

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, April 23, 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. Rue, members approved the minutes of the March 26, 2019, Work Session, Public Hearings and Legislative meetings 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:

80-19 An Ordinance titled, "Vacating West Mulberry Street from the east right of way line of South Plum Street east to the east right of way line of Deardorf Avenue, and Deardorf Avenue from the north right of way line of West Mulberry Street north approximately 230 feet."

81-19 An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio by rezoning 2.556 acres at 49-51 East College Avenue, Springfield, Ohio from EC-1, Educational Campus District to CC-2, Community Commercial District."

103-19 An Ordinance titled, "Authorizing a contract with DATAMATX, Inc. for utility bill printing, mailing and electronic bill payment and presentment services for the period of June 11, 2019 through June 10, 2020, for an amount not to exceed \$48,000.00; and authorizing an additional expenditure in an amount not to exceed \$147,000.00 to reimburse DATAMATX, Inc. for postage expenses."

104-19 An Ordinance titled, "Authorizing the City Manager to enter into an Employment Incentive Agreement with Code Blue LLC to incentivize expansion of their currently leased facility located at 14 East Main Street to create employment in the City; authorizing the City Manager, Finance Director and Law Director to do all things necessary to implement the said Employment Incentive Agreement."

282-08a An Ordinance titled, "Confirming and approving Amendment #3 to the Hangar Lease between the City and SelectTech Services Corporation, dba SelectTech at the Springfield-Beckley Municipal Airport."

282-08b An Ordinance titled, "Confirming and approving Amendment #4 to the Hangar Lease between the City and SelectTech Services Corporation, dba SelectTech at the Springfield-Beckley Municipal Airport."

105-19 An Ordinance titled, "Authorizing the City Manager to enter into a contract for Mill Run Sewer Cleaning and Inspection Services with Champion Cleaning Specialists, Inc. for an amount not to exceed \$53,547.00."

106-19 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 Chapter 916 entitled, *Use of Public Sewers*."

107-19 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 Sections 1711.09 entitled *Plumbing* and 1324.02 entitled *Class A Civil Offenses* and repealing existing Sections 1711.09 and 1324.02."

108-19 An Ordinance titled, "Authorizing the City Manager to enter into a contract for demolition services with Tony Smith dba Tony Smith Wrecking & Trucking for an amount not to exceed \$200,000.00."

109-19 An Ordinance titled, "Authorizing the acceptance of donations in support of CultureFest 2019."

Next regular City Commission meeting: May 7, 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:

44-19a A Resolution titled, "Declaring it necessary to require the construction or reconstruction of curbs, gutters and sidewalks at the points identified as Section No. 2 of Streets and Section No. 2 of Selected Locations of the 2019

Sidewalk, Curb and Gutter Program.”

Next regular City Commission meeting: May 7, 2019.

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

096-19 Ordinance No. 19-107 titled, “Approving general salary increases for non-bargaining unit employees pursuant to Section 175.03(c) of the Codified Ordinances of The City of Springfield, Ohio; and authorizing the City Manager to do all things necessary to implement such increases.”

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.

097-19 Ordinance No. 19-108 titled, “Authorizing the purchase of a Tractor Loader Backhoe from Southeastern Equipment Company, for an amount not to exceed \$110,364.07, 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.

223-96 Ordinance No. 19-109 titled, “Authorizing the City Manager to execute a Sixth Addendum to the Contract for the Administration of Health Affairs in the Clark County Combined Health District.”

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.

RESOLUTIONS

The following legislation was presented for the first time:

110-19 A Resolution No. 6047 titled, “Consenting to the appointment of Blontas Mitchell to the Mediation Board to serve as the Human Relations Board’s representative.”

On motion of Mrs. Chilton, 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.

111-19 A Resolution No. 6048 titled, “Consenting to the reappointment of Dori Gaier to the Board of Zoning Appeals.”

On motion of Mr. O'Neill, 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:

13-19 Ordinance No. 19-110 titled, “Confirming purchases and the obtaining of services for the City and providing for payments therefor; 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, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.

112-19 Ordinance No. 19-111 titled, “Authorizing the City Manager to apply for, accept and enter into a Cooperative Agreement for the design/planning phase of the Eastern Pressure District Waterline Upgrade Project with the Ohio Water Development Authority (“OWDA”); 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.

113-19 A Fiscal Officer’s Certificate was presented in connection with the proposed issuance of a \$210,000 Sidewalk, Curb and Gutter S.A. Note, Series 2019 (2018-C) (the Note) in anticipation of the issuance of bonds (the Bonds) to pay the cost of construction of sidewalks, curbs, and gutters comprised in the 2018 Sidewalk, Curb & Gutter Program at various locations throughout the City. The estimated life of the Improvements is at least five (5) years. The maximum maturity of the Bonds calculated in accordance with Section 133.20 of the Ohio Revised Code, is twenty (20)

years, but because the special assessments will be payable over a period of five (5) years, and the Bonds are to be issued in anticipation of the collection of those special assessments, the maximum maturity of the Bonds is five (5) years. The maximum maturity of the Notes is five years, provided that their maximum maturity is one year if the Notes are sold at private sale.

Ordinance No. 19-112 titled, "Providing for the issuance and sale of notes in the maximum aggregate principal sum of \$210,000 in anticipation of the issuance of bonds to pay the cost of constructing sidewalks, curbs and gutters comprised in the 2018 Sidewalk, Curb and Gutter Program at various locations throughout the City; 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.

The Fiscal Officer's Certificate was presented April 17, 2019, prior to the commencement of the City Commission meeting and prior to passage of this ordinance.

114-19 Ordinance No. 19-113 titled, "Authorizing the City Manager to enter into an Agreement with the Community Improvement Corporation of Springfield and Clark County, Ohio ("CIC") for the acceptance of funds in relation to the Downtown Springfield Parking Garage Project; 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.

115-19 Ordinance No. 19-114 titled, "Repealing the Center City Community Reinvestment Area, the South Limestone Community Reinvestment Area, the Western Community Reinvestment Area, the Monroe-Mulberry Community Reinvestment Area, the North Hill 2 Community Reinvestment Area, the Sheridan-Kenton Community Reinvestment Area, the Washington-Pleasant Community Reinvestment Area and the Burnett and High Community Reinvestment Area, in the City of Springfield, Ohio; 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.

116-19 Ordinance No. 19-115 titled, "Authorizing the issuance of a purchase order for monthly access fees for MARCS Radio Communication System Equipment from The Ohio Department of Administrative Services, Office of Information Technology for an amount not to exceed \$64,560.00; confirming and approving any related expenditures incurred from February 28, 2019 to the passage of this ordinance; 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.

117-19 Ordinance No. 19-116 titled, "Authorizing the City Manager to enter into a six-year Service Agreement with P&R Communications Service, Inc. for maintenance services for Motorola equipment related to the Marcs Radio System, for an amount not to exceed \$18,450.00 annually for warranty years one through three, and an amount not to exceed \$49,590.00 annually for non-warranty years four through six, respectively; confirming and approving any related expenditures incurred from February 28, 2019 to the passage of this ordinance; 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.

118-19 Ordinance No. 19-117 titled, "Authorizing participation in the ODOT winter contract (018-20) for Road Salt; 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.

119-19 Ordinance No. 19-118 titled, "Authorizing the City Manager to apply for a grant through the ODOT, Aviation Division in an amount up to \$778,030.00 for the Taxiway H rehabilitation and Taxiway C removal at the Springfield-Beckley Municipal Airport; authorizing an expenditure of up to \$38,901.50 to be used as local matching funds; authorizing the City Manager, Law Director, Airport Manager and the Director of Finance to do all things necessary for the submission of the application of the grant and to comply with all relevant local, state and federal legal requirements; 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:

44-19a Resolution No. 6049 titled, "Declaring it necessary to require the construction or reconstruction of curbs, gutters and sidewalks at the points identified as Section No. 2 of Streets and Section No. 2 of Selected Locations of the 2019 Sidewalk, Curb and Gutter Program; and declaring an emergency."

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.

COMMUNICATIONS

The following communications were received and filed:

120-19 Notification from the Ohio Division of Liquor Control of a new liquor permit request for Family Dollar Stores of Ohio, Inc. dba Family Dollar 796, 1857 South Limestone Street, Springfield, Ohio 45505.

COMMENTS ON AGENDA ITEMS

108-19 Dr. Estrop spoke on the demolition services legislation not to exceed \$200,000 which aligns with the City Commission's goal to eliminate blight in the neighborhoods.

97-19 Mrs. Chilton asked about existing equipment that would be replaced with a new Tractor Loader Backhoe. Service Director Moore explained the new equipment will be used by the street division, the used equipment would be passed to the Airport, and the Airport's used equipment would go to the National Trail Parks and Recreation District.

223-96 Dr. Estrop asked for additional detail related to the Sixth Addendum to the Administration of Health Affairs contract. City Manager Heck explained the fee schedule for plumbing permits and similar is to be maintained by a Licensing Council of the Health Board. However, the Clark County Combined Health District manages the fees. The addendum officially eliminates the need for a Licensing Council.

Mr. Copeland added that he serves on the Clark County District Advisory Council where it was recommended to take this action.

112-19 Mrs. Chilton asked which areas are included in the Eastern Pressure District. Mr. Heck explained the area includes the eastern part of the city along with the Prime Ohio I and II industrial parks and the NextEdge business park. Mr. Heck added the Eastern Pressure District will serve the existing residential and commercial water customers and new development in the eastern part of the city.

Mr. Copeland commented that the district will provide additional water to commercial businesses and employers. Dr. Estrop added that a good water source is critical to economic development efforts.

114-19 Mrs. Chilton asked when construction of the downtown parking garage facility would begin. Mr. Heck stated the project is in the preliminary design phase with a building plan anticipated for the middle of May. Actual construction work may begin June 2019. The parking garage design will include a guaranteed maximum price for building based on the budget.

115-19 Dr. Estrop spoke on the need to rescind the eight existing Community Reinvestment Areas (CRA) as part of creating the one larger CRA adopted at the April 7, 2019, meeting. Mr. Heck stated the state has given tentative approval of the larger CRA and asked for the other to be repealed before final approval. Final approval is expected approximately seven days after submittal. Applications may be submitted to the Community Development Department.

Mrs. Chilton stated residential property owners are encourage to take part as well as commercial properties. Mr. Heck and Dr. Estrop reviewed the criteria and length of abatement terms.

Mr. David Sanford, 528 Yellow Springs Street, asked if grant money is used for the CRA tax abatements. Mr. Heck explained the program allows for a reduction of property tax paid for properties with improvements, so grant money is not involved. Mr. Sanford stated that many property owners do not have funds available to make improvements.

Mr. Rue commented the intent of the program is to encourage investment and development in many areas of the city.

118-19 Mrs. Chilton thanked Mr. Moore and his staff for good pricing for the road salt used during the winter months. Mr. Moore indicated the state worked to get the bids in earlier for better pricing; many cities and counties join together to buy a larger amount at a good price.

119-19 Dr. Estrop noted the Springfield-Beckley Municipal Airport provides general aviation services, but it also is a good economic development tool and provider of jobs for the community.

COMMENTS FROM COMMISSIONERS

4-19 Mr. O'Neill spoke on the financial situation of the E.F. Hutton business that located downtown in the former Credit Life building just a few years ago. Mr. O'Neill suggested the city withdraw the existing tax abatement with them that could be given to another company or to E.F. Hutton if their business turns around. Mr. O'Neill stated that he is saddened the business was not successful.

Assistant City Manager and Economic Development Administrator Franzen explained the city entered into an Employee Incentive Agreement with E.F. Hutton in 2016 which was based on the number of jobs created. The city paid the company \$882 in the first year, \$14,600 in the second year, and no payment last year. Other agreements have been rescinded when a company fails to meet expectations, and staff will look at rescinding the agreement with E.F. Hutton as suggested. Staff will also work with the company if they reorganize and wish to create a new agreement. Mr. Franzen commented that agreements are performance-based, and the city does not lose money if there are no new jobs created under such agreement. Payments to the companies equate 50 percent of the net income tax paid for new positions.

Mr. Copeland also commented that businesses do not receive payments unless they prove jobs are created under the agreement. Mr. O'Neill added that they hope the business will be able to renegotiate a new contract.

COMMENTS FROM THE AUDIENCE

4-19 Mr. Michael Gilbert, South Limestone Street, spoke on treating citizens with respect. He also stated that he waited nine weeks after speaking to the Human Relations Board and recently received a letter directing him to file a complaint with the Ohio Civil Rights Commission pertaining to service dogs. The letter also indicates that the Board and staff will conduct public education about service dogs.

Mr. Rue commented that the staff worked many hours researching and preparing a presentation given during the Work Session to address Mr. Gilbert's concerns.

4-19 Rev. Linda Stampley, 1413 Noel Drive, spoke on contacting city staff regarding a newspaper article on a new housing development. Ms. Stampley previously requested additional information, and Mr. Copeland indicated a staff member would contact her.

5-17 Mr. Michael Schontz, 1339 Vester Avenue, Apt. 113, asked for information regarding the Derr Road project. Mr. Heck explained the design consultant is in the preliminary engineering phase using the input from the public meetings and is close to having a finalized design. Mr. Heck stated that he hoped a plan would be available to share with the public in May.

Mr. Schontz asked that the plan be shared with Northside Baptist Church on Derr Road, and also asked for a traffic light near the church to alleviate traffic issues. Mr. Heck stated that the area has been reviewed for traffic signals, and the current analysis indicates no new signals are warranted. Mr. Rue indicated that traffic in the area needs to be slowed down.

Mr. Schontz also asked if Mark's Grocery would occupy the former Kroger location on North Limestone Street. Mr. Heck stated that he had no information regarding that location.

4-19 Mr. Mike Lowe, spoke on needed street repairs where potholes are filled but need permanent repairs such as 1000-1300 blocks of Maiden Lane, 1400-2100 blocks of Broadway, and 1300-1400 blocks of Albemarle. Mr. Lowe also spoke on E.F. Hutton's outstanding utility bill.

4-19 Mr. Titus Beard, 818 Torrence, spoke on various communities who use high school gymnasiums after school hours for free youth basketball and sports programs and spoke on implementing a similar program in Springfield.

Mr. Copeland commended Mr. Beard's ideas and stated that the InsideOut organization has programs for youth activities.

Dr. Estrop stated that many churches offer their gymnasiums for young people's use.

4-19 Mr. David Sanford, 528 Yellow Springs Street, spoke on code enforcement citations and letters. He also commented on how many properties are cleaned as a result of those citations.



There being no further business, on motion of Mr. Rue, seconded by Mr. O'Neill, the meeting adjourned at 8:23 p.m.

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

Yeas 5, Nays 0.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION