

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, April 10, 2018, in the Forum of City Hall, was called to order.

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

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

On motion of Dr. Estrop, seconded by Mrs. Chilton, members approved the minutes of the March 13, 2018, regular meeting as presented.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. 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:

**250-16** An Ordinance titled, "Authorizing the City Manager to enter into Amendment A to the Engineering Services Agreement with Black & Veatch Corporation for the Primary Effluent Pumps Replacement Evaluation and Design Project, to increase the contract for an amount not to exceed \$42,336.00, for a total amount not to exceed \$150,736.00."

**97-18** An Ordinance titled, "Authorizing the City Manager to enter into a contract for demolition services with Tony Smith dba Tony Smith Wrecking & Trucking for an amount not to exceed \$250,000.00."

**98-18** An Ordinance titled, "Consenting to the appointment of Aimee Belanger-Haas to the Airport Advisory Board."

☞☞☞ Next regular City Commission meeting: April 24, 2018. ☞☞☞

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**89-18** An Ordinance No. 18-96 titled, "Endorsing the Connect Clark County Comprehensive Plan as adopted by the City Planning Board."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**90-18** An Ordinance No. 18-97 titled, "Endorsing the Clark County Thoroughfare Plan as adopted by the City Planning Board."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**27-18** An Ordinance No. 18-98 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**91-18** An Ordinance No. 18-99 titled, "Authorizing the City Manager to enter into a contract with Moody's of Dayton, Inc. for the High Service Pump Replacement Project, for an amount not to exceed \$1,106,792.00."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**92-18** An Ordinance No. 18-100 titled, "Authorizing the purchase of one Leeboy 400BT Asphalt Roller from The McLean Company, for an amount not to exceed \$57,665.00, 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 Mrs. Chilton, seconded by Mr. O'Neill, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

## **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**99-18** A Fiscal Officer's Certificate was presented in connection with the proposed issuance of \$200,000 Sidewalk Improvement Bonds, Series 2018 (the 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 2017 Sidewalk Curb & Gutter Program and the 2017 South Limestone Street Sidewalk Curb & Gutter Program at various locations throughout the City. The estimated life or period of usefulness of the improvements is at least five years. The maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Ohio Revised Code, is twenty (20) years, but because the special assessments will be payable over a period of five (5) 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 (5) years.

An Ordinance No. 18-101 titled, "Providing for the issuance and sale of notes in the maximum aggregate principal sum of \$160,300 in anticipation of the issuance of bonds to pay the cost of constructing sidewalks, curbs and gutters comprised in the 2018 Sidewalk, Curb and Gutter Program at various locations throughout the City, and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

The Fiscal Officer's Certificate was presented April 3, 2018, prior to the commencement of the City Commission meeting and prior to passage of the ordinance.

**100-18** A Fiscal Officer's Certificate was presented in connection with the issuance of \$160,300 Sidewalk, Curb and Gutter S.A. Note, Series 2018 (the Note) in anticipation of the issuance of bonds (the Bonds) to pay the cost of construction of sidewalks, curbs, and gutters comprised in the 2018 Sidewalk, Curb & Gutter Program at various locations throughout the City. The estimated life of the Improvements is at least five (5) years. The maximum maturity of the Bonds calculated in accordance with Section 133.20 of the Ohio Revised Code, is twenty (20) years, but because the special assessments will be payable over a period of five (5) 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 (5) 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.

An Ordinance No. 18-102 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 2017 Sidewalk, Curb and Gutter Program and the 2017 South Limestone Street Sidewalk, Curb and Gutter Program at various locations throughout the City, and declaring an emergency."

On motion of Dr. Estrop, seconded by Mr. O'Neill, the ordinance passed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

The Fiscal Officer's Certificate was presented April 3, 2018, prior to the commencement of the City Commission meeting and prior to passage of the ordinance.

**101-18** An Ordinance No. 18-103 titled, "Authorizing the City Manager to enter into a Development Incentive Agreement (Single Family Residential Development) with Larisa Solomon to provide for sewer services to real property outside the City limits, and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**29-12** An Ordinance No. 18-104 titled, "Confirming and approving Change Order No. 7 to the contract between the City and R. B. Jergens Contractors, Inc. for the CLA - Villa Road Project, PID No. 89421, to increase the contract in an amount not to exceed \$66,295.16, for a total amount not to exceed \$1,673,374.58; authorizing the City Manager to execute said Change Order No. 7, and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**30-17** An Ordinance No. 18-105 titled, "Confirming and approving Change Order No. 2 to the contract between the City and J & J Schlaegel, Inc. for the 2017 Miscellaneous Water Replacement Project, to increase the contract in an amount not to exceed \$5,389.50, for a total amount not to exceed \$696,954.69; authorizing the City Manager to execute said Change Order No. 2, and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**79-18** An Ordinance No. 18-106 titled, "Authorizing the City Manager to enter into a contract with Sterling Quality Concrete, LLC for the 2018 Sidewalk, Curb & Gutter Program for an amount not to exceed \$260,300.00, and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

### **RESOLUTIONS**

The following legislation was presented for the first time:

**56-18** A Resolution No. 6004 titled, "Adopting the goals discussed at the 2018 City Commission Retreat."

On motion of Dr. Estrop, seconded by Mr. Rue, the resolution was adopted.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**102-18** A Resolution No. 6005 titled, "Consenting to the reappointment of Steven L. Douthy to the Board of the Springfield Metropolitan Housing Authority."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**103-18** A Resolution No. 6006 titled, "Consenting to the appointment of Alex Wendt to the City Planning Board."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

### **COMMUNICATIONS**

The following communications were ordered received and filed:

**96-18** Minutes from the March 12, 2018, National Trail Parks and Recreation District Board meeting.

**106-18** Quarterly Investment Report – First Quarter, 2018.

**107-18** Minutes from the March 1, 2018, Community Beautification Committee meeting.

### **COMMENTS ON AGENDA ITEMS**

**89-18 and 90-18** Mrs. Chilton asked that copies of the Clark County Comprehensive Plan and Thoroughfare Plan be available on the city's website.

**91-18** Dr. Estrop asked for additional information on the pump replacement project. Service Director Moore explained that the Water Treatment Plant had six original high service pumps installed in 1958. Two were replaced about six years ago, and the current request is to replace the final four.

**92-18** Dr. Estrop inquired about the asphalt roller purchase request. City Manager Bodenmiller stated the roller would be used for various roadway repair and maintenance projects replacing the existing 1993 model.

**99-18 and 100-18** Dr. Estrop asked for an explanation of the bonds related to the sidewalk, curb, and gutter programs. Mr. Bodenmiller stated that bonds will fund the construction phase of the 2018 program and the owner's portions of the 2017 program if they choose to have the city's contractor perform the work on their behalf.

**101-18** Dr. Estrop asked if the requested Development Incentive Agreement would eventually lead to annexation of the subject property. Mr. Bodenmiller stated the property would not be considered for annexation until it becomes contiguous to the corporation limit, but the owners will pay an annual fee and outside utility rates until that time.

**29-12** Mr. O'Neill asked for a status report on the Villa Road Project and the requested increase in funding. City Engineer Shanayda explained that approximately \$45,000 of the additional expense was for lowering the water line and providing new water service to a nearby apartment complex. The remaining expense was for miscellaneous repairs completed at the end of last year. The project should be completed near of the end of April dependent upon weather conditions.

Dr. Estrop asked if any other modifications were expected, and Mr. Shanayda replied no. Mr. Copeland added that they were sorry for the changes that had to be made to resolve the issues and extended the length of the project.

**56-18** Dr. Estrop commented on the 2018 Commission Goals and Objectives, specifically the section on a vibrant downtown. He shared the estimated occupancy level of the downtown core block is currently about 49 percent. A parking garage facility is needed to attract and accommodate potential businesses in the downtown.

### **COMMENTS FROM COMMISSIONERS**

**25-18** Mr. O'Neill presented a proclamation to the Catholic Central Boys Basketball team proclaiming April 10, 2018, as Fighting Irish Boys Basketball Day. Coach Cody Sarensen accepted the proclamation on behalf of the team.

**25-18** Mr. Copeland presented a proclamation proclaiming April 9 through 15, 2018, as First Responder Appreciation Week. Accepting copies of the proclamation were Fire Chief Miller on behalf of the Fire Division, Police Chief Graf on behalf of the Police Division, and Dr. Greta Mayer on behalf of the various mental health service providers.

**25-18** Mrs. Chilton mentioned the recent newspaper article regarding the widening of Interstate 70 near the State Route 72 exit from two lanes to three.

**25-18** Mr. Rue asked Law Director Strozdas to discuss the zoning concerns related to adult activities planned at a local downtown bar/club. Mr. Strozdas spoke on the ongoing discussion on social media of a possible "Gentlemen's Club" at a downtown bar in May, 2018. There are no specific plans reported to the city, but Planning, Zoning and Code Administrator Thompson sent a letter to the property owner and tenant informing them that activities as promoted would be in violation of the Zoning Code. Adult entertainment establishments are limited to certain zoning districts with conditional use permits and do not include downtown locations. There were no specific plans available for staff's review.

Ms. Renea Turner, owner of the Voodoo Moon business, stated there would not be any violations of the Zoning Code at her business. She indicated that she spoke to Mr. Thompson about their plans after receiving the city's letter. She explained the business has changed names a few times to change with trends and draw new customers. Ms. Turner indicated that she talked with the restaurant owner next door to her business when she heard of a possible protest and indicated that it created unnecessary panic that is harmful to all of the nearby businesses.

Mr. Copeland commented that he had seen a flyer about the proposed Gentlemen's Club. Mr. Rue stated that flyers promoting the hiring of girls for these activities are circulating, and much of the talk of a protest was generated by concerned citizens.

Mr. O'Neill asked Ms. Turner if she was aware of flyers that had been circulated for a month by Ardell Williams, and Ms. Turner stated that she was not. Ms. Turner stated that she is the only owner of the business, not Mr. Williams who is only a promoter. She said she would bring this information to his attention.

#### **COMMENTS FROM THE AUDIENCE**

**56-18** Mr. Jim Lagos, thanked the commissioners and staff for the proactive approach to the 2018 Commission Goals and Objectives. He spoke on the importance of parking for downtown and the possible combined 911 Dispatch.

Mr. Mike McDorman, President and CEO of the Chamber of Greater Springfield, 20 South Limestone Street, gave his support of the Commission Goals and Objectives that will help Springfield move forward.

Mr. Horton Hobbs IV, Vice President of the Chamber of Greater Springfield, stated that the adopted goals are critical for the economic development viability of Springfield, and added the Chamber is committed to working closely with the city leaders and staff in those efforts.

Mr. Devesh Kamal, Managing Partner of Clark Schafer Hackett, 14 East Main Street, spoke in support of a downtown parking facility. The firm has been in its downtown location for five years, and parking is a consideration when looking at renewing their lease. Mr. Copeland replied that the city is committed to finding a parking solution for the downtown area.

**25-18** Mr. Raymond Upshaw, 325 West Liberty, spoke on promoting minority businesses and holding drug dealers accountable for overdoses.

**25-18** Mr. David Sanford, 528 South Yellow Springs Street, spoke on requiring completed property surveys to be submitted to the county. He asked for requirements related to survey submittals. He indicated that buildings and fences are often built using old surveys.



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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION