

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, May 21, 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 April 23, 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:

133-19 An Ordinance titled, "Authorizing the City Manager to enter into an Inter-Governmental Agreement by and between the City of Springfield, Ohio ("City"), and The Board of Clark County Commissioners ("County"), in connection with the Titus Road Project."

134-19 An Ordinance titled, "Authorizing the City Manager to enter into a Joint Use Agreement between the City and the Clark State Community College to construct a downtown parking garage utilizing funding provided by the Ohio Board of Regents."

135-19 An Ordinance titled, "Authorizing the City Manager to enter into an Option and Land Lease Agreement between the City and New Cingular Wireless PCS, LLC for the construction of a monopole communication facility at Newcomers Cemetery."

136-19 An Ordinance titled, "Authorizing the City Manager to enter into a Construction Services Agreement with Dugan and Meyers, LLC for the finalization of detailed design drawings and construction of the downtown parking garage for an amount not to exceed \$6,875,395.00."

137-19 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 amending Section 911.02 *Service Charge Rates*, and Section 911.04 *Bulk Water Purchases*, and repealing existing Sections 911.02 and 911.04."

138-19 An Ordinance titled, "Authorizing the Finance Director to purchase 3,960 tons of rock salt for the 2019-2020 winter season from Detroit Salt Co LLC for an amount not to exceed \$315,572.40, through the Ohio Department of Transportation Cooperative Purchasing Program in accordance with the provisions of Section 5513.01(B) of the Ohio Revised Code."

139-19 An Ordinance titled, "Authorizing the City Manager to enter into a Subrecipient Funding Agreement (Norm's Place & Hartley House - 2019-2020) with Interfaith Hospitality Network, Inc. to provide funding from Emergency Solutions Grant allocations, in an amount not to exceed \$127,357.00."

140-19 An Ordinance titled, "Authorizing the City Manager to enter into a Subrecipient Funding Agreement with SBDC, Inc. to provide administrative funds in an amount not to exceed \$90,000.00 to further the development of small businesses in the City for the period of July 1, 2019 through June 30, 2020."

141-19 An Ordinance titled, "Authorizing the City Manager to submit the 2018 Consolidated Plan CAPER of The City of Springfield, Ohio to the United States Department of Housing and Urban Development."

Next regular City Commission meeting: June 4, 2019.

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

123-19 An Ordinance No. 19-133 titled, "Authorizing the City Manager to enter into a Purchase Agreement for Real Estate for the purchase of certain real property located at 115 North Fountain Avenue from Marilyn Hackett."

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.

102-19 An Ordinance No. 19-134 titled, "Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by repealing and replacing Sections 199.06 and 199.07 within Chapter 199 entitled *Motor Vehicle License Tax*."

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.

124-19 An Ordinance No. 19-135 titled, "Authorizing the City Manager to accept 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; 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 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.

150-18 An Ordinance No. 19-136 titled, "Authorizing the City Manager to enter into Amendment No. 1 to the Home Ownership or Rental Housing Loan Agreement (800 Clifton Avenue - 2018) with Neighborhood Housing Partnership of Greater Springfield, Inc."

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

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

Yeas 5, Nays 0.

109-19 An Ordinance No. 19-137 titled, "Authorizing the acceptance of donations in support of CultureFest 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.

125-19 An Ordinance No. 19-138 titled, "Authorizing the City Manager to submit the 2019 Action Plan of The City of Springfield, Ohio to the United States Department of Housing and Urban Development ("HUD"); authorizing the City Manager, Finance Director, Law Director and Community Development Director enter into grant agreements and to do all things they deem necessary to implement, operate and administer the City's Community Development Block Grant Program, Emergency Solutions Grant Program and HOME Program for the 2019 fiscal year (April 1, 2019 to March 31, 2020)."

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.

126-19 An Ordinance No. 19-139 titled, "Authorizing the City Manager to enter into a contract with Carmeuse Lime & Stone, Inc. for the purchase of quicklime for a period of one (1) year with an option to renew for two (2) additional one-year periods, for an amount not to exceed \$752,250.00."

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.

RESOLUTION

The following legislation was presented for the first time:

142-19 A Resolution No. 6052 titled, "Certifying qualifying neighborhoods as 2019 Neighborhood Associations for the 2019 Neighborhood Support Project."

On motion of Dr. Estrop, seconded by Mr. O'Neill, 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:

14-19 An Ordinance No. 19-140 titled, "Providing for Supplemental Appropriations within various funds; 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.

41-19 An Ordinance No. 19-141 titled, "Confirming and approving Change Order No. 1 to the contract between the City and Steve R. Rauch, Inc. for the Demolition and Site Preparation for the Downtown Townhome Redevelopment Project, to increase the contract amount by \$82,602.00, for a total contract amount not to exceed \$423,244.00; and 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.

143-19 An Ordinance No. 19-142 titled, "Authorizing the issuance of a purchase order for the purchase of three 72.5 KV Outdoor Insulated Dead Tank Power Circuit Breakers from Siemens Industry, Inc. for an amount not to exceed \$127,395.00; 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.

97-15 An Ordinance No. 19-143 titled, "Confirming and approving Change Order No. 1 to the contract between the City and Eagle Bridge Co. for the CLA Bechtle - 0.57, PID No. 99563, and further identified as the Bechtle Avenue bridge over the lagoon project, to increase the contract amount by \$6,045.46, for a total contract amount not to exceed \$1,415,611.07; and authorizing the City Manager to execute said Change Order No. 1; 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.

144-19 An Ordinance No. 19-144 titled, "Authorizing the acquisition of construction services for the Crack Seal Repair Project for an amount not to exceed \$203,538.85, from Strawser Construction, through the Ohio Department of Transportation Cooperative Purchasing Program in accordance with the provisions of Section 5513.01(B) of the Ohio Revised Code; 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.

148-19 An Ordinance No. 19-145 titled, "Authorizing a contribution to Gammon House, Inc. in the amount of \$1,000.00 to support the 2019 Juneteenth FatherFest Celebration; 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

120-19 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 for a new liquor permit from Family Dollar Stores of Ohio Inc., dba Family Dollar 796, 1857 South Limestone Street, Springfield, Ohio 45505, was ordered received and filed with the City Clerk.

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

Yeas 4, Nays 1.

122-19 On motion of Dr. Estrop, 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 Stella Bleu Ltd, 20 North Fountain Avenue, Springfield, Ohio 45502, 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.

131-19 On motion of Mr. O'Neill, seconded by Mr. Rue, 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, 42 North Fountain Avenue, Springfield, Ohio 45502 to LLC Holdings 1 Ltd, 42 North Fountain Avenue, Springfield, Ohio 45502, 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.

COMMENTS ON AGENDA ITEMS

134-19 Dr. Estrop asked City Manager Heck to discuss the Joint Use Agreement with Clark State Community College as it relates to the downtown parking garage project. Mr. Heck explained that \$2.55 million has been received from the State of Ohio via the Ohio Board of Regents and held by Clark State for the parking garage. As the project progresses, requests for reimbursement will be submitted to Clark State for payment.

136-19 Mr. Heck explained the Construction Services Agreement with Dugan and Meyers, LLC finalizes the design and construction of the downtown parking garage with a guaranteed maximum price including the site preparation due diligence, fees and 90 percent drawings. The estimated timeframe for construction is eight to nine months.

Dr. Estrop noted the parking garage design includes three levels where two were originally estimated. Mr. Heck stated the proposed design includes retail space on the first level and two full decks above for 305 parking spaces and 3,300 square feet of retail along Fountain Avenue. The original budget was \$6.55 million, but an additional \$300,000 adds maximum parking space, retail, and a pocket park to fit into the character and design of the downtown.

Dr. Estrop asked Finance Director Beckdahl if the city could afford to spend the additional \$300,000. Mr. Beckdahl stated the additional expense should be available without borrowing additional funding other than the original \$3 million.

Mr. O'Neill asked for additional information on the funding sources. Mr. Heck explained the city would provide \$3.3 million, the state offered \$2.55 million, and Clark County promised \$1 million.

Dr. Estrop requested the proposed design and plan be added to the city's website, and staff indicated the plan had already been added to the city's website and Facebook page.

Mrs. Chilton asked if Clark State receives benefit from the Joint Use Agreement. Mr. Heck stated Clark State would receive four daily parking spaces in the garage as well as use of up to 100 spaces for special events six times per year.

141-19 Dr. Estrop asked for additional information on the 2018 Consolidated Plan CAPER. Community Development Director Meadows explained the referenced report is submitted annually to the Department of Housing and Urban Development as a final report on the city's various housing programs using federal funding.

139-19 Mr. Rue asked Mrs. Meadows to describe the funding agreement with Interfaith Hospitality Network (IHN). Mrs. Meadows stated IHN uses the Emergency Shelter Grant funds to provide services to the homeless population.

135-19 Mrs. Chilton asked how the city would benefit from a communication tower constructed in Newcomer Cemetery. Mr. Heck stated the tower is planned for an unused area inside Newcomer Cemetery. The city would collect monthly payments from the cellular company that would offset cemetery maintenance costs, installation of an electronic gate system increasing security, and paving of some interior roadways.

137-19 Mr. Rue asked for additional information on the proposed water utility rate increase. Mr. Beckdahl stated an increase is needed to sustain water facility upgrades. The rates would increase on July 1, 2019, by 5 percent; 10 percent on January 1, 2020; and 10 percent on January 1, 2021. Springfield's water rates are the second lowest in the Miami Valley. Staff is mindful to keep rates as low as possible for the citizens.

Dr. Estrop requested a chart to compare Springfield's rates to other cities be available at the next meeting when a vote is taken on the legislation.

123-19 Dr. Estrop asked if acquisition of a parking area at 115 North Fountain Avenue would be used during the parking garage construction. Mr. Heck stated the lot would be utilized during the construction phase when 100 existing spaces are temporarily lost. After construction, the lot would be used as part of the city's downtown parking system.

124-19 Mr. Rue asked if the Fire Division currently has mechanical CPR machines in addition to the three requested for purchase. Fire Chief Miller indicated the division has tested several units, but the proposed purchase of three would be the first owned by the city. Chief Miller added that the units are very efficient and one of the test units had already saved one life.

150-18 Dr. Estrop asked for additional information on the amended agreement with Neighborhood Housing Partnership. Mrs. Meadows explained the agreement adds \$3,000 to the contract and allows for the reimbursement of a homebuyer's realtor fees.

125-19 Dr. Estrop thanked the Community Development Department staff for their work on the 2019 Action Plan.

142-19 Mrs. Chilton asked for additional details on the certification of neighborhood associations. Mrs. Meadows explained that an organized neighborhood group's application for recognition as a neighborhood association is reviewed annually. Such groups benefit from dumpster programs, beautification expense reimbursement, and special projects.

Mr. Copeland stated that he serves as the commission's liaison to the Council of Neighborhood Groups Association (CONA) who are reorganizing with new bylaws and officers.

41-19 Mrs. Chilton requested information on the charge order for the demolition and site preparation for the downtown townhome project. Project and Emergency Services Manager Hicks explained the contractor unexpectedly found two underground fuel tanks at the site and limestone was required to fill in the area which increased the expense of the site preparation.

143-19 Dr. Estrop asked about the purchase of a three 72.5 KV Outdoor Insulated Dead Tank Power Circuit Breakers. Utilities Engineer Weaver stated the circuit breakers will replace 60-year old equipment at the Wastewater Treatment Plant, and they are essential power components.

120-19 Mrs. Chilton stated her concerns for a liquor permit request at the Family Dollar Store at 1857 South Limestone Street. Mr. Rue commented the liquor sales at the store is similar to a convenience store.

Mr. David Sanford, 528 Yellow Springs Street, spoke in favor of liquor sales at any store similar to others who already have permits.

122-19 Dr. Estrop asked if the liquor permit request for Stella Bleu at 20 North Fountain Avenue was part of the new DORA (Downtown Outdoor Refreshment Area). Mr. Heck stated that the new restaurant was seeking a traditional D5 permit.

Mrs. Chilton questioned a comment made in the Police Division's report regarding the restaurant's policy on identification checks for patrons under 40 years old. Police Chief Graf stated that it is not uncommon for a business to check identification for older patrons to comply with legal drinking age requirements.

131-19 Mr. O'Neill congratulated the owners of a proposed new Italian restaurant at 42 North Fountain Avenue, and stated the new parking garage will be helpful to the nearby businesses. He also congratulated the local Stella Bleu owners for their new business.

COMMENTS FROM COMMISSIONERS

4-19 Mrs. Chilton presented a proclamation proclaiming May 19 through May 25, 2019, at Emergency Medical Services Week. Fire Chief Miller accepted the proclamation on behalf of all first responders.

Mr. Copeland congratulated City Manager Heck and Assistant City Manager Franzen who performed the fire agility test the previous week. He also thanked the police and fire staff for their work.

5-17 Mr. O'Neill asked City Engineer Shanayda about additional information requested at the recent Transportation Coordinating Committee meeting related to the Derr Road reconstruction. Mr. Shanayda stated the study information was received and reviewed on this date and would be submitted to the Ohio Department of Transportation (ODOT) the next day. ODOT would have three weeks to review.

4-19 Mrs. Chilton congratulated the Clark County Land Bank for five years of service to the community and reviewed their many projects in that amount of time.

Mr. Copeland stated his appreciation for Mrs. Chilton's work with the Land Bank.

COMMENTS FROM THE AUDIENCE

4-19 Mr. Otis Williams, 1627 Yorkshire, stated his concerns for a recent article on grant funding used for downtown and south Springfield. He indicated he attended the public meeting and the south side of Springfield was not included in much of the map area where there are needs not being met.

Ms. Kali Lawrence, 56 ½ West Perrin, and incoming Executive Director Promise Neighborhood, explained the Promise Neighborhood is working with the City's Community Development Department and the Springfield Metropolitan Housing Authority (SMHA) on a Choice Neighborhood Planning and Action Grant. The application requires focus on a defined boundary area and the property chosen for the grant application is the Sherman-Murray Apartments. Ms. Lawrence stated the newspaper article's headline reference to south Springfield was incorrect as the article related to the actual subject property.

4-19 Mr. David Sanford, 528 Yellow Springs Street, spoke on the parking garage project funding and the demolition of properties on the south side of Springfield. Mr. Sanford also spoke on the number of properties with junk and trash issues that need to be addressed when only a few are required by Code Enforcement to clean up their properties.

Mr. Rue asked about citations for high grass on properties. Mr. Heck replied that property owners are given notice to cut high grass within a certain time period. After failure to comply, notices are given to the contractors to cut the grass and weeds.

COMMUNICATIONS

The following communications were received and filed:

51-19 Minutes from the April 9, 2019, meeting of the National Trail Parks and Recreation District Board.

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There being no further business, on motion of Dr. Estrop, seconded by Mr. Rue, the meeting adjourned at 8:09 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