

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, October 9, 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. Rue, members approved the minutes of the September 11, 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:

**202-18** An Ordinance titled "Amending the Zoning Map of Springfield, Ohio by rezoning 0.48 acres at 1411 Albemarle Road, Springfield, Ohio from RS-8, Medium-Density, Single-Family Residence District to CC-2, Community Commercial Residence District."

**231-18** An Ordinance titled "To amend Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by repealing existing Section 509.08 thereof, relating to prohibition of begging."

**232-18** An Ordinance titled "Authorizing the City Manager to enter into a Consulting And Services Agreement [1/1/19-12/31/21] with MAPSYS, Inc. for computer consulting services in connection with the computer software system in use in the Clark County Municipal Court Clerk's Office for an amount not to exceed \$300,000.00."

**244-14** An Ordinance titled "Authorizing the City Manager to execute a First Amendment to the Joint Use Agreement between the City and the Clark State Community College."

☞☞☞ Next regular City Commission meeting: October 23, 2018. ☞☞☞

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**200-18** An Ordinance No. 18-255 titled, "Vacating the first alley north of Ridge Road from North Limestone Street east for approximately 150 feet to the first intersecting alley."

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.

**201-18** An Ordinance No. 18-256 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."

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

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

Yeas 4, Nays 1.

**27-18** An Ordinance No. 18-257 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

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.

**222-18** An Ordinance No. 18-258 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."

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.

**223-18** An Ordinance No. 18-259 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."

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.

**224-18** An Ordinance No. 18-260 titled, "Accepting contributions and appropriating funds for the purpose of commissioning a comprehensive housing market analysis."

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.

**225-18** An Ordinance No. 18-261 titled, "Accepting contributions and appropriating funds for the purpose of commissioning a neighborhood planning study."

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:

**234-18** An Ordinance No. 18-262 titled, "Authorizing the City Manager to apply for and enter into an agreement with the Ohio Department of Transportation for aid in the financing of operating assistance projects pursuant to the Urban Transit Program in the amount of \$51,049.00; authorizing the City Manager and the Director of Finance to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant application and corresponding agreement and to comply with all relevant local, state and federal legal requirements and to provide assurances and additional information as required by the Ohio Department of Transportation; and declaring an emergency."

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.

**235-18** An Ordinance No. 18-263 titled, "Authorizing the City Manager to enter into a Grant Contract with the State of Ohio, Department of Transportation to accept funds in the amount of \$23,155.00 from the Ohio Elderly and Disabled Transit Fare Assistance Program; authorizing the City Manager and Director of Finance to perform all acts and execute all documents considered necessary to fulfill the City's obligations under said contract, to comply with all relevant local, state and federal legal requirements, and to provide assurances and additional information as required by the Ohio Department of Transportation; 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.

**65-17** An Ordinance No. 18-264 titled, "Confirming and approving Change Order No. 1 to the contract between the City and J & J Schlaegel, Inc. for the 2017 Miscellaneous Sewer Replacement Project, to increase the contract in an amount not to exceed \$101,589.69, for a total amount not to exceed \$440,456.29, and to extend the contract completion date to September 21, 2018; authorizing the City Manager to execute said Change Order No. 1; and declaring an emergency."

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.

**266-18a** An Ordinance No. 18-265 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; and declaring an emergency."

On motion of Mr. Rue, 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.

**266-18b** An Ordinance No. 18-266 titled, "Authorizing the acceptance of a donation from Werner Enterprises, Inc. of transportation services valued at approximately \$12,000.00 for the pickup of two MRAP armored vehicles to be utilized by the Springfield Police Division; 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.

## EMERGENCY RESOLUTION

The following emergency legislation was presented for the first time:

**233-18** A Resolution No. 6027 titled "Supporting Issue 6, to renew a 10-year, 1.0 mill levy to support mental health and recovery services needed by the people of Clark, Green and Madison Counties; 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 PERMITS

**210-18** On motion of Mr. O'Neill, seconded by Mrs. Chilton, the administration's report relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit from Bada Bing! Pizzeria LLC, dba Bada Bing! Pizzeria, 40 N. Fountain Avenue, Springfield, Ohio 45502 to Felix M. Guerra, 317 N. Belmont Avenue, Springfield, Ohio 45503, was ordered received and filed; and the City Clerk was directed to request a hearing as there was a concern or issue associated with this request.

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

Yeas 5, Nays 0.

**221-18** On motion of Mrs. Chilton, 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 from Speedway LLC, dba Speedway 1015, 405 S. Burnett Road, Springfield, Ohio 45505, was ordered received and filed; and the City Clerk was directed not to request a hearing, as any concerns or issues that the City might have will 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.

## COMMENTS ON AGENDA ITEMS

**231-18** Mr. Copeland asked Law Director Strozdas for an explanation for the ordinance repealing begging. Mr. Strozdas explained prohibition of begging for money or donations for personal use or on behalf of an organization was ruled unconstitutional and considered a right of free speech. Private property owners will still be able to prohibit panhandling on personal property, to tell violators to leave, and to bring trespassing charges against panhandlers who refuse to leave when asked.

Mr. O'Neill commented that citizens are often scared by panhandlers. Mr. Strozdas stated that the current code as written did not prohibit begging on commercial property. The owner of a property has the right to ask someone to leave and call for police assistance if they refuse.

Mr. Copeland stated the most important part of the issue is the right of a property owner to ask someone to leave.

**244-14** Dr. Estrop asked for clarification on the amendment to the Clark State agreement. Assistant City Manager Franzen explained the original agreement allows Clark State to use a hangar at the Springfield-Beckley Municipal Airport. The amendment allows Clark State to share that hangar with the Ohio UAS Center.

**200-18** Mr. Rue asked if any additional developments occurred relative to adjoining properties along the proposed alley vacation near Ridge Road and North Limestone Street. The representative for the applicant, New Carlisle Federal Savings Bank, stated that there is a pending purchase contract to acquire the property with a garage along the subject alley.

**222-18 and 223-18** Upon request, Mr. Franzen explained staff worked with Fluid Quip and Fluid Quip Custom Machining to keep the businesses in Springfield rather than relocating to a different community. The proposed Development Incentive Agreements offer the companies each three-year, 30 percent tax abatement with a retention of 58 employees and nine new jobs.

Mr. Mark Snyder of Fluid Quip, thanked the City Commission for consideration of the Employment Incentive Agreement. He explained the business began in 1987 and manufactures equipment for the ethanol industry.

**224-18** Mrs. Chilton asked for details on the proposed comprehensive housing market analysis. Community Development Director Meadows explained the area has more units than demand in a mid-price range with a great need for high-end and low-end housing. The plan is to hire a consultant to look at all levels of the housing market and assist with planning for the future. Private partners, the city, and other government entities have contributed \$114,000 for this analysis and a neighborhood planning study. The analysis will include the entire city and will consider the peripheral areas.

Mr. Rue stated his appreciation for the many contributors to the project.

Dr. Estrop stated that housing is one of the Commission's goals and objections. He stated that the city has contributed approximately 50 percent of the funding and listed the following agencies as contributors: New Carlisle Federal Savings Bank, Security National Bank, Huntington National Bank, PNC Bank, Fifth Third Bank, Turner Foundation, Greater Springfield Chamber of Commerce, Springfield Foundation, South Fountain Neighborhood

Association, Clark State, SpringForward, IH Credit Union, Wittenberg University, Neighborhood Housing Partnership, Board of Realtors, Mercy Health, Assurant, Rocking Horse, Clark County, and Clark County Land Bank.

Mr. Copeland stated that he and Dr. Estrop were involved in the discussions of this project and challenged the local businesses to match the city's contribution which they did.

**225-18** Mrs. Meadows described the proposed neighborhood planning study and stated it would be funded with the same contributions as the housing market analysis. A plan to identify a pilot neighborhood called "South Town" is the area within Pleasant, Perrin, Limestone and Center streets. Workshops for redevelopment will occur and be replicated for each additional neighborhood identified.

**234-18** Mrs. Chilton asked if the amount received for the Urban Transit Program is equal to previous years. Finance Director Beckdahl stated the amount is approximately \$30,000 less than last year and is based on ridership.

**235-18** Dr. Estrop asked for the funding amount for the Ohio Elderly and Disabled Transit Fare Assistance Program. Mr. Beckdahl stated that the funding is the same as the previous year.

**65-17** Mr. Rue asked for an explanation for the increase related to the 2017 Miscellaneous Sewer Replacement Project. City Engineer Shanayda explained that the increase was due to rock removal in the Jasper Street area.

**226-18b** Mr. Copeland thanked Werner Enterprises for donating transportation for the armored vehicles from California.

**210-18** Dr. Estrop questioned the request for a liquor permit at a residential property. Mr. Strozdas stated the applicant, Mr. Guerra, requested transfer of a liquor permit to his property at 317 North Belmont as a holding place until he could use the permit at a different location. The subject location was a former lawn mower shop currently in a residential district that is not an appropriate location.

### **COMMENTS FROM THE COMMISSIONERS**

**25-18** Mr. Copeland presented a proclamation proclaiming October 14 at Lenski-Gish day in honor of author Lois Lenski and actress Lillian Gish who were both born in Springfield, Ohio on the same day, October 14, 1893. Kevin Rose, Historian and Director of Revitalization of The Turner Foundation, accepted the proclamation. He detailed various events that will take place in the city in the two ladies' honor.

### **COMMENTS FROM THE AUDIENCE**

**175-18** Mrs. Bailey spoke on the upcoming Ballot Issue 8 regarding fluoridation of the city's water. Ms. Bailey asked that citizens research fluoride before voting, and explained her reasons for opposing fluoride.

**25-18** Mr. Ray Upshaw, 325 West Liberty Street, spoke on the analysis of people, inequality, and the faults of government agencies.

**25-18** Mr. Andrew Rigsbee, President of the Springfield Professional Firefighters Union, stated the union members are happy to be under contract again. He also spoke on concerns related to the emergency dispatch center's temporary minimum staffing levels. He indicated their concerns for officer safety due to reduced staffing, and urged hiring of additional dispatchers.

City Manager Bodenmiller stated that the recent change of not requiring mandatory overtime for dispatchers resulted in one four-hour period with three rather than four dispatchers on duty. Management is very concerned for safety of all employees. The dispatcher positions have been filled but several are vacant due to health reasons and new employees leaving the job during their probationary period.

Mr. Justin Massie, representing the Springfield Police Union, stated that patrol officers are concerned for the reduction in dispatch staff.

Mr. Rue commented that the city has workforce development issues like other organizations where finding trained employees can be difficult.

Dr. Estrop asked the Finance Director if there is sufficient funding for the dispatcher positions. Mr. Beckdahl stated yes. Dr. Estrop stated that finding qualified applicants, not funding, is the issue. He added the City Manager is working to resolve the issue.

**25-18** Mr. David Sanford, 528 Yellow Springs Street, asked how many charters for non-profits exist in Springfield. Mr. Sanford clarified previous comments that the average salary for employees living in Springfield is \$38,000 per year. He indicated there is documentation that Springfield has the lowest income in the United States.

Mr. Copeland stated there are American cities with lower average incomes than Springfield such as in Mississippi.

**COMMUNICATIONS**

The following communications were received and filed:

- 106-18** Quarterly Investment Report – Third Quarter, 2018.
- 107-18** Minutes of the September, 2018, meeting of the Community Beautification Committee.



On motion of Dr. Estrop, seconded by Mr. Rue, the meeting adjourned into executive session on Personnel Appointment at 8:10 p.m.

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 Dr. Estrop, the executive session adjourned.

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

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

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

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PRESIDENT OF THE CITY COMMISSION

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CLERK OF THE CITY COMMISSION