

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, December 5, 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 Mrs. Duncan, members approved the minutes of the October 31, 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:

223-17 Confirming and approving a Temporary Indefeasible Right of Use Metropolitan Dark Fiber Agreement with The Ohio State University to provide fiber cable access in support of the unmanned aerial systems research activity occurring at the Springfield Beckley Municipal Airport and to obtain internet service for the benefit of the City.

183-17 To amend Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by enacting new Chapter 1324 titled Code Compliance and Hearings, new Chapter 701 titled Landlord-Tenant Rights, and repealing existing Chapter 1324.

219-16 Authorizing the City Manager to enter into LPA Agreement No. 27881 - Amendment No. 2 between the City and the Ohio Department of Transportation in connection with the CLA 40-16.82, PID No. 103791, also known as the traffic signal at Bird Road and Route 40, to move funding from Preliminary Engineering to Ongoing Services During Construction.

Next regular City Commission meeting: December 19, 2017.

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

1-17 An Ordinance No. 17-283 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

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.

119-17 An Ordinance No. 17-284 titled, "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."

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.

215-17 An Ordinance No. 17-285 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 the 1st and 2nd 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 implementing compliance with Section 803.100(B) of House Bill 49 enacted by the 132nd General Assembly."

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.

216-17 An Ordinance No. 17-286 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 Section 911.02 *Service Charge Rates*, and Section 911.04 *Bulk Water Purchases*, and repealing existing Sections 911.02 and 911.04."

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.

217-17 An Ordinance No. 17-287 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 Section 917.02 *Service Charge Rates*, and Section 917.11 *Septage Discharge Fees*, and repealing existing Sections 917.02 and 917.11."

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.

272-13 An Ordinance No. 17-288 titled, "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."

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.

218-17 An Ordinance No. 17-289 titled, "Amending certain provisions of the Traffic and General Offenses Codes and repealing corresponding sections."

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.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

19-17 An Ordinance No. 17-290 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.

224-17 An Ordinance No. 17-291 titled, "Authorizing annexation of approximately 25.145 acres of City-owned property on Titus Road to the City; directing the Deputy City Manager to prosecute the proceedings necessary to effect the said annexation; 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.

225-17 An Ordinance No. 17-292 titled, "Confirming and approving a Joint Law Enforcement Operations Task Force Obligation Document to obtain a grant up to \$18,042.00 for task force officer overtime reimbursement for the period of October 2, 2017 through September 30, 2018, pursuant to the Memorandum of Understanding between the City and the United States Marshals Service; authorizing the City Manager and Chief of Police to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said agreement and to comply with all relevant local and state requirements; 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.

226-17 An Ordinance No. 17-293 titled, "Authorizing the City Manager to enter into a Subsidy Grant Agreement for Justice Reinvestment and Incentive Funding for FY 2018 and FY 2019 by and between the City and the State of Ohio, Department of Rehabilitation and Correction, Division of Parole and Community Services, Bureau of Community Sanctions to accept a grant providing funding up to an amount of \$37,862.00 for fiscal years 2018 and 2019, for case management and drug and alcohol services to be provided by McKinley Hall, Inc., as well as Vivitrol shots; authorizing the City Manager, Finance Director and Court Administrator of the Municipal Court to do all things necessary to implement said Subsidy Grant Agreement and to comply with all relevant local, state and federal legal requirements; 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.

29-12 An Ordinance No. 17-294 titled, "Confirming and approving Change Order No. 6 to the contract between the City and R. B. Jergens Contractors, Inc. for the CLA - Villa Road Project, PID No. 89421, to decrease the contract in an amount not to exceed \$37,016.58, for a total amount not to exceed \$1,607,079.42; authorizing the City Manager to execute said Change Order No. 6; 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.

181-15 An Ordinance No. 17-295 titled, "Confirming and approving Change Order No. 1 to the contract between the City and A & B Asphalt Corporation for the CLA North Murray/Mount Vernon Project, PID No. 99555, to increase the contract in an amount not to exceed \$125.99, for a total amount not to exceed \$77,282.00; 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.

82-15 An Ordinance No. 17-296 titled, "Confirming and approving Change Order No. 2 to the contract between the City and The Shelly Company for the CLA East Street Reconstruction Project, PID No. 94806, to decrease the contract in an amount not to exceed \$57,926.09, for a total amount not to exceed \$587,519.65, and to extend the project completion date to December 22, 2017; authorizing the City Manager to execute said Change Order No. 2; 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.

164-16 An Ordinance No. 17-297 titled, "Confirming and approving Change Order No. 3 to the contract between the City and The Shelly Company for the 2017 OPWC Paving Project, to increase the contract in an amount not to exceed \$13,276.80, for a total amount not to exceed \$1,051,325.03, and to extend the project completion date to December 22, 2017; authorizing the City Manager to execute said Change Order No. 3; 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.

158-17 An Ordinance No. 17-298 titled, "Confirming and approving Change Order No. 2 to the contract between the City and A & B Asphalt Corporation for the 2017 PI Paving Project, to decrease the contract in an amount not to exceed \$62,647.55, for a total amount not to exceed \$519,123.00, and to extend the project completion date to December 22, 2017; authorizing the City Manager to execute said Change Order No. 2; 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.

227-17 An Ordinance No. 17-299 titled, "Authorizing the City Manager to enter into a contract with Vertical Communications, Inc. for the purchase, installation and maintenance of a replacement telephone system for City-owned facilities, for an amount not to exceed \$376,507.70; 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.

228-17 An Ordinance No. 17-300 titled, "Authorizing the Finance Director to execute a Memorandum of Agreement by and among Clark, Schaefer, Hackett & Co., Auditor of State of Ohio and The City of Springfield, Ohio for fiscal year audits of years 2017-2021, of The City of Springfield, Ohio for an amount not to exceed \$340,000.00; confirming and approving all related expenditures incurred prior to the passage of this ordinance; 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.

LIQUOR PERMIT

214-17 On motion of Mr. O'Neill, seconded by Mrs. Duncan, the administration's report relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit from Loom Lodge 0536, dba Moose Lodge 536, 2112-2118 N. Limestone Street, Springfield, OH 45503 to Loom Lodge 0536 Springfield, 1610 Mitchell Blvd, Springfield, OH 45503, was ordered received and filed with the City Clerk.

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

Yeas 5, Nays 0.

COMMENTS ON AGENDA ITEMS

183-17 Mrs. Chilton stated her concerns for proposed Codified Chapter 701 titled Landlord-Tenant Rights whereby landlords are responsible to give tenants a copy of the Landlord-Tenant Rights booklet. She stated that the responsibility is one-sided toward the landlords, and they could be fined for failure to do so. Mrs. Chilton stated that she would like to remove the entire section.

Law Director Strozdas explained that the proposed amendment to Chapter 1324 is intended to be an improvement to the method of imposing civil fines for various offenses. Overall, the chapter is a useful enforcement tool for code violations such as weed abatement and Fire Code compliance instead of taking violations as a misdemeanor in municipal court. The existing section related to landlord-tenant rights does not belong in the same section as code violations. Staff proposed moving it to its own section and added a notation regarding the availability of the booklet in both written form and on the city's website. Staff believes the proposed chapter both preserves and improves the practice of notifying tenants of their rights and lessens the burden on landlords.

Mrs. Chilton asked if the entire section related to Landlord-Tenant Rights could be removed. Mr. Strozdas replied that the landlord-tenant section could be removed while leaving the remaining proposed changes to Chapter 1324. Mr. Strozdas asked that staff be given time to draft a revised ordinance.

Mrs. Duncan stated that the landlord's obligation to provide a booklet to tenants seemed to be a small burden.

Mr. O'Neill commented that the obtaining the booklet is not difficult, but he feels it should not be the responsibility of the property owner to provide the booklet to the tenants.

Mr. Martin stated that the booklets are available in print and on the city's website. A landlord could reference the booklet in the rental agreement to comply with the regulation. Mr. Martin also commented that the requirement has already been in the code for a long time.

Mr. Strozdas stated that providing the information to a tenant is sufficient for compliance; however, some landlords do not use paper leases as documentation.

Mr. Copeland stated that many years ago a group of local churches worked to provide support for tenant rights and wanted an inspection of every rental property. As a compromise, the city adopted the code requiring landlords to provide a landlord-tenant rights handbook to every tenant.

Mr. Strozdas stated that staff would prepare an optional version of the ordinance for commissioners to consider at the December 19 meeting as a second reading.

City Manager Bodenmiller commented that staff supports the ordinance as proposed and feels that it is a benefit to both landlords and tenants.

223-17 Mrs. Chilton asked if there is an expense involved with the The Ohio State University fiber agreement. Assistant City Manager Franzen stated that there is no cost involved. The city will receive faster network speed in exchange for fiber usage at the airport for unmanned aerial systems activity.

119-17 Mr. Martin stated his concerns for future budget years if the city does not find additional ways to enhance revenue and reduce costs.

Mr. O'Neill also commented on the budget that is balanced without additional funds, but there will need to be ideas on savings in the future. He also expressed his concerns for the proposed combined dispatch center and negotiations with the county.

Mrs. Chilton agreed with Mr. Martin that commission will not want to ask citizens for the renewal of additional income tax, and asked for a listing of streets scheduled for repair.

Mr. Bodenmiller stated that the majority of planned reductions are already underway. He added that the county commissioners are looking at parcel assessments for funding a combined 911 dispatch.

272-13 Mr. O'Neill asked about the authorized expenditure threshold with KeyBank. Finance Director Beckdahl stated that the new contract with KeyBank changes the threshold from \$30,000 to \$35,000.

29-12 Mr. O'Neill inquired about the Villa Road reconstruction project. City Engineer Shanayda replied that after Columbia Gas lowers the gas line and the city lowers the water line, a shorter retaining wall will be erected to complete the project.

15-17 Mr. Martin reported a street light outage on Pembroke north of Harding Road. Mr. Bodenmiller replied that the outage would be reported Ohio Edison. He added that street light issues can be reported directly to Ohio Edison on their website or via the city's website.

COMMENTS FROM THE AUDIENCE

15-17 Mr. Steve Bevan, Bevan Sanitation, stated his concerns for the city's lost revenue due to high fees for sewage dumping. He stated that many sanitation companies are leaving Springfield to dump at facilities outside of the city. He indicated that the county charges \$175 per load in comparison to the city's fee of \$238. Others are traveling to London, Ohio, where the fees are also less.

Mr. Raymond Upshaw, 325 West Liberty Street, spoke on drug overdoses, national security, and gun violence.

Mr. Copeland stated that the city commissioners take the drug issue very seriously and stated that the local crime rate is down.

Mr. David Sanford, 528 South Yellow Springs Street, spoke on concrete work in the city by contractors. Mr. Bodenmiller commented that the city has about half of the number of engineering inspectors in comparison to ten years ago.

Mr. Bruce Williams, 226 Corlington Drive, spoke about the future with new Police and Fire Chiefs and new city commissioners. He stated that he believes Springfield is getting stronger and better. He also spoke on the professionalism of the police staff and hopes the new chiefs will continue to lead the departments into progress.

Mr. Copeland stated that new police officers will be hired very soon to get the number of officers back to where they need to be.

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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.

Karan R. Copeland

PRESIDENT OF THE CITY COMMISSION

Jill R. Pierce

CLERK OF THE CITY COMMISSION