

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, March 29, 2016, 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 Mrs. Duncan, members approved the minutes of the February 19 and 20, 2016 special meetings and the March 1, 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:

55-16 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio, by rezoning various properties within the City of Springfield, Ohio, as identified on the attached Exhibit A."

54-16 An Ordinance titled, "Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by the amendment of Section 1121.02 which names principal uses permitted in the Commercial Highway District, and repealing existing Section 1121.02."

87-16 An Ordinance titled, "Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by the amendment of Sections 911.16 and 915.02 thereof, relative to utility connection fees on unassessed property; and repealing existing Sections 911.16 and 915.02."

88-16 An Ordinance titled, "Authorizing the issuance of a purchase order for the purchase of a portable generator from Generator Systems for an amount not to exceed \$79,464."

34-11 An Ordinance titled, "Authorizing the City Manager to enter into a New Construction Senior Rental Housing Loan Agreement (NSP2 & HOME Funded; Drexel Avenue Senior Rental Housing Development) Amendment No. 6, with Neighborhood Housing Partnership Of Greater Springfield, Inc."

85-12 An Ordinance titled, "Adopting the City's Emergency Repair Program, 2016 Revision; authorizing expenditures for rehabilitation loans made in implementing the Emergency Repair Program, 2016 Revision; and authorizing the City Manager, Finance Director, Law Director, and Community Development Director to do all things they consider necessary for and incidental to carrying out the Emergency Repair Program, 2016 Revision, and entering into loan agreements in implementing the Emergency Repair Program, 2016 Revision."

84-12 An Ordinance titled, "Adopting the City's Home Loan Program, 2016 Revision; authorizing expenditures for rehabilitation loans made in implementing the Home Loan Program - 2016 Revision; and authorizing the City Manager, Finance Director, Law Director, and Community Development Director to do all things they consider necessary for and incidental to carrying out the Home Loan Program, 2016 Revision, and entering into loan agreements in implementing the Home Loan Program, 2016 Revision."

267-14 An Ordinance titled, "Authorizing the City Manager to enter into LPA Agreement No. 26848, Amendment No. 3, between the City and the Ohio Department of Transportation in connection with the CLA Bechtel Signals Project, PID No. 98859, to increase funding limits for project construction costs."

☞☞☞ Next regular City Commission meeting: April 12, 2016. ☞☞☞

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

73-16 An Ordinance No. 16-80 titled, "Authorizing the purchase of a 2016 GMC Sierra from Buick GMC of Beachwood, for an amount not to exceed \$59,555.61, through the Ohio Department of Administrative Services, pursuant to Ohio's Cooperative Purchasing Act in accordance with the provisions of Section 125.04 of the Ohio Revised Code."

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.

259-15 An Ordinance No. 16-81 titled, "Amending Ordinance No. 15-313 to establish new routes and new fares to be used by First Transit, Inc., in providing motor bus public transportation within the City of Springfield, Ohio."

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.

126-13 An Ordinance No. 16-82 titled, "Authorizing the City Manager to enter into an amendment to the contract with The Ohio Bell Telephone Company, dba AT&T Ohio, for a one-year extension in connection with certain telephone services for municipal purposes for an amount not to exceed \$200,000."

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.

74-16 An Ordinance No. 16-83 titled, "Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by the amendment of Section 919.051 titled *Solid Waste Collection Services; Provided by Owner*; and by the amendment of subparagraph (c) to Section 919.99 titled *Penalty*; and repealing existing Sections 919.051 and 919.99(c)."

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

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

Yeas 4, Nays 1.

75-16 An Ordinance No. 16-84 titled, "Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by the enactment of new Section 153.14, titled *Reciprocal Certification*."

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.

76-16 An Ordinance No. 16-85 titled, "Authorizing the City Manager to accept a deed for donation of right-of-way located in the Park Shopping Center from Allied Park, LLC."

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.

SECOND READING—RESOLUTION

The following legislation was presented for a second time:

77-16 A Resolution No. 5926 titled, "Providing certification to the Economic Development Administration pursuant to Section D.03 and VIII.D of the March 15, 1993, Standard Terms and Conditions and the RLF Administrative Manual Grant."

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 ORDINANCES

The following emergency legislation was presented for the first time:

26-16 Emergency Ordinance No. 16-86 titled, "Providing for Supplemental Appropriations within various funds, 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.

89-16 Emergency Ordinance No. 16-87 titled, "Authorizing payment to the Ohio Municipal Joint Self-Insurance Pool in an amount not to exceed \$387,752 in premiums for law enforcement liability, EMS liability, public officials, general liability, automobile, property and inland marine, excess liability, boiler and machinery, and additional endorsements through the premium period for the period April 1, 2016, through March 31, 2017; confirming and approving a payment of \$40,654 for High-Rate Clarifier additions for the 2015-2016 coverage period; and declaring an emergency."

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.

90-16 Emergency Ordinance No. 16-88 titled, "Authorizing a grant in the amount of \$5,000 to McKinley Hall, Inc., for the purpose of funding the Cease Fire/Violence Interrupters Program; authorizing the City Manager, Finance Director, and Law Director to do all things necessary for the proper implementation and disbursement of the authorized grant; 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.

91-16 Emergency Ordinance No. 16-89 titled, "Authorizing the Finance Director to execute an Audit Engagement Contract with the Auditor of State of Ohio for the 2015 fiscal year audit of The City of Springfield, Ohio, for an amount not to exceed \$68,962; confirming and approving all related expenditures incurred prior 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.

92-16 Emergency Ordinance No. 16-90 titled, "Authorizing the City Manager to enter into a State and Municipal Lease/Purchase Agreement and related Escrow Agreement in the principal amount of \$114,700 to finance the purchase of a 2016 Case 621F T4 wheel loader; authorizing the City Manager, Finance Director, City Treasurer, Law Director, and Deputy Law Director to all things they deem necessary to enter into and complete the subject lease transaction; 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.

93-16 Emergency Ordinance No. 16-91 titled, "Authorizing the purchase of a 2016 Case 621F T4 wheel loader from Southeastern Equipment Co., Inc., for an amount not to exceed \$114,700, through the Ohio Department of Administrative Services, pursuant to Ohio's Cooperative Purchasing Act, in accordance with the provisions of Section 125.04 of the Ohio Revised Code; 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.

94-16 Emergency Ordinance No. 16-92 titled, "Authorizing the City Manager to enter into a Contract for Sale and Purchase of Real Property with Bruce J. Peshek and Jehu F. Peshek in relation to the acquisition of real property interests needed for the Erie Interceptor Express Sewer Project; 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.

259-14 Emergency Ordinance No. 16-93 titled, "Authorizing the City Manager to accept conveyance of a Sewer Easement and a Temporary Construction Easement from Target Corporation in relation to the acquisition of real property needed for the Erie Interceptor Express Sewer Project; authorizing the City Manager to sign related easement documents; 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.

259-14 Emergency Ordinance No. 16-94 titled, "Authorizing the City Manager to enter into a Contract for Sale and Purchase of Real Property with Woeber Investments, Ltd., in relation to the acquisition of real property interests needed for the Erie Interceptor Express Sewer Project; and declaring an emergency."

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.

95-16 Emergency Ordinance No. 16-95 titled, "Authorizing an expenditure in an amount not to exceed \$80,000 to obtain certified treatment program services from the Mental Health and Recovery Board of Clark, Greene, and Madison Counties, pursuant to Ohio Revised Code Section 4511.191; 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.

96-16 Emergency Ordinance No. 16-96 titled, "Authorizing the City Manager to submit the 2016 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 2016 fiscal year (April 1, 2016, to March 31, 2017); 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.

104-15 Emergency Ordinance No. 16-97 titled, "Levying special assessments for the improvement of streets by the construction of sidewalks, curbs, and gutters in the East Main and North Limestone Streets Sidewalk, Curb, and Gutter Program, 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.

73-15 Emergency Ordinance No. 16-98 titled, "Levying special assessments for the improvement of streets by the construction of sidewalks, curbs, and gutters in the 2015 Sidewalk, Curb, and Gutter Program, and declaring an emergency."

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

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

Yeas 5, Nays 0.

61-16 Emergency Ordinance No. 16-99 titled, "Authorizing the City Manager to enter into a contract with Sterling Quality Concrete, LLC, for the 2016 Sidewalk, Curb, and Gutter Program for an amount not to exceed \$131,637.50, 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.

EMERGENCY RESOLUTION

The following emergency legislation was presented for the first time:

97-16 Emergency Resolution No. 5927 titled, "Appointing Charles Harris to the City Planning Board, 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.

LIQUOR PERMIT

85-16 On motion of Mrs. Duncan, seconded by Mrs. Chilton, the report from the Administration relative to notification from the Ohio Department of Liquor Control of a request for a new class of liquor permit for Chipotle Mexican Grill of Colorado, LLC, dba Chipolte, 1930 Bechtle Avenue and patio, 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:

67-16 Minutes of the February 17, 2016, meeting of the Board of Zoning Appeals.

98-16 Minutes of the February 22 2016, meeting of the National Trail Parks and Recreation District Board.

99-16 Notification from the Ohio Division of Liquor Control of a request to transfer a liquor permit to GSK Land, LLC, dba Deal Shop, 1572 Kenton Street.

100-16 Notification from the Ohio Division of Liquor Control of a request for a new class of liquor permit for Foley Restaurant Group RFP1, Inc., dba Rapid Fire Pizza, 1200 North Bechtle Avenue.

COMMENTS ON AGENDA ITEMS

259-15 Mr. O'Neill commented on the amendment of the City's bus franchise with First Transit. The amendment included establishing new routes and new fares. The last increase in fares was made in 1984. Mr. O'Neill stated that increases should be considered in a more timely manner in the future. The increase takes the current fare from 75 cents to one dollar. He hoped that the new routes and the one additional loop through the City in the evening increased ridership.

In response to Mrs. Chilton inquiry, concerning reduced-rate passes, Accounting Manager Ross stated

that application for passes could be made online or at First Transit offices. Passes are reduced 50 percent for riders with medical disabilities.

Mr. Copeland encourage the regular users of the transportation system to avail themselves of the lower packaged rates.

Mrs. Duncan offered her appreciation to staff members for the in-depth study completed prior to making a recommendation to the City Commission. Adding an additional loop through the City at the end of the day justified the cost increase. The bus system also accommodates users with special needs. Overall, the changes incorporated have made the system more user-friendly.

Mr. Martin stated that the bus system is an important economic development tool for the City. The new fares are fair and realistic.

74-16 Law Director Strozdas provided an explanation of the proposed amendment of Codified Ordinance Section 919.051, *Solid Waste Collection; Provided by Owner*, and Section 919.12, *Penalty*. In its current form, Section 919.051 requires a property owner to arrange for and assure that there is trash service associated with the premises by a licensed hauler. Staff members, members of the Health District, and members of the Prosecutor's Office felt the current section included extraneous words. This has been corrected in the proposed ordinance. The change in the ordinance does not prohibit a landlord from assigning the responsibility of securing a licensed hauler to a tenant. In Section 919.12, a property owner will be given ten days to secure a licensed hauler before being cited by the Health District for a misdemeanor offense.

Mr. Copeland stated that the proposed language clarifies and states what the ordinance was intended to mean when it was initially passed.

Mr. Martin stated that the property owner must have ultimate responsibility for trash removal from his or her property. The property owner could assign that responsibility to a tenant. Mr. Martin commented on the advantage of providing duplicate billing statements for the landlord to prove that the tenant is maintaining his or her responsibility.

Mr. O'Neill commented that his concern was the lack of written contract between the licensed hauler and the property owner. He felt it was imperative to require that a written contract be executed. This would be a positive step in handling unresponsive landlords.

Mrs. Chilton stated that she has never seen a written contract with a hauler.

90-16 With regard to the payment of \$5,000 to McKinley Hall, Inc., for the purpose of funding the Cease Fire/Violence Interrupters Program, Mr. Copeland stated that the program is designed to interrupt the violence the community has witnessed with young men killing each other. Staff members at McKinley Hall have agreed to implement the program, hire staff members who will work in the community to get a sense of brewing violence, then interrupt the violence before it happens. Many of the men resorting to violence have mental health issues. Funding is also coming from the Mental Health Board. The program is two-fold: At-risk individuals prone to participating in violence will be brought into the program to work on those mental health issues. Secondly, another group of individuals will work in the community to interrupt violence before it happens. The program has worked in other places. The interrupters must be certified and have a sense of what is happening on the streets, but not be involved in those activities.

91-16 In response to Mrs. Duncan's inquiry, Finance Director Beckdahl stated that the \$86,962 cost of the City's 2015 audit, to be performed by the Auditor of the State of Ohio, is similar in cost to other audits completed by independent audit firms Springfield hired in the past.

COMMENTS FROM THE AUDIENCE

74-16 Mr. Bruce Williams, 226 Corlington Drive; Mr. Raymond Upshaw, 325 West Liberty Street; and Mr. David Sanford, 514 Fremont Avenue, each addressed the City Commission on the topic of solid waste collection from rental properties. Comments centered around the ultimate responsibility for the provision of trash collection falling on the landlord, as the owner of the property.

90-16 Ms. Melissa Tuttle of South Fountain Avenue thanked the City Commission for working toward establishing a Cease Fire/Violence Interrupters Program. The community should stand behind it. If one life was saved, the investment was worth it.

20-16 Mr. Raymond Upshaw, 325 West Liberty Street, stated that he has been the target of retribution for speaking out. He commented on the Ohio Highway Patrol activities on the south side of Springfield.

Mr. David Sanford, 514 Fremont Avenue, offered comments on the Ohio Highway Patrol's issuance of citations within the city limits.

Ms. Denise Williams, 300 East Auburn Avenue, stated she was president of the Springfield Chapter of the NAACP. She looked into the many complaints received, set up a meeting with the Ohio Highway Patrol, and requested statistical information. The meeting was scheduled for March 30, 2016. She suggested that a checkpoint be established on a Saturday morning, during which patrol officers could inform drivers of motor vehicle violations regarding taillights, tinted windows, etc. She stated the patrol officers she communicated with were very cooperative. She asked that the officers patrolling Springfield go into all areas so that there is not so much activity seen on the south side, and they agreed.



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