

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, October 11, 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 September 13, 2016, regular meeting as presented.

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

Yeas 5, Nays 0.

### **SECOND READING—ORDINANCES**

The following legislation was presented for the second time:

**213-16** An Ordinance No. 16-277 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."

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.

**194-16** An Ordinance No. 16-278 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."

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.

**214-16** An Ordinance No. 16-279 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."

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.

**215-16** An Ordinance No. 16-280 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."

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.

**37-16** An Ordinance No. 16-281 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

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.

**232-16** An Ordinance No. 16-282 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."

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.

**361-06** An Ordinance No. 16-283 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."

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 ORDINANCES**

The following emergency legislation was presented for the first time:

**238-16** The Fiscal Officer's Certificate presented certified the proposed issuance of notes in the maximum principal amount of \$438,000 (the "*Notes*"), to be issued in anticipation of the issuance of bonds (the "*Bonds*"), for the purpose of paying the costs, in cooperation with National Trail Parks and Recreation District, of constructing, furnishing, and equipping a recreational facility and providing for all related site improvements, together with all necessary appurtenances thereto (the "*Improvement*"). The estimated life or period of usefulness of the Improvement is at least five years. Calculated in accordance with Sections 133.20 of the Ohio Revised Code, the maximum maturity of the Bonds is twenty years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of the notes, the period of excess of those five years shall be deducted from the maximum maturity of the Bonds. The maximum maturity of the Notes is October 25, 2033, which is 240 months from October 25, 2013, the date of issuance of the original note issued for this purpose.

An Ordinance No. 16-284 titled, "Providing for the issuance and sale of Notes in the maximum principal amount of \$438,000, in anticipation of the issuance of Bonds, for the purpose of paying the costs, in cooperation with the National Trail Parks and Recreation District, of constructing, furnishing, and equipping a recreational facility and providing for all related site improvements, together with all necessary appurtenances thereto, and declaring an emergency."

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

The Fiscal Officer's Certificate was presented September 28, 2016, prior to the commencement of the City Commission meeting and prior to passage of the ordinance.

**239-16** Emergency Ordinance No. 16-285 titled, "Authorizing the City Manager to enter into a Grant Contract with the State of Ohio, Department of Transportation, to accept funds in the amount of \$16,341 from the Ohio Elderly and Disabled Transit Fare Assistance Program; authorizing the City Manager and Director of Finance to perform all acts and execute all documents considered necessary to fulfill the City's obligations under said contract, 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. Chilton, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**240-16** Emergency Ordinance No. 16-286 titled, "Authorizing the purchase of parts and labor from Allied Technical Service Inc., necessary to make emergency repairs to High Service Pump No. 1 at the Springfield Water Treatment Plant for an amount not to exceed \$56,437.50; and declaring an emergency."

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.

**16-16** Emergency Ordinance No. 16-287 titled, "Confirming and approving Change Order No. 7 to the contract between the City and J & J Schlaegel, Inc., for the CLA-Little Miami Trail Extension Project, PID No. 82314, to increase the contract amount by \$9,309.39, for a total contract amount not to exceed \$948,144.08; 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.

**208-16** Emergency Ordinance No. 16-288 titled, "Confirming and approving Change Order No. 1 to the contract between the City and J & J Schlaegel, Inc. for the CSO Backwater Valve Project to increase the contract amount by \$38,845.16, for a total contract amount not to exceed \$186,207.66; 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.

**4-13** Emergency Ordinance No. 16-289 titled, "Confirming and approving Change Order No. 1 to the contract between the City and R. B. Jergens Contractors, Inc., for the CLA-Lowry Bridge Project, PID No. 96375, to increase the contract amount by \$20,979.71, for a total contract amount not to exceed \$555,881.86; authorizing the City Manager to execute said Change Order No. 1; 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.

**142-16** Emergency Ordinance No. 16-290 titled, "Confirming and approving Change Order No. 2 to the contract between the City and Inland Waters Pollution Control, Inc., for the 2016 Miscellaneous Sanitary Sewer Lining Project to extend the project completion date to December 2, 2016; authorizing the City Manager to execute said Change Order No. 2; 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.

**219-16** Emergency Ordinance No. 16-291 titled, "Authorizing the City Manager to enter into LPA Agreement No. 27881, Amendment No. 1, between the City and the Ohio Department of Transportation in connection with the CLA 40-16.82, PID No. 103791, also known as the traffic signal at Bird Road and Route 40, to reallocate project funding; 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.

**195-16** Emergency Ordinance No. 16-292 titled, "Authorizing the City Manager to enter into a modified contract with Greg Myers, dba Myers Logging, aka Gregory Myers, dba Myers Logging, for the disposal of designated trees from Reid Golf Course as property not needed for a municipal purpose, pursuant to Section 149.03 of the Codified Ordinances of The City of Springfield, Ohio; repealing Ordinance No. 16-224; and declaring an emergency."

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.

### **EMERGENCY RESOLUTION**

The following emergency legislation was presented for the first time:

**61-16** Emergency Resolution No. 5950 titled, "Ordering the construction or reconstruction of curbs, gutters, and sidewalks at Section No. 3 of Selected Locations of the 2016 Sidewalk, Curb, and Gutter Program, as enumerated in Resolution No. 5941, and declaring an emergency."

On motion of Mr. O'Neill, seconded by Mrs. Duncan, the resolution was adopted.

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

Yeas 5, Nays 0.

### **COMMUNICATIONS**

The following communications were ordered received and filed:

**34-16** Minutes of the September 1, 2016, meeting of the Community Beautification Committee.

**108-16** Financial Reports, Investments, Third Quarter.

**194-16** Correspondence from Mrs. Dee Ann Foley, 2851 Old Clifton Road, Mrs. Claudia Fett of South Fountain Avenue, and Commissioner Duncan, concerning the Springfield-Jamestown Road Annexation.

**241-16** Notification from the Ohio Division of Liquor Control regarding a request for a new liquor permit for El Speedy Gonzales, Inc., 1100 Upper Valley Pike.

### **COMMENTS ON AGENDA ITEMS**

**194-16** Mr. Copeland addressed the annexation of 99.59 acres in Springfield Township to the City of Springfield by unanimous vote of the City Commission. He stated that he would prefer that the proposed Kroger Marketplace be located north of Interstate 70. The City Commission could not pass up this opportunity for development on the south side of town.

Mr. O'Neill offered his appreciation to Kroger for continuing to invest in Springfield and Clark County.

Mrs. Chilton stated that she read all the comments made. She has faith that Kroger will follow through with its part, regarding the traffic study. She also urged Kroger not to leave its current store abandoned on South Limestone Street.

Mrs. Duncan commented that the City Commission cannot choose where developers will construct a retail store. Her concern is limited access for some south side residents. The Commission will address this with bus service. She did not want to see the current store left empty for an extended period.

Mr. Martin expressed his concerns with regard to residents whose only recourse is to walk to the grocery store. He hoped that economic development endeavors would attract another user to the South Limestone Street store. In addition to Kroger Marketplace, more retail is need for south side residents. The sensible place for commercial development is near the interstate.

**238-16** Finance Director Beckdahl stated that the amount of rollover financing for the NTPRD Chiller note is \$438,000, the remaining principle due on the ice arena's construction costs. The notes will be paid down in the next year or two.

**COMMENTS FROM THE COMMISSION**

Mrs. Duncan provided information on an upcoming Project Woman fundraiser. The public was invited to attend.

**COMMENTS FROM THE AUDIENCE**

**194-16** Ms. Linda Sandoval, 2310 North Limestone Street, spoke in favor of annexing 99.59 acres in Springfield Township, which would bring a Kroger Marketplace to Springfield. The new development meant more jobs.

Other members of the audience spoke in opposition to the annexation. The new Kroger store would mean closing the current South Limestone Street store. The new store would create a hardship on some with transportation issues. Others felt the increased traffic on Springfield-Jamestown Road was detrimental to the nearby residential area.

Mr. Dale Henry, 1774 South Center Boulevard, stated that an annexation of property for the proposed Kroger Marketplace showed progress for the south side of Springfield. It represented substantial investment, which would attract new investment. The future will provide a broader shopping choice for south side residents.

Mr. David Sanford, 528 South Yellow Springs Street, felt that a successful endeavor would see that the old store became reoccupied by a new tenant.

Mr. Donald Hatfield, 2500 Springfield-Jamestown Road, encouraged the City Commission to vote in favor of the annexation.

**20-16** Mr. Raymond Upshaw, 325 West Liberty Street, addressed the City Commission on a variety of subjects.



There being no further business, on motion of Mr. Martin, seconded by Mr. O'Neill, 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