

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, September 25, 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 Mr. O'Neill, members approved the minutes of the August 28, 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:

200-18 An Ordinance titled, "Vacating the first alley north of Ridge Road from North Limestone Street east for approximately 150 feet to the first intersecting alley."

201-18 An Ordinance titled, "Vacating the first alley west of North Western Avenue from Snyder Park Road (Keifer Avenue) south approximately 140 feet to the first intersecting east-west alley".

27-18 An Ordinance titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

222-18 An Ordinance titled, "Authorizing the City Manager to enter into an Employment Incentive Agreement with Fluid Quip, Inc. to incentivize acquisition of their currently leased manufacturing facility located at 1940 South Yellow Springs Street to create employment in the City; and authorizing the City Manager, Finance Director and Law Director to do all things necessary to implement the said Employment Incentive Agreement."

223-18 An Ordinance titled, "Authorizing the City Manager to enter into an Employment Incentive Agreement with Fluid Quip Custom Machining, LLC to incentivize retention of employment in the City; and authorizing the City Manager, Finance Director and Law Director to do all things necessary to implement the said Employment Incentive Agreement."

224-18 An Ordinance titled, "Accepting contributions and appropriating funds for the purpose of commissioning a comprehensive housing market analysis."

225-18 An Ordinance titled, "Accepting contributions and appropriating funds for the purpose of commissioning a neighborhood planning study."

226-18 An Ordinance titled, "Authorizing the acceptance of a donation from the Department of Justice, Law Enforcement Support Office of two MRAP armored vehicles to be utilized by the Springfield Police Division; authorizing an expenditure in an amount not to exceed \$12,070.00 for the shipping of said MRAP armored vehicles."

~~~~~ Next regular City Commission meeting: October 9, 2018. ~~~~~

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**185-18** An Ordinance No. 18-245 titled, "Amending the Zoning Map of Springfield, Ohio by rezoning 2.96 acres at 130 South Burnett Road, Springfield, Ohio, from G, Green Space, Park, & School District, to RM-12, Low-Density, Multi-Family Residence District."

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

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

Yeas 4, Nays 1.

**46-17** An Ordinance No. 18-246 titled, "Authorizing the City Manager to enter into an Economic Development Agreement by and among Topre America Corporation ("Topre"), the City of Springfield, Ohio ("City") and the Community Improvement Corporation of Springfield and Clark County, Ohio ("CIC")."

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.

**215-18** An Ordinance No. 18-247 titled, "Authorizing the purchase and installation of replacement electrical switchgears at the Water Treatment Plant, from Triec Electrical Services, Inc., for an amount not to exceed \$248,587.00, 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; and authorizing the issuance of a purchase order for the purchase of electrical equipment from Triec Electrical Services, Inc., for an amount not to exceed \$28,970.00."

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.

**216-18** An Ordinance No. 18-248 titled, "Authorizing the City Manager to enter into a contract with Rumpke of Ohio, Inc. for the City's 2018 Collection of Fall Bagged Leaves Program for an amount not to exceed \$53,000.00."

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.

### **RESOLUTION**

The following legislation was presented for the first time:

**227-18** A Resolution No. 6025 titled, "Appointing Derek Inslight Alvarado to the National Trail Parks and Recreation District Board of Trustees."

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.

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**14-18** An Ordinance No. 18-249 titled, "Providing for Supplemental Appropriations within various funds; and declaring an emergency."

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.

**228-18** An Ordinance No. 18-250 titled, "Authorizing the City Manager to enter into a Lease Agreement and related Project Fund Agreement with Branch Banking and Trust Company in the principal amount of \$211,204.20 to finance the purchase of a 2019 International 7400 SBA 6x4 (SF625) truck chassis and appurtenant hoist, grapple loader and optional equipment ("Grapple Truck"); authorizing the City Manager, Finance Director, City Treasurer, Law Director and Deputy Law Director to do all things they deem necessary to enter into and complete the subject lease transaction; and declaring an emergency."

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.

**72-15** An Ordinance No. 18-251 titled, "Confirming and approving Change Order No. 1 to the contract between the City and J & J Schlaegel, Inc. for the CLA Trail Maintenance Project Rebid, PID No. 99562, to decrease the contract in an amount not to exceed \$30,377.94, for a total amount not to exceed \$348,271.17, and to extend the contract completion date to September 7, 2018; authorizing the City Manager to execute said Change Order No. 1; and declaring an emergency."

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.

*Note: Mrs. Chilton stepped away from the meeting at this time.*

**122-18** An Ordinance No. 18-252 titled, "Confirming and approving Change Order No. 2 to the contract between the City and The Shelly Company for the 2018 PI Paving Project, to increase the contract in an amount not to exceed \$151,585.48, for a total amount not to exceed \$1,645,389.45; authorizing the City Manager to execute said Change Order No. 2; and declaring an emergency."

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

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

Yeas 4, Nays 0.

**97-15** An Ordinance No. 18-253 titled, "Authorizing the City Manager to enter into a contract with Eagle Bridge Co. for the CLA Bechtle - 0.57, PID No. 99563, and further identified as the Bechtle Avenue bridge over the lagoon project, for an amount not to exceed \$1,409,565.61; and declaring an emergency."

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

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

Yeas 4, Nays 0.

**152-18** An Ordinance No. 18-254 titled, "Authorizing an extension of the Real Estate Purchase Agreement with Topre America Corporation, for the sale of certain real property currently owned by the City, for a period not to exceed 30 days; and declaring an emergency."

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

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

Yeas 4, Nays 0.

### **EMERGENCY RESOLUTION**

**230-18** A Resolution No. 6026 titled "Supporting Issue 7, to adopt a 2019 levy to support senior services needed by the people of Clark County; and declaring an emergency."

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

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

Yeas 4, Nays 0.

### **LIQUOR PERMITS**

**209-18** On motion of Mr. O'Neill, seconded by Mr. Rue, the administration's report relative to notification from the Ohio Department of Liquor Control of a request for a new liquor permit for Jo Clar Inc, dba Lacy's Sports Stop, 1520 Mitchell Blvd, Springfield, Ohio 45503, was ordered received and filed with the City Clerk and the Clerk was directed to not request a hearing with regard to said notice.

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

Yeas 4, Nays 0.

*Note: Mrs. Chilton returned to the meeting at this time.*

**214-18** On motion of Dr. Estrop, seconded by Mr. Rue, the administration's report relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit from Nifty 50's Bar LLC, dba Nifty 50's Bar, 365-67 Ludlow Avenue, 1<sup>st</sup> Floor, Springfield, Ohio 45505 to Speakeasy Ramen LLC, dba Speakeasy Ramen, 365-67 Ludlow Avenue, 1<sup>st</sup> Floor, Springfield, Ohio 45505, was ordered received and filed with the City Clerk the Clerk was directed to not request a hearing, as any concerns or issues that the City might have, would be addressed through the building permit and Certificate of Occupancy processes

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:

**138-18** File-stamped copy of Resolution No. 6024 from Clark County Auditor.

**163-18** File-stamped copy of Ordinance No 18-221 from Clark County Auditor and Recorder.

**164-18** File-stamped copy of Ordinance No 18-222 from Clark County Auditor and Recorder.

**184-18** File-stamped copy of Ordinance No 18-220 from Clark County Auditor and Recorder.

**221-18** Notification from Ohio Division of Liquor Control of a new liquor permit request for Speedway LLC dba Speedway 1015, 405 South Burnett Road, Springfield, Ohio 45505.

**229-18** Notification from Clark County Auditor of a Real Estate Assessment Fund refund totaling \$22,258.86.

### **COMMENTS ON AGENDA ITEMS**

**185-18** Mrs. Chilton commented that efforts are needed to work with the City Planning Board members on their responsibilities in reviewing rezoning and right-of-way vacation cases. The Planning Board recommended denial of the rezoning request for 130 North Burnett Road, and Mrs. Chilton stated that she would vote no based on their recommendation and previous comments for neighborhood residents.

Dr. Estrop stated that he would in favor of the rezoning to a residential district because the community needs new housing opportunities.

Mr. O'Neill commented that there was general confusion related to the development at the former hospital site on Burnett Road that is not a low-income development but a senior development which may include fixed income. Mr. O'Neill added that there is no current plan for low-income housing at the subject property nor could there be without City Commission action. He added that the rezoning would allow the neighborhood to grow.

Mr. Copeland stated that the neighbors objected to a previous proposal for the subject property which was denied by the City Commission, but the current rezoning request is not the same.

Mr. Rue stated that he would vote in favor of the rezoning as housing is one of the City Commission's goals.

Mr. Rue and Dr. Estrop stated their agreement with Mrs. Chilton's suggestion of educating the city boards of their responsibilities.

**46-17** Dr. Estrop asked Law Director Strozdas about potential conflicts of interest for City Commissioners who serve as members of the Community Improvement Corporation (CIC) and related contracts such as the Economic Development Agreement with Topre America. Mr. Strozdas explained that Dr. Estrop and Mr. Copeland are appointed to the CIC Board in an official capacity to vote in the interest of the city.

**216-18** Mrs. Chilton asked for the dates of the 2018 leaf collections, and Service Director Moore stated that the pickup dates are Saturday, November 17, and Saturday, December 1.

**228-18** Dr. Estrop asked if the lease agreement for the grapple truck is the financing process for the previously authorized purchase, and Finance Director Beckdahl confirmed.

**72-15** Dr. Estrop stated that he was pleased to see the change order for Trail Maintenance was a reduction in costs by \$30,000.

**122-18** Dr. Estrop requested an explanation for the contract increase for the 2018 PI Paving Project. City Engineer Shanayda explained that the bids for the neighborhood street repairs were lower than expected, so additional streets were added the 2018 program.

**97-15** Dr. Estrop asked for the scope of the Bechtle Avenue bridge of the lagoon project. Mr. Shanayda stated the bridge would be rebuilt and funded 95 percent from the Ohio Department of Transportation and 5 percent from the Ohio Public Works Commission.

### **COMMENTS FROM COMMISSIONERS**

**25-18** Mr. Rue read a proclamation proclaiming October 5, 2018, as Manufacturing Day. Ms. Angelia Erbaugh of the Dayton Region Manufacturers Association (DMRA) and Mr. Don Clouser of the Champion Companies and Chairman of the Board of DMRA accepted the proclamation. Manufacturing Day allows students in the region to visit manufacturing operations as potential career opportunities.

Mr. Copeland and Dr. Estrop both thanked the representatives for their work in promoting manufacturing and commented that the skilled work force is key to the manufacturing industry.

**25-18** Mr. Copeland read a proclamation proclaiming October 6, 2018, as The Hagen Center's 10<sup>th</sup> Anniversary Celebration Day. Accepting the proclamation on behalf of Wittenberg University and The Hagen Center was Stephanie McCuiston who thanked the commission and community for supporting Wittenberg students who work in the community as part of their college experience.

**25-18** Dr. Estrop reminded citizens of the public street meetings on October 8 at the Clark Early Learning Center and October 22 at the Grace Lutheran Church. The meetings begin at 6 p.m. and allow for citizens to give opinions on which streets need to be paved.

Dr. Estrop also stated the Derr Road public meeting dates would be announced for the end of October and early November.

### **COMMENTS FROM THE AUDIENCE**

**25-18** Mr. David Sanford, 528 Yellow Springs Street, spoke on the lack of expansion joints and damaged water valves related to the Limestone Street project and the average salaries for Springfield citizens.



On motion of Dr. Estrop, seconded by Mrs. Chilton, the meeting adjourned into executive session on Personnel Appointment.

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

Yeas 5, Nays 0.

Note: Mrs. Chilton did not attend the Executive Session in its entirety.

On motion of Mr. O'Neill, seconded by Dr. Estrop, the executive session adjourned.

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

Yeas 4, Nays 0.

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

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

Yeas 4, Nays 0.

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PRESIDENT OF THE CITY COMMISSION

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CLERK OF THE CITY COMMISSION