

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, August 29, 2017, in the Forum of City Hall, was called to order.

Roll call was answered by Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and 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 Mr. Martin, members approved the minutes of the August 1, 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:

**145-17** Amending the Zoning Map of Springfield, Ohio, by rezoning 0.08 acre at 715-717 West North Street, Springfield, Ohio, from RM-12, Low-Density, Multi-Family Residence District, to CI-1, Intensive Commercial District.

**146-17** Amending the Zoning Map of Springfield, Ohio, by rezoning 0.08 acre at 719 West North Street, Springfield, Ohio from RM-12, Low-Density, Multi-Family Residence District, to CI-1, Intensive Commercial District.

**1-17** Confirming purchases and the obtaining of services for the City and providing for payments therefor.

**168-17** Authorizing the City Manager to enter into a Development Incentive Agreement (Non-Residential Development) with Eagle Ohio Rental Properties, LLC, to provide for sewer services to real property outside the City limits.

**267-14** Confirming and approving Change Order No. 1 to the contract between the City and Bansal Construction, Inc., for the CLA Bechtle Signals - Rebid, PID No. 98859, to decrease the contract amount by \$3,574.02, for a total contract amount not to exceed \$760,161.33; and authorizing the City Manager to execute said Change Order No. 1.

Next regular City Commission meeting: September 12, 2017.

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**144-17** An Ordinance No. 17-203 titled, "Approving an amendment to the existing CC-2A Shopping Center Plan for 25.63 acres located at 1500 Hillcrest Avenue comprised of parcel 3300600006300015 to allow for construction of a new restaurant on the subject development."

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

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

Yeas 5, Nays 0.

**212-15** An Ordinance No. 17-204 titled, "Authorizing the exercise of the City's option to renew the contract with Polydyne, Inc., for the purchase of liquid polymer for use by the City's Wastewater Treatment Plant, for an amount not to exceed \$54,180."

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.

**267-16** An Ordinance No. 17-205 titled, "Authorizing the City Manager to enter into Amendment No. 1 to the Agreement for Consulting Engineering Services (Concrete Inspection, Technical Specification Preparation, and Construction Phase Services) with Burgess & Niple, Inc., for an amount not to exceed \$10,300, for a total contract amount not to exceed \$115,750."

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.

**42-14, 43-14** An Ordinance No. 17-206 titled, "Authorizing the City Manager to enter into a Cancellation Agreement with HDI Landing Gear USA, Inc., to terminate the Enterprise Zone Agreement and the Employment Incentive Agreement with HDI."

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.

**161-17** An Ordinance No. 17-207 titled, "Authorizing the City Manager to enter into a Development Incentive Agreement (Non-Residential Development) with Empire Bank to provide for sewer services to real property outside the City limits; and confirming and approving the acceptance of \$1,500 as payment for past due DIA fees."

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.

**5-17** An Ordinance No. 17-208 titled, "Authorizing the City Manager to enter into LPA Agreement No. 800834, Amendment No. 1, between the City and the Ohio Department of Transportation in connection with the CLA Derr Road Project, PID No. 104833, to revise project funding."

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

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

Yeas 4, Nays 1.

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**19-17** An Ordinance No. 17-209 titled, "Providing for Supplemental Appropriations within various funds, 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.

**169-17** An Ordinance No. 17-210 titled, "Authorizing the City Manager to apply for and enter into an agreement with the Ohio Department of Transportation for aid in the financing of operating assistance projects pursuant to the Urban Transit Program in the amount of \$84,585.00; authorizing the City Manager and the Director of Finance to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant application and corresponding agreement and to comply with all relevant local, state and federal legal requirements and to provide assurances and additional information as required by the Ohio Department of Transportation; 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.

**170-17** An Ordinance No. 17-211 titled, "Authorizing the acceptance of a 2017-2018 Drug Use Prevention Grant in an amount up to \$42,484.00 from the Ohio Attorney General's Office to be used for funding three officers to teach drug use prevention education in public schools; authorizing the City Manager, Finance Director and Chief of Police 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; 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.

**144-13** An Ordinance No. 17-212 titled, "Authorizing the City Manager to enter into a Consent of Recorded Lienholder with Ohio Housing Finance Agency ("OHFA") to consent to a restrictive use covenant required by OHFA in connection with the Tubman Towers project; authorizing the City Manager, Finance Director, Law Director and Director of Community Development to do all things necessary 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.

**171-17** An Ordinance No. 17-213 titled, "Authorizing the City Manager to enter into an Agreement with the Greater Springfield Area Convention and Visitors Bureau, Inc., to provide funding from proceeds of the lodging tax levied under the authority of Ohio Revised Code Section 5739.09(B); 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.

### **MOTION**

**254-16** On motion of Mr. O'Neill, seconded by Mrs. Duncan, the Commission calendar of meetings was amended, rescheduling the Monday, November 6, meeting to Tuesday, October 31, and retaining the budget meeting scheduled for Wednesday, November 16, said budget meeting to convene in the Forum Conference Room.

### **COMMUNICATIONS**

The following communications were ordered received and filed:

**5-17** Correspondence from three residents of Eastgate Road expressing their opposition to the proposed reduction of traffic lanes on Derr Road from four to three.

**77-17** Minutes from the July, 2017, meeting of the National Trail Parks and Recreation District Board of Directors.

**172-17** Notification from the Ohio Division of Liquor Control of a request to transfer a liquor permit to RJH, LLC, dba Limestone BP, 2250 North Limestone Street.

### **COMMENTS ON AGENDA ITEMS**

**42-14, 43-14** Mr. O'Neill spoke to the request from HDI Landing Gear USA, Inc., to terminate its existing Enterprise Zone Agreement and Employment Incentive Agreement. He stated that he visited HDI's facility, which is highly automated.

In response to Mrs. Chilton's inquiry pertaining to the terms of the HDI Employment Incentive Agreement, City Manager Bodenmiller stated that company administrators originally planned to hire additional employees. Due to automation efforts, additional employees are no longer needed.

**5-17** Mrs. Duncan offered comments regarding her observations of traffic volumes on Derr Road. She also spoke to emails and phone calls received from residents and the concept of livable cities. It was her opinion that younger people are looking for cities with Springfield's existing amenities as well as livability amenities. Mrs. Duncan stated passage of the proposed legislation begins the planning process and takes advantage of the funding opportunity.

Mrs. Chilton commented that she received many phone calls about the issue. She noted that an affirmative vote would move the project toward the design and study phase, bringing about an opportunity for additional public meetings.

In response to inquiries from Messrs. O'Neill and Martin inquiry, Mr. Bodenmiller stated that an affirmative vote from the City Commission at tonight's meeting revises the funding source and moves the project to an environmental review and impact study, but does not adopt a specific design plan.

Mr. Martin stated that the public comments received reflect agreement on the street resurfacing and sidewalk repair portions of the project. A majority of the public objects to the removal of a driving lane. Mr. Martin referenced streets in the Columbus area where bicycles share the right-most lane with vehicles.

Mr. Bodenmiller stated that the original LPA Agreement approved in January 2017 created an 80/20 split. The local match was \$300,612. Tonight's amendment changes the share to approximately a 60/40 split, increasing the local match to \$705,224. Mr. Bodenmiller added that this is a "pay as you go" project. The City will incur no additional charges if the project is not completed.

Mr. O'Neill thanked citizens for their attendance at tonight's meeting. He also received correspondence from residences commenting on both sides of the issue. Mr. O'Neill read two citizen letters. He provided a history of the changes in traffic volume and the increased number of businesses on Derr Road since it expanded to four lanes.

Mr. Martin stated that the City Commission should make a written request, asking ODOT to review all citizen comments and engineer an alternative plan that retains the four driving lanes and funds the project with Congestion Mitigation dollars.

In response to Mr. Martin's comments, Deputy City Manager Heck stated that the environmental review process requires that all comments be taken into consideration and alternative plans be designed.

Mr. Copeland stated that a temporary income tax increase became effect in July 2017. The City Commission promised that those tax dollars would be used to maintain neighborhood streets. State and federal funding will improve larger feeder streets, like Derr Road.

**171-17** Mr. O'Neill stated that the proposed agreement between the City and the Convention and Visitors Bureau does not specifically list Farmer's Market nor Holiday in the City as events the CVB will carry out on behalf of the community. He suggested that a vote on the legislation be held until the next meeting.

Law Director Strozdas stated that the agreement, as written, does not obligate the CVB to carry out any specific events.

Mr. Bodenmiller commented that the CVB assumed operations of the Farmer's Market and Holiday in the City after Center City Association dissolved. It did so with no additional funding.

Mr. Martin stated he was pleased with the progress made in recent years with regard to these two

activities.

**COMMENTS FROM THE COMMISSION**

Mr. Martin announced that Dr. Scott Hahn will speak at the Hollenbeck Bayley Conference Center on Friday, September 1, 2017, at 7 p.m. The public was invited.

**COMMENTS FROM THE AUDIENCE**

**5-17** Mr. Walter Brooker, 1342 Ronald Road; Ms. Lisa Beekman, 435 Villa Road; Ms. Denise Williams, 1121 Apollo Avenue; Mr. Larry Riley, 1030 Armsgate Road; Mr. Todd Flush, 732 East Cassilly Street; Mr. William Miller, 2815 Derr Road; Mr. Richard Rhodes, 2631 Casey Drive; and Mr. J. P. Johnson, 2619 Casey Drive, each spoke in opposition to the redesign of Derr Road, which design reduces the number of traffic lanes to three (two driving lanes and a center left-turn only lane). The project also adds sidewalks where they currently do not exist and provides for a bike lane. Comments centered around the feasibility study, accident counts lacking detail, speed enforcement activities, heavy EMS traffic to and from medical and nursing facilities in the area, heavy traffic in general, unnecessary reduction of driving lanes causing congestion, the proposed increase in City matching dollars, and the difficulty experienced turning onto Derr Road from residential streets. Comments were also heard comparing the Derr Road project with the recently completed Villa Road project. It was reported that use of the Villa Road bike path was limited.

Ms. Claudia Fett, 806 South Fountain Avenue; Mr. Terry Harris, 3124 Lakeview Court; Mrs. Joanne Harris, 3124 Lakeview Court; Ms. Edith Trowbridge of Miracle Mile; two representatives of Bike Miami Valley; Mr. Scott King, 1757 Stratford Place; and Ms. Meg Andersen, 3481 Middle Urbana Road, provided comments in favor of the Derr Road redesign and resurfacing project. The rationale expressed included: increased safety for motorists, pedestrians, and cyclists; the benefits of "right-sizing" or "road diet" plans; reduced traffic speeds; and the creation of fitness and livability amenities for Springfield.

Ms. Cathy Fitzsimmons proposed an extended traffic survey for Derr Road.

Mr. Raymond Upshaw, 325 West Liberty Street, spoke to inequities with regard to street projects undertaken in different quadrants of the City.

Mr. Rob Rue, 1752 Stratford Place, proposed that available funding be used for street repairs while finding an agreeable plan for everyone.

**171-17** Mr. Rob Rue, 1752 Stratford Place, stated that he is a Convention and Visitors Bureau board member. Both Farmer's Market and the Holiday in the City are important CVB events. They draw interest to the community.

**15-17** Mr. David Sanford, 528 South Yellow Springs Street, requested the number of employees hired by the City to fill summer positions. Additionally, he commented on the limited number of minorities working on concrete construction crews and inquired into the Interrupters Program.

Mr. Copeland stated that the purpose of the Interrupters Program is to prevent shootings in the City.



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

