

A regular meeting of the City Commission of The City of Springfield, Ohio, was held on Tuesday, February 17, 2015, in the Forum of City Hall.

Roll call was answered by Mrs. Chilton, Messrs. Martin, O'Neill, and President Copeland; Mrs. Duncan 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 Mr. Martin, the members approved the minutes of the January 20, 2015, regular meeting as presented.

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, 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:

**15-15** An Ordinance titled, "Approving an amendment to the existing CC-2A District Development Plan for 20.252 acres located along North Bechtle Avenue comprised of parcels 3300600006100019, 32002000010000127, and 3200200001000128 to allow for the addition of out lots on the subject development."

**16-15** An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio, by rezoning 0.46 acre at 1084 North Belmont Avenue, Springfield, Ohio, from RS-8, Medium-Density Single-Family Residence District, to CC-2, Community Commercial District."

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

**53-15** An Ordinance titled, "Authorizing the purchase of two 2015 Ford F-450 cabs and chasses for an amount not to exceed \$62,314.24, from Middletown Ford, Inc., 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."

**54-15** An Ordinance titled, "Authorizing the City Manager to apply for an EMS Priority 1 Training and Equipment Grant in an amount up to \$3,000 from the Ohio Department of Public Safety, and authorizing the City Manager, Finance Director, and Chief of the Fire Division to do all things necessary for the submission of the application and to comply with all relevant local, state, and federal legal requirements."

**55-15** An Ordinance titled, "Authorizing the City Manager to enter into an Agreement with the Law Enforcement State Homeland Security Program to allow data captured using automatic license plate readers to be shared between State Homeland Security and participating law enforcement agencies."

**56-15** An Ordinance titled, "Authorizing the City Manager to execute a Contract For Purchase And Sale Of Real Estate to sell certain property to Daniel James Hightower."

Next regular City Commission meeting: March 3, 2015.

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**35-15** An Ordinance No. 15-40 titled, "Authorizing the City Manager to enter into a three-year Standard Software Maintenance Agreement with New World Systems Corporation to maintain computer software used by the City's Public Safety Department, for a total amount not to exceed \$437,497 for the period April 1, 2015, through March 31, 2018."

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

**36-15** An Ordinance No. 15-41 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 1102.02 titled *Definitions* by the enactment of Section 1102.02(m)(10), *Microbottler*, and 1102.02(t)(7), *Tap Room*, and the amendment of Section 1120.03 titled *Provisional Uses Permitted* by the enactment of subparagraph (b)."

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

**37-15** An Ordinance No. 15-42 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 Chapter 1141 titled *UPOD Unified Plan Overlay District*, Chapter 1153 titled *Off-Street Parking Regulations*, and Chapter 1158 titled *Tree*

*Regulations*; and repealing existing Chapters 1141, 1153, and 1158.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

**38-15** An Ordinance No. 15-43 titled, “Authorizing the exercise of the City’s option to renew the contract with The Endurance Group LLC, dba Emerald Green Lawn and Landscape Pros, for boulevard mowing services, for an amount not to exceed \$35,959.35.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

**22-12** An Ordinance No. 15-44 titled, “Authorizing the exercise of the City’s option to renew the contract with Dayton Sweeping Service, Inc., dba DSS Sweeping Services, Inc., for the sweeping and cleaning of City streets, for an amount not to exceed \$162,590.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

**39-15** An Ordinance No. 15-45 titled, “Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 26847 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$679,000 for the CLA Bechtle Roundabout, PID No. 98860; and authorizing the City Manager, Law Director, and Finance Director to do all things they deem necessary to implement said agreement.”

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

Yeas, Mrs. Chilton, Messrs. Martin, and Copeland; Nays, Mr. O'Neill.

Yeas 3, Nays 1.

**40-15** An Ordinance No. 15-46 titled, “Authorizing the City Manager to enter into a contract with Chemical Services, Inc., for the purchase of Sodium Hypochlorite for use by the City’s Wastewater Treatment Plant for a period of one year with an option to renew for two additional one-year periods, for an amount not to exceed \$79,560.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

**41-15** An Ordinance No. 15-47 titled, “Authorizing the City Manager to enter into a contract with PVS Chemical Solutions, Inc., for the purchase of Liquid Sodium Bisulfite for use by the City’s Wastewater Treatment Plant for a period of one year with an option to renew for two additional one-year periods, for an amount not to exceed \$52,000.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

### **SECOND READING—RESOLUTION**

The following legislation was presented for the second time:

**42-15** A Resolution No. 5873 titled, “Dedicating certain right-of-way owned by the City for the purpose of multi-use trails.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**17-15** Emergency Ordinance No. 15-48 titled, “Approving an amendment to the existing G District Plan for 17.31 acres located at 700 South Limestone Street to allow for additional parking and test gardens as well as to relocate tennis courts; and declaring an emergency.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

**57-15** Emergency Ordinance No. 15-49 titled, “Authorizing the Finance Director to execute an Audit Engagement Contract with the Auditor of State of Ohio for the 2014 fiscal year audit of The City of Springfield, Ohio, for an amount not to exceed \$73,800; confirming and approving all related expenditures incurred prior to the passage of this

ordinance; and declaring an emergency.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O’Neill, and Copeland.

Yeas 4, Nays 0.

**48-15** Emergency Ordinance No. 15-50 titled, “Amending the Zoning Map of Springfield, Ohio, by rezoning 11.39 acres at the former Community Hospital property in Springfield, Ohio, from CO-1 Commercial Office District, and CO-1 OPD-H Commercial Office District Planned Development Housing Overlay District, to RM-12 Low-Density Multi-Family Residence District; and declaring an emergency.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O’Neill, and Copeland.

Yeas 4, Nays 0.

**52-15** Emergency Ordinance No. 15-51 titled, “Authorizing the City Manager to execute a Contract For Purchase And Sale Of Real Estate and a deed to sell certain property to the Church of God, and declaring an emergency.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O’Neill, and Copeland.

Yeas 4, Nays 0.

**242-06** Emergency Ordinance No. 15-52 titled, “Authorizing the City Manager to execute a Loan Modification Agreement by and among the City, the Harry M. and Violet Turner Charitable Trust, and the Director of the Development Services Agency of the State of Ohio, and declaring an emergency.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O’Neill, and Copeland.

Yeas 4, Nays 0.

**58-15** Emergency Ordinance No. 15-53 titled, “Authorizing the City Manager to enter into a contract with Finley Fire Equipment for the purchase of respiratory equipment, for an amount not to exceed \$444,937; and declaring an emergency.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O’Neill, and Copeland.

Yeas 4, Nays 0.

**259-14** Emergency Ordinance No. 15-54 titled, “Appropriating the interests in real property hereinafter described for the purpose of providing necessary rights in real estate needed for the purpose of constructing, reconstructing, operating, and maintaining sewer infrastructure in relation to the Erie Interceptor Express Sewer Project; and declaring an emergency.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O’Neill, and Copeland.

Yeas 4, Nays 0.

**59-15** Emergency Ordinance No. 15-55 titled, “Authorizing the City Manager to sign various conveyance and security documents and an Indefeasible Right-Of-Use Metropolitan Dark Fiber Agreement with Advanced Technical Intelligence Center for Human Capital Development, fka Advanced Virtual Engine Test Cell, Inc. (hereinafter called “AVETEC”), all in connection with the operation, management, maintenance, and use of fiber optic cable extending from the City to the Springfield-Beckley Municipal Airport and then to Wright-Patterson Air Force Base; authorizing the City Manager, Finance Director, and Law Director to do all things necessary to implement such arrangements; and declaring an emergency.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O’Neill, and Copeland.

Yeas 4, Nays 0.

**60-15** Emergency Ordinance No. 15-56 titled, “Authorizing the City Manager to execute a Housing Property Purchase Cooperation Agreement (1430 Clifton Avenue) with the Springfield Metropolitan Housing Authority, and declaring an emergency.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O’Neill, and Copeland.

Yeas 4, Nays 0.

**274-10** Emergency Ordinance No. 15-57 titled, “Authorizing the City Manager to execute Amendment No. 4 to the City’s Engineering Agreement (Veterans Bridge Replacement Project; PID No. 88484) with Jones-Stuckey Ltd., Inc., to provide the City with additional consulting services for an amount not to exceed \$15,000; and declaring an emergency.”

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

Yeas, Mrs. Chilton, Messrs. Martin, O’Neill, and Copeland.

Yeas 4, Nays 0.

**131-14** Emergency Ordinance No. 15-58 titled, "Confirming and approving Change Order No. 5 (Final) to the contract between the City and The Shelly Company for the 2014 PI Paving Project to decrease the contract amount by \$2,957.50, for a total contract amount not to exceed \$868,837.66; authorizing the City Manager to execute said Change Order No. 5 (Final); and declaring an emergency."

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

**64-15** Emergency Ordinance No. 15-59 titled, "Authorizing the City Manager to enter into an Agreement by and between The City of Springfield, Ohio, and the Fraternal Order of Police, Ohio Labor Council (FOP/OLC), for the Communications Operators; directing the implementation and performance of the provisions of such agreement; and declaring an emergency."

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

### **MOTION**

**64-14** On motion Mr. O'Neill, seconded by Mr. Martin, authorization was given to publish tentative assessments for the 2014 Sidewalk, Curb, and Gutter Program.

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

### **EMERGENCY RESOLUTIONS**

The following emergency legislation was presented for the first time:

**66-15** Emergency Resolution No. 5874 titled, "Consenting to the appointment of James R. Smith to serve as the City Planning Board's representative to the Board of Zoning Appeals; and declaring an emergency."

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

**61-15** Emergency Resolution No. 5875 titled, "Consenting to the appointment of Dorwilda R. Willis to the Mediation Board, and declaring an emergency."

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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

### **COMMUNICATIONS**

The following communication was ordered received and filed:

**57-14** Minutes of the October 16, November 20, and December 18, 2014, meetings of the Clark County Combined Health District.

**102-14** Minutes of the November 6, 2014, meeting of the Community Beautification Committee.

**274-14** Correspondence from Neighborhood Housing Partnership relative to a proposed multi-family housing development to be financed with housing tax credit proceeds.

**62-15** Notification from the Ohio Division of Liquor Control of a request to transfer a liquor permit to To To Enterprises, LLC, dba O'Connor's Irish Pub, 2200 North Limestone Street.

**63-15** Notification from the Ohio Division of Liquor Control of a request to transfer a liquor permit to Ambalica, LLC, 904-908 West North Street.

### **COMMENTS ON AGENDA ITEMS**

**37-15** Mr. O'Neill spoke to the amendment of the Codified Ordinances with regard to off-street parking and stated he was not pleased with changes made concerning the parking of large vehicles, such as motor coaches. He felt other provisions needed to be reviewed.

**39-15** Mr. O'Neill addressed current traffic problems on North Bechtle Avenue and stated that the proposed

roundabout will add to the problem, discourage development and shopping. The money for the roundabout would be better spent on additional traffic signals and internal access roads. The area needs a traffic flow that makes sense. He indicated he would not vote in favor of the project agreement with the Ohio Department of Transportation.

City Manager Bodenmiller stated that no decision has been made to build a roundabout. First, a study will be completed on the area's traffic flow to determine if a roundabout would be efficient, prevent drivers sitting at lights, improve air quality, and create breaks in traffic. There is no cost to the City. The intent is not to speed up traffic.

Mrs. Chilton confirmed that passage of the ordinance before the body calls for a study. This vote does not mean that the City will build a roundabout.

Mr. O'Neill noted that the developer proposing a development plan amendment for parcels north of Walmart included \$100,000 for a new traffic light at the location where the roundabout would be constructed.

**57-15** With regard to the Audit Engagement Contract, Finance Director Beckdahl stated Ohio's Auditor of State will complete the City's fiscal year 2014 audit.

**274-10** Law Director Strozdas reported that the Veterans Bridge project amendment provides additional funding to Jones-Stuckey Ltd., Inc., for construction supervision.

**64-14** It was noted that the publication of tentative assessments in the newspaper would include property addresses only.

### **COMMENTS FROM THE AUDIENCE**

**48-15** Mr. Steve Sharp, architect for the multi-family housing project proposed for the former Community Hospital site, defined the term, pocket neighborhood. A pocket neighborhood is a condensed neighborhood with a pedestrian theme. As designed, ten apartments will open up to a central green space.

**13-15** Mr. Raymond Upshaw, 325 West Liberty Street, stated he was nonviolent. He spoke to hate crimes, a future war that would give him freedom, and society denying him equality.



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

Yeas, Mrs. Chilton, Messrs. Martin, O'Neill, and Copeland.

Yeas 4, Nays 0.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION