

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, September 13, 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 16, 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:

**210-16** An Ordinance titled, "Vacating the first alley east of Pine Street from Maryland Avenue north 150 feet to an intersecting east-west alley."

**211-16** An Ordinance titled, "Vacating the first alley west of North Western Avenue from 156 feet north of Broadway Street north 140 feet to the terminus."

**212-16** An Ordinance titled, "Vacating the first alley east of Eden Avenue from West Pleasant Street south to the first intersecting east-west alley."

**266-14** An Ordinance titled, "Authorizing the City Manager to enter into LPA Agreement No. 26851, Amendment No. 2, between the City and the Ohio Department of Transportation in connection with the CLA Belmont Avenue Reconstruction Project, Phase 2, PID No. 94814, to reflect a revised method of how the Prime Contractor will supply DBE firms for ODOT's approval and to reflect the modification of funds for various project phases."

**97-15** An Ordinance titled, "Authorizing the City Manager to enter into LPA Agreement No. 26857, Amendment No. 1, between the City and the Ohio Department of Transportation in connection with the CLA Bechtle - 0.57, PID No. 99563, and further identified as Bechtle Avenue Bridge Project over the lagoon, to reflect a revised method of how the Prime Contractor will supply DBE firms for ODOT's approval and to increase ODOT funding for the project from \$185,000 to \$235,000."

**96-13** An Ordinance titled, "Authorizing the City Manager to enter into LPA Agreement No. 25724, Amendment No. 3, between the City and the Ohio Department of Transportation in connection with the CLA Middle Urbana Road Rehabilitation Project, PID No. 94768, to reflect a revised method of how the Prime Contractor will supply DBE firms for ODOT's approval."

☞☞☞ Next regular City Commission meeting: September 27, 2016. ☞☞☞

### **SECOND READING—ORDINANCES**

The following legislation was presented for the second time:

**185-16** On motion of Mr. O'Neill, seconded by Mrs. Duncan, 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," was defeated.

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

Yeas 0, Nays 5.

**217-16** An Ordinance No. 16-255 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."

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.

**218-16** An Ordinance No. 16-256 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."

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.

**219-16** An Ordinance No. 16-257 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."

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.

**220-16** An Ordinance No. 16-258 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."

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.

**221-16** An Ordinance No. 16-259 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."

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.

**222-16** An Ordinance No. 16-260 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."

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.

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**172-16** Emergency Ordinance No. 16-261 titled, "Authorizing the City Manager to enter into a Grant Agreement with the State of Ohio, Ohio Public Works Commission, to obtain funding in the amount of \$249,325 for the Buck Creek Bank Restoration and Trail Realignment Project; authorizing the City Manager, Law Director, Finance Director, and City Engineer to do all things they consider necessary for the execution and performance of the Grant Agreement; 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.

**98-13** Emergency Ordinance No. 16-262 titled, "Confirming and approving Change Order No. 1 to the contract between the City and A & B Asphalt Corporation for the CLA - Burnett Road Reconstruction Project, PID No. 94795, to increase the contract amount by \$1,414.20, for a total contract amount not to exceed \$589,972.20; authorizing the City Manager to execute said Change Order No. 1; and declaring an emergency."

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.

**33-11** Emergency Ordinance No. 16-263 titled, "Confirming and approving Change Order No. 9 to the contract between the City and Sunesis Construction Company for the CLA Veterans Bridge Project, PID No. 88484, to decrease the contract amount by \$3,000, for a total contract amount not to exceed \$2,548,553.78; authorizing the City Manager to execute said Change Order No. 9; 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.

**16-16** Emergency Ordinance No. 16-264 titled, "Confirming and approving Change Order No. 5 to the contract between the City and J & J Schaegele, Inc., for the CLA-Little Miami Trail Extension Project, PID No. 82314, to extend the project completion date to September 23, 2016; authorizing the City Manager to execute said Change Order No. 5; 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.

### **EMERGENCY RESOLUTIONS**

The following emergency legislation was presented for the first time:

**126-16** Emergency Resolution No. 5947 titled, "Accepting the amounts and rates allocated to The City of Springfield, Ohio, as determined by the Budget Commission of Clark County, Ohio; authorizing the necessary tax levies; providing for the certification of this Resolution and the tax levies to the County Auditor of Clark County, Ohio; 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.

**228-16** Emergency Resolution No. 5948 titled, "Expressing approval and support for the development of State and US Bicycle Routes; and declaring an emergency."

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

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

Yeas 5, Nays 0.

### **LIQUOR PERMIT**

**226-16** 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 for a new liquor permit for Un Mundo Café, LLC, dba Un Mundo Café, 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.

### **COMMUNICATIONS**

The following communications were ordered received and filed:

**31-13** Documentation from the General Assembly of the State of Ohio, Ohio Senate and House of Representatives, honoring Springfield for the completion of the Little Miami Scenic Trail.

**34-16** Minutes of the August 4, 2016, meeting of the Community Beautification Committee.

**86-16** Minutes of the July 11, 2016, meeting of the City Planning Board.

**194-16** Correspondence from Mrs. Tami Randall concerning the Springfield-Jamestown Road Annexation Area.

**229-16** Notification from the Ohio Division of Liquor Control of a request to transfer a liquor permit to Shree Gurudev, Inc., dba Marathon Springfield, 2001 East Main Street.

### **COMMENTS ON AGENDA ITEMS**

**185-16** With regard to the proposed rezoning of 1661 Selma Road, Mr. Martin stated that he would not vote in favor of the proposal due to the impact the rezoning would have on the residential neighborhood.

Mr. O'Neill stated that the few residential properties left in the vicinity of Southern Village Shopping Center should understand that if the subject property is not rezoned this evening, the time will come when it will be. Selma Road is a main thoroughfare and designed to support commercial traffic and businesses.

**218-16** Service Department Director Moore stated that the proposal is for residential bagged leaves to be collected by Rumpke of Ohio, Inc., on November 12 and December 3. The dates will be confirmed.

### **COMMENTS FROM THE COMMISSION**

Mrs. Duncan presented a proclamation proclaiming September 21, 2016, *Peace Day* in Springfield. The proclamation was accepted by the executive director of the Springfield Peace Network.

Mrs. Chilton presented a proclamation proclaiming September 24, 2016, *Twentieth Anniversary Day* in

Springfield. The proclamation was accepted by Mrs. Clara Copeland.

**COMMENTS FROM THE AUDIENCE**

**97-15** Mr. Mike Lowe addressed the new Bechtle Avenue bridge being designed to span the Snyder Park lagoon. He stated that the sidewalk portion of the new bridge needed to be wide enough for pedestrian traffic to traverse safely, especially in snowy weather.

**194-16** Mrs. Tami Randall stated that she provided correspondence to the City Commission concerning the Springfield-Jamestown Road Annexation.

Mr. Copeland indicated that the correspondence was received, but that the Commission had no questions at this time.

**227-16** Ms. Renea Turner, 42 North Fountain Avenue, requested a copy of the August 30, 2016, agenda and minutes. She noted that she had additional information concerning the medical marijuana industry. She would share that information with Commissioners individually.

**20-16** Mr. Raymond Upshaw, 325 West Liberty Avenue, provided comments on a deal with the devil, the criminal justice system, and war.

Mr. David Sanford, 514 Fremont Avenue, spoke to the danger of abandoned underground storage tanks at several location on South Yellow Springs Street.

Mr. Mike Robbins of Mansfield Avenue provided information on candidates night, sponsored by the Council of Neighborhood Organizations. He also spoke to the City's dumpster program and difficulties he experienced attempting to solve code violations issues in his neighborhood.

Mr. Rob Rue, 1752 Stratford Place, stated that he appreciated the efforts of the City Commission and City staff members in their effort to bring E F Hutton to Springfield's downtown. It was great to see Springfield moving forward.



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.

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PRESIDENT OF THE CITY COMMISSION

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CLERK OF THE CITY COMMISSION