

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, August 1, 2017, in the Forum of City Hall, was called to order.

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

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

On motion of Mr. O'Neill seconded by Mr. Martin, members approved the minutes of the July 5, 2017, regular meeting as presented.

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

Yeas 4, 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:

1-17 An Ordinance titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

152-17 An Ordinance titled, "Authorizing the City Manager to apply for, accept, and enter into Water Pollution Control Loan Fund agreement with the Ohio Environmental Protection Agency and Ohio Water Development Authority to borrow funds to finance a portion of the City's 2018 Buck Creek Interceptor Repair Project; and authorizing the City Manager and the Director of Finance to do all things necessary to implement said loan application and to comply with all relevant local, state, and federal legal requirements."

153-17 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 amending Chapter 901 titled *Excavations in the Right-of-Way* and repealing existing Chapter 901."

72-15 An Ordinance titled, "Authorizing the City Manager to enter into LPA Agreement No. 26856, Amendment No. 3, between the City and the Ohio Department of Transportation in connection with the CLA Trail Maintenance, PID No. 99562, to reflect additional funds added to project construction costs and inspection."

154-17 An Ordinance titled, "Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 30873 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$500,000 for the CLA 72-06.83, PID No. 106287, and further identified as the Limestone Street Corridor project; and authorizing the City Manager, Law Director, and Finance Director to do all things they deem necessary to implement said agreement."

☞☞☞ Next regular City Commission meeting: August 15, 2017. ☞☞☞

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

120-17 An Ordinance No. 17-179 titled, "Vacating the first alley east of South Wittenberg Avenue from West Liberty Street south to the first intersecting east-west alley."

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

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

Yeas 4, Nays 0.

70-17 An Ordinance No. 17-180 titled, "Authorizing the acceptance of an EMS Priority 1 Training and Equipment Grant in an amount up to \$3,025 from the Ohio Department of Public Safety, Division of Emergency Medical Services, and authorizing the City Manager, Finance Director, Law Director, and Fire Chief 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. Duncan, seconded by Mr. O'Neill, the ordinance passed.

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

Yeas 4, Nays 0.

137-17 An Ordinance No. 17-181 titled, "Authorizing the Finance Director to purchase 2,530 tons of rock salt for the 2017-2018 winter season from Cargill Inc. Deicing Technology for an amount not to exceed \$125,310.90, through the Ohio Department of Transportation Cooperative Purchasing Program in accordance with the provisions of Section 5513.01(B) of the Ohio Revised Code."

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

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

Yeas 4, Nays 0.

97-15 An Ordinance No. 17-182 titled, "Authorizing the City Manager to enter into LPA Agreement No. 26857, Amendment No. 3, between the City and the Ohio Department of Transportation in connection with the Bechtle Avenue Bridge over the Lagoon Project, PID No. 99563, (CLA Bechtle 0.57), to modify project funding."

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

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

Yeas 4, Nays 0.

SECOND READING—RESOLUTION

The following legislation was presented for a second time:

53-17 A Resolution No. 5980 titled, "Declaring it necessary to require the construction or reconstruction of curbs, gutters, and sidewalks at the points identified as Section No. 2 of Selected Locations of the 2017 Sidewalk, Curb, and Gutter Program."

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

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

Yeas 4, Nays 0.

SECOND READING—ORDINANCE DEFEATED

131-17 An Ordinance No. 17-190 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 1311.03 and 1311.08 and the enactment of Section 1311.22 and paragraphs (b) and (c) to Section 1313.05, all related to the establishment of a re-roofing application fee and an inspection fee, and repealing existing Sections 1311.03 and 1311.08."

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

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

Yeas 2, Nays 2.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

155-17 An Ordinance No. 17-183 titled, "Authorizing the City Manager to enter into a contract with Engie Resources LLC to provide electric energy for select City of Springfield facilities for an amount not to exceed \$4,500,000; and declaring an emergency."

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

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

Yeas 4, Nays 0.

156-17 An Ordinance No. 17-184 titled, "Authorizing the City Manager to enter into an Agreement with The Board of Commissioners of Clark County, Ohio, to provide for an alternate formula for the distribution of undivided local government funds for FY 2018, 2019, and 2020, and declaring an emergency."

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

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

Yeas 4, Nays 0.

170-15 An Ordinance No. 17-185 titled, "Authorizing the City Manager to enter into Amendment No. 2 to the Temporary Indefeasible Right of Use Metropolitan Dark Fiber Agreement with Miami Valley Educational Computer Association Regional Council of Governments to extend the term of the agreement an additional 36 months and to increase the monthly rate; and declaring an emergency."

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

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

Yeas 4, Nays 0.

157-17 An Ordinance No. 17-186 titled, "Authorizing the City Manager to enter into a Real Estate Purchase Agreement to sell certain property to A 1 Tower, LLC; and declaring an emergency."

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

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

Yeas 4, Nays 0.

158-17 An Ordinance No. 17-187 titled, "Authorizing the City Manager to enter into a contract with A & B Asphalt Corporation for the 2017 PI Paving Project for an amount not to exceed \$572,136.49, and declaring an emergency."

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

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

Yeas 4, Nays 0.

181-15 An Ordinance No. 17-188 titled, "Authorizing the City Manager to enter into a contract with A & B Asphalt Corporation for the CLA North Murray/Mount Vernon Project, PID No. 99555, for an amount not to exceed \$77,156.01, and declaring an emergency."

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

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

Yeas 4, Nays 0.

159-17 An Ordinance No. 17-189 titled, "Authorizing the City Manager to submit an Application For Financial Assistance and accept a grant from the State of Ohio, Ohio Public Works Commission, to obtain funding in the amount of \$398,772 for the Harding Road Project; authorizing the City Manager, Law Director, Finance Director, and City Engineer to do all things they consider necessary for the submission of the Application For Financial Assistance and the acceptance of the grant; and declaring an emergency."

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

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

Yeas 4, Nays 0.

EMERGENCY ORDINANCE—HELD

8-16 An Ordinance titled, "Authorizing the City Manager to enter into an Assignment and Assumption Agreement by and among Neighborhood Housing Partnership of Greater Springfield, Inc., Community Gardens, LP, and The City of Springfield, Ohio; authorizing the City Manager to enter into subordination agreements placing the City's mortgage junior to no more than \$9,000,000 from other lenders and to consent to restrictive use covenants required by Ohio Housing Finance Agency; authorizing the City Manager, Finance Director, Law Director, and Community Development Director to do all things necessary to implement said agreements to comply with all relevant local, state, and federal legal requirements; and declaring an emergency."

COMMUNICATIONS

The following communications were ordered received and filed:

85-17 Minutes of the May 24, 2017, special meeting of the City Planning Board.

148-17 Minutes of the June 19, 2017, meeting of the Board of Zoning Appeals.

COMMENTS ON AGENDA ITEMS

131-17 Mr. O'Neill discussed the proposal to redefine the City's permit process for re-roofing a residential structure by amending Codified Ordinance Sections 1311.03, 131108, 1311.22, and 1313.05. The current process involves a \$35 fee and completion of an affidavit. The proposed process requires an \$85 fee, an application, plan review, and a minimum of two inspections. Mr. O'Neill stated that the current process is adequate. He noted his opposition to the proposed program.

Mr. Martin stated that his only concern involving the proposed process centered around delays that may be caused while the contractors wait for an inspector to arrive. He asked why the City was proposing a new process.

Community Development Director Meadows stated she was confident that the current staffing level can handle roofing inspections without undue delays. The proposed change was brought forward in response to a directive from the state board of building standards. A roof has a substantial impact on the integrity of a home. Clark County's inspection department has implemented a similar program. The county's fee is \$65. Under the current affidavit process, homeowners have complained of roofing problems. Inspection staff members have a thorough understanding of building standards at the state level. Ms. Meadows supports the recommendation initiated by the state board of building standards and adapted by City staff members.

City Manager Bodenmiller stated that the inspection process incorporated into the proposed re-roofing program provides an assurance to citizens that the job is being done correctly. It is better to fix a roofing concern while it is being installed rather than going back later. He asked Commissioners to support the recommendation.

155-17 Mr. Bodenmiller addressed the contract with Engie Resources, LLC, for the purchase of electric energy for certain City facilities. He stated that as a result of the aggregate purchase of electricity, the City will save several hundreds of thousands of dollars per year. The contract extends through August, 2021. He thanked City Commissioners for their support.

156-17 With regard to the undivided local government funds, Mr. Bodenmiller stated that the formula employed is percentage-based and, in general, is the same formula used since 1996.

157-17 In response to Mr. Martin's inquiry, Assistant City Manager Franzen stated that the real estate being sold to A-1 Tower, LLC, is the former Small Business Development Center at 300 East Auburn Avenue.

181-15 Mr. Bodenmiller stated that several years ago, a tragic accident took place on North Murray Street. A girl was killed by a speeding car. There are currently no sidewalks on North Murray Street, so the girl walked in the street. The City applied for and was awarded a grant to add sidewalks to North Murray Street. The project will be completed by October, 2017.

159-17 City Engineer Shanayda reported that Harding Road will be reconstructed between Limestone Street and Fountain Avenue to add new storm sewers. This is a 2019 project.

COMMENTS FROM THE COMMISSION

160-17 Mrs. Duncan spoke to Codified Ordinance Section 1135, which prohibits the keeping of bees on any property less than three acres in size. She stated that honey bees are not the same thing as farm animals being kept in a standard residential yard. Bees don't fit the same definition as livestock. Pollinators are essential for food production. She asked if code officers would push the enforcement of this section.

Mr. Bodenmiller stated that it is the responsibility of staff members to enforce the code and they are working with beekeepers with hives on small lots. Moving the bees at this time would be detrimental to the bees, so the bees will be moved at the end of October. He stated that he would favor an amendment to Section 1135 if the City Commission so desires.

5-17 In response to Mr. O'Neill's request, Mr. Bodenmiller stated that on August 15, 2017, the City Commission would receive a report from members of the Clark County-Springfield Transportation Coordinating Commission and a project consultant on the topic of alleviating two lanes of traffic on Derr Road between Villa and Home roads. Mr. O'Neill was amenable to the proposal.

COMMENTS FROM THE AUDIENCE

15-17 Mr. Raymond Upshaw, 325 West Liberty Street, spoke to racial and financial issues.

Finance Director Beckdahl advised Mr. Upshaw that quarterly estimates for payment of income taxes are made by businesses filing net profit taxes, by self-employed persons, and by City residents working out of town. Mr. Beckdahl noted that Springfield provides residents working out a town a credit for a portion of the income tax paid to another city.

Mr. David Sanford of South Yellow Springs Street commented on nepotism with regard to the City's hiring practices and the lack of minorities among the City's work force.

Mr. Bruce Williams of Corlington Drive invited City Commissioners to The Dome's upcoming open house. Many millions of dollars were spent renovating the former South High School. This is a welcome improvement for the south side of Springfield.

151-17 Ms. Linda Threets stated she posed a question concerning payment of her income taxes at the July 18, 2017, meeting and was promised a response. Two weeks passed and she received no additional information.

Mr. Beckdahl apologized for the oversight. He stated he would meet with her after adjournment of the meeting.



On motion of Mr. Martin, seconded by Mr. O'Neill, the meeting adjourned into executive session on personnel/appointment matters.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill. Yeas 4, Nays 0.

On motion of Mr. O'Neill, seconded by Mr. Martin, the executive session adjourned.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill. Yeas 4, Nays 0.

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

Yeas, Mmes. Chilton, Duncan, and Mr. Martin. Yeas 3, Nays 0.

/s/ Joyce Chilton
ACTING PRESIDENT OF THE CITY COMMISSION

/s/ Connie J. Chappell
CLERK OF THE CITY COMMISSION