

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, August 30, 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. Chilton, members approved the minutes of the August 2, 2016, regular meeting as presented.

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

Yeas 5, Nays 0.

FIRST READING—ORDINANCES

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

185-16 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio, by rezoning 1.93 acres at 1661 Selma Road, Springfield, Ohio, from RM-20, Medium-Density, Multi-Family Residence District, to CC-2, Community Commercial District."

217-16 An Ordinance titled, "Authorizing the implementation of an employee incentive program to induce participating in the community's United Way Campaign; and authorizing the City Manager and Finance Director to do all things necessary to implement the employee incentive program."

218-16 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Rumpke of Ohio, Inc., for the City's 2016 Collection of Fall Bagged Leaves Program for an amount not to exceed \$56,000."

219-16 An Ordinance titled, "Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 27881 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$287,000 for the signal project at Bird Road and Route 40 (CLA 40-16.82 Project), PID No. 103791; and authorizing the City Manager, Law Director, and Finance Director to do all things they deem necessary to implement said agreement."

220-16 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 Chapter 911, titled *Water Rates and Regulations*, to enact new Section 911.17, requiring compliance with the provisions of Chapter 929 of the Codified Ordinances of The City of Springfield, Ohio."

221-16 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 Chapter 929, titled *Wellhead and Well Field Protection Regulations*, to add subparagraph (c) to Section 929.99, titled *Penalties*, and repealing existing Section 929.99."

222-16 An Ordinance titled, "Authorizing the City Manager to execute a Quitclaim Deed in connection with selling certain real property no longer needed for municipal purposes located at 1221 Tibbetts Avenue."

Next regular City Commission meeting: September 13, 2016.

SECOND READING—ORDINANCES

The following legislation was presented for the second time:

212-15 An Ordinance No. 16-241 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 \$52,632."

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.

203-16 An Ordinance No. 16-242 titled, "Authorizing the City Manager to enter into a contract with Waste Management of Ohio, Inc., for trash pick-up at various City facilities for a period of three years, with an option to renew for two additional one-year periods, for an amount not to exceed \$35,062.56."

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

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

Yeas 3, Nays 1, Abstentions 1.

204-16 An Ordinance No. 16-243 titled, "Authorizing the City Manager to enter into a contract with Rumpke of Ohio, Inc., for trash pick-up at various City facilities for a period of three years, with an option to renew for two additional one-year periods, for an amount not to exceed \$24,012."

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.

205-16 An Ordinance No. 16-244 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 196.051(B)(1) and 196.091(I) within Chapter 196, titled *Municipal Income Tax on Earned Income*, and repealing existing Sections 196.051(B)(1) and 196.091(I)."

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 ORDINANCES

The following emergency legislation was presented for the first time:

37-16 Emergency Ordinance No. 16-245 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor; 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.

223-16 Emergency Ordinance No. 16-246 titled, "Confirming and approving the acceptance of a donation from the Port Authority of Springfield, Ohio, in the amount of \$300,000 to be utilized by the Springfield-Beckley Municipal Airport for the construction of new hangars; 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.

157-16 Emergency Ordinance No. 16-247 titled, "Authorizing the City Manager to enter into a Grant Agreement to accept a FY2016 Bus and Bus Facilities Grant from the Federal Transit Administration pursuant to 49 U.S.C. 5339 to secure funding for the replacement of transit vehicles for an amount not to exceed \$685,000; authorizing the City Manager, Law Director, and the Director of Finance to do all things they consider necessary to fulfill the City's obligations under said Grant Agreement and to comply with all relevant local, state, and federal legal requirements; 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.

8-16 Emergency Ordinance No. 16-248 titled, "Authorizing the City Manager to enter into Amendment No. 1 to the New Construction Senior Rental Housing Loan Agreement (HOME Funded; Community Gardens Pocket Neighborhood Development) with Neighborhood Housing Partnership of Greater Springfield, Inc., to increase HOME CHDO set-aside funding by \$112,244.70 for a total commitment of \$166,836.75 in HOME CHDO set-aside 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.

141-16 Emergency Ordinance No. 16-249 titled, "Authorizing the City Manager to enter into a Grant Agreement with the Department of Justice for the 2016 Byrne Justice Assistance Grant (JAG) Program Award, to provide funding in the amount of \$42,611 to purchase various safety and technology equipment; and declaring an emergency."

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.

182-14 Emergency Ordinance No. 16-250 titled, "Confirming and approving Change Order No. 7 to the contract between the City and A & B Asphalt Corporation for the 2015 OPWC Paving project to increase the contract amount by \$1,817.82, for a total contract amount not to exceed \$895,611.95; authorizing the City Manager to execute said Change Order No. 7; 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.

16-16 Emergency Ordinance No. 16-251 titled, "Confirming and approving Change Order No. 4 to the contract between the City and J & J Schaegele, Inc., for the CLA-Little Miami Trail Extension Project, PID No. 82314, to increase the contract amount by \$36,751.73, for a total contract amount not to exceed \$980,364.08; authorizing the City Manager to execute said Change Order No. 4; 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.

187-16 Emergency Ordinance No. 16-252 titled, "Confirming and approving Change Order No. 1 to the contract between the City and Arcon Builders, Ltd., for the Construct New Hangars and Taxilanes - Rebid project at the Springfield-Beckley Municipal Airport to amend the wage-rate requirements; authorizing the City Manager to execute said Change Order No. 1; 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.

224-16 Emergency Ordinance No. 16-253 titled, "Reappointing Elaina Bradley and Cindy Hunter to the Community Grant Advisory Board, 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.

227-16 Emergency Ordinance No. 16-254 titled, "Imposing a moratorium on the granting of building permits or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing, or retail sale of medical marijuana for a period not to exceed six months from the effective date of this Ordinance, in order to allow staff members to review applicable Ohio statutes and the Zoning Code relative to such use, 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 RESOLUTIONS

The following emergency legislation was presented for the first time:

225-16 Emergency Resolution No. 5946 titled, "Confirming the appointment of Blontas Mitchell to the Mediation Board to serve as the Human Relations Board's representative, and declaring an emergency."

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

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

Yeas 5, Nays 0.

LIQUOR PERMIT

216-16 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 to transfer a liquor permit to Eat-N-Park Hospitality Group, Inc., dba Wittenberg University, Springfield, Ohio, was ordered received and filed with the City Clerk.

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

Yeas 4, Abstentions 1.

COMMUNICATION

The following communication was ordered received and filed:

226-16 Notification from the Ohio Division of Liquor Control of a request for a new liquor permit for Un Mundo Café, LLC, dba Un Mundo Café, 117 South Fountain Avenue.

COMMENTS ON AGENDA ITEMS

220-16, 221-16 City Manager Bodenmiller stated that the amendments to Codified Ordinance Chapters 911 and 929 are made to better protect the City's wellheads. In addition to other regulations, the amendments give the City the authority to turn off water to a customer who, for example, is not containing chemicals used in farming. Those chemicals may leach into the wellhead area.

203-16, 204-16 Mrs. Duncan stated that she would vote against the contract proposed for Waste Management of

Ohio, Inc., to remove trash from various City facilities. She said it was a vote of conscience. She will not vote to give taxpayer dollars to this corporation that is largely responsible for the toxic waste stored in the Tremont City Barrel Fill. Those leaking toxins threaten the City's aquifer. Waste Management will not implement the approved plan for clean up of the barrel fill.

Finance Director Beckdahl stated the trash pick-up service was competitively bid. Awards were made to the lowest and best bidder.

227-16 City Commissioners spoke in favor of imposing a six-month moratorium on granting building permits or certificates of occupancy that would enable the cultivation, processing, or retail sale of medical marijuana. Commissioners agreed that sufficient time was needed for staff members to review the new state law, forthcoming state regulations, and determine how they may relate to the City's Zoning Code. One outcome may be that the City of Springfield chooses to legally ban the cultivation, processing, or retail sale of medical marijuana within its boundaries.

COMMENTS FROM THE COMMISSION

Mr. Martin presented a proclamation proclaiming September 9, 2016, Minority Business Day in Springfield. The proclamation was accepted by Ms. Denise Williams.

Mr. Martin invited citizens to attend the Fair at New Boston, held on the grounds of George Rogers Clark Park, September 3 and 4, 2016.

Mrs. Chilton stated that August 26, 2016, was celebrated as Women's Equality Day. She noted that women in the United States were granted the right to vote on August 26, 1920. On that date, the 19th Amendment to the United States Constitution was certified into law.

COMMENTS FROM THE AUDIENCE

221-16 Mr. Mike Lowe, 1537 South Brookhollow Drive, inquired into the amendment of Chapter 911, titled *Water Rates and Regulations*, and asked if the City Commission was granting an increase in water rates.

Mr. Bodenmiller stated that there was no increase in water rates. The amendment of Chapter 911 was tied to a second amendment to the Codified Ordinances, Chapter 929, *Wellhead and Well Field Protection Regulations*.

227-16 Mr. Rob Rue, 1752 Stratford Place, commented that the Springfield and Clark County Safety Council would address the issue of medical marijuana at its upcoming meeting. He stated that meeting was another avenue for obtaining more information about the issue.

20-16 Mr. Raymond Upshaw, 325 West Liberty Street, defined the term, new world order. He spoke to conspiracies and the lost of his freedom via the Clark County court system.

Mr. David Sanford, 514 Fremont Avenue, and Mr. Mike Lowe inquired into the reprogramming of funding originally allocated to the Bechtle Avenue roundabout.

City Engineer Shanayda stated that when the construction of the roundabout was rejected, the funding for that project was reprogrammed. The Congestion, Mitigation, and Air Quality funding came back into Clark County for two other qualifying projects.

Ms. Melissa Tuttle, 930 South Fountain Avenue, offered her appreciation to the Police and Fire divisions for their response to a traffic accident near her home.

Ms. Deborah Burchett, 1189 Fletcher Pike, introduced herself as a candidate for Clark County Sheriff.

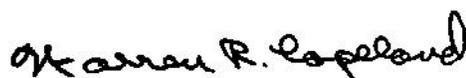
194-16 Ms. Deborah Loewer, 30 Hedgely Road, Ms. Heather Vince, and Ms. Susan Page, addressed the City Commission concerning the proposed annexation of 99.59 acres located on Springfield-Jamestown Road to the City of Springfield, Ohio. The annexation is driven by Kroger. The corporation proposes a retail development, which includes a grocery store. These Springfield Township citizens spoke in opposition to the annexation and construction of a retail development in this area. Also discussed were the South Limestone Street Corridor beautification effort and increased traffic on Springfield-Jamestown Road.

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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