

A regular meeting of the City Commission of The City of Springfield, Ohio, was held on Tuesday, May 12, 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 April 14, 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:

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

124-15 An Ordinance titled, "Authorizing the City Manager to enter into a Contract for Sale and Purchase of Real Property with HCP CC SNF, LLC in relation to the acquisition of real property interests needed for the CLA-Villa Road Project, PID No. 89421."

125-15 An Ordinance titled, "Confirming and approving a Cropland Lease Agreement (2015-2020) with Raven Farms, LLC, to lease five acres at 5721 Plattsburg Road, of which 4.8 acres are tillable farm land."

126-15 An Ordinance titled, "Authorizing the City Manager to apply for an Assistance to Firefighters Grant from the Federal Emergency Management Agency; authorizing the local matching expenditure; and 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 grant and to comply with all relevant local, state, and federal legal requirements."

206-12 An Ordinance titled, "Confirming and approving Change Order No. 6 to the contract between the City and Kokosing Construction Company, Inc., for the City's Wastewater Treatment Plant Wet Weather and Capacity Improvements Project, to increase the contract in an amount not to exceed \$776,433.84, for a total amount not to exceed \$52,053,151.10; and authorizing the City Manager to execute said Change Order No. 6."

127-15 An Ordinance titled, "Authorizing the City Manager to enter into an Agreement with Strand Associates, Inc., for engineering consulting services for the Combined Sewer Overflow

Long-Term Control Plan Programmatic Review, for an amount not to exceed \$785,930.”

128-15 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 917.02 titled *Service Charge Rates*, and repealing existing Section 917.02.”

☺☺☺ Next regular City Commission meeting: May 26, 2015. ☹☹☹

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

18-15 An Ordinance No. 15-127 titled, “Confirming purchases and the obtaining of services for the City and providing for payments therefor.”

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.

115-15 An Ordinance No. 15-128 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.”

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.

116-15 An Ordinance No. 15-129 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.”

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.

31-13 An Ordinance No. 15-13- 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.”

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 ORDINANCES

The following emergency legislation was presented for the first time:

22-15 Emergency Ordinance No. 15-131 titled, "Providing for Supplemental Appropriations within various funds, 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.

43-15 Emergency Ordinance No. 15-132 titled, "Approving the transfer of appropriations within various funds, 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.

110-15 Emergency Ordinance No. 15-133 titled, "Providing an interim-fund cash advance from the General Fund to the Memorial Tree Fund in the amount of \$155, 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.

4-12 Emergency Ordinance No. 15-134 titled, "Authorizing the City Manager to execute an amendment to the City's Grant Agreement OHLHB0528-12 with the U.S. Department of Housing and Urban Development for the City's Lead Safe Springfield Program, to adjust the grant expiration date to June 14, 2016, 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.

130-15 A Fiscal Officer's Certificate was presented in connection with the proposed issuance of \$259,700 Sidewalk, Curb, and Gutter S.A. Note, Series 2015-B, in anticipation of the issuance of bonds, to pay the cost of construction of sidewalks, curbs, and gutters comprised in the 2015 East Main and North Limestone Streets 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 20 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. 15-135 titled, "Providing for the issuance and sale of notes in the maximum aggregate principal sum of \$259,700 in anticipation of the issuance of bonds to pay the cost of constructing sidewalks, curbs, and gutters comprised in the 2015 East Main and North Limestone Streets Sidewalk, Curb, and Gutter Program at various locations throughout the City, and declaring an emergency."

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.

The Fiscal Officer's Certificate was presented May 5, 2015, prior to the commencement of the City Commission meeting and prior to passage of the ordinance.

104-15 Emergency Ordinance No. 15-136 titled, "Authorizing the City Manager to enter into a contract with A & B Asphalt Corporation for the East Main and North Limestone Streets Sidewalk, Curb, and Gutter Program for an amount not to exceed \$259,686.12, 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.

238-14 Emergency Ordinance No. 15-137 titled, "Authorizing the City Manager to enter into a contract with Allied Builders, Inc., dba Allied Fence Builders, for the Springfield-Beckley Municipal Airport Perimeter Fence and Overflow Gate Project for an amount not to exceed \$83,205, 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.

39-15 Emergency Ordinance No. 15-138 titled, "Authorizing the City Manager to enter into Agreement No. 19008 with American Structurepoint, Inc., for engineering design services for the CLA-Bechtel Roundabout Project, PID No. 98860, for an amount not to exceed \$187,342, and declaring an emergency."

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and Copeland; Nays, Mr. O'Neill Yeas 4, Nays 1.

131-15 A Fiscal Officer's Certificate was presented in connection with the proposed issuance of \$134,450 Sidewalk Improvement Bonds, Series 2015, to pay the property owners' portion in anticipation of the collection of special assessments heretofore levied of the cost of constructing sidewalks, curbs, and gutters comprised in the 2014 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 20 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.

Emergency Ordinance No. 15-139 titled, "Providing for the issuance of bonds to pay the property owners' portion, in anticipation of the collection of special assessments heretofore levied of the cost of constructing sidewalks, curbs, and gutters comprised in the 2014 Sidewalk, Curb, and Gutter Program at various locations throughout the City, and declaring an emergency."

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

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

Yeas 5, Nays 0.

The Fiscal Officer's Certificate was presented May 6, 2015, prior to the commencement of the City Commission meeting and prior to passage of the ordinance.

132-15 A Fiscal Officer's Certificate was presented in connection with the proposed issuance of \$240,050 Sidewalk Improvement Bonds to pay the property owners' portion in anticipation of the collection of special assessments heretofore levied of the cost of constructing sidewalks, curbs, and gutters comprised in the 2014 4 West Main Street Sidewalk Remediation Project in 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 20 years, but because the special assessments will be payable over a period of ten years, and the Bonds are to be issued in anticipation of the collection of those special assessments, the maximum maturity of the Bonds is ten years.

Emergency Ordinance No. 15-140 titled, "Providing for the issuance of bonds to pay the property owner's portion, in anticipation of the collection of special assessments heretofore levied of the cost of constructing sidewalks, curbs, and gutters comprised in the 2014 4 West Main Sidewalk Remediation Project in the City, 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.

The Fiscal Officer's Certificate was presented May 6, 2015, prior to the commencement of the City Commission meeting and prior to passage of the ordinance.

133-15 A Supplemental Fiscal Officer's Certificate was presented to supplement certificates presented on June 8, 2009. Said supplemental certificate concurs with the proposed issuance of bonds in the maximum aggregate principal amount of \$10,000,000 (the "*Bonds*") for the purpose of paying the costs of refunding bonds previously issued by the City for various purposes (collectively, the "*Improvement*"). The estimated life or period of usefulness of each component of the Improvement is at least five (5) years. The maximum maturity of the Bonds allocable to refunding the bonds originally issued for each of the purposes of the Improvement, calculated in accordance with Sections 133.20 and 133.34 of the Ohio Revised Code, is December 1, 2049. This certification takes into consideration the fiscal officer's certificates of June 8, 2009, and the maximum maturity of 40 years stated therein which was based upon a 40-year estimate of the life or period of usefulness of each component purpose of the Improvement.

Emergency Ordinance No. 15-141 titled, "Providing for the issuance and sale of bonds in the maximum aggregate principal amount of \$10,000,000 for the purpose of paying the costs of refunding bonds previously issued by the City for the purpose of paying the costs of (a) improving the municipal sanitary and storm sewerage system by constructing wet weather and capacity improvements, combined sewer overflow mitigation improvements, and completing any other improvements determined by the City to be necessary for the treatment and disposal of sanitary and storm sewer waste, and acquiring any necessary interests in real property, together with all incidental work and related appurtenances thereto, and (b) improving the municipal water system by installing and relocating water lines, rehabilitating water storage facilities, acquiring and

installing water pumps, acquiring, installing, and relocating electrical equipment, acquiring and installing other equipment, and completing any other improvements determined by the City to be necessary for the treatment and distribution of water, and acquiring any necessary interests in real property, together with all incidental work and related appurtenances thereto, 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.

The Supplemental Fiscal Officer’s Certificate was presented May 7, 2015, prior to the commencement of the City Commission meeting and prior to passage of the ordinance.

134-15 Emergency Ordinance No. 15-142 titled, “Authorizing the City’s participation in the Cooperative Purchasing Program of the Ohio Department of Transportation in accordance with the provisions of Section 5513.01(B) of the Ohio Revised Code for the purchase of rock salt for the 2015-2016 winter season; authorizing the City Manager to execute documents for such purpose; 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.

LIQUOR PERMIT

123-15 On motion of Mr. O’Neill, seconded by Mr. Martin, the report from the Administration relative to notification from the Ohio Department 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, was ordered received and filed with the City Clerk.

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

Yeas 5, Nays 0.

COMMUNICATIONS

The following communications were ordered received and filed:

64-14 File-stamped copy of Ordinance No. 15-92 (2014 Sidewalk, Curb, and Gutter Program special assessments received by the Clark County Auditor.)

91-15 Minutes of the April 2, 2015, meeting of the Community Beautification Committee.

136-15 Notification from the Division of Liquor Control of a request to transfer a liquor permit to David G. Welch, dba Dave’s Drive Thru, 149 West Washington Street.

137-15 Notification from the Division of Liquor Control of a request to transfer a liquor permit to Walgreen Company, 2609 East Main Street.

138-15 Notification from the Division of Liquor Control of a request to transfer a liquor permit to Walgreen Company, 1880 South Limestone Street.

COMMENTS ON AGENDA ITEMS

116-15 In response to Mr. Martin's inquiry, Assistant City Manager Franzen described the EIFS Installation Project at airport hangar No. 1. He stated that panels will be added to the outside of the structure to improve the energy efficiency of the building. Energy-efficient windows will also be installed.

4-12 Community Development Director Meadows described the application process and qualification criteria with regard to the Lead-Safe Springfield Program.

39-15 City Engineer Shanayda reported that the \$187,342 for the engineering design services includes \$61,000 for a traffic study. No City monies are incorporated into the project.

COMMENTS FROM THE COMMISSION

Mrs. Duncan presented a proclamation proclaiming May 12, 2015, Myalgic Encephalomyelitis, Fibromyalgia, Chronic Lyme, and Multiple Chemical Sensitivity Day. The proclamation was accepted by Ms. Colleen Steckel.

Mrs. Duncan announced Friday, May 15, as Bike To Work Day. A City Plaza celebration was planned.

COMMENTS FROM THE AUDIENCE

129-15 Mr. Danny Tackett, 220 Montgomery Avenue, Apartment 105, discussed relocating a street sign so that when snow is piled at the curb, the sign would no longer hinder access to City bus transportation. He noted two locations on Bechtle Avenue where ramps are needed to assist wheelchair-bound citizens.

13-15 Mr. William Hobson, 1514 Logan Avenue, described a repetitive public nuisance situation at 822 Catherine Street.

Mr. Raymond Upshaw, 325 West Liberty Street, spoke to freedom of speech and respect for religion.

Mr. David Sanford, 514 Fremont Avenue, commented on a prior request for information with regard to one of the City's union leaders.



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.

COMMISSION PRESIDENT OF THE CITY

COMMISSION CLERK OF THE CITY