

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, July 17, 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 Mrs. Chilton, seconded by Dr. Estrop, members approved the minutes of the June 19, 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:

151-18 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio by rezoning 37.8 acres on Bird Road, Springfield, Ohio from RM-12, Low-Density, Multi-Family Residence District, to RS-8, Medium-Density, Single-Family Residence District, and by rezoning 15.43 acres on East National Road, Springfield, Ohio, from Springfield Township R-1, Single-Family Residential District and Springfield Township B-3, General Business District, to City RS-8, Medium-Density Single-Family Residence District."

143-18a An Ordinance titled, "Authorizing the City to become a member of the Northeast Ohio Public Energy Council by becoming a party to the Agreement Establishing the Northeast Ohio Public Energy Council and approving the bylaws of the Northeast Ohio Public Energy Council for the City's electric aggregation program."

143-18b An Ordinance titled, "Approving and adopting the Northeast Ohio Public Energy Council Plan of Operation and Governance For Member Communities for the purpose of jointly establishing and implementing an electricity aggregation program for the City."

87-18 An Ordinance titled, "Accepting the application for annexation of certain territory containing 23.330 acres, more or less, in German Township and commonly known as the Baker Road Annexation Area to The City of Springfield, Ohio."

123-18 An Ordinance titled, "Authorizing the acceptance of a 2018-2019 Drug Use Prevention Grant in an amount up to \$44,612.00 from the Ohio Attorney General's Office to be used for funding four officers to teach drug use prevention education in public schools; and authorizing the City Manager, Finance Director and Chief of Police 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."

134-18 An Ordinance titled, "Authorizing the acceptance of donations in support of CultureFest 2018."

180-18 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Chemical Services, Inc. for the purchase of Liquid Ferric Sulfate 60%, for an amount not to exceed \$140,400.00."

142-17 An Ordinance titled, "Authorizing the City Manager to enter into a Grant Agreement with the State of Ohio, Ohio Public Works Commission, to obtain funding in the amount of \$76,754.00 for CLA Bechtle - 0.57, PID No. 99563, and further identified as Bechtle Avenue bridge over the lagoon project; and authorizing the City Manager, Law Director, Finance Director and City Engineer to do all things they consider necessary for the execution and performance of the Grant Agreement."

159-17 An Ordinance titled, "Authorizing the City Manager to enter into a Grant Agreement with the State of Ohio, Ohio Public Works Commission, to obtain funding in the amount of \$398,772.00 for the Harding Road Project; and authorizing the City Manager, Law Director, Finance Director and City Engineer to do all things they consider necessary for the execution and performance of the Grant Agreement."

183-18 An Ordinance titled, "Authorizing the City Manager to enter into a Contract for Purchase and Sale of Real Estate to sell certain real property to 4 The Dogs, LLC."

☞☞☞ Next regular City Commission meeting: July 31, 2018. ☞☞☞

FIRST READING—RESOLUTION

79-18 A Resolution titled, "Ordering the construction or reconstruction of curbs, gutters and sidewalks at Section No. 2 of Streets and Section No. 2 of Selected Locations of the 2018 Sidewalk, Curb, and Gutter Program, as enumerated in Resolution No. 6008."

☞☞☞ Next regular City Commission meeting: July 31, 2018. ☞☞☞

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

132-18 An Ordinance titled, "Vacating the first alley north of Southern Avenue from Southgate Avenue west approximately 332.2 feet to terminus."

On motion of Dr. Estrop, seconded by Mrs. Chilton, the ordinance was amended to vacate the first alley north of Southern Avenue beginning at a point 150 feet west of its intersection with Southgate Avenue west approximately 182.2 feet to its terminus.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.

131-18 An Ordinance No. 18-184 titled, "Vacating the first alley south of Irwin Avenue from west right-of-way line of Ludlow Avenue west to the first intersecting north-south alley."

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

Yeas, None. Nays, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland. Yeas 0, Nays 5.

167-18 An Ordinance No. 18-185 titled, "Authorizing the City Manager to enter into a Cooperation Agreement with The Springfield City School District Board of Education to assist the City and the Board of Education in creating and maintaining safe and orderly schools; and confirming and approving services provided up to the passage of this ordinance."

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.

168-18 An Ordinance No. 18-186 titled, "Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 32406 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$325,000.00 for the CLA Main/Western Signal Upgrade, PID No. 108617; authorizing the City Manager, Law Director and Finance Director to do all things they deem necessary to implement said agreement; and authorizing an expenditure up to \$5,000.00 to be used as matching funds in connection with the agreement to be entered into with the Ohio Department of Transportation."

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.

169-18 An Ordinance No. 18-187 titled, ".Consenting to an improvement by the smooth sealing of the existing roadway on State Route 72, with part lying within the City of Springfield (Project identified as CLA SR72 0.00, PID No. 102978), said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement; requesting cooperation of the Director of Transportation of the State of Ohio in the planning, design and construction of such improvement; providing for the maintenance of said improvement; and authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the planning and construction of this improvement"

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.

170-18 An Ordinance No. 18-188 titled, "Consenting to an improvement by the structural steel repair on the Spring Street bridge over Monroe Street, lying within the City of Springfield (Project identified as CLA SR72 8.610 Structure File No. 1205463, PID No. 105417), said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement; requesting cooperation of the Director of Transportation of the State of Ohio in the planning, design and construction of such improvement; providing for the maintenance of said improvement; and authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the planning and construction of this improvement."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.

171-18 An Ordinance No. 18-189 titled, "Consenting to an improvement by the overlay of State Route 4 and US Route 40, with part lying within the City of Springfield (Project identified as CLA 40/4-10.09/5.46, PID No. 101090), said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement; requesting cooperation of the Director of Transportation of the State of Ohio in the planning, design and construction of such improvement; providing for the maintenance of said improvement; and authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the planning and construction of this improvement."

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.

SECOND READING—RESOLUTION

175-18 A Resolution No. 6018 titled, "Declaring the necessity of an election on the question of enacting an ordinance requiring the fluoridation of the Springfield City water supply system."

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.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

14-18 An Ordinance No. 18-190 titled, "Providing for Supplemental Appropriations within various funds; and declaring an emergency."

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

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

Yeas 5, Nays 0.

181-18 An Ordinance No. 18-191 titled, "Authorizing the City Manager to enter into an Agreement to Purchase to sell certain real property to Clark County Land Reutilization Corporation; 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.

177-17 An Ordinance No. 18-192 titled, "Confirming and approving Change Order No. 2 to the contract between the City and Layne Inliner, LLC for the Miscellaneous Sanitary Sewer Lining Phase 1 Project, to decrease the contract in an amount not to exceed \$17,859.00, for a total amount not to exceed \$396,381.20, and to extend the contraction completion date to August 3, 2018; authorizing the City Manager to execute said Change Order No. 2; and declaring an emergency."

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

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

Yeas 5, Nays 0.

167-15 An Ordinance No. 18-193 titled, "Authorizing the exercise of the City's option to renew the contract with Synagro Central, LLC for the Removal and Land Application of Bio-Solids at the City's Wastewater Treatment Plant, for an amount not to exceed \$907,680.00; 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.

162-17 An Ordinance No. 18-194 titled, "Confirming and approving Change Order No. 3 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 \$26,452.00, for a total amount not to exceed \$1,626,729.00; authorizing the City Manager to execute said Change Order No. 3; 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.

182-18 An Ordinance No. 18-195 titled, "Providing for the election of Regina E. Jeffers to the position of Acting City Clerk for the period of July 31, 2018, through August 7, 2018; 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.

LIQUOR PERMIT

133-18 On motion of Mrs. Chilton, 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 Khans Mini Mart LLC, was ordered received and filed with the City Clerk; and the Clerk was directed to request a hearing for this request.

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 June 11, 2018, National Trail Parks and Recreation District Board meeting.

107-18 Minutes from the June 7, 2018, Community Beautification Committee meeting.

COMMENTS ON AGENDA ITEMS

5-17 Mrs. Chilton asked for an explanation of why the Derr Road agreement had been pulled from the agenda. Assistant City Manager Franzen explained there had been concerns raised regarding the public input portion of the project. The item was pulled from the agenda to give staff time to work with the project consultant and clarify how and when the public input period would take place.

131-18 Mrs. Chilton asked if the alley vacation requested near Irwin and Ludlow would create a dead-end alley. Planning, Zoning and Code Administrator Thompson explained that it would create a dead end as it would not be passable upon vacation. The Service Department plans to address the water run-off issue that currently exists in the alley. Staff and City Planning Board both recommended denial

167-18 Dr. Estrop stated his appreciation for resource officers in the city schools for many years.

175-18 Mrs. Chilton stated that she would vote yes for placing fluoride on the ballot for the citizens to decide. Dr. Estrop spoke on conversations he had with citizens about the issue and stated his support placing the issue on the ballot.

Mr. Harvey Bank, 1330 East High Street, spoke on his studies of fluoride and listed many health issues related to fluoride.

Ms. Deanna Brougher, 110 Brighton, spoke in support of fluoride protection for good dental health for the community.

Dr. Rogan Nehzad, Gentle Dental, 2540 North Limestone Street, spoke in support of fluoride for young children. He stated that he has seen more dental issues in Springfield than other areas due to lack of fluoride.

Dr. Yamini Teegala, Rocking Horse Center, 651 South Limestone Street, stated that their office applies fluoride to patients' teeth. She indicated that under-served and low-income citizens need the fluoride to protect their teeth.

Dr. Mark Duffee, Rocking Horse Center, 651 South Limestone Street, stated low levels of fluoride in drinking water is not harmful to overall health.

Ms. Marianne Potina, 714 Deerfield Trail, employed by Mercy Health, spoke on the 2015 Community Health Needs Assessment and the indication that dental health concerns are the number one health concern for the area.

Mr. Walter Myers, 301 North Fremont, commented that fluoride was voted against previously by the citizens, and commented about it going back on the ballot.

Ms. Joan Elder, 912 South Fountain, spoke in support of fluoride and stated that poison control warnings appear on toothpaste labels that do not contain fluoride.

Mr. O'Neill stated the fluoride issue had been previously voted against by the citizens in 1969 and 2005. The concern for fluoride was raised recently, and Mr. O'Neill stated that citizens should be permitted to vote again on the issue.

Ms. Laraine Hune, 5949 South Tecumseh Road, spoke in support of fluoride having been a dental hygienist for 50 years. She commented that her children were given fluoride supplements and treatments until adulthood and have healthy teeth.

Ms. Joy Rogers, 1088 Lisa Court, spoke in favor of fluoride and its positive impact on the entire community.

Dr. William Lord, 727 North Limestone Street, local dentist, spoke in favor of fluoride.

181-18 Dr. Estrop asked for further explanation of the sale of property to Clark County Land Reutilization Corporation. Community Development Director Meadows explained the city had a home improvement loan with the property owner who is now deceased. The city then took ownership of the property at 1128 Linden Avenue. The Land

Bank will purchase the property, demolish the house, and landscape the property to improve the neighborhood.

162-17 Dr. Estrop asked for further information on the well/pump cleaning project. Service Director Moore explained the project is a multi-year contract with cleaning and service of the 12 wells at the water treatment plant. All hardware is checked and repaired if necessary.

133-18 Mrs. Chilton asked if the issues related to the Khan's Mini Mart liquor permit request could be addressed by the Certificate of Occupancy process. Law Director Strozdas explained the applicant has requested a type of liquor permit classification that allows on-site consumption; however, the existing building is not set up for this type of use. Substantial changes to the building would be required for on-site consumption of alcohol.

Mr. O'Neill asked if the applicant could proceed if they find a different type of liquor permit classification for carryout only. Mr. Strozdas stated that if the applicant would find an available permit classification for carryout only, a separate review would be required.

COMMENTS FROM COMMISSIONERS

25-18 Mrs. Chilton asked when work on Belmont Avenue would begin. City Engineer Shanayda stated work would begin July, 2019.

COMMENTS FROM THE AUDIENCE

132-18 Mr. William Armstrong stated that he no longer objected to the vacation of alley near Southern and Southgate after the revised portion of the vacation no longer included the portion near his property.

25-18 Mr. Greg Parsley announced a performance of his band and community choir at the Clark County Fair on Tuesday, July 24, 2018.

25-18 Mr. David Sanford, 528 Yellow Springs Street, spoke on unfair hiring practices, nepotism, and discrimination. He also spoke on the three-minute comment period for citizens.



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