

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, February 12, 2019, in the Forum of City Hall, was called to order.

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

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 January 15, 2019, Work Session and Legislative Meeting as presented.

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

Yeas 4, 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:

38-19 An Ordinance titled, "Authorizing the purchase of a 2020 HV507 SFA Truck for an amount not to exceed \$74,481.62, from Rush Truck Centers, through the Ohio Department of Transportation Cooperative Purchasing Program in accordance with the provisions of Section 5513.01(B) of the Ohio Revised Code."

39-19 An Ordinance titled, "Authorizing the purchase of a 2019 Ford F550 Cab and Chassis with 37' Aerial Unit from Utility Truck Equipment, for an amount not to exceed \$114,920.00, 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."

40-19 An Ordinance titled, "Authorizing the purchase of nine 2019 Ford Police Interceptors from Lebanon Ford Inc., for an amount not to exceed \$289,035.00, 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."

15-19 An Ordinance titled, "Creating a Designated Outdoor Refreshment Area and establishing requirements to ensure public health and safety within such area."

16-19 An Ordinance titled, "Creating a Community Entertainment District pursuant to the provisions of Revised Code § 4301.80."

41-19 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Steve R. Rauch, Inc. for the Demolition and Site Preparation for the Downtown Springfield Townhome Redevelopment Project for an amount not to exceed \$340,642.00."

19-19 An Ordinance titled, "Determining to proceed with the improvement of public streets and easements by constructing and installing on certain property within the City street improvements, water and sewer lines, storm drains, and all necessary appurtenances."

20-19 An Ordinance titled, "Levying special assessments for the improvement of public streets and easements by constructing and installing on certain property within the city street improvements, water and sewer lines, storm drains, and all necessary appurtenances."

18-19 An Ordinance titled, "Providing for the issuance and sale of tax increment financing revenue bonds in the maximum principal amount of \$2,000,000 for the purpose of paying costs of road, water and sewer improvements near the intersection of US 40 and S. Bird Road, paying certain financing and other costs of the bonds, and authorizing various related documents and instruments."

21-19 An Ordinance titled, "Authorizing the City Manager to enter into a Plat Agreement - Bridgewater Subdivision Phase 1 between the City and Bridgewater Project I, LLC; and authorizing the City Manager, Law Director and Finance Director to do all things necessary to implement the said Plat Agreement - Bridgewater Subdivision Phase 1."

250-16 An Ordinance titled, "Authorizing the City Manager to enter into Amendment B 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 \$413,021.00, for a total amount not to exceed \$563,757.00; and to extend the completion date to September 30, 2020."

42-19 An Ordinance titled, "Authorizing the Law Director to settle a claim with Columbia Gas of Ohio, Inc. for the expense incurred as the result of damage to Columbia Gas of Ohio facilities located in the vicinity of 1606 Kenton Street on or about January 15, 2019; and authorizing the Director of Finance to make payment to Columbia Gas of Ohio, Inc. in the amount of Two Thousand Six Hundred Ten Dollars and Fifty-Eight Cents (\$2,610.58) as and for said damages."

43-19 An Ordinance titled, "Authorizing the acceptance of a donation in support of the Martin Luther King, Jr. Luncheon 2019."

FIRST READING—RESOLUTION

The following legislation was presented for the first time and requires presentation at a second regular meeting before vote on passage:

44-19 A Resolution titled, “Declaring it necessary to require the construction or reconstruction of curbs, gutters and sidewalks at the points identified as Section No. 1 of Streets and Section No. 1 of Selected Locations of the 2019 Sidewalk, Curb and Gutter Program.”

☺☺☺ Next regular City Commission meeting: February 26, 2019. ☹☹☹

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

8-16 An Ordinance No. 19-33 titled, “Authorizing the mutual rescission of the Community Reinvestment Area Agreement with Community Gardens, L.P.”

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

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

Yeas 4, Nays 0.

22-19 An Ordinance No. 19-34 titled, “Authorizing the acceptance of an EMS Priority 1 Training and Equipment Grant in an amount up to \$3,790.00 from the Ohio Department of Public Safety, Division of Emergency Medical Services, and authorizing the City Manager, Finance Director, Law Director and the Chief of the Fire Division 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.”

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

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

Yeas 4, Nays 0.

23-19 An Ordinance No. 19-35 titled, “Authorizing the City Manager to enter into a Community Housing Development Organization Agreement [FY 2017] with Neighborhood Housing Partnership of Greater Springfield, Inc. in connection with the 2017 HOME Program for an amount not to exceed \$19,656.00.”

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

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

Yeas 4, Nays 0.

24-19 An Ordinance No. 19-36 titled, “Authorizing and directing the City Manager to select certain identified parcels of real estate that constitute non-productive lands and to notify the Prosecuting Attorney or the County Auditor of Clark County, Ohio, as the case may be, pursuant to Sections 5722.03 and 5722.04 of the Ohio Revised Code that the City wishes to acquire said parcels pursuant to the provisions of Ohio Revised Code Chapter 5722 and Ordinance No. 98-293, passed August 25, 1998 and to do all things necessary to acquire said parcels.”

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

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

Yeas 4, Nays 0.

25-19 An Ordinance No. 19-37 titled, “Authorizing the City Manager to enter into a contract for the purchase of street materials with A & B Asphalt Corporation for an amount not to exceed \$336,050.00.”

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

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

Yeas 4, Nays 0.

26-19 An Ordinance No. 19-38 titled, “Authorizing the City Manager to enter into a contract for the purchase of street materials with Shelly Materials, Inc. for an amount not to exceed \$331,987.50.”

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

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

Yeas 4, Nays 0.

27-19 An Ordinance No. 19-39 titled, “Authorizing the City Manager to enter into a contract for the purchase of street materials with Valley Asphalt Corporation for an amount not to exceed \$408,850.00.”

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

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

Yeas 4, Nays 0.

28-19 An Ordinance No. 19-40 titled, “Authorizing the City Manager to enter into a contract for the purchase of street materials with HEI-WAY LLC for an amount not to exceed \$66,080.00.”

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, and Mr. Copeland. Yeas 4, Nays 0.

29-19 An Ordinance No. 19-41 titled, "Authorizing the City Manager to enter into a contract for the purchase of sand and gravel with Mechanicsburg Sand and Gravel, Inc., for an amount not to exceed \$145,350.00."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, and Mr. Copeland. Yeas 4, Nays 0.

30-19 An Ordinance No. 19-42 titled, "Authorizing the City Manager to enter into a contract for the purchase of sand and gravel with Enon Sand and Gravel, LLC, for an amount not to exceed \$127,821.25."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, and Mr. Copeland. Yeas 4, Nays 0.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

45-19 An Ordinance No. 19-43 titled, "Authorizing the City Manager and the Chief of Police to enter into a Federal Equitable Sharing Agreement and Certification and Certification with the United States Government, Department of Justice and Department of Treasury, for the period January 1, 2019 through December 31, 2019; confirming and approving all transactions up until the passage of this Ordinance; 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, and Mr. Copeland. Yeas 4, Nays 0.

46-19 An Ordinance No. 19-44 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 Section 1501.01 entitled *Ohio Fire Code Adoption* and Section 1507.08 entitled *Fire Hydrant and Water Main Systems for Fire Protection*, repealing existing Sections 1501.01 and 1507.08; and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, and Mr. Copeland. Yeas 4, Nays 0.

96-13 An Ordinance No. 19-45 titled, "Confirming and approving Change Order No. 2 to the contract between the City and J & J Schlaegel, Inc. for the CLA Middle Urbana Rehab Project, PID No. 94768, to increase the contract in an amount not to exceed \$17,812.32, for a total amount not to exceed \$1,306,906.94; 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, and Mr. Copeland. Yeas 4, Nays 0.

174-18 An Ordinance No. 19-46 titled, "Confirming and approving Change Order No. 1 to the contract between the City and Insituform Technologies, LLC for the 2018 Miscellaneous Sanitary Sewer Lining Project, to increase the contract in an amount not to exceed \$126,907.24, for a total amount not to exceed \$470,401.24, and to extend the contract completion date to January 25, 2019; authorizing the City Manager to execute said Change Order No. 1; and declaring an emergency."

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

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, and Mr. Copeland. Yeas 4, Nays 0.

47-19 An Ordinance No. 19-47 titled, "Authorizing release of the City's mortgage on 2230 Clifton Avenue for \$8,350.25; authorizing the Law Director, Community Development Director and City Manager to do all things necessary to effectuate the release of said mortgage; 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, and Mr. Copeland. Yeas 4, Nays 0.

50-19 An Ordinance No. 19-48 titled, "Authorizing the issuance of a purchase order for the purchase of one screw pump from Vandezande BVBA for an amount not to exceed \$160,000.00; 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, and Mr. Copeland. Yeas 4, Nays 0.

EMERGENCY RESOLUTIONS

The following emergency legislation was presented for the first time:

35-19 A Resolution No. 6037 titled, "Declaring it necessary to improve public streets and easements by constructing and installing on certain property within the city street improvements, water and sewer lines, storm drains, and all necessary appurtenances."

On motion of Dr. Estrop, seconded by Mr. O'Neill, the resolution was adopted.

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

Yeas 4, Nays 0.

48-19 A Resolution No. 6038 titled, "Extending support from the City Commission of The City of Springfield, Ohio to a tax credit development proposed by Neighborhood Housing Partnership of Greater Springfield, Inc."

On motion of Dr. Estrop, seconded by Mr. O'Neill, the resolution was adopted.

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

Yeas 4, Nays 0.

LIQUOR PERMIT

36-19 On motion of Mr. O'Neill, 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 Infusions Fine Dining & Spirits LLC, dba Infusions Fine Dining & Spirits, 1st Floor & Basement, 42 N. Fountain Avenue, Springfield, Ohio 45502 to Arthur E. Wilson, dba Pub, 1st Floor & Basement, 42 N. Fountain Avenue, Springfield, Ohio 45502, was ordered received and filed with the City Clerk.

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

Yeas 4, Nays 0.

COMMUNICATIONS

The following communications were received and filed:

37-19 Notification from the Ohio Division of Liquor Control for a liquor permit transfer request from Cassano's Inc., 2418 East Third Street, Dayton, Ohio 45403, to Cassano's Inc., 2123 South Limestone Street, Springfield, Ohio 45505.

49-19 Notification from the Ohio Division of Liquor Control for a liquor permit transfer request from 2017 Bechtle LLC dba El Toro Mexican Restaurant, 2017 Bechtle Avenue and Patio, Springfield, Ohio 45504, to 2017 Bechtle LLC dba El Toro Mexican Restaurant, 1781 North Bechtle Avenue, Springfield, Ohio 45504.

51-19 Minutes from the National Trail Parks and Recreation Board meeting on January 14, 2019.

COMMENTS ON AGENDA ITEMS

15-19, 16-19 Dr. Estrop stated the creation of a Designated Outdoor Refreshment Area and a Community Entertainment District is consistent with the City Commission's adopted goal of reinvigorating the downtown and would provide more opportunities for restaurants.

38-19, 39-19 Dr. Estrop asked if the two trucks requested for purchase would be acquired from Navistar. Service Director Moore stated the 2020 SFA Truck is a Navistar truck built at the Springfield plant. Mr. Moore noted that every attempt to purchase local Navistar products whenever possible and added that all of the city's snowplow trucks are Navistar products.

40-19 Dr. Estrop commented that it would be nice to have a local Ford dealer to purchase vehicles and asked about the average mileage on a Police vehicle leaving service. Mrs. Chilton also asked for additional information on the Police vehicles to be replaced after the purchase of nine new Interceptors. City Manager Heck stated the cruisers taken out of Police service often have very high mileage and are passed down for another city department's use. The Police Division averages five new vehicles per year. Mr. Moore commented the retiring cruisers have 85,000-94,000 miles on them, but the number of hours of use is a better indicator of wear and tear on these vehicles.

24-19 Dr. Estrop asked for additional information on the request to acquire non-productive properties. Community Development Director Meadows explained 27 vacant lots have been identified and requested through the Mow to Own Program. Upon acceptance by the Land Reutilization Program for these 27 lots, a grand total of 115 lots will have been turned over to new owners and no longer maintained by the city.

25-19, 26-19, 27-19, 28-19, 29-19, 30-19 Mrs. Chilton asked for an explanation why multiple vendors are selected for street materials and sand/gravel. Mr. Moore explained that all of the materials are needed in 2019 for patching roads, utility project repairs, and street repairs. Each vendor provides different grade products.

46-19 Dr. Estrop asked for clarification on the amendment of the Codified Ordinances pertaining to Fire Code adoption. Fire Chief Miller explained the adoption of the State's code with local amendments brings the existing Codified Ordinance sections into compliance with the State.

96-13 Dr. Estrop asked for additional detail on the requested Middle Urbana Rehab Project change order. City Engineer Shanayda explained additional items were required including fire hydrants that were either lowered or raised,

relocation of a water line, and realignment of a sewer main stub.

174-18 Dr. Estrop asked for additional information on the requested change order for sanitary sewer linings. Mr. Shanayda indicated the contractor's pricing was very good, so additional sewer lining work was added to the contract and raised the cost of the overall project.

50-19 Mrs. Chilton and Mr. O'Neill both requested more detail on the screw pump that must be ordered from Belgium. Mr. Moore stated that a serious pump failure occurred at the Wastewater Treatment Plant. The screw pump is a spiral that lifts wastewater and is one of three at the plant. The unique item is made in Belgium and will be shipped to the plant.

Mr. O'Neill also asked about the age of the failed pump, and Mr. Moore estimated the existing pump was 35 years old. After replacement of the new pump, the service technicians plan to replace the bearings in the other two pumps to extend their life expectancy.

35-19 Mrs. Chilton commented the emergency resolution was for improving public streets and easements related to the new Bridgewater Subdivision. Mr. Heck explained the resolution must be in place prior to the several items that were read for the first time and all relate to the public improvements for the subdivision.

36-19 Mr. O'Neill and Mr. Copeland both spoke on the liquor permit transfer request for Mr. Art Wilson at 42 North Fountain Avenue. The previous liquor permit holder did not do what they said they would do for a business at that location. Mr. O'Neill stated the building and location has great potential, especially with the Community Entertainment District that will be established.

Mrs. Chilton commented that the Police Division's report indicated they were not able to reach the applicant regarding the permit. Police Chief Graf stated that officers were not able to reach Mr. Wilson personally, but they had the background information needed for their report and had no reason to object to the transfer.

COMMENTS FROM COMMISSIONERS

4-19 Mrs. Chilton reminded citizens that February is Black History Month and American Heart Month.

4-19 Mr. Copeland announced one of his former Wittenberg University students would be hosting a baseball event for students in grades 3 to 8 on February 16, 2019, from 1:30 p.m. to 3:30 p.m. at the Springfield Y.

COMMENTS FROM THE AUDIENCE

4-19 Mr. David Sanford, 528 Yellow Springs Street, spoke on filing three civil rights complaints related to lack of regulations on fence building and surveys that are not filed. He also encouraged commissioners to address unemployment issues.

Mr. O'Neill stated there are regulations on fences, but there are no permits required.

Mrs. Chilton stated citizens may obtain the fence regulations through the Community Development Department. She added that even if there are no permits required, citizens have to do their due diligence in obtaining the proper information.



There being no further business, on motion of Dr. Estrop, seconded by Mr. O'Neill, the meeting adjourned at 7:50 p.m.

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

Yeas 4, Nays 0.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION