

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Monday, November 5, 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 October 9, 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:

186-18 An Ordinance titled, "Accepting the application for annexation of certain territory containing 0.458 acres, more or less, in Moorefield Township and commonly known as the Flowers Annexation Area to The City of Springfield, Ohio."

245-18 An Ordinance titled, "Authorizing the City Manager to enter into a Municipal Court Debt Collection Agreement with Capital Recovery Systems, Inc. to provide for the collection of public monies due and payable to the Clark County Municipal Court."

246-18 An Ordinance titled, "Authorizing the City Manager to enter into a License and Exchange Agreement with The State of Ohio, Department of Administrative Services to allow the Multi-Agency Radio Communication System to operate and maintain the City's communication tower."

247-18 An Ordinance titled, "Authorizing the issuance of a purchase order for the purchase of one Low Floor Cutaway Bus from Transportation Equipment Sales Corporation for an amount not to exceed \$259,366.00."

~~~~~ Next regular City Commission meeting: Tuesday, November 20, 2018. ~~~~~

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**218-18** An Ordinance No. 18-279 titled, "Vacating the first alley east of Linden Avenue from East Euclid Avenue north to the first intersecting east-west alley."

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.

**219-18** An Ordinance No. 18-280 titled, "Vacating the first alley north of West Mulberry Street from Eden Avenue to the first intersecting north-south alley."

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

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

Yeas 3, Nays 2.

**220-18** An Ordinance No. 18-281 titled, "Amending the Zoning Map of Springfield, Ohio by rezoning 4.85 acres on Montgomery Avenue, Springfield, Ohio from G, Green Space, Park, and School District and RM-12, Low-Density, Multi-Family Residence District to only RM-12, Low-Density, Multi-Family Residence District."

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.

**237-18** An Ordinance No. 18-282 titled, "Confirming and approving a Development Incentive Agreement (Non-Residential Development) with OVD Springfield Holdings, LLC to provide for sewer services to real property outside the City limits."

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.

**158-18** An Ordinance No. 18-283 titled, "Authorizing the City Manager to enter into Amendment No. 1 to the Subrecipient Funding Agreement (Norm's Place & Hartley House - 2018-2019) with Interfaith Hospitality Network, Inc., to increase funding in an amount not to exceed \$5,104.00, for a total agreement amount not to exceed \$126,284.00, and to realign budgeted funds into appropriate operations categories."

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.

**238-18** An Ordinance No. 18-284 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 the amendment of paragraph (a) of Chapter 111.03 entitled, *Salary of City Commission Members; Compensation Board*; approving the report of the Compensation Board and authorizing increases in the compensation for the Mayor, Assistant Mayor, and City Commissioners; and repealing existing paragraph (a) of Chapter 111.03."

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

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

Yeas 4, Nays 1.

**239-18** An Ordinance No. 18-285 titled, "Authorizing the City Manager to apply for a Safety Intervention Grant in an amount up to \$37,500.00 from the Ohio Bureau of Workers' Compensation to be used for the purchase of three mechanical CPR devices for use by the Fire Rescue Division; authorizing an expenditure of up to \$12,500.00 to be used as local matching funds; and authorizing the City Manager, Finance Director, Law Director and Fire Chief to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant application and to comply with all relevant local, state and federal legal requirements."

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. 18-286 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. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**5-18** An Ordinance No. 18-287 titled, "Providing for the transfer of monies among various funds; 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.

**126-13** An Ordinance No. 18-288 titled, "Authorizing the City Manager to enter into an amendment to the contract with The Ohio Bell Telephone Company dba AT&T Ohio for a one-year extension in connection with certain telephone services for municipal purposes for an amount not to exceed \$80,000.00; confirming and approving related expenditures occurring from October 5, 2018 to the passage of this ordinance; and declaring an emergency."

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

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

Yeas 5, Nays 0.

**248-18** An Ordinance No. 18-289 titled, "Authorizing the City Manager to enter into an Agreement with the Drug Enforcement Administration to reimburse expenditures for officers involved in joint operations in an amount not to exceed \$25,000.00, for the period of October 1, 2018 through September 30, 2019; authorizing the City Manager, Finance Director, Law Director and Chief of Police to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said Agreement, and to comply with all relevant local, state and federal legal requirements; confirming and approving services provided under said Agreement from October 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. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**65-17** An Ordinance No. 18-290 titled, "Confirming and approving Change Order No. 1 to the contract between the City and J & J Schlaegel, Inc. for the Buck Creek Trail Realignment Project, to decrease the contract in an amount not to exceed \$20,043.24, for a total amount not to exceed \$303,875.12, and to extend the contract completion date to October 26, 2018; authorizing the City Manager to execute said Change Order No. 1; 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.

**154-17** An Ordinance No. 18-291 titled, "Authorizing the City Manager to enter into Agreement No. 32946 with LJB, Inc. for the CLA SR 72-6.83 Project, PID No. 106287 for an amount not to exceed \$262,393.00; 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.

### **COMMUNICATIONS**

The following communications were received and filed:

**200-18** File-stamped copy of Ordinance No. 18-255 from the Clark County Auditor and Recorder.

**201-18** File-stamped copy of Ordinance No. 18-256 from the Clark County Auditor and Recorder.

**243-18** Notification from the Ohio Division of Liquor Control for a transfer from El Speedy Gonzales LLC, 1100 Upper Valley Pike, Springfield, Ohio 45504 to El Speedy Gonzales LLC dba El Speedy Gonzalez, 1173 North Bechtle Avenue. (NOTE: Address corrected to 1661 West First Street.)

### **COMMENTS ON AGENDA ITEMS**

**246-18** Mrs. Chilton asked for more detail on the Multi-Agency Radio Communication System (MARCS) agreement. Deputy City Manager Heck explained the Public Safety forces and the Service Center use an existing 800mhz radio system. The subject agreement would allow the city's tower to be operated and maintained by MARCS for better interoperability with other agencies across the state including the Clark County Sheriff's Office.

Mr. Rue asked if there is a requirement to move the MARCS system; Mr. Heck stated there is a requirement to become P25 compliant which the new system will be, but not the MARCS system is not required.

Mr. O'Neill asked for the length of the contract's term; Mr. Heck explained the initial contract is for five years with five 5-year extensions available with options to cancel with six months' notice if needed. Mr. Heck added that MARCS has an existing tower that supports the Clark County radios currently, but the city's tower is higher and will be better for both agencies.

**219-18** Mr. Rue and Dr. Estrop both thanked the applicant requesting the alley vacation north of West Mulberry from Eden Avenue for acquiring her property through the Mow to Own program and the improvements made to the area.

Mrs. Chilton asked if the city would clean up the overgrown shrubs in the alley. Mr. Thompson stated that depending on the outcome of the vote, staff would address some of the issues if the alley remains public. She also stated her disappointment that neighboring property owners did not raise their objections at the City Planning Board meeting.

Ms. Valerie Baker, 1219 West Jefferson Street, and owner of 1214-1216 West Mulberry, 1205 and 1209 West Jefferson, stated that she planned to put a fence running north-south across the alley to keep out nuisance traffic and clean up the area. She stated that she wants to combine her two properties to maintain them and prevent damage to the property and the existing fence.

Ms. Baker stated that most of the owners in the area rent the properties to tenants. The owner of 1223 West Jefferson rents the rear garage to someone for an auto repair garage and the house to another tenant. Mr. Copeland asked if the auto repair business in the alley is properly zoned, and Mr. Thompson replied that it is not and there have been enforcement issues. Mr. Copeland commented that the statements related to trailers having difficulty maneuvering in the alley are related to a business that should not be there.

Mr. Copeland stated that he would vote in favor of the alley vacation because of the improvements to the neighborhood, and some of the reported difficulties are not legitimate.

Ms. Leslie Kunkle, 405 Elbron Road, stated that a portion of the alley from Eden Avenue would remain open to the rear of the other properties.

**220-18** Dr. Estrop asked for additional information related to the rezoning of property on Montgomery. Mr. Heck explained the Jefferson Street Oasis would like to expand their community garden operation. If rezoned, a conditional use permit would be required from the Board of Zoning Appeals.

**237-18** Dr. Estrop commented the Development Incentive Agreement with OVD Springfield Holdings, LLC is an existing agreement with a change of ownership.

**238-18** Dr. Estrop commented that he would not vote in favor of the Compensation Board's recommendation of increases for the city commissioners as a cost savings although the increase was low.

Mr. O'Neill commented that commissioners in past years have made less than the minimum required by the retirement system for eligibility. He added that he would vote in favor of the increase to keep commissioners eligible for retirement benefits.

Mr. Rue stated that he would vote in favor of the increase because the Compensation Board completed the research and made a good recommendation.

Upon request of Mrs. Chilton, Finance Director Beckdahl explained the Compensation Board is comprised of citizens who looked at comparable salaries of elected official positions. Commissioners have not had an increase since 2011. The Board recommended an increase of 2.5 percent that is less than recently given to the city's bargaining units. Mr. Beckdahl stated that current commissioners are not eligible for the increase until they would be elected to a new term.

**239-18** Mr. Rue stated that the purchase of three mechanical CPR units using grant funds would be very valuable to the Fire Division and citizens. City Manager Bodenmiller commented that the Fire Division does not currently have mechanical units, so these will be the first in operation.

**126-13** Mr. O'Neill asked about the extension of the AT&T telephone contract. Mr. Beckdahl explained there are many telephone lines that will remain on the existing Centrex contract for fire alarms, etc. after the new telephone system is in place.

**65-17** Dr. Estrop commented on the Buck Creek Trail Realignment contract that decreased by \$20,000. Mr. Heck explained the decrease was due to a partnership with Topre America who provided some materials for the project at no cost.

### **STAFF COMMENTS**

**5-17** Mr. Heck announced the Derr Road Project's public input meetings would be held on December 5, 2018, from 1:30 p.m. to 3 p.m. and on December 6, 2018, from 6 p.m. to 7:30 p.m. Both meetings will be held at the Abundant Life Church at 1521 East Home Road. The meetings will be advertised with mailings to adjacent property owners and on the city's website and Facebook page.

**154-17** Mr. Bodenmiller commented that State Route 72 project is important for the South Limestone Street Corridor identifying alternatives for the area between Leffel Lane to Spring Street. There will be discussions with staff, stakeholders, and citizens for input as the project begins.



There being no further business, on motion of Dr. Estrop, seconded by Mr. Rue, the meeting adjourned at 8:10 p.m.

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