Café, first floor and basement, 117 South Fountain Avenue, was ordered received and filed with the City Clerk.

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

Yeas 5, Nays 0.

61-17 On motion of Mr. O'Neill, seconded by Mr. Martin, the administration's report relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit from City of Springfield, dba Reid Park Golf Course, 1325 South Bird Road, to Reid Park Limited, 1325 South Bird Road, was ordered received and filed with the City Clerk.

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

Yeas 5, Nays 0.

COMMUNICATIONS

The following communications were ordered received and filed:

74-17 Notification from the Ohio Division of Liquor Control of a request to a liquor permit to El Toro of Limestone, LLC, dba El Toro Mexican Restaurant, 2100 South Limestone Street.

75-17 Notification from the Ohio Division of Liquor Control of a request to a liquor permit to 2017 Bechtle, LLC, dba El Toro Mexican Restaurant, 2017 Bechtle Avenue and patio.

76-17 Notification from the Ohio Division of Liquor Control of a request to a liquor permit to JJD Cold One, LLC, dba Harvester Inn, 2045 Lagonda Avenue, first floor only.

77-17 Minutes of the February, 2017, meeting of the National Trail Parks and Recreation District Board.

COMMENTS ON AGENDA ITEMS

62-17 City Manager Bodenmiller stated at the current time, the City of Springfield has not received actual entitlement figures for the 2017 Action Plan from HUD. Estimates were used in the submission document.

71-17 Housing Coordinator Leinasars reported that with the Commission's approval, the City will purchase 252 North Western Avenue from Douglas and Lisa Badgeley. This property is adjacent to a vacant parcel. Together, the two properties provide 80-foot of frontage, sufficient for construction of a single-family dwelling.

64-17 With regard to legislation opposing the centralization of net profit tax returns and other provisions of

Governor Kasich's proposed budget, Mrs. Chilton stated she would not oppose the state's centralized collection of certain municipal income taxes. It was her opinion that such changes would result in an increase in business revenue statewide.

Mr. O'Neill stated he would vote in favor of declaring the City Commission's opposition to Governor Kasich's budget.

Mr. Copeland stated he was one of 30 mayors representing Ohio's largest cities. All thirty mayors met to unanimously oppose this change in revenue collection. He remained opposed.

Mrs. Duncan was opposed to the proposed state budget changes. She commented that the measure would not result in a cost savings for citizens. The net profit tax collected by the state would merely redistribute revenues that would have come to the City.

COMMENTS FROM THE COMMISSION

78-17 Mr. Martin raised the issue of auto repair as a business operation versus a hobby in residential areas. Planning, Zoning, and Code Administrator Thompson stated the situation was difficult to diagnose. A property owner can work on his own vehicle, but not other people's vehicles. If money changes hands, the City can then pursue orders. Law Director Strozdas addressed the possibility that the property owner could acquire ownership of many vehicles in order to legalize the repair work. State law prevents an owner from transferring more than five motor vehicle licenses in one year without a business license.

79-17 Mr. O'Neill stated that the Clark County/Springfield Transportation Coordinating Committee has proposed reducing Home Road and Derr Road by one lane each. He stated that residents are not in favor of this change in configuration.

COMMENTS FROM THE AUDIENCE

15-17 Mr. Raymond Upshaw, 325 West Liberty Street, spoke to drugs and addiction.

Mr. Andy Rigsby, president of Local 333, addressed the City Commission on behalf of firefighter/paramedics. Recently, the passing score for the firefighter/paramedic examination was lowered by the Civil Service Commission. Despite that, the number of eligible candidates identified after grading the exam is fewer than the number of vacancies he foresaw. The City's financial situation is one of the issues causing this difficulty.

Mr. David Sanford, 528 Yellow Springs Street, stated that the citizens appointed to serve on the Board of Zoning Appeals do not have construction backgrounds.

Mr. O'Neill indicated that he makes recommendations to the City Commission on citizens to serve on the Board of Zoning Appeals. He stated that a higher qualification was a knowledge of BZA policies.

Mr. Copeland noted that the City Commission approves appointments to the Board of Building Appeals. There are specific requirements for the members of that board.

Mrs. Chilton stated that she felt board members need to fairly administer the policies and duties connected with their appointments. She noted it is difficult to find citizens who wish to volunteer their service.



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.

Karan R. Copeland

PRESIDENT OF THE CITY COMMISSION

Cornie J. Chappell

CLERK OF THE CITY COMMISSION