

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, January 16, 2018, in the Forum of City Hall, was called to order.

Roll call was answered by Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland; Mr. O'Neill was absent.

The invocation was offered by Mr. Copeland, who then led the assembly in the Pledge of Allegiance.

On motion of Mr. Rue, seconded by Mrs. Chilton members approved the minutes of the December 5, 2017, and December 19, 2017 regular meetings as presented.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, 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:

11-18 To amend 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 various sections to prohibit discrimination based on sexual orientation.

12-18 Authorizing the City Manager to enter into a Grant Agreement with the Turner Foundation for a grant to partially support CultureFest 2018 in an amount up to \$1,000.00; and authorizing the City Manager, Finance Director and Director of Community Development 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.

13-18 Authorizing the City Manager to enter into a Community Housing Development Organization Agreement [FY 2016] with Neighborhood Housing Partnership of Greater Springfield, Inc. in connection with the 2016 HOME Program for an amount not to exceed \$19,588.00.

☞☞☞ Next regular City Commission meeting: January 30, 2018. ☞☞☞

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

4-18 An Ordinance No. 18-9 titled, "Authorizing the City Manager to enter into a contract with Everett J. Prescott, Inc., for the purchase of water meter equipment, for a period of three (3) years with an option to renew for two (2) additional one-year periods, for an amount not to exceed \$630,784.65."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

107-07 An Ordinance No. 18-10 titled, "Authorizing the City Manager to execute HPRI Program – Amendment No. 11 to the September 29, 2006 Subrecipient Funding Agreement with Neighborhood Housing Partnership of Greater Springfield, Inc., to revise the Work Program Budget and to extend the completion date to December 31, 2018."

On motion of Mr. Rue, seconded by Dr. Estrop, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

14-18 An Ordinance No. 18-11 titled, "Providing for Supplemental Appropriations within various funds, and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

15-18 An Ordinance No. 18-12 titled, "Authorizing the City Manager to enter into a Memorandum of Understanding to accept a grant from the ODOT Congestion Mitigation, Air Quality, and Surface Transportation Fund in an amount of \$1,355,000.00 for public transit related expenses and two new transit vehicles; authorizing the City Manager, Law Director and the Director of Finance to do all things necessary for the acceptance of the grant and to comply with all relevant local, state and federal legal requirements; and declaring an emergency."

On motion of Mr. Rue, seconded by Dr. Estrop, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

16-18 An Ordinance No. 18-13 titled, "Authorizing an expenditure in an amount not to exceed \$76,171.92 to contract with Superior, LLC fka SunGard Public Sector, Inc. fka HTE, Inc. to provide the City with maintenance services for various computer software applications for the period January 1, 2018 through December 31, 2018; confirming and approving maintenance services provided by Superior, LLC fka SunGard Public Sector, Inc. fka HTE, Inc. under said contract for the period January 1, 2018 to the passage of this Ordinance, and declaring an emergency."

On motion of Dr. Estrop, seconded by Mr. Rue, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

280-16 An Ordinance No. 18-14 titled, "Authorizing the City Manager to enter into Amendment No. 1 to an Agreement with the National Trail Parks and Recreation District ("NTPRD") for an amount not to exceed \$250,000.00 annually for the maintenance of certain real estate owned by the City, and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

17-18 An Ordinance No. 18-15 titled, "Providing funding for an additional time, through December 31, 2018, to enable the National Trail Parks and Recreation District to equip, operate, and maintain parks, playgrounds, playfields, gymnasiums, swimming pools, recreation facilities, and other related activities and facilities during that additional period of time, and declaring an emergency."

On motion of Mr. Rue, seconded by Dr. Estrop, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

18-18 An Ordinance No. 18-16 titled, "Authorizing the purchase of one Toro Groundsmaster Mower from Century Equipment, for an amount not to exceed \$57,026.56, 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, and declaring an emergency."

On motion of Dr. Estrop, seconded by Mr. Rue, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

96-17 An Ordinance No. 18-17 titled, "Amending Ordinance No. 17-252 to authorize additional expenditure for the authorized grant agreement with the Ohio Department of Natural Resources, and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

26-18 An Ordinance No. 18-18 titled, "Authorizing the City Manager to enter into Amendment No. 1 to the Independent Contractor Agreement with McKinley Hall, Inc. for case management and drug and alcohol services, to increase the contract in an amount not to exceed \$37,862.00, for a total contract amount not to exceed \$75,725.00, and to extend the period of performance to June 30, 2019, and declaring an emergency."

On motion of Mr. Rue, seconded by Dr. Estrop, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

19-18 An Ordinance No. 18-19 titled, "Authorizing the renewal of eleven (11) network connections for various City facilities from Ohio Bell Telephone Company dba AT&T Ohio, for an amount not to exceed \$171,546.12, and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

20-18 An Ordinance No. 18-20 titled, "Authorizing the City Manager to enter into a contract with Windstream for telephone services at various City facilities for a period of three (3) years, for an amount not to exceed \$119,982.60, and declaring an emergency."

On motion of Mr. Rue, seconded by Dr. Estrop, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

266-14a An Ordinance No. 18-21 titled, "Authorizing the City Manager to enter into LPA Agreement No. 26851 - Amendment No. 5 between the City and the Ohio Department of Transportation in connection with the CLA Belmont

Avenue Reconstruction Phase 2 Project, PID No. 94814 to reflect the funding modification to increase design funds and decrease construction inspection funds, and declaring an emergency.”

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

266-14b An Ordinance No. 18-22 titled, “Authorizing the City Manager to enter into Modification No. 2 to Agreement No. 19868 with Korda Nemeth Engineering, Inc. for the CLA Belmont Avenue Reconstruction Phase 2 Project, PID No. 94814, to increase the contract amount by \$3,770.00, for a total contract amount not to exceed \$309,085.00, and declaring an emergency.”

On motion of Mr. Rue, seconded by Dr. Estrop, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

23-18 An Ordinance No. 18-23 titled, “Authorizing the City Manager to enter into an Agreement by and between The City of Springfield, Ohio and the Springfield Police Patrolmen’s Association; directing the implementation and performance of the provisions of such agreement, and declaring an emergency.”

On motion of Mr. Rue, seconded by Dr. Estrop, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

RESOLUTIONS

The following legislation was presented for the first time:

21-18 A Resolution No. 5992 titled, “Providing certification to the Economic Development Administration pursuant to Section D.03 and VIII.D of the March 15, 1993 Standard Terms and Conditions and the RLF Administrative Manual Grant.”

On motion of Mrs. Chilton, seconded by Dr. Estrop, the resolution was adopted.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

22-18 A Resolution No. 5993 titled, “Appointing Michael Kranz to the Mediation Board.”

On motion of Mrs. Chilton, seconded by Mr. Rue, the resolution was adopted.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

LIQUOR PERMITS

230-17 On motion of Mr. Rue, seconded by Dr. Estrop, the administration’s report relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit from Ye Shi Inc., dba Yamato, 3467 E National Road, Springfield, Ohio 45505 to Yamato Ye Inc., dba Yamato, 3467 E National Road, Springfield, Ohio 45505, was ordered received and filed with the City Clerk.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

233-17 On motion of Dr. Estrop, seconded by Mrs. Chilton, the administration’s report relative to notification from the Ohio Department of Liquor Control of a request for a new liquor permit for Springfield Lanes LLC, dba Shamrock Lanes, 1051 E Main Street, Springfield, Ohio 45503, was ordered received and filed with the City Clerk.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

COMMUNICATIONS

The following communications were ordered received and filed:

77-17 Minutes from the National Trail Parks and Recreation District Board, December 18, 2017.

84-17 Quarterly Financial Report, Fourth Quarter 2017.

COMMENTS ON AGENDA ITEMS

11-18 Mrs. Chilton proposed that sexual orientation be added to the non-discrimination policy listed in the city’s employee handbook. She also proposed to follow Robert’s Rules of Order as the non-discrimination ordinance was voted upon previously. She stated that the issue of adding sexual orientation to the non-discrimination ordinance is divisive measure separating Springfield and Clark County, it becomes money for a special group, it is duplicating and

overriding non-discrimination policies in the private and public sectors, and the Ohio Civil Rights Commission has been charged with handling all discrimination cases in Ohio. The Ohio Civil Rights Commission handles cases on groups who have historically been discriminated against; and sexual orientation is not one of those groups. Proposed legislation has not been passed by Ohio Legislature on multiple attempts. Mrs. Chilton stated that it is not the City Commission's responsibility to pass regulations on this subject. Mrs. Chilton referenced state and federal laws that prohibit businesses with more than 15 employees from discriminating against the protected groups.

Dr. Estrop agreed that the change to the city's employee handbook is needed. He indicated his opposition to any type of discrimination and wishes to protect all citizens including religious choices. He invited state legislators to address the commission on the position of adding sexual orientation to state laws.

Mr. Copeland asked the City Manager if the employee handbook could be updated. City Manager Bodenmiller stated that the change would be made immediately.

Mr. Rue stated that he would like to change some of the wording in proposed ordinance section 8 addressing exemptions to include "parachurch organizations" after the words "churches that are engaged in religious activities" and adding the definitions for "Religious" as "relating to or believing in a religion" and "Parachurch organization" as "a Christian faith-based organization that work outside and across denominations to engage in social welfare and evangelism" to the existing definitions section of the ordinance.

Mr. Copeland asked if the other commissioners agreed with the suggested language. Mrs. Chilton stated opposition to the ordinance. With the majority in agreement, Mr. Copeland asked the Law Director to make the language change.

Mrs. Karen Duncan, 115 North Broadmoor, stated that Springfield should not discriminate on any basis. She added that changing the Codified Ordinances is not just a social justice issue, but an economic development issue.

Mr. Jason Stevens, 1735 Northpoint Lane, asked if any state or local laws had changed since the last discussion of the issue. He stated that the previous Commission voted on the issue and asked why it is under discussion again. He stated that he is not aware of any issues existing within the community. He added that no local court cases have been heard on sexual orientation discrimination.

Mr. Aaron Baer, 208 East State Street, Columbus, representing Citizens for Community Values, spoke on equality and religious freedom, but stated that such ordinances create division. He indicated a letter had been sent to each of the commissioners stating their concerns. He asked for a definition of religious practices in the ordinance, and also asked if there are religious exemptions for other protected classes.

Mr. Jack Legge, 125 West Mulberry, spoke of his support of change and protection, welfare and safety for all citizens.

Ms. Jenny Stevens, 1735 Northpoint Lane, asked if the citizens could vote on the issue. Mr. Copeland replied that it could be put before the voters, but he stated that he personally feels that it should not be put to vote on basic human rights. Ms. Stevens stated that the people of Springfield should make the decision.

Mr. Rick Inconvati, 407 East Cassilly Street, spoke on religious exemptions in the proposed ordinances and the need for Springfield to be a welcoming city to all people. There are 28 cities in Ohio who include sexual orientation in their non-discrimination policies.

Mr. Christian Victor, German Township, asked for a copy of the ordinance as proposed. Law Director Strozdas clarified that the online version appearing on the website at the time of the meeting was incorrect and would be updated the next business day.

Ms. Kimberly Stevens, 1735 Northpoint Lane, stated her concern for raising children who may be using public restrooms with people of unknown gender.

Mr. Kent Brooks, 407 East Cassilly Street, stated that legal representation and rights are not equal for all people including sexual orientation and race.

4-18 Mrs. Chilton asked if the purchase of water meters is for citizens or city facilities. Mr. Bodenmiller replied that the meters may be used for both residential and city use.

18-18 Mrs. Chilton commented that the purchase price the requested lawnmower is very expensive. Mr. Bodenmiller explained that the subject lawnmower is a very large commercial version that would be used in the parks.

19-18 Mrs. Chilton asked if the network connections requested for city facilities is different from the fiber connections recently approved by Commission. Mr. Bodenmiller stated that the subject project is a network hub for city facilities, and the recent fiber connection was only available at the airport.

20-18 Mr. Rue asked if the telephone services is a replacement system for city facilities. Finance Director Beckdahl stated that the project is a replacement of the city's current system that is over 20 years old. Dr. Estrop asked if an audit of telephone lines had been conducted to find unused lines. Mr. Beckdahl stated that there has been an ongoing audit for several years. Mr. Bodenmiller added that there was a contract about ten years or more ago to audit the lines in use.

266-14a and 266-14b Mrs. Chilton asked about the difference between the two contracts for the Belmont Avenue reconstruction project. Mr. Bodenmiller responded that one changes the funding sources, and the other is a change order for the contractor. The project is scheduled to begin July, 2019.

23-18 Mr. Copeland commented that he was pleased the city and the Police Patrolmen's Association reached an agreement on the labor contract. Dr. Estrop also thanked the Patrolmen's Association and commented that he hoped the city would continue to attract and retain officers. Dr. Estrop also asked Mr. Beckdahl of the new contract creates a deficit in the 2018 budget or a deficit for the duration of the contract. Mr. Beckdahl answered no to each question.

21-18 Mrs. Chilton asked for an explanation of the certification resolution for the Economic Development Administration. Community Development Director Meadows stated that the Community Development Block Grant requires compliance with certain laws related to the revolving loan fund. The resolution as adopted certifies the conditions of the grant were met.

COMMISSIONER COMMENTS

Dr. Estrop presented a proclamation for Public Education Week, January 21 through January 27, 2018. Accepting the proclamation was Ms. Anita Biles, a member from the Springfield City School Board, and Dr. Robert Hill, superintendent of the Springfield City Schools.

Mrs. Chilton thanked Police Captain Michael Kranz for accepting a seat on the Mediation Board. She also thanked Police Chief Graf for assisting with the appointment.

Dr. Estrop asked staff to research housing incentive ordinances similar to those used by the cities of Cleveland, Akron, Hamilton and Canton.

Dr. Estrop asked the Finance Director to provide a five-year financial forecast at the Commission Retreat in February.

Dr. Estrop commended the efforts of the Police Division and the citizens who recently worked together to apprehend a robbery suspect on the west side of Springfield very quickly. He stated his hope that cooperation between the parties will continue.

COMMENTS FROM THE AUDIENCE

25-18 Mr. Christian Victor, German Township, asked that staff look at the traffic light at Red Coach Drive and Villa Road. He indicated that the hill and street signs block the view of the light for westbound traffic.

Mrs. Karen Duncan, 115 North Broadmoor, stated her support of putting fluoridation of city water on the ballot for a citizen vote.



There being no further business, on motion of Mr. Rue, seconded by Dr. Estrop, the meeting adjourned.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION