

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, September 26, 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 Mr. Martin, seconded by Mrs. Duncan, members approved the minutes of the August 29, 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:

167-17 Approving an amendment to the existing OPD-H Development Plan for 5.36 acres located at 2981 Vester Avenue to increase the number of dwelling units and parking spaces.

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

182-17 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 1135.26 to incorporate beekeeping into the City's Zoning Code, and repealing existing Section 1135.26.

183-17 To amend Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by enacting new Chapter 1324 titled Code Compliance and Hearings, new Chapter 701 titled Landlord-Tenant Rights, and repealing existing Chapter 1324.

184-17 Consenting to the mill and fill with Superpave Asphalt Concrete (item 442) on US 40 from North Limestone Street to the Lagonda Overpass, within the City of Springfield, by the Ohio Department of Transportation (identified as CLA US 40 12.98, and further identified by PID No. 103331); providing for the maintenance of the right-of-way; authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the project.

☞☞☞ Next regular City Commission meeting: October 10, 2017. ☞☞☞

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

173-17 An Ordinance No. 17-228 titled, "Authorizing the purchase of 300 licenses of Microsoft Office Pro Plus 2016 from Dell Marketing LP c/o Dell USA LP, for an amount not to exceed \$95,400, 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. Chilton, the ordinance passed.

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

Yeas 5, Nays 0.

174-17 An Ordinance No. 17-229 titled, "Authorizing the City Manager to enter into an Asset Disposition Services Agreement with PropertyRoom.com, Inc."

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.

175-17 An Ordinance No. 17-230 titled, "Authorizing the City Manager to enter into a contract with Rumpke of Ohio, Inc. for the City's 2017 Collection of Fall Bagged Leaves Program for an amount not to exceed \$54,200.00."

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.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

19-17 An Ordinance No. 17-231 titled, "Providing for Supplemental Appropriations within various funds, 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.

9-17 An Ordinance No. 17-232 titled, "Providing for the transfer of monies among 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.

90-17 An Ordinance No. 17-233 titled, "Authorizing the Finance Director to execute Amendment No. 1 to the Audit Engagement Contract with the Auditor of State of Ohio to increase the contract amount by \$2,665.00, for total contract amount not to exceed \$71,955.00; 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.

136-17 An Ordinance No. 17-234 titled, "Authorizing the City Manager to enter into Grant Agreements with the Department of Housing and Urban Development (HUD) for the 2017 Community Development Block Grant (CDBG) (Grant No. B-17-MC-39-0019) in an amount of \$1,648,776.00, the 2017 HOME Investment Partnership Program (HOME) (Grant No. M17-MC390218) in an amount of \$393,128.00 and the 2017 Emergency Solutions Grant (ESG) (Grant No. E17MC390019) in an amount of \$146,962.00; authorizing the City Manager, Finance Director and Director of Community Development to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grants and to comply with all relevant local, state and federal legal requirements; 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.

195-16 An Ordinance No. 17-235 titled, "Authorizing the City Manager to enter into Amendment No. 2 to the Timber Removal Agreement between the City and Greg Myers, dba Myers Logging, aka Gregory Myers, dba Myers Logging to extend the contract completion date to March 31, 2018; 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.

30-17 An Ordinance No. 17-236 titled, "Authorizing the City Manager to enter into a contract with J & J Schlaegel, Inc. for the 2017 Miscellaneous Water Replacement Project for an amount not to exceed \$674,074.50, 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.

164-16 An Ordinance No. 17-237 titled, "Confirming and approving Change Order No. 1 to the contract between the City and The Shelly Company for the 2017 OPWC Paving Project to increase the contract in an amount not to exceed \$39,676.42 for a total amount not to exceed \$1,091,034.13; authorizing the City Manager to execute said Change Order No. 1; 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.

29-12A An Ordinance No. 17-238 titled, "Authorizing the City Manager to enter into LPA Agreement No. 23992 - Amendment No. 4 between the City and the Ohio Department of Transportation in connection with the CLA-Villa Road Project, PID No. 89421 to reallocate project funding among project phases and to reflect the OPWC share of funding; 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.

29-12B An Ordinance No. 17-239 titled, "Authorizing the City Manager to enter into a Pipeline Relocation Agreement between the City and Columbia Gas of Ohio, Inc., for the replacement of a gas pipeline in connection with the CLA-Villa Road Project, PID No. 89421 for an amount not to exceed \$71,809.00; 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.

165-17 An Ordinance No. 17-240 titled, "Amending Ordinance No. 17-221 to authorize additional local match expenditure for the authorized grant agreement with the Federal Aviation Administration; 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.

EMERGENCY RESOLUTIONS

185-17 A Resolution No. 5983 titled, "Appointing Sabrina Tackett to the National Trail Parks and Recreation District Board of Trustees, and declaring an emergency."

On motion of Mr. O'Neill, seconded by Mr. Martin, the resolution adopted.

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

Yeas 5, Nays 0.

186-17 A Resolution No. 5984 titled, "Appointing Nate Fleming to the Springfield Historic Landmarks Commission, and declaring an emergency."

On motion of Mr. Martin, seconded by Mr. O'Neill, the resolution adopted.

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

Yeas 5, Nays 0.

LIQUOR PERMIT

172-17 On motion of Mrs. Duncan, seconded by Mr. O'Neill, the administration's report relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit to RJH, LLC, dba Limestone BP, 2250 N. Limestone Street, Springfield, Ohio 45503, 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:

77-17 Minutes from the August 21, 2017, meeting of the National Trail Parks and Recreation District Board.

148-17 Minutes from the July 17, 2017, meeting of the Board of Zoning Appeals.

178-17 Resolution No. 5982, file-stamped on September 15, 2017, by Clark County Auditor (Budget Commission tax levies).

COMMENTS ON AGENDA ITEMS

183-17 Mrs. Chilton asked if the proposed Codified Ordinance Section 701 requiring landlords to provide tenants with a Landlord-Tenant Rights Handbook is a new requirement. Law Director Strozdas explained the proposed new chapter is taken from existing language currently found in Section 1324 that primarily addresses civil offenses. The proposed changes to 1324 more clearly defines offenses addressed by the Fire Marshal and gives the landlord-tenant information its own section in 701.

Mrs. Chilton stated that she was unaware that landlords were required to provide booklets to tenants. Mr. Strozdas stated that many landlords may not be aware of the requirement, and the proposed changes should raise awareness. Landlord-Tenant Rights booklets are available from the Community Development Department.

Mr. O'Neill stated his disagreement with the responsibility of landlords to provide the information to tenants. Mr. Strozdas stated that the obligation to provide such information is not new. The proposed section preserves, not changes, the existing code.

City Manager Bodenmiller added the booklets address landlord rights in addition to the tenants.

Mr. Copeland commented that the requirement is good for both landlords and tenants, and only requires the landlord to provide information to tenants.

182-17 Mrs. Chilton commented that she received a request for information from a high school student pertaining to beekeeping. Mr. Bodenmiller commented that a local government teacher contacted the City Manager's Office about a class project addressing four topics of beekeeping, vacant lots, road repair, and the Columbia Street cemetery. Information collected by staff will be submitted to the class for their recommendations back to the City Commission.

175-17 Mr. Martin asked for the dates of the fall bagged leaf pickups. Service Director Moore replied that the dates of collection are Saturday, November 18, and Saturday, December 2. Bagged leaves must be at the curb by 6 a.m. on the collection date and may be placed at the curb up to three days prior to the collection. Loose leaves are not collected.

136-17 Mrs. Duncan asked if the grant amounts from the Department of Housing and Urban Development are comparable to previous years. Community Development Director Meadows replied that the amounts are similar to prior years.

Mrs. Chilton asked how the Emergency Solutions Grant is distributed. Mrs. Meadows stated that the grant was to begin in April, 2017, and was advance-funded to local organizations who provide emergency housing as partner agencies.

29-12A Mr. O'Neill asked for clarification of the Villa Road Amendment No. 4. City Engineer Leo Shanayda stated that the funding was originally allocated for project inspection and will be reallocated for gas line relocation.

29-12B Mr. O'Neill asked if the requested agreement for the Villa Road project included moving the right-of-way. Mr. Shanayda explained that Columbia Gas will be relocating a gas line as part of the trail relocation.

172-17 Mrs. Chilton commented that the Police Division's report on the liquor permit transfer request indicated that the operator had a criminal record. Police Chief Moody stated that he was not aware of any outstanding warrants.

COMMENTS FROM THE COMMISSION

Mrs. Chilton presented a proclamation proclaiming October, 2017, as *Domestic Violence Awareness Month* in Springfield. The proclamation was accepted by the Executive Director of Project Woman, Laura Baxter, who thanked the citizens of Springfield and the City Commission for their commitment to domestic violence prevention. Mr. Copeland thanked the Project Woman board and staff for their efforts including Fire Chief Heimlich who serves as the board president.

15-17 Mrs. Chilton thanked the City Engineer for finding available funding for Center Street repairs.

MEDICAL MARIJUANA DISCUSSION

227-16 Mr. Martin stated that the medical marijuana moratorium imposed to allow finalization of state laws expires on September 27, 2017, and asked for a summary from staff on its impact on land uses. Mrs. Meadows stated that the state laws do not have a definitive impact on local land uses. Dispensing, cultivating, and processing may be conducted under the existing Zoning Code regulations with no unique land use effects.

Mr. Martin stated his concerns for onsite consumption of marijuana at a dispensary. Mrs. Meadows stated that the state prohibits onsite consumption. Mr. Martin added that he has concerns for misuse of the product but realizes it may be helpful to those with medical issues.

Mr. O'Neill stated that other communities have prohibited medical marijuana in their jurisdictions, and asked if such legislation should be addressed. Mrs. Chilton commented that if no further action is taken, the moratorium ends. She also asked how citizens can obtain additional information about medical marijuana. Mrs. Meadows suggested citizens search for frequently asked questions posted on the state's website for medical marijuana.

Mr. O'Neill made a motion to extend the medical marijuana moratorium by 45 days. Due to a lack of a second, the motion failed.

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