

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, October 13, 2015, in the Forum of City Hall, was called to order.

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. Duncan, members approved the minutes of the September 15, 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:

**238-15** An Ordinance titled, "Authorizing the City Manager to enter into a Municipal Court Debt Collection Agreement with Capital Recovery Systems, Inc., to provide for the collection of public monies due and payable to the Clark County Municipal Court."

**115-15** An Ordinance titled, "Authorizing the City Manager to enter into Change Order No. 1 to the maintenance agreement between the City and Triec Electrical Services for the replacement of substation insulators to increase the maintenance agreement amount by \$9,139, for a total maintenance agreement amount not to exceed \$125,329, 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."

☞☞☞ Next regular City Commission meeting: October 27, 2015. ☞☞☞

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**18-15** An Ordinance No. 15-272 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

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.

**84-12** An Ordinance No. 15-273 titled, "Amending Ordinance No. 12-88 by increasing the authorized expenditure for the City's HOME Loan Program to \$520,000."

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:

**110-15** Emergency Ordinance No. 15-274 titled, "Providing an interim-fund cash advance from the 239 Lead Grant Revolving Loan Fund to the 249 Lead Grant No. 6 Fund in the amount of \$25,000 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. 15-275 titled, "Approving the transfer of appropriations within various funds, 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.

**22-15** Emergency Ordinance No. 15-276 titled, "Providing for Supplemental 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.

**120-15** Emergency Ordinance No. 15-277 titled, "Authorizing the City Manager to enter into a Contract for Sale and Purchase of Real Property with Duplex Mill and Manufacturing Company in relation to the acquisition of real property interests needed for the Erie Interceptor Express Sewer Project; and declaring an emergency."

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**212-12** Emergency Ordinance No. 15-278 titled, "Authorizing the City Manager to enter into Amendment No. 1 to the Homeownership Housing Loan Agreement (HOME Funded, 810 Clifton Avenue, 2015) with Neighborhood Housing Partnership of Greater Springfield, Inc., and authorizing conveyance of the property at 810 Clifton Avenue to NHP for the development of housing; 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.

**134-11** Emergency Ordinance No. 15-279 titled, "Authorizing the City Manager to enter into a Mutual Rescission of Employment Incentive Agreement with Thirty-One Gifts, LLC; 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.

### **EMERGENCY RESOLUTIONS**

The following emergency legislation was presented for the first time:

**239-15** Emergency Resolution No. 5900 titled, "Extending support from the City Commission of The City of Springfield, Ohio, to United Way of Clark, Champaign, and Madison Counties for its annual corporate campaign; 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.

**240-15** Emergency Resolution No. 5901 titled, "Extending support from the City Commission of The City of Springfield, Ohio, to Project Jericho for the *Project Scare-A-Crow* contest; and declaring an emergency."

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**241-15** Emergency Resolution No. 5902 titled, "Reappointing John Simonton to the National Trail Parks and Recreation District Board of Trustees, and declaring an emergency."

On motion of Mr. O'Neill, seconded by Mr. Martin, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**242-15** Emergency Resolution No. 5903 titled, "Appointing Danny D. Tackett to the Human Relations Board, and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mr. O'Neill, 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 July 29 and August 17, 2015, meetings of the Board of Zoning Appeals.

**90-15** Minutes of the June 8, July 13, and August 10, 2015, meetings of the City Planning Board.

**91-15** Minutes of the September 3, 2015, meeting of the Community Beautification Committee.

**243-15** Notification from the Ohio Division of Liquor Control of a request to transfer a liquor permit to North Street Enterprises, LLC, 908 West North Street.

**244-15** Notification from the Ohio Division of Liquor Control of a request to transfer a liquor permit to Interstate MC, LLC, dba Courtyard by Marriott, 100 South Fountain Avenue.

### **COMMENTS ON AGENDA ITEMS**

**238-15** Mr. O'Neill referred to the Municipal Court Debt Collection Agreement with Capital Recovery Systems, Inc., and inquired into the need for collection services with the judges' ability to incarcerate for nonpayment of fines and court costs.

Law Director Strozdas advised that currently, judges do not have this ability in many cases. It has become a civil obligation and enforced civilly. He noted that nonpayment of probation fees will also be recovered through this agreement.

**84-12** Community Development Director Meadows described the Home Loan Program approved by the City Commission. The overall program comprises the deferred loan and installment loan programs. She listed the eligibility requirements of each.

**134-11** Upon Mr. Martin's request, Assistant City Manager and Economic Development Administrator Franzen reported on the mutual rescission of an employment incentive agreement with Thirty-One Gifts, LLC. In 2011, Thirty-One Gifts agreed to create 500 jobs. By the end of 2014, only 130 jobs were created. In the three-year time frame, the company reorganized, laid off employees, and recovered. The company is doing well. Rescinding the agreement is not a reflection on the facility or the City's ability to meet their workforce needs. The problem is strictly the market.

### **COMMENTS FROM THE COMMISSION**

**129-15** Mr. Martin commented on the resurfacing of North Limestone Street. He noted that the raised manhole covers caused drivers to weave around them.

City Manager Bodenmiller stated that the project will finish by the end of the week. Often angled covers are placed around the raised manhole covers, but they get knocked off. The manhole covers are not raised enough to damage cars. Leaving the covers raised while the layers of asphalt are added saves many man-hours of raising and lowering the covers throughout the project and results in a cost savings.

**92-15** Mrs. Duncan updated the Commission and the community on the Tremont City Barrel Fill situation. After the public hearing was held locally before representatives of the Ohio EPA and US EPA, communication has not been received from Region 5 (US EPA Chicago). Mrs. Duncan reported that State Representative Koehler is attempting to gather some information and will pass on whatever he receives. She added that Health Commissioner Patterson's assistance on the issue has been invaluable to the community.

**230-15** In response to Mrs. Chilton's inquiry, Law Director Strozdas reported that a hearing date has not been received from the Ohio Department of Liquor Control for the Little Joe, LLC, hearing. The establishment is located at 1220 South Center Street.

### **COMMENTS FROM THE AUDIENCE**

**245-15** Mrs. Marianne Nave, 3520 Rocky Point Road, thanked the City Commission for its recognition of her work on the Community Beautification Committee. She has served in this capacity for 50 years, since the committee's purpose was authorized in 1965.

Mr. Copeland and Mrs. Chilton each complimented Mrs. Nave for the longstanding work of the committee. The committee's work reaches into every corner of the community.

**226-15** Ms. Glenda Bailey spoke in opposition to the ordinance passed by the City Commission on September 15, 2015, which relieves the payment of water, sewer, and stormwater charges for many municipal buildings. She felt this reflected a poor ability to budget by departments. She stated this measure was unprecedented by any City Commission and noted that the community did not support National Trail Parks and Recreation because the district's levy failed to pass.

Mr. Copeland stated that Ms. Bailey was entitled to her opinion, however, he corrected two statements she made. In the 1980s, the Parks and Recreation Department had use of water without charge. Later in the 1980s, that ordinance was rescinded. He advised Ms. Bailey that the community did pass the parks levy.

**13-15** Mr. Raymond Upshaw, 325 West Liberty Street, stated that drivers exiting the Speedway station on South Limestone have difficulty seeing past a hedge growing on the property. Mr. Upshaw went on to discuss shooting victims.

**230-15** Mr. David Sanford, 514 Fremont Avenue, addressed neighborhood nuisance issues associated with a convenience store at the intersection of South Yellow Springs and West Pleasant streets. He commented on the City

Commission's request for a liquor board hearing regarding the new permit requested for Little Joe, LLC, on South Center Street.



On motion of Mr. Martin, seconded by Mrs. Duncan, the meeting adjourned into executive session on personnel appointment matters.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

On motion of Mrs. Chilton, seconded by Mrs. Duncan, executive session adjourned.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

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.

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PRESIDENT OF THE CITY COMMISSION

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CLERK OF THE CITY COMMISSION