

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, February 26, 2019, 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 January 29, 2019, Executive Session, Work Session, Public Hearings, and Legislative 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:

17-19 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio by rezoning 25.42 acres at 1751 Rebert Pike, Springfield, Ohio from RS-5, Low-Density, Single-Family Residence District to A, Agricultural District."

54-19 An Ordinance titled, "Amending 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 1321.07(d) thereof, relating to Springfield's historic districts and designated properties; and repealing existing Section 1321.07(d)."

55-19 An Ordinance titled, "Implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of the Springfield Revitalization Community Reinvestment Area in The City of Springfield, Ohio, and designating a housing officer to administer the program."

56-19 An Ordinance titled, "Authorizing the City Manager to enter into a Box 27 Services Agreement with Box 27 Volunteer Fire Department Incorporated to provide assistance to the City's Fire Rescue Division at multiple alarm fires."

57-19 An Ordinance titled, "Authorizing the acceptance of a donation from the Police Wives Club of 55 combat application tourniquets valued at \$1,650.00."

58-19 An Ordinance titled, "Dedicating certain real estate owned by the City to the public use and purpose of making and repairing roads which shall be open to the public, without charge, to wit, the roadway extending along the east side of the western section line of Section 5, to between Broadway Street to the south and Overlook Drive to the north, connecting Broadway Street and Overlook Drive."

59-19 An Ordinance titled, "Securing to The City of Springfield, Ohio, the benefits of the Sourcewell Contract Purchasing Cooperative Program."

60-19 An Ordinance titled, "Authorizing the purchase of a Leeboy 400BT, 3 Ton Towable Steel Drum Asphalt Roller from McLean Company, for an amount not to exceed \$58,581.00, through Sourcewell, pursuant to the Sourcewell Contract Purchasing Cooperative Program, in accordance with the provisions of Section 9.48 of the Ohio Revised Code."

61-19 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Stinnett Industries LLC dba Cut-2-Perfection Lawn and Snow Removal Services for weed cutting and lot clearing services as needed by the City, for an amount not to exceed \$60,000.00."

62-19 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Gary Gilbert, Jr. dba Gilbert's Lawn Service for weed cutting and lot clearing services as needed by the City, for an amount not to exceed \$60,000.00."

63-19 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Prometheus Land Clearing LLC for weed cutting and lot clearing services as needed by the City, for an amount not to exceed \$60,000.00."

64-19 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Miller's Property Service, LLC for weed cutting and lot clearing services as needed by the City, for an amount not to exceed \$60,000.00."

65-19 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Four Corners Property Management LLC for weed cutting and lot clearing services as needed by the City, for an amount not to exceed \$60,000.00."

66-19 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Central Ohio Grass Cutters for weed cutting and lot clearing services as needed by the City, for an amount not to exceed \$60,000.00."

67-19 An Ordinance titled, "Authorizing an expenditure for an amount not to exceed \$140,493.89 for the period of April 1, 2019 through March 31, 2020 with Tyler Technologies, Inc. fka New World Systems Corporation, to maintain computer software used by the City's Public Safety Departments."

Next regular City Commission meeting: March 12, 2019.

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

38-19 An Ordinance No. 19-49 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."

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.

39-19 An Ordinance No. 19-50 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."

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.

40-19 An Ordinance No. 19-51 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."

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.

15-19 An Ordinance No. 19-52 titled, "Creating a Designated Outdoor Refreshment Area and establishing requirements to ensure public health and safety within such area."

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.

16-19 An Ordinance No. 19-53 titled, "Creating a Community Entertainment District pursuant to the provisions of Revised Code § 4301.80."

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.

41-19 An Ordinance No. 19-54 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."

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.

19-19 An Ordinance No. 19-55 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."

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.

20-19 An Ordinance No. 19-56 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."

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.

18-19 An Ordinance No. 19-57 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."

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.

21-19 An Ordinance No. 19-58 titled, "Authorizing the City Manager to enter into a Plat Agreement - Bridgewater Subdivision Phase 1 between the City and Bridgewater Project 1, 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."

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.

250-16 An Ordinance No. 19-59 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."

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.

42-19 An Ordinance No. 19-60 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."

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.

43-19 An Ordinance No. 19-61 titled, "Authorizing the acceptance of a donation in support of the Martin Luther King, Jr. Luncheon 2019."

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

The following legislation was presented for the second time:

44-19 A Resolution No. 6039 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; 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.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

13-19 An Ordinance No. 19-62 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor; 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.

79-18 An Ordinance No. 19-63 titled, "Confirming and approving Change Order No. 2 to the contract between the City and Sterling Quality Concrete, LLC for the 2018 Sidewalk, Curb and Gutter Program, to decrease the contract in an amount not to exceed \$275,000, for a total amount not to exceed \$380,275.88; authorizing the City Manager to execute said Change Order No. 2; 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.

68-19 An Ordinance No. 19-64 titled, "Authorizing the City Manager to enter into a contract with J & J Schlaegel, Inc. for the 2019 Miscellaneous Water Service Replacement Project for an amount not to exceed \$455,890.00; 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.

LIQUOR PERMIT

37-19 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 Cassano's Inc., 2418 E Third Street, Dayton, Ohio 45403 to Cassano's, Inc., 2123 S. Limestone Street, Springfield, Ohio 45505, was ordered received and filed with the City Clerk.

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:

213-18 Correspondence from the Government Finance Officers Association pertaining to the 2017 Comprehensive Annual Finance Report (CAFR) earning a Certificate of Achievement for Excellence in Finance Reporting.

48-19 Notification from Community Gardens II, Neighborhood Housing Partnership of Greater Springfield, of their proposed 60-unit residential rental development and application to the Ohio Housing Finance Agency.

53-19 Notification from the Ohio Division of Liquor Control of a TREX liquor permit transfer from ESOG LLC, 5474 West Third Street, Jefferson Township, Dayton, Ohio 45427 to Gayatri LLC dba Jim's To Go, 2808 East Main Street, Springfield, Ohio 45503.

COMMENTS ON AGENDA ITEMS

61-19 thru 66-19 Mayor Copeland asked for an explanation as to why there were so many ordinances in a row that are basically the same. Planning, Zoning and Code Administrator Thompson explained that in the past three seasons the City had two weed cutting contractors. This year staff would like to award six contracts and the intent is to not spend more than \$60,000 total across all six contractors in 2019. This is in hopes of speeding up the time from when an order is given to a contractor for cutting and the seeing results more quickly.

Dr. Estrop commented that this is great news. Keeping up with the weed and grass cutting is good for the city and a plus for Springfield.

54-19 Dr. Estrop asked if the proposed Codified Ordinance change will add the Gammon House to the list of Historic Properties as a first reading this meeting and take formal action at the next meeting? City Manager Heck stated that was correct.

58-19 Mr. O'Neill asked if Overlook Drive is a single dead-end type street and not for through traffic currently. Service Director Moore stated that a portion was not a named street just a parcel of land owned by the City. This will take that piece of land and make it part of Overlook Drive connecting out to Broadway. City staff became aware that this was not a street by the surveyor who was determining the name of the street. It was a piece of land used as a thoroughfare with a stop sign but had never been dedicated. Mr. O'Neill asked if there had been a Public Hearing to inform the residents of the official change to their street. Mr. Moore stated that was not aware of any public hearings, and Mr. Heck agreed. This is a paved thoroughfare, the property is owned by the City that has not been publicly dedicated, and still traversable by the general public. Mr. Moore stated that nothing will change except how this piece of property is recorded.

54-19 Mrs. Chilton asked for someone from the Gammon House to talk about the significance of this matter. Mr. Dale Henry attended with six members of the Gammon House, thanked the City for putting the Gammon House on the National Registry and explained the history of Gammon House. He stated the vote of the Commission is a vote for diversity and inclusion. It speaks to historic preservation and community development. Mayor Copeland expressed on behalf of commission and the citizens that they appreciate their efforts.

40-19 Dr. Estrop stated that it is very unfortunate that we are sending almost \$300,000 in business to Lebanon and he finds not having a Ford dealership in Springfield bewildering.

15-19, 16-19, 41-19 Dr. Estrop stated the three pieces of legislation in consideration (DORA, CED and work to begin on the townhouses downtown) represents a huge step forward in meeting the Commission's goal of improving and reinvigorating downtown Springfield. He thanked all the people involved working to get this done and stated the heart of

any community is the downtown.

20-19 Dr. Estrop asked if members of the public could find out what streets will be paved or repaired on the city's website. Mr. Heck stated that, yes, information is available online. Mr. Heck commented the special assessment ordinance for street and easement improvements specifically addresses the improvements within the Bridgewater Subdivision which is the new subdivision on the east side that will be connected to Tuttle Road.

18-19 Dr. Estrop asked what the bond market looks like today as it related to the tax increment finance revenue bond ordinance. Finance Director Beckdahl responded by saying that he was unsure what the bond market is as these bonds will be sold as private placement and is not necessarily reflective of the current public market. These bonds will probably close with an effective rate of about 6 percent.

250-16 Dr. Estrop asked Mr. Moore for additional information on the primary effluent pumps project at the Wastewater Treatment Plan. Mr. Moore explained this pump is one of three and is a spiral pump that lifts wastewater once it reaches the point where it can go no further. These pumps have reached their expected life and the proposed change order completes the design on the first phase of the project so the pumps may be replaced. The newest pump is 30 years old. Dr. Estrop asked if this process is very critical, and Mr. Moore replied that it is indeed.

42-19 Mrs. Chilton commented that it is unfortunate the City has to pay Columbia Gas for damage but we do not see where they pay us for damage done to our property. Law Director Strozdas stated that they do pay us for damages; however, we do not legislate for money received for repairs.

43-19 Dr. Estrop thanked Fifth Third Bank for the donation supporting the Martin Luther King, Jr. Luncheon 2019.

79-18 Dr. Estrop commented that the change order requested for the 2018 Sidewalk, Curb, and Gutter Program was a decrease in funding.

68-19 Dr. Estrop asked for additional information on the contract increase for the 2019 Miscellaneous Water Service Replacement Project. City Engineer Shanayda stated it is for replacing water service lines for the residences on the roads we will be paving this year. Dr. Estrop asked if this is to improve the quality of service where the roads will be repaved, and Mr. Shanayda concurred.

37-19 Ms. Chilton asked what kind of liquor permit is requested for Cassano's on South Limestone Street. Police Chief Graf stated that it is a beer permit to make Cassano's a full-service store like the others in the area. It is for beer consumption, closed containers to be taken out as closed containers or for consumption in the store for their customers.

Mr. Eric DJSwig Clark, A9radio937, asked if the North Limestone store has a beer license. Chief Graf stated yes. Mayor Copeland stated that he believed that only the South Limestone store did not. Mr. O'Neill confirmed the type of liquor permit.

COMMENTS FROM COMMISSIONERS

4-19 Ms. Chilton thanked the board of the Gammon House for coming to the Commission meeting.

COMMENTS FROM THE AUDIENCE

15-19, 16-19 Mr. Horton Hobbs, 20 South Limestone Street, thanked the City for their foresight to improve the downtown by considering the DORA and Community Entertainment District. The CRA expansions will have a profound effect on the downtown area. The Chamber, CIC, and CVB have all passed legislation for the expansion of the CRA, DORA and CED backing these pieces of legislation.

4-19 Mr. Andrew Dibert asked who makes the decision on what roads get paved. Mr. Heck stated there are various factors that go into determining which roads are paved. Various staff and departments including the Service Department, Finance Department, and the City Manager's office evaluate the street conditions. There are many criteria that go into determining which roads are chosen for paving. This includes utility and infrastructure work that must be completed ahead of paving so that newly paved roads are not torn up. Staff then makes those recommendations to the City Commission.

Mr. Dibert then asked about roads that do not need paved. Mr. Dibert asked Mr. Rue if his street was paved. Mr. Rue stated that the street near him was paved before being elected. Mr. Dibert indicated that he lives by Albemarle and there are many businesses on that street which has been torn up for years and not paved. Mr. Copeland stated that there were meetings in each quarter to get citizen input on streets that need paved. Ms. Chilton commented that citizens need to actively participate in these discussions.

4-19 Mr. Jeff Allen, 503 Monaco, expressed disappointment with the Springfield Police after being pulled over for a burned out taillight. Mr. Allen felt he should not have had to show his ID as a passenger. He stated that he had talked with Chief Graf about this issue and feels that the police should not act with arrogance.

4-19 Ms. Regina Sanford, 528 S. Yellow Springs Street, stated that Mr. O'Neill said he would send out the rules and regulations to the fence companies. Mr. Heck stated that staff has prepared a memo to the City Manager's office and it is under review. Staff hopes to have that distributed this week.

4-19 Mr. Eric DJSwig Clark, A9Radio 937, spoke about communication, discrimination and the community needs to come together. He also stated that more needs to be done for downtown.

4-19 Mr. Michael Gilbert, 360 S. Limestone Street, spoke on racism and service animals. Ms. Chilton responded that there are laws as to what designates a service animal and he is not following those regulations. She also asked Mr. Gilbert if he has service dog papers for his dog. He replied there are no designations or documents for service dogs.

4-19 Mr. David Sanford, 538 S. Yellow Springs Street, spoke on permits for fence companies, discrimination and the hiring of minorities.

4-19 Ms. Katalina Remusat, 2100 E. High Street, commended people for their conviction and bravery for speaking their voices. She stated her appreciation for everyone's efforts trying to make Springfield better.

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On motion of Mr. O'Neill, seconded by Mr. Rue, the meeting adjourned into executive session on Personnel Appointment and Litigation 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 Dr. Estrop, seconded by Mr. Rue, 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. Rue, the meeting adjourned at 8:40 p.m.

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



PRESIDENT OF THE CITY COMMISSION



ACTING CLERK OF THE CITY COMMISSION