

**94-15** The Public Hearing scheduled for Tuesday, April 14, 2015, at 6:55 p.m. in the Forum of City Hall before the City Commission of the City of Springfield, Ohio, was called to order.

Roll Call was answered by Mmes. Chilton, Duncan, Messrs. O'Neill, and President Copeland; Mr. Martin being absent.

The President announced that the purpose of the Public Hearing was to consider the proposed vacation of the first alley east of Egmont Avenue south to the first east-west alley; however, staff members request that the hearing be recessed until May 12, 2015, at 6:55 p.m.

On motion of Mr. O'Neill, seconded by Mrs. Duncan, the hearing was recessed until May 12, 2015, at 6:55 p.m.

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

Yeas 4, Nays 0.



A regular meeting of the City Commission of The City of Springfield, Ohio, was held on Tuesday, April 14, 2015, in the Forum of City Hall.

Roll call was answered by Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and President Copeland; Mr. Martin being absent.

The invocation was offered by Mr. Copeland who then led the assembly in the Pledge of Allegiance.

On motion of Mr. O'Neill, seconded by Mrs. Duncan, the members approved the minutes of the March 17, 2015, 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:

**102-15** 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 the amendment of Section 905.01 thereof, relating to the vacation or narrowing of streets or alleys; and repealing existing Section 905.01."

**72-15** An Ordinance titled, "Authorizing the City Manager to enter into LPA Agreement No. 26856, Amendment No. 1, between the City and the Ohio Department of Transportation in connection with the CLA Trail Maintenance, PID No. 99562, to amend the cost-recovery method."

**266-14** An Ordinance titled, "Authorizing the City Manager to enter into LPA Agreement No. 26851, Amendment No. 1, between the City and the Ohio Department of Transportation in connection with the CLA Belmont Avenue Reconstruction Project, Phase 2, PID No. 94814, to amend the cost-recovery method and to reflect the modification of funds provided by ODOT for various project phases."

**267-14** An Ordinance titled, "Authorizing the City Manager to enter into LPA Agreement No. 26848, Amendment No. 1, between the City and the Ohio Department of Transportation in connection with the CLA Bechtle Signals Project, PID No. 98859, to amend the cost-recovery method and to reflect the reallocation of funds between project phases."

**39-15** An Ordinance titled, "Authorizing the City Manager to enter into LPA Agreement No. 26847, Amendment No. 1, between the City and the Ohio Department of Transportation in connection with the CLA Bechtle Roundabout Project, PID No. 98860, to amend the cost-recovery method and to reflect the reallocation of funds between project phases."

**253-14** An Ordinance titled, "Appropriating interests in real property hereinafter described for the purpose of providing necessary rights in real estate needed for the public purpose of constructing, reconstructing, operating and maintaining sewer infrastructure in relation to the Erie Interceptor Express Sewer Project."

**103-15** An Ordinance titled, "Authorizing the City Manager to enter into contracts for demolition services with Tony Smith Wrecking for an amount not to exceed \$100,000 and with Charles Jergens Construction for an amount not to exceed \$100,000."

### **FIRST READING—ORDINANCE POSTPONED**

The following legislation was postponed following the recess of the public hearing convened on April 14, 2015, concerning the proposed alley vacation:

**94-15** An Ordinance titled, "Vacating the first alley east of Egmont Avenue from Oakland Avenue south to the first east-west alley."

### **FIRST READING—RESOLUTION**

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

**104-15** A Resolution titled, "Declaring it necessary to require the construction or reconstruction of curbs, gutters, and sidewalks at the streets identified as part of the East Main and North Limestone Streets' Sidewalk, Curb, and Gutter Program."

~~~~~ Next regular City Commission meeting: April 28, 2015. ~~~~~

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**18-15** An Ordinance No. 15-97 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

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

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

Yeas 4, Nays 0.

**95-15** An Ordinance No. 15-98 titled, "Implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of the Burnett and High Community Reinvestment Area in The City of Springfield, Ohio, and designating a housing officer to administer the program."

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

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

Yeas 4, Nays 0.

**96-15** An Ordinance No. 15-99 titled, "Authorizing the City Manager to enter into a Development Incentive Agreement with Jerry Dooley to provide for water service to real property outside the City limits."

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

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

Yeas 4, Nays 0.

**97-15** An Ordinance No. 15-100 titled, "Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 26857 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$185,000 for the CLA Bechtle Avenue Bridge Project over the lagoon; (0.57, PID No. 99563) 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. Duncan, seconded by Mr. O'Neill, the ordinance passed.

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

Yeas 4, Nays 0.

**98-15** An Ordinance No. 15-101 titled, "Authorizing the City Manager to enter into a contract with Vance Outdoors, Inc., for the purchase of new weapons and the trade-in of used weapons for a net amount not to exceed \$21,985."

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

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

Yeas 4, Nays 0.

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**22-15** Emergency Ordinance No. 15-102 titled, "Providing for Supplemental Appropriations within various funds, and declaring an emergency."

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

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

Yeas 4, Nays 0.

**105-15** Emergency Ordinance No. 15-103 titled, "Authorizing the City Manager to execute a Contract of Sale and Purchase with Karl F. McAtee, Paul E. Gaier, Phillip D. Gaier, Amy Gaier-Martin, Patricia D. Burnell, Matthew T. Gaier and Scott Gaier to purchase certain real estate located at 233 North Race Street; authorizing an expenditure in an amount not to exceed \$50,000 for the purchase of said real estate and other related expenses, and declaring an emergency."

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

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

Yeas 4, Nays 0.

**106-15** Emergency Ordinance No. 15-104 titled, "Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by amending subparagraph (f) to Section 1311.17 titled *Demolition Requirements*; and declaring an emergency."

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

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

Yeas 4, Nays 0.

**107-15** Emergency Ordinance No. 15-105 titled, "Authorizing the City Manager to enter into a contract with J & J Schlaegel, Inc., for the rebid of the East Grand Avenue Water and Sewer Replacement Project for an amount not to exceed \$523,803.70, and declaring an emergency."

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

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

Yeas 4, Nays 0.

**108-15** Emergency Ordinance No. 15-106 titled, "Authorizing the City Manager to enter into a contract with Cardno JFNew for the second rebid of the Oesterlen Bio-Retention Cell Project for an amount not to exceed \$88,519.50, and declaring an emergency."

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

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

Yeas 4, Nays 0.

**109-15** Emergency Ordinance No. 15-107 titled, "Authorizing the City Manager to enter into a contract with Adleta, Inc., for the rebid of the 2015 Service Cut Program for an amount not to exceed \$254,380, and declaring an emergency."

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

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

Yeas 4, Nays 0.

**167-14** Emergency Ordinance No. 15-108 titled, "Levying special assessments for the improvement of streets by the construction of sidewalks, curbs, and gutters for the Sidewalk Remediation at 4 West Main Street, and declaring an emergency."

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

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

Yeas 4, Nays 0.

**110-15** Emergency Ordinance No. 15-109 titled, "Providing an interim-fund cash advance from the 100 General Fund to the 494 2014 Sidewalk, Curb, and Gutter Fund in the amount of \$170,000, and declaring an emergency."

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

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

Yeas 4, Nays 0.

**110-15** Emergency Ordinance No. 15-110 titled, "Providing an interim-fund cash advance from the 100 General Fund to the 489 2014 4 West Main Street Sidewalk Improvement Note Fund in the amount of \$222,000, and declaring an emergency."

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

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

Yeas 4, Nays 0.

**111-15** A Fiscal Officer's Certificate was presented in connection with the proposed issuance of \$206,000 Sidewalk, Curb, and Gutter S.A. Note, Series 2015, in anticipation of the issuance of bonds, to pay the cost of repair and construction of sidewalks, curbs, and gutters comprised in the 2015 Sidewalk, Curb, and Gutter Program at various locations throughout the City. The estimated life of the improvement is at least five years; the maximum maturity of the Bonds calculated in accordance with Section 133.20 of the Ohio Revised Code is twenty years; but because the special assessments will be payable over a period of five years and the bonds are to be issued in anticipation of the collection of

those special assessments, the maximum maturity of the bonds is five years. The maximum maturity of the notes is five years, provided that their maximum maturity is one year if the notes are sold at private sale.

Emergency Ordinance No. 15-111 titled, "Providing for the issuance and sale of notes in the maximum aggregate principal sum of \$206,000 in anticipation of the issuance of bonds to pay the cost of constructing sidewalks, curbs, and gutters comprised in the 2015 Sidewalk, Curb, and Gutter Program at various locations throughout the City, and declaring an emergency."

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

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

Yeas 4, Nays 0.

The Fiscal Officer's Certificate was presented April 8, 2015, prior to the commencement of the City Commission meeting and prior to passage of the ordinance.

### **LIQUOR PERMITS**

**100-15** On motion of Mrs. Duncan, seconded by Mrs. Chilton, the report from the Administration relative to notification from the Ohio Department of Liquor Control of a request for a new class of liquor permit for Golden Chopstick, Inc., dba Golden Chopstick, 2973 Derr Road, was ordered received and filed with the City Clerk.

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

Yeas 4, Nays 0.

**101-15** On motion of Mr. O'Neill, seconded by Mrs. Chilton, the report from the Administration relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit, which includes a state liquor agency license, from Keg N Cork, Inc., to Keg N Cork, LLC, dba Keg N Cork Beverage Center, 1115 Mitchell Boulevard, was ordered received and filed with the City Clerk.

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

Yeas 4, Nays 0.

### **COMMUNICATIONS**

The following communications were ordered received and filed:

**24-15** Ordinance No. 15-18 file-stamped by Clark County Auditor on April 10, 2015.

**112-15** Financial reports (first-quarter investments).

### **COMMENTS ON AGENDA ITEMS**

**94-15** Following recess of the public hearing to vacate the first alley east of Egmont Avenue from Oakland Avenue south to the first east-west alley, Mrs. Chilton spoke on behalf of an audience member. She owns property adjacent to the alley in question. The property owner was not in favor of the vacation and decided not to sign a cross-access easement agreement as requested by the alley vacation petitioner. The property owner stated that the sewer lateral to her residence is located in the alley.

**108-15** In response to Mrs. Chilton's inquiry, City Engineer Shanayda stated that the Oesterlen Bio-Retention Cell Project would commence in mid-May and be complete by September.

City Manager Bodenmiller noted that the project should reduce the amount of water accumulating in the back yards of the Gladden Avenue neighborhood.

**101-15** With regard to a liquor permit transfer, Mr. O'Neill remarked that Keg N Cork Beverage Center is one of the City's long-established businesses. He wished Mr. Jack Simonton well in retirement. Mr. Simonton sold the business to his nephew.

### **COMMENTS FROM THE COMMISSION**

Mrs. Duncan invited citizens to participate in the downtown cleanup campaign sponsored by Keep Clark County Beautiful committee and the Solid Waste District. The cleanup was scheduled for April 25.

Mrs. Chilton reminded citizens the Memorial Day parade would take place on Monday, May 25, in the downtown.

### **COMMENTS FROM THE AUDIENCE**

**13-15** Mr. Raymond Upshaw, 325 West Liberty Street, stated he was denied equality. He also addressed corrupt governments with bad people in control. He noted that he is a prophet.

Mr. David Sanford, 514 Fremont Avenue, discussed the City's budget shortfalls, City employee salaries, and nonprofit agencies that don't pay taxes when they participate in housing programs.

Mr. Copeland stated that the nonprofit agencies participating in house programs follow federal regulations. In some cases, taxes are paid; in others, they are not paid. The agencies build and sell homes. When a home is purchased, taxes begin being paid.

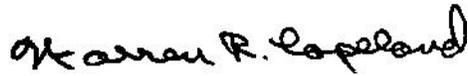
Mr. Scott Riley, 2061 Hillside Avenue, discussed the steps necessary to legalize marijuana sales within the City limits.

~ ~ ~ ~ ~

There being no further business, on motion of Mr. O'Neill, seconded by Mrs. Duncan, the meeting adjourned.

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

Yeas 4, Nays 0.



\_\_\_\_\_  
PRESIDENT OF THE CITY COMMISSION



\_\_\_\_\_  
CLERK OF THE CITY COMMISSION