

A regular meeting of the City Commission of The City of Springfield, Ohio, was held on Tuesday, March 31, 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 Mrs. Duncan, seconded by Mr. Martin, the members approved the minutes of the March 3, 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."

95-15 An Ordinance 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."

96-15 An Ordinance 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."

97-15 An Ordinance 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."

98-15 An Ordinance 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."

Next regular City Commission meeting: April 14, 2015.

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

65-15 An Ordinance No. 15-82 titled, "Amending the Zoning Map of Springfield, Ohio, by rezoning 0.28 acre at 1901 West Main Street, Springfield, Ohio, from RS-8, Medium-Density Single-Family Residence District, to CI-1, Intensive Commercial District."

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.

77-15 An Ordinance No. 15-83 titled, "Authorizing the City Manager to enter into a contract with Siemens Industry, Inc., for the purchase of electromagnetic flowmeter, signal converter, and accessories, for an amount not to exceed \$56,220.25."

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.

78-15 An Ordinance No. 15-84 titled, "Authorizing the City Manager to apply for a Fitness Equipment Grant in an amount up to \$3,000 from 5-5-5 Firefighter Fitness, Inc., 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."

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.

79-15 An Ordinance No. 15-85 titled, "Authorizing a grant in the amount of \$1,000 to the Clark County Land Bank for the purpose of funding payment of delinquent water and sewer utility bills on properties in the City acquired by the Clark County Land Bank and authorizing the City Manager, Finance Director, and Law Director to do all things necessary for the proper implementation and disbursement of the authorized grant."

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.

80-15 An Ordinance No. 15-86 titled, "Consenting to the realignment and widening of the US Route 68 southbound exit ramp H, at the intersection of State Route 4, US Route 40, and US Route 68 at County Road 327, the signalization of the intersection of US Route 68 southbound exit ramp H and County Road 327, and the widening of the US Route 40 and County Road 327 intersection to provide the required auxiliary lanes and change-lane-use assignments for optimum signal operations within the City of Springfield, by the Ohio Department of Transportation (identified as CLA-US40 10.11, and further identified by PID No. 99779); providing for the maintenance of the right-of-way; and authorizing the City Manager to enter into agreements with the Director of Transportation for the State of Ohio necessary to complete the project."

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.

81-15 An Ordinance No. 15-87 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 Chapter 961, Section 1323.01(i), and Section 1324.03(a); enacting new Section 1313.19, all related to stormwater management; and repealing existing Chapters 961 and 963 and Sections 1323.01(i) and 1324.03(a)."

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

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

Yeas 3, Nays 2.

82-15 An Ordinance No. 15-88 titled, "Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 26991 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$633,600 for the CLA East Street Reconstruction Project, PID No. 94806; authorizing the City Manager, Law Director, and Finance Director to do all things they deem necessary to implement said agreement; and authorizing an expenditure up to \$158,400 to be used as matching funds in connection with the agreement to be entered into with the Ohio Department of Transportation."

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.

129-14 An Ordinance No. 15-89 titled, "Confirming and approving Amendment No. 2 to the Right-of-Entry Agreement with The Harry M. And Violet Turner Charitable Trust to extend the termination date to May 15, 2015."

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.

83-15 An Ordinance No. 15-90 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 subparagraphs (xx) and (yy) to Section 916.01 titled *Definitions*, amending subparagraph (e)(2) to Section 916.02 titled *Use of Public Sewers*, and repealing existing subparagraph (2) in Section 916.02(e)."

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.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

155-14 Emergency Ordinance No. 15-91 titled, "Authorizing the City Manager to execute Amendment No. 2 to the June 25, 2014 Subrecipient Funding Agreement (Norm's Place 2014-2015) with Interfaith Hospitality Network, Inc., to increase funding in the amount of \$5,000 for a total amount not to exceed \$92,056; 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.

64-14 Emergency Ordinance No. 15-92 titled, "Levying special assessments for the improvement of streets by the construction of sidewalks, curbs, and gutters in the 2014 Sidewalk, Curb, and Gutter Program, 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.

73-15 Emergency Ordinance No. 15-93 titled, "Authorizing the City Manager to enter into a contract with Sterling Quality Concrete, LLC, for the 2015 Sidewalk, Curb, and Gutter Program for an amount not to exceed \$255,807.50, 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.

96-13 Emergency Ordinance No. 15-94 titled, "Authorizing the City Manager to enter into Agreement No. 18951 with DLZ Ohio, Inc., for the CLA Middle Urbana Rehabilitation Project, PID No. 94768 for an amount not to exceed \$285,089, 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. 15-95 titled, "Authorizing the City Manager to enter into LPA Agreement No. 25724, Amendment No. 1, between the City and the Ohio Department of Transportation in connection with the CLA Middle Urbana Rehabilitation Project, PID No. 94768 to reallocate funds and add Toll Revenue Credit funds to the project, 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.

108-14 Emergency Ordinance No. 15-96 titled, "Authorizing the City Manager to enter into a contract with A & B Asphalt Corporation for the Rehabilitation of Taxiway A Project, Phase IV, at the Springfield-Beckley Municipal Airport for an amount not to exceed \$159,397.20, 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.

EMERGENCY RESOLUTION

The following emergency legislation was presented for the first time:

99-15 Emergency Resolution No. 5880 titled, "Appointing James Burkhardt to the Board of Zoning Appeals, and declaring an emergency."

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.

MOTIONS

81-15 Mr. O'Neill moved that the 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 amending Chapter 961, Section 1323.01(i), and Section 1324.03(a); enacting new Section 1313.19, all related to stormwater management; and repealing existing Chapters 961 and 963 and Sections 1323.01(i) and 1324.03(a)," be postponed until April 14, 2015.

Mr. Martin seconded the motion.

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

Yeas 2, Nays 3.

The motion failed.

81-15 Mrs. Chilton moved that the 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 amending Chapter 961, Section 1323.01(i), and Section 1324.03(a); enacting new Section 1313.19, all related to stormwater management; and repealing existing Chapters 961 and 963 and Sections 1323.01(i) and 1324.03(a)," be amended by deleting proposed Sections 961.13 and 1313.19.

Mrs. Duncan seconded the motion.

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

Yeas 3, Nays 2.

The motion passed.

COMMUNICATIONS

The following communications were ordered received and filed:

100-15 Notification from the Ohio Division of Liquor Control of a request for a new liquor permit for Golden Chopstick, Inc., 2973 Derr Road.

101-15 Notification from the Ohio Division of Liquor Control of a transfer in ownership for Keg N Cork Beverage Center, 1115 Mitchell Boulevard.

101-15 Notification from the Ohio Division of Liquor Control of a transfer in ownership of the liquor agency contract carried by Keg N Cork Beverage Center, 1115 Mitchell Boulevard..

COMMENTS ON AGENDA ITEMS

95-15 Mr. Martin addressed the Burnett and High Community Reinvestment Area and said the establishment of such an area on Springfield's east side was a positive step after the closure of Community Hospital and the building's demolition. Another positive aspect was the expansion of the proposed reinvestment area south of Lexington to include Burnett Road Plaza. He urged the consideration of further expansion of the geographical area west of High Street to include medical office buildings.

Mr. O'Neill agreed with Mr. Martin's comments. There are business pockets all over the city, including North Limestone Street, that would benefit from the establishment of such an area. He said much of the focus has been on downtown. He thought the east end project would be a winner.

In response to Mrs. Chilton's inquiry, Deputy City Manager Heck defined elements of the community reinvestment areas, such as tax abatement, assessed values, and differences between redevelopment of existing structures and new construction. Currently, the City has two other redevelopment areas: Center City and South Limestone Street.

Mr. Copeland stated that he must weight each Community Reinvestment Area agreement against the loss of taxes and how that loss affects the City schools. The City's workforce is already challenged. He did not want to add to that challenge with a loss of funding.

81-15 Mr. O'Neill spoke to the amendment of the City's Codified Ordinances by enactment of a new stormwater management chapter. He urged that a vote on the ordinance be postponed for two weeks so the community's stakeholders could review the chapter and offer comments on the language and the proposed fees. He stated that if Assurant Group on Leffel Lane was required to pay the proposed stormwater fees during that building's construction, those fees would have raised the cost of overall fees from \$15,000 to \$23,000, which is a sizeable amount of money. He noted that Clark County does not assess a stormwater fee. He stated he was not opposed to the ordinance; he was opposed to rushing forward without further discussion.

Mrs. Duncan stated that the fee increase is necessary when the City has to pay for a \$50 million wastewater plant upgrade, which Clark County does not. A few thousand dollars would not make or break a development deal. The City is near financial crisis, and this is an opportunity to collect fees that help defray expenses. The fees are not excessive when the number of site visits staff members must make over the course of construction is factored in. These fees defray expenses and provide taxpayers with clean water.

City Manager Bodenmiller remarked on Mr. O'Neill's Assurant Group comment, stating that the company's increased fee would have been less than \$2,000. The ordinance before the City Commission excludes residential development, permits a look-back period to the developer's advantage, meets OEPA requirements, and exhibits good stormwater practices. His recommendation was to pass the ordinance as prepared.

Mr. Shanayda stated that it is not uncommon for plans to go back and forth between an architect and staff members multiple times. It is often the third or fourth generation of plans that received approval. Staff members visit work sites weekly throughout the construction period.

Mr. Martin stated that the City should recoup the costs of plan review at a level consistent with other communities, but he wondered if Springfield was off the mark. He was not opposed to postponing a vote to allow for further discussion. He did not want to ram a change through.

Mr. O'Neill stated that multiple plan reviews and inspections generate additional work and cost increases for developers.

96-13 City Engineer Shanayda reported that the Middle Urbana Rehabilitation Project would widen the road by the addition of a center turn lane. Design would begin in 2015 with construction in 2017.

COMMENTS FROM THE AUDIENCE

81-15 Mr. Kent Sherry, 4507 Dowden Street, discussed the impact fees mention in Codified Ordinances Chapter 918. He spoke to the stormwater assessment incorporated into the City's utility bills. A few years ago when the stormwater coordinator was hired, funding was put into place that could only be used for stormwater management and

enforcement efforts. He asked that the vote on the proposed ordinance be tabled to allow community stakeholders an opportunity to review and comment.

13-15 Mr. Scott Riley, 2061 Hillside Avenue, spoke to his proposal to legalize the growth and sale of marijuana in Springfield.

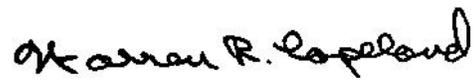
State Representative Kyle Koehler of Hominy Ridge Road, stated that in order for Ohio to be more business friendly, state representatives recently voted to reduce the fee for starting a business.



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