

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, November 21, 2017, in the Forum of City Hall, was called to order.

Roll call was answered by Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and 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 Mr. O'Neill members approved the minutes of the October 24, 2017, 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:

**001-17** Confirming purchases and the obtaining of services for the City and providing for payments therefor.

**119-17** Appropriating money for the several objects and purposes for which The City of Springfield, Ohio, must provide for the fiscal year ending December 31, 2018.

**215-17** 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 the first and second opening paragraphs of Section 196.03 and the amendment of Subsections 196.03(21)(A), 196.03(44), 196.03(49), 196.062(D), 196.063(B), 196.07(d), and 196.10(C) within Chapter 196, titled Municipal Income Tax on Earned Income; by the enactment of Subsections 196.062(D2) and 196.07(e) within Chapter 196, titled Municipal Income Tax on Earned Income; repealing the existing opening paragraph of Section 196.03 and Subsections 196.03(21)(A), 196.03(44), 196.03(49), 196.062(D), 196.063(B), 196.07(C), and 196.10(C) and amended subsections and implementing compliance with Section 803.100(B) of House Bill 49 enacted by the 132nd General Assembly.

**216-17** Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by amending Section 911.02 Service Charge Rates, and Section 911.04 Bulk Water Purchases, and repealing existing Sections 911.02 and 911.04.

**217-17** Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by amending Section 917.02 Service Charge Rates, and Section 917.11 Septage Discharge Fees, and repealing existing Sections 917.02 and 917.11.

**272-13** Amending Ordinance No. 16-331 to increase the authorized expenditure for services provided by KeyBank National Association in the amount of \$5,000.00, for a total contract amount not to exceed \$35,000.00.

**218-17** Amending certain provisions of the Traffic and General Offenses Codes and repealing corresponding sections.

☺☺☺ Next regular City Commission meeting: December 5, 2017. ☺☺☺

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**207-17** An Ordinance No. 17-272 titled, "Adopting a Revised City Investment and Deposit Policy, and authorizing the City's Finance Director to do all things deemed necessary to implement and apply the Revised City Investment and Deposit Policy."

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

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

Yeas 5, Nays 0.

**208-17** An Ordinance No. 17-273 titled, "Authorizing the City Manager to enter into a five-year contract with BI Incorporated for Electronic Monitoring Services for an amount not to exceed \$149,285.00."

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.

**209-17** An Ordinance No. 17-274 titled, "Authorizing the acceptance of an Assistance to Firefighters Grant from the Federal Emergency Management Agency ("FEMA") in an amount up to \$13,953.00; authorizing the local matching expenditure in an amount not to exceed \$697.00; and authorizing the City Manager, Finance Director, Law Director and

Fire Chief 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.”

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.

**210-17** An Ordinance No. 17-275 titled, “Authorizing the Law Director to settle a claim with Columbia Gas of Ohio, Inc. for the expense incurred as the result of damage to Columbia Gas of Ohio facilities located in the vicinity of 128 Rice Street on or about August 10, 2017; authorizing the Director of Finance to make payment to Columbia Gas of Ohio, Inc. in the amount \$922.76 for said damages.”

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:

**19-17** An Ordinance No. 17-276 titled, “Providing for Supplemental Appropriations within various funds, 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.

**162-17** An Ordinance No. 17-277 titled, “Confirming and approving Change Order No. 1 to the contract between the City and Moody’s of Dayton, Inc. for the Well/Pump Cleaning and Rehabilitation Project, to increase the contract in an amount not to exceed \$17,538.00, for a total amount not to exceed \$1,584,678.00; authorizing the City Manager to execute said Change Order No. 1; 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.

**219-17** An Ordinance No. 17-278 titled, “Authorizing the City Manager to enter into a Development Incentive Agreement (Non-Residential Development) with Eagle City, LLC to provide for sewer services to real property outside the City limits; confirming and approving services provided up to the passage of this ordinance; and declaring an emergency.”

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

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

Yeas 5, Nays 0.

**220-17** An Ordinance No. 17-279 titled, “Authorizing the City Manager to enter into a Development Incentive Agreement (Single Family Residential Development) with Herman Wilt and Kevin Wilt to provide for water and sewer services to real property outside the City limits; 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.

**165-17** An Ordinance No. 17-280 titled, “Authorizing the City Manager to enter into a grant agreement with the ODOT Aviation Division in an amount up to \$15,244.00 for Taxiway construction on hangar rows foxtrot and crack sealing on Runways 15 and 33 at the Springfield-Beckley Municipal Airport; authorizing the City Manager, Law Director, Director of Finance and Airport Manager to do all things necessary for the execution of the grant and to comply with all relevant local, state and federal legal requirements; 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.

**81-16** An Ordinance No. 17-281 titled, “Authorizing the City Manager to enter into a First Amendment to Grant Agreement with the Ohio Development Services Agency to extend the project completion date to May 19, 2018; 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.

**153-16** An Ordinance No. 17-282 titled, “Amending Ordinance No. 17-264 by replacing attached OWDA Water Pollution Control Loan Fund Change Order No. 2 with OWDA Water Pollution Control Loan Fund Change Order No. 2 Revised; 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.

### **EMERGENCY RESOLUTION**

The following emergency legislation was presented for the first time:

**221-17** A Resolution No. 5988 titled, "Appointing Blontas Mitchell to the Human Relations Board, 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.

### **MOTION**

**222-17** On motion of Mr. Martin, seconded by Mrs. Duncan, the 2018 City Commission Calendar was approved.

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

Yeas 5, Nays 0.

### **LIQUOR PERMIT**

**198-17** On motion of Mr. O'Neill, seconded by Mr. Martin, the administration's report relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit from Mister B's Automotive Center, Inc. dba Mister B's, 149 West Washington Street, Springfield, Ohio 45502 to Dolgen Midwest, LLC, dba Dollar General 14644, 1221 East Home Road, Springfield, Ohio 45503 was ordered received and filed with the City Clerk.

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

Yeas 4, Nays 1.

### **COMMUNICATIONS**

The following communications were ordered received and filed:

**77-17** Minutes from the National Trail Parks and Recreation District Board, October, 2017.

**214-17** Liquor permit transfer request from Loom Lodge 0536 Springfield dba Moose Lodge 536, 2112-18 North Limestone Street and Patio, Springfield, Ohio 45503 to Loom Lodge 0536 Springfield, 1610 Mitchell Boulevard, Springfield, Ohio 45503.

### **COMMENTS ON AGENDA ITEMS**

**215-17** Mrs. Chilton asked for an explanation of the first reading for changes to the Codified Ordinances related to Income Tax. Mr. Beckdahl replied that the proposed changes to the city's code result from the state's municipal tax legislation pertaining to the business gateway, eliminates a throwback rule of sales tax collected for a district, and changes an estimated tax due date.

Mr. Copeland stated that some cities are challenging the state's changes. Mr. O'Neill commented that businesses do not have to use the gateway and can file locally. Mr. Beckdahl added that the money collected locally stays local and citizens can talk to city staff directly for questions.

**222-17** Mrs. Chilton asked about the proposed 2018 Commission calendar including a meeting on primary election day. Mr. Copeland replied that there are no city primary elections scheduled in 2018 though Commission typically does not meet on an election day. Mr. Bodenmiller suggested that the meeting could be changed prior to that date.

**198-17** Mrs. Chilton asked if the proposed liquor permit transfer request is the same permit previously requested for the Dollar General Store on South Yellow Springs Street. Law Director Strozdas explained that after the Commissioners had concerns about the South Yellow Springs Street location, the owner withdrew the request and changed it to a different store on East Home Road. The permit is for beer and wine, not hard liquor.

### **COMMENTS FROM THE COMMISSION**

Mr. Martin asked about an area on North Fountain Avenue that is blocked. Service Director Moore replied that the area is blocked for sewer repair. A portion of a sewer line had a damaged spot, and the street was subsequently sinking in. Mr. Moore also noted an unrelated issue in the same vicinity with surface water due to leaves in the catch basin. Mr. Moore reminded commissioners and citizens about the final leaf pickup date on December 3 to help keep leaves out of the gutters and catch basins.

Mr. Martin asked about backflow prevention assistance available to citizens. Mr. Moore stated that citizens are urged to contact the Service Department if water is coming into their basement. Staff will help identify the source of the problem.

Mrs. Chilton asked about centerline painting on Grant Street after reconstruction. City Engineer Shanayda stated that there were no centerlines painted on the street prior to reconstruction, so they were not painted after the job was completed.

Mrs. Chilton reminded citizens of the upcoming Holiday in the City event on Saturday, November 25, 2017.

Mr. Bodenmiller announced Police Chief Steve Moody's retirement reception to be held on Friday, December 1, 2017, from 1 to 3 p.m. at the Springfield Police Division. Mr. Bodenmiller stated his appreciation of Chief Moody's dedication to the citizens and fellow police officers since 1974.

**COMMENTS FROM THE AUDIENCE**

**15-17** Mr. Raymond Upshaw, 325 West Liberty Street, commented on gun violence and citizen safety.

Mr. David Sanford, 528 South Yellow Springs Street, addressed the City Commission and presented photographs of concrete work in the city in relation to workmanship and hiring practices.



There being no further business, on motion of Mr. Martin, seconded by Mr. O'Neill, the meeting adjourned.

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

Yeas 5, Nays 0.

Handwritten signature of Karen R. Copeland in black ink.

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PRESIDENT OF THE CITY COMMISSION

Handwritten signature of Jill R. Pierce in blue ink.

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CLERK OF THE CITY COMMISSION