

A regular meeting of the City Commission of The City of Springfield, Ohio, was held on Tuesday, April 28, 2015, in the Forum of City Hall.

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, the members approved the minutes of the March 31, 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:

18-15 An Ordinance titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

115-15 An Ordinance titled, "Authorizing a maintenance agreement for the replacement of substation insulators for an amount not to exceed \$116,190 from Triec Electrical Services, 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."

116-15 An Ordinance titled, "Authorizing the City Manager to enter into a contract with C&N Contractors, Inc., for the Springfield-Beckley Municipal Airport Maintenance Hangar No. 1 EIFS Installation Project, for an amount not to exceed \$74,891."

31-13 An Ordinance titled, "Authorizing the City Manager to enter into Amendment No. 1 to the City's Clean Ohio Trails Fund Grant Agreement No. COTF-169 to extend the project completion date to December 31, 2016."

☞☞☞ Next regular City Commission meeting: May 12, 2015. ☞☞☞

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

102-15 An Ordinance No. 15-112 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."

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.

72-15 An Ordinance No. 15-113 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."

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. 15-114 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."

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.

267-14 An Ordinance No. 15-115 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 Bechtel Signals Project, PID No. 98859, to amend the cost-recovery method and to reflect the reallocation of funds between project phases."

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.

39-15 An Ordinance No. 15-116 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."

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.

253-14 An Ordinance No. 15-117 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."

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.

103-15 An Ordinance No. 15-118 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."

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.

SECOND READING—RESOLUTION

The following legislation was presented for the second time:

104-15 Resolution No. 5881 titled, 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."

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

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:

22-15 Emergency Ordinance No. 15-119 titled, "Providing for Supplemental Appropriations within various funds, 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.

117-15 Emergency Ordinance No. 15-120 titled, "Authorizing the City Manager to enter into an Enterprise Zone Agreement by and among The City of Springfield, Ohio, Pentaflex, Inc., and Fibricon Enterprises II, Inc., 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.

118-15 Emergency Ordinance No. 15-121 titled, "Authorizing the City Manager to enter into a Non-Residential Misdemeanant Subsidy Grant Agreement for FY 2016 Community-Based Corrections Programs by and between the City and the State of Ohio, Department of Rehabilitation and Correction, Division of Parole and Community Services, Bureau of Community Sanctions, to accept a grant providing funding up to an amount of \$122,239 for fiscal year 2016, for the operation of a Community-Based Corrections Program by the Clark County Municipal Court; authorizing the City Manager, Finance Director, and Court Administrator of the Municipal Court to do all things necessary to implement said Subsidy Grant Agreement and to comply with all relevant local, state, and federal legal requirements; 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.

33-11 Emergency Ordinance No. 15-122 titled, "Confirming and approving Change Order No. 1 to the contract

between the City and Sunesis Construction Company for the CLA - Veterans Bridge Project, PID No. 88484, to increase the contract amount by \$2,736.39, for a total contract amount not to exceed \$2,367,209.22; 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.

230-14 Emergency Ordinance No. 15-123 titled, "Confirming and approving Change Order No. 1 to the contract between the City and Brumbaugh Construction, Inc., for the Snyder Park Bridge Project to increase the contract amount by \$18,381, for a total contract amount not to exceed \$1,388,636; authorizing the City Manager to execute said Change Order No. 1; 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.

96-13 Emergency Ordinance No. 15-124 titled, "Authorizing the City Manager to enter into LPA Agreement No. 25724, Amendment No. 2, between the City and the Ohio Department of Transportation in connection with the CLA Middle Urbana Rehab, PID No. 94768, to properly reflect the Toll Revenue Credit Funds added to the project; authorizing an expenditure for an additional local match in an amount not to exceed \$91,900 for a total local match not to exceed \$481,050, 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.

119-15 Emergency Ordinance No. 15-125 titled, "Confirming and approving a FY2013 grant from the ODOT Congestion Mitigation Air Quality and Surface Transportation Fund in an amount up to \$300,000 for public-transit-related expenses; authorizing the City Manager, City Engineer, and the Director of Finance to do all things necessary for the acceptance of the grant and to comply with all relevant local, state, and federal legal requirements; 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.

121-15 Emergency Ordinance No. 15-126 titled, "Authorizing the City Manager to apply for and accept a grant from the Ohio Department of Transportation, Aviation Division, in an amount up to \$204,952 for Taxiway Bravo improvements at the Springfield-Beckley Municipal Airport; authorizing the City Manager and the Director of Finance to do all things necessary for the submission of the application and to comply with all relevant local, state, and federal legal requirements; and authorizing an expenditure up to \$22,773 to be used as local matching funds; 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.

EMERGENCY RESOLUTIONS

The following emergency legislation was presented for the first time:

120-15 Emergency Resolution No. 5882 titled, "Finding the necessity and declaring the intent to appropriate interests in real property (Set 3) in connection with providing the real estate needed for the public purpose of constructing, reconstructing, operating, and maintaining sewer infrastructure; 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:

89-15 Minutes of the March 16, 2015, meeting of the Board of Zoning Appeals.

92-15 Correspondence from the Ohio Environmental Protection Agency regarding the Tremont City Barrel Fill.

122-15 Minutes of the March 16 and 24, 2015, meetings of the National Trail Parks and Recreation District Board.

123-15 Notification from the Division of Liquor Control of a request to transfer a liquor permit to Atmiya Property,

LLC, dba Beverage Oasis Drive Thru, 1953 South Yellow Springs Street.

COMMENTS ON AGENDA ITEMS

39-15 With regard to contract amendment No. 1 in connection with the Bechtle Avenue Signals Project, it was noted that the contract revision provided the City the means to recover more of its costs from the Ohio Department of Transportation.

103-15 Community Development Director Meadows commented on the two demolition contracts, one with Tony Smith Wrecking and the other with Charles Jergens Construction. The funds allocated would be applied toward necessary residential demolition and commercial structures under a certain size. Demolition costs range from \$5,000 to \$8,000 per structure. Demolitions will address condemned structures, buildings suffering catastrophic events, public nuisances, and those that impede safety.

Mr. Copeland noted that the City has fewer funds for demolishing structures this year since certain funding is no longer available.

COMMENTS FROM THE COMMISSION

Mr. Martin presented a proclamation proclaiming April 29, 2015, Wittenberg "Tigers" Women's Basketball Team Day. The proclamation was accepted by Coach Sarah Jurewicz and team members.

Mrs. Duncan presented a proclamation proclaiming May 9, 2015, National Association of Letter Carriers National Food Drive Day. The proclamation was accepted by Mr. Don Bendure.

With regard to the state treasurer's "online checkbook" program concerning municipal spending, Mr. Martin inquired into City Commissioners' opinion of the proposal. Mr. Copeland stated that the document received from the state treasurer was forwarded to City Manager Bodenmiller and Finance Director Beckdahl. The program is designed to place local government spending information online at no cost, but the process may require a significant amount of staff time. A report will be provided to Commissioners.

Mrs. Duncan announced the Master Gardeners' perennial sale on May 2 on Gateway Boulevard. Mrs. Chilton announced FatherFest, a celebration on the City Plaza, June 20.

92-15 Mrs. Duncan spoke to correspondence received from the Ohio EPA director concerning the Tremont City Barrel Fill. She felt the agency's direction with regard to the clean up of the toxic chemicals did not serve the citizens of Clark County, nor protect the integrity of the City's wellfields. Liners with a 50-year life would be added to the site to contain toxins, which would not protect groundwater very far into the future. The best solution was to move the toxic chemicals to a landfill where the toxins would be treated.

Mr. Copeland stated that the situation at the barrel fill is not a public relations problem, but an environmental problem. State officials ignore the real issue. He agreed with Mrs. Duncan's assessment and was not satisfied with the route OEPA proposed.

COMMENTS FROM THE AUDIENCE

117-15 A representative of Pentaflex addressed the City Commission with regard to the Enterprise Zone Agreement between Pentaflex, Fibricon Enterprises, and the City. The gentlemen stated that he appreciated the support received from the City for the expansion endeavor. He expected a long and prosperous relationship.

13-15 Mr. Raymond Upshaw, 325 West Liberty Street, stated he was nonviolent. He commented on the Boston riot, racial inequality, and children's activities. He noted that SplashZone's location discriminated against less-fortunate children.

Mr. David Sanford 514 Fremont Avenue, addressed children's activities administered by National Trail Parks and Recreation.

Mr. Scott Riley, 2061 Hillside Avenue, spoke in favor of decriminalizing marijuana in Clark County, which he felt would revitalize the local economy.



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