

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, September 27, 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 30, 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:

213-16 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio, by rezoning 0.43 acres at 716, 718 and 726 Court Street, Springfield, Ohio, from RS-8, Medium-Density, Single-Family Residence District, to CN-2, Neighborhood Commercial District."

194-16 An Ordinance titled, "Accepting the application for annexation of certain territory containing 99.59 acres, more or less, in Springfield Township and commonly known as the Springfield-Jamestown Road Annexation Area to The City of Springfield, Ohio."

214-16 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio by rezoning 28.8 acres located at 2630 Springfield-Jamestown Road, Springfield, Ohio from Springfield Township B-3, General Business District and A, Agriculture District to CC-2A, Shopping Center District."

215-16 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio by rezoning 10.2 acres located at 2531 Springfield-Jamestown Road, Springfield, Ohio, from Springfield Township B-3, General Business District and R-1, Single-Family Residential District to CC-2, Community Commercial District."

37-16 An Ordinance titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

232-16 An Ordinance titled, "To amend 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 959.16 thereof relating to fuel flowage fees at the Springfield-Beckley Municipal Airport; and repealing existing Section 959.16."

361-06 An Ordinance titled, "Authorizing the City Manager to enter into an Expansion Amendment to the Lease and Specialty Fixed-Base Operator Agreement with S Jet, LLC, to provide for the construction of a new hangar, expansion of a hangar apron, and optional installation of fuel tanks at the Springfield-Beckley Municipal Airport."

☞☞☞ Next regular City Commission meeting: October 11, 2016. ☞☞☞

SECOND READING—ORDINANCES

The following legislation was presented for the second time:

210-16 An Ordinance No. 16-265 titled, "Vacating the first alley east of Pine Street from Maryland Avenue north 150 feet to an intersecting east-west alley."

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.

211-16 On motion of Mr. Martin, seconded by Mrs. Duncan, 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," was defeated.

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

Yeas 0, Nays 5.

212-16 An Ordinance No. 16-266 titled, "Vacating the first alley east of Eden Avenue from West Pleasant Street south to the first intersecting east-west alley."

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.

266-14 An Ordinance No. 16-267 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."

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

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

Yeas 5, Nays 0.

97-15 An Ordinance No. 16-268 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."

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.

96-13 An Ordinance No. 16-269 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."

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 ORDINANCES

The following emergency legislation was presented for the first time:

26-16 Emergency Ordinance No. 16-270 titled, "Amending Ordinance No. 16-231 to include the appropriate division for the appropriations; 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.

26-16 Emergency Ordinance No. 16-271 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.

135-16 Emergency Ordinance No. 16-272 titled, "Approving the transfer of appropriations within various funds, 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.

233-16 Emergency Ordinance No. 16-273 titled, "Confirming and approving the acceptance of a 2016-2017 Selective Traffic Enforcement Program Grant in an amount up to \$17,378.20 and a 2016-2017 Impaired Driving Enforcement Program Grant in an amount up to \$22,343, from the Ohio Department of Public Safety, Governor's Highway Safety Office, to reimburse salaries and certain fringe benefits of officers assigned to special overtime projects; authorizing the City Manager, Finance Director, Law 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 applications 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.

16-16 Emergency Ordinance No. 16-274 titled, "Confirming and approving Change Order No. 6 to the contract between the City and J & J Schaeffel, Inc., for the CLA-Little Miami Trail Extension Project, PID No. 82314, to decrease the contract amount by \$41,529.39, for a total contract amount not to exceed \$938,834.69; authorizing the City Manager to execute said Change Order No. 6; 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.

182-14 Emergency Ordinance No. 16-275 titled, "Confirming and approving Change Order No. 8 to the contract between the City and A & B Asphalt Corporation for the 2015 OPWC Paving project to increase the contract amount by \$51, for a total contract amount not to exceed \$895,662.95; authorizing the City Manager to execute said Change Order No. 8; 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.

266-14 Emergency Ordinance No. 16-276 titled, "Authorizing the City Manager to enter into Agreement No. 19868 with Korda Nemeth Engineering, Inc., for the CLA Belmont Avenue Reconstruction Project, Phase 2, PID No. 94814, for an amount not to exceed \$87,751, 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.

EMERGENCY RESOLUTION

The following emergency legislation was presented for the first time:

235-16 Emergency Resolution No. 5949 titled, "Reappointing Vernon L. Donnelly to the Historic Landmarks Commission, and declaring an emergency."

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

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

Yeas 5, Nays 0.

LIQUOR PERMITS

229-16 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 Shree Gurudev, Inc., dba Marathon Springfield, 2001 East Main Street, was ordered received and filed with the City Clerk.

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

Yeas 5, Nays 0.

234-16 On motion of Mr. O'Neill, 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 Springfield Wing Company, dba Buffalo Wild Wings, 1960 North Bechtle 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:

67-16 Minutes of the June 20, 2016, meeting of the Board of Zoning Appeals.

98-16 Minutes of the August 15, 2016, meeting of the National Trail Parks and Recreation District Board of Directors.

126-16 Resolution 5947, accepting tax levies, file-stamped by the Clark County Auditor's office.

234-16 Notification from the Ohio Division of Liquor Control of a request to transfer a liquor permit to Springfield Wing Company, LLC, dba Buffalo Wild Wings, 1960 Bechtle Avenue.

COMMENTS ON AGENDA ITEMS

361-06 In response to Mrs. Chilton's inquiry, Assistant City Manager Franzen stated that following the approval of the expansion agreement to the Lease and Fixed-Base Operator Agreement with S Jet, LLC, the company would construct a new office structure, hangar, and hangar apron. It was possible the company would install fuel tanks in conjunction with the project.

COMMENTS FROM THE COMMISSION

236-16 Mr. O'Neill stressed the need to push through the decision-making process concerning the City's golf courses at Reid Memorial Golf Course. Two proposals were received from vendors with regard to taking over management duties. Mr. O'Neill felt staff members should bring a recommendation forward, either in favor of one of the proposals or opposed to both.

Mrs. Duncan stated that the City could not afford to meet the requirements of the two proposals submitted, nor can it afford to subsidize its own golf operations.

Mr. O'Neill commented that staff members have the ability to negotiate with regard to the proposals. He felt it was important not to delay any longer. The City does not need to be in the golf business.

Mr. Martin agreed that Commissioners needed additional details and an update on the status of the proposals.

City Manager Bodenmiller stated he would make the necessary contacts with the vendors. The proposals received are more than the City can afford. He could not estimate when he would have a recommendation as the review process was complex.

COMMENTS FROM THE AUDIENCE

237-16 Mr. Bob Hulsizer, 1909 West Washington Avenue, spoke to Code Enforcement deficiencies. He felt the regulations should be rewritten. Enforcement officers respond to complaints, but then are forced to ignore nearby properties in worse condition.

Mr. Bodenmiller stated that enforcement officers have the ability to initiate paperwork on violations they observe. Most of their work is complaint-based, and it is helpful when residents call. The problem is both a monetary and a manpower issue. Due to budget restrictions, the number of officers has been reduced. Budgetary issues also constrict the abatement of these neighborhood nuisances.

20-16 Mr. Mike Robbins of Mansfield Avenue, Mr. Harry Daniel of Portage path, and Ms. Melissa Tuttle of South Fountain Avenue, each spoke to the success of Candidates Night, sponsored by the Council of Neighborhood Associations.

Mr. Raymond Upshaw, 325 West Liberty Street, addressed the City Commission on a variety of topics.

Mr. David Sanford, 528 South Yellow Springs Street, stated that the chairperson of the Board of Zoning Appeals would not let him speak at a recent meeting.

Law Director Strozdas advised that the Board of Zoning Appeals operates with a different set of rules than the City Commission. The chairperson can limit comments to just those parties who have information pertinent to the judicial issue before the board.

Mr. Bruce Williams, 226 Corlington Drive, felt the Board of Zoning Appeals should not have prevented people from speaking, despite the fact that the board is quasi-judicial. Mr. Williams appreciated the City Commission's consideration of residents who wish to speak in the Forum.

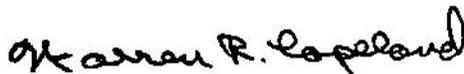
Mr. Copeland stated that he is proud of the fact that the City Commission carries out its business with an open-meeting format. Citizens have the ability to speak before every vote taken. That is what democracy is about.



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