

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, November 22, 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 Mrs. Chilton, seconded by Mr. Martin, members approved the minutes of the October 25, 2016, 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:

242-16 An Ordinance titled, "Approving an amendment to the existing G District Plan for approximately 17 acres located at 700 South Limestone Street to allow for additional parking and test gardens as well as to relocate the tennis courts."

243-16 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio, by rezoning 0.23 acre at 420 South Limestone Street and 420 South Limestone Street Rear, Springfield, Ohio, from CN-2 UPOD, Neighborhood Commercial District, to CC-2 UPOD, Community Commercial District."

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

272-13 An Ordinance titled, "Authorizing the exercise of the City's option to renew the contract with KeyBank National Association for Treasury Management/Depository Services and Security Custody Services, for an amount not to exceed \$30,000."

262-16 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 enacting new Chapter 901 titled *Excavations in the Right-of-Way*, amending Section 903.08 titled *Application for Permit*, and repealing existing Chapter 901 titled *Improvements and Excavations* and existing Section 903.08."

263-16 An Ordinance titled, "Authorizing an Employment Incentive Agreement with EF Hutton America, Inc., to incentivize relocation to facilities in downtown Springfield located at One Main Street and 19 South Fountain Avenue to create employment in the City; authorizing the City Manager, Finance Director, and Law Director to do all things necessary to implement the said Employment Incentive Agreement."

264-16 An Ordinance titled, "Authorizing the City Manager to enter into a Jobs and Commerce Economic Development Agreement with the Ohio Department of Transportation for aid in the financing of the construction of a new asphalt apron at the Springfield-Beckley Municipal Airport in an amount not to exceed \$100,000; authorizing the City Manager, Finance Director, and Law Director to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said Jobs and Commerce Economic Development Agreement and to comply with all relevant local, state, and federal legal requirements."

265-16 An Ordinance titled, "Authorizing the City Manager to enter into a Purchase Agreement to sell certain property to Littleton & Rue, Inc."

107-07 An Ordinance titled, "Authorizing the City Manager to execute HPRI Program, Amendment No. 10, to the September 29, 2006, Subrecipient Funding Agreement with Neighborhood Housing Partnership of Greater Springfield, Inc., to revise the Work Program Budget and to extend the completion date to December 31, 2017."

180-03 An Ordinance titled, "Authorizing the City Manager to execute Emergency Repair Program, Amendment No. 12, to the June 24, 2003, Subrecipient Funding Agreement with Neighborhood Housing Partnership of Greater Springfield, Inc., to revise the Work Program Budget and extend the time of performance through December 31, 2017."

266-16 An Ordinance titled, "Authorizing the City Manager to enter into a Grant Agreement with the Springfield Foundation for a grant to partially support CultureFest 2017 in an amount up to \$2,500; 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 grant and to comply with all relevant local, state, and federal legal requirements."

267-16 An Ordinance titled, "Authorizing the City Manager to enter into an Agreement for Consulting Engineering Services with Burgess & Niple, Inc., for the Concrete Inspection and Technical Specifications Project at the Water Treatment Plant, for an amount not to exceed \$105,450."

268-16 An Ordinance titled, "Amending certain provisions of the Traffic and General Offenses Codes and repealing corresponding sections."

269-16 An Ordinance titled, "Authorizing a Development and Use Agreement by and among the Ohio Attorney General's Office, Bureau of Criminal Investigation, the Board of Clark County Commissioners and the City of Springfield, Ohio, to provide a functional, staffed crime lab for law enforcement use."

Next regular City Commission meeting: December 6, 2016.

SECOND READINGS—ORDINANCES

The following legislation was presented for the second time:

250-16 An Ordinance No. 16-315 titled, "Authorizing the City Manager to enter into an Engineering Services Agreement with Black & Veatch Corporation for the Primary Effluent Pumps Replacement Evaluation and Design Project, for an amount not to exceed \$108,400."

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.

SECOND READING—RESOLUTION

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

251-16 Resolution No. 5955 titled, "Providing certification to the Economic Development Administration pursuant to Section D.03 and VIII.D of the March 15, 1993, Standard Terms and Conditions and the RLF Administrative Manual Grant."

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.

ORDINANCE—HELD

The following legislation was held:

231-16 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio, by rezoning 0.13 acre at 27 West Cassilly Street, Springfield, Ohio, from EC-1, Educational Campus District, to CN-2, Neighborhood Commercial District."

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

9-16 Emergency Ordinance No. 16-316 titled, "Providing for the transfer of monies among various funds, 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.

243-14 Emergency Ordinance No. 16-317 titled, "Authorizing the exercise of the City's option to renew the January 30, 2013, contract with BI Incorporated to obtain electronic probation monitoring services, for an amount not to exceed \$39,000 for the period of January 1, 2017, through December 31, 2017, for a total contract amount not to exceed \$162,400; 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.

212-12 Emergency Ordinance No. 16-318 titled, "Authorizing the mutual rescission of the Homeownership Housing Loan Agreement (Home Funded, 810 Clifton Avenue, 2015) with Neighborhood Housing Partnership of Greater Springfield, Inc., 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.

8-16 Emergency Ordinance No. 16-319 titled, "Authorizing the City Manager to enter into Amendment No. 2 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 an additional \$54,070.94 for a total commitment of \$220,907.69 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.

270-16 Emergency Ordinance No. 16-320 titled, "Authorizing the City Manager to enter into an agreement with Bonita Scott for the purpose of removing a sewer-related health nuisance at 519 North Jackson Street for an amount not to exceed \$6,120; 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.

271-16 Emergency Ordinance No. 16-321 titled, "Consenting to the installation of a traffic signal with a pre-emption system at the Interstate 70 and State Route 72 interchange to provide traffic control for the westbound entrance and exit ramps by the Ohio Department of Transportation (identified as CLA SR 72 6.70, and further identified by PID No. 102840); authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the project; 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.

271-16 Emergency Ordinance No. 16-322 titled, "Authorizing the City Manager to enter into a Pre-emption Agreement with the Ohio Department of Transportation in connection with the installation of a traffic signal at the interchange of Interstate 70 and State Route 72; and declaring an emergency."

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

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

Yeas 5, Nays 0.

98-13 Emergency Ordinance No. 16-323 titled, "Confirming and approving Change Order No. 3 to the contract between the City and A & B Asphalt Corporation for the CLA - Burnett Road Reconstruction, PID No. 94795, project to decrease the contract amount by \$74,573.47, for a total contract amount not to exceed \$515,398.73; authorizing the City Manager to execute said Change Order No. 3; 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.

170-16 Emergency Ordinance No. 16-324 titled, "Confirming and approving Change Order No. 2 to the contract between the City and The Shelly Company for the 2016 PI Paving Project to decrease the contract amount by \$105,652.87, for a total contract amount not to exceed \$362,027.13; authorizing the City Manager to execute said Change Order No. 2; 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.

29-12 Emergency Ordinance No. 16-325 titled, "Authorizing the City Manager to enter into a contract with R. B. Jergens Contractors, Inc., for the CLA - Villa Road Project, PID No. 89421, for an amount not to exceed \$1,444,088.57; 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. 16-326 titled, "Confirming and approving Change Order No. 9 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 \$17,306.21, for a total contract amount not to exceed \$980,164.72; authorizing the City Manager to execute said Change Order No. 9; 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.

188-16 Emergency Ordinance No. 16-327 titled, "Confirming and approving Change Order No. 2 to the contract between the City and Calvary Contracting Inc., for the Springfield-Beckley Municipal Airport Final Denial Barriers at the

Entry Control Point project to increase the contract amount by \$1,269.03, for a total contract amount not to exceed \$136,269.03; authorizing the City Manager to execute said Change Order No. 2; and declaring an emergency.”

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

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

Yeas 5, Nays 0.

LIQUOR PERMIT

259-16 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 from Jack Levan, 1647 North Plum Street, to Ridgewood Café, LLC, 1647 North Plum Street, was filed with the City Clerk and the Clerk was directed not to request a hearing, as any concerns or issues would be addressed through the building permit and Certificate of Occupancy processes.

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

Yeas 5, Nays 0.

COMMUNICATIONS

The following communications were ordered received and filed:

70-16 Correspondence from Mrs. Marilyn Welker, president of People for Safe Water, to Ohio Environmental Protection Agency concerning the Tremont City Barrel Fill.

126-16 Correspondence from Mrs. C. Ann Byerman concerning the 2017 budget deficit and government spending.

COMMENTS ON AGENDA ITEMS

265-16 Law Director Strozdas reported on the purchase agreement placed before the City Commission as a first reading. The agreement provides for the sale of property to Littleton and Rue, Inc., which the funeral home currently leases. Katherine Littleton died in 1986. Her will provided for the transfer of an existing lease to the funeral home corporation. The lease extends to July, 2044, for a monthly payment of \$500. The purchase agreement requires that the property's front lawn remain as green space. Accordingly, a restriction will be included in the deed to leave the front lawn undisturbed for an additional twenty-five years. Staff members recommend accepting the purchase agreement. Based on the long-term lease, the City has achieved a fair purchase price.

Mr. Strozdas continued, addressing the value assigned to the property by the Clark County auditor versus the value assigned by the City's third-party appraiser. The auditor's appraisal is completed for taxing purposes. The City's appraiser took into consideration (1) the value of the property, which has attached to it, an unexpired twenty-eight year lease, and (2) the value of the property at the end of the lease. He stated that the selling price is fair, considering the unique circumstances.

268-16 Mr. Strozdas stated that annually, the City amends its Traffic and General Offenses Codes. The City contracts with The Walter H. Drane Company to bring Springfield's misdemeanor and traffic code violations into line with the state's code.

212-12 Community Development Director Meadows stated that the funding set aside for the Homeownership Housing Loan Agreement for 810 Clifton Avenue will be rescinded and applied to the Community Gardens Pocket Neighborhood development project.

34-11 Ms. Meadows reported that Neighborhood Housing Partnership is scheduled to break ground for the Community Gardens Pocket Neighborhood Development in March of 2017.

271-16 City Manager Bodenmiller stated that the traffic signal to be installed at the Interstate 70 and State Route 72 interchange would facilitate traffic traveling west.

COMMENTS FROM THE COMMISSION

Mr. Martin encouraged citizens to shop downtown Springfield businesses during the holiday season.

Mrs. Duncan announced that Holiday in the City was scheduled for Friday, November 25, on City Hall Plaza.

COMMENTS FROM THE AUDIENCE

265-16 Mr. Mike Lowe made reference to the purchase Agreement with Littleton and Rue, Inc., and stated that the Clark County auditor's tax appraisal value equaled a viable selling price. He felt the property should be offered for

sale to the general public.

Mr. Copeland stated the property was unusable for anyone else until the lease was up in 2044.

126-16 Mr. Andrew Rigsby stated he was a representative of Firefighters Union Local 333. He was opposed to the closure of Station No. 5 on Commerce Circle. The division is already at capacity with runs. Closure would increase the burden. He encouraged Commissioners to place another tax increase on the May ballot and reconsider cuts to safety forces.

Mr. Raymond Upshaw, 325 West Liberty Street, encouraged the City Commission to place another tax increase on the May ballot.

A number of people were opposed to cuts to the Convention and Visitors Bureau's funding from hotel/motel tax and spoke in favor of the value of the bureau with regard to tourism: Ms. Becky Kreiger, 1204 South Fountain Avenue; Mr. Mathew Ison, 351 East Madison Avenue; Mr. Mike McDorman, 20 South Limestone Street; Mr. Jim Lagos, chairman of the Chamber of Commerce; Mr. Dean Blair of Urbana, Ohio; Ms. Carolyn Young of East High Street; Mr. Kevin Rose, 712 South Fountain Avenue; Mr. Sunny Dhingra, 2760 Kilkenny Drive; and a motel owner at 101 West Leffel Lane.

Several people spoke specifically to retention of Farmers' Market, operated by the Convention and Visitors Bureau: Mr. Tim Sloan, 1739 Longview Drive; Mr. Jonathon Frazen, 603 East Madison Avenue; and a vendor who participates in Farmers' Market.

Mr. Kyle Koehler of Harmony Ridge Road spoke to passage of House Bill 5, which allows a city in financial difficulties to work with the state auditor to improve that city's outlook. He hoped the City and the state auditor would work together in the future.

Mr. Bruce Williams of Corlington Drive urged the community to work together. He stated he supported Springfield, the City Commission, and all departments.

Mr. Mike Lowe stated that he attended the Commission's November 16 budget meeting. He stated he was impressed with Commission comments. He encouraged the Commission to reconsider cuts to the Fire Division and the Convention and Visitors Bureau.

Mr. Chris Daniels, 2642 Kilkenny Court, stated he is an executive at EF Hutton. He supported the efforts of the Convention and Visitors Bureau and volunteered to provide pro bono services to the City in order to craft a plan to generate revenue for the City and retain the Convention and Visitors Bureau as a part of the community's resources.

Mr. Bodenmiller stated that all the budgetary decisions that need to be made are hurtful and harmful. All areas must be considered. The Convention and Visitors Bureau is funded at twice the level required.

Mr. Mike McDorman, CEO of the Chamber of Commerce, 20 South Limestone Street, stated that Convention and Visitors Bureau director Chris Schutte was treated in a less than friendly manner at the November 7 Commission meeting. He praised the organization for exceeding goals. Springfield needs to keep moving forward with its sustainable assets while addressing financial strategies.

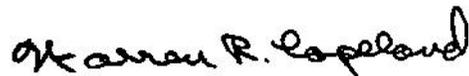
Mr. Copeland stated that at the November 7 meeting he attempted to get responses from Mr. Schutte as to what efforts caused certain marketing results. The funding body must ask questions. He offered his apologies to Mr. Schutte.

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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