

CITY COMMISSION AGENDA

June 18, 2019

The Honorable City Commission
The City of Springfield, Ohio

The City Commission will meet in the City Commission Forum at 7:00 p.m. on Tuesday, June 18, 2019.

PUBLIC HEARING

158-19 At 6:45 PM, a public hearing will be held in the City Commission Forum regarding the 2020 Tax Budget.

132-19 At 6:55 PM, a public hearing will be held in the City Commission Forum relative to a request to consider the proposed change in zoning for 4.33 acres at 4440 Laybourne Road, from Springfield Township A, Agricultural District, to City CH-1, Highway Commercial District.

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

FIRST READINGS – ORDINANCES

The following legislation is being presented for the first time and requires presentation at a second meeting before vote on passage. The City Manager recommends passage on July 2, 2019:

132-19 Amending the Zoning Map of Springfield, Ohio by rezoning 4.33 acres at 4440 Laybourne Road, Springfield, Ohio from Springfield Township A, Agricultural District to CH-1, Highway Commercial District.

159-19 Providing for the issuance and sale of Notes in the maximum principal amount of \$145,000, in anticipation of the issuance of Bonds, for the purpose of paying the costs of constructing and equipping improvements at the Springfield Beckley Municipal Airport and providing for all related site improvements, including the construction of new hangars and taxilanes, together with all necessary appurtenances thereto.

102-19 Amending Ordinance No. 19-134 to amend the commencement date of a Motor Vehicle License Tax pursuant to Section 4504.173 of the Ohio Revised Code.

SECOND READINGS – ORDINANCES

The City Manager recommends passage of the following legislation, presented for a second time:

101-19 Vacating the first alley north of Pleasant Street from Lowry Avenue east to the first north-south intersecting alley.

149-19 Authorizing the City Manager to apply for and accept a 2019 Energized Community Grant through the Northeast Ohio Public Energy Council (“NOPEC”) in an amount up to \$93,660.60 to be used for implementation of energy savings or energy infrastructure measures; authorizing the City Manager to execute a Grant Agreement for the acceptance of said Grant; and authorizing the City Manager, Law Director and the Director of Finance to do all things necessary for the submission of the application and acceptance of the grant and to comply with all relevant local, state and federal legal requirements.

150-19 Authorizing the City Manager to enter into a contract with Synagro Central, LLC for Removal and Land Application of Bio-Solids, for a period of two (2) years with an option to renew for two (2) additional one-year periods, for an amount not to exceed \$1,202,500.00.

EMERGENCY ORDINANCES

The following emergency legislation is being presented for the first time. The City Manager recommends passage upon approval:

158-19 Adopting the Tax Budget of The City of Springfield, Ohio for the fiscal year beginning January 1, 2020 and submitting the same to the County Auditor.

160-19 An ordinance providing for the issuance and sale of Notes in the aggregate principal amount of \$3,300,000, in anticipation of the issuance of Bonds, for the purpose of paying the costs of constructing and equipping a new parking garage and improving the site therefor, together with all necessary appurtenances thereto.

161-19 Providing for the issuance of bonds to pay the property owners' portion, in anticipation of the collection of special assessments heretofore levied of the cost of constructing sidewalks, curbs and gutters comprised in the 2018 Sidewalk, Curb and Gutter Program at various locations throughout the City.

162-19 Securing to The City of Springfield, Ohio, the benefits of the Savvik Buying Group Purchasing Cooperative.

091-19 Authorizing the City Manager to enter into Amendment #1 to the Project Engineering Agreement with Crawford, Murphy & Tilly, Inc. for the North Street Sewers Project for an amount not to exceed \$6,290.00, for a total agreement amount not to exceed \$107,745.00.

196-17 Confirming and approving Change Order No. 2 to the contract between the City and Inland Waters Pollution Control, Inc. for the 2017 Miscellaneous Sanitary Sewer Lining Project, to increase the contract in an amount not to exceed \$52,757.92, for a total amount not to exceed \$588,176.86, and to extend the contract completion date to June 7, 2019; authorizing the City Manager to execute said Change Order No. 2.

099-19 Confirming and approving Change Order No. 1 to the contract between the City and A & B Asphalt Corporation for the 2019 PI Paving Project, to increase the contract in an amount not to exceed \$6,651.45, for a total amount not to exceed \$2,068,675.54; authorizing the City Manager to execute said Change Order No. 1.

EMERGENCY RESOLUTION

The following emergency legislation is being presented for the first time. The City Manager recommends passage upon approval:

044-19 Ordering the construction or reconstruction of curbs, gutters and sidewalks at Section No. 2 of Streets and Section No. 2 of Selected Locations of the 2019 Sidewalk, Curb, and Gutter Program, as enumerated in Resolution No. 6050.

NEW ITEMS ON THE AGENDA

REMARKS FROM THE AUDIENCE

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bryan Heck", written over a light blue horizontal line.

Bryan Heck
City Manager

132-19



Planning & Zoning

CITY OF SPRINGFIELD
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION

MOTION SHEET

DATE: May 6, 2019

TO: City Commission

FROM: CEDA Regional Planning Commission

SUBJECT: Rezoning Case #19-Z-04

REQUEST: To rezone 4440 Laybourne Rd., parcel # 3050700009000082, 4.33 total acres, from Springfield Township A, Agricultural District to City CH-1, Highway Commercial District

RECOMMENDED ACTION: 14-Day Ordinance

The following motion was made at the May 2, 2019 CEDA Regional Planning Commission meeting:

MOTION: Ms. Roberge made the motion to approve the request to rezone 4440 Laybourne Rd., parcel # 3050700009000082, 4.33 total acres, from Springfield Township A, Agricultural District to City CH-1, Highway Commercial District.

Mr. Shaw seconded the motion.

VOTE: YEAS: Ms. Hartley, Mr. Morris, Mr. Shaw, Ms. Roberge, Mr. Hanlon
NAYS: None
ABSTAIN: Ms. Lewis-Campbell

Approval by roll call vote. Motion approved.

cc: Tom Franzen
Jill Pierce

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen Thompson".

Stephen Thompson
Planning, Zoning, and Code Administrator

- Attachments:
1. Staff Report
 2. Application
 3. CEDA Motion Sheet and other material

Staff Report

TO: City Planning Board

DATE: April 3, 2019

PREPARED BY: Stephen Thompson

SUBJECT: Rezoning Case #19-Z-04

GENERAL INFORMATION:

Applicant: Clark County Land Reutilization Corporation, 3130 E Main St., Suite A, Springfield, OH 45505

Owner: Clark County Land Reutilization Corporation, 3130 E Main St., Suite A, Springfield, OH 45505

Requested Action: Rezoning from Springfield Township A, Agricultural District to CH-1, Highway Commercial District

Location: 4440 Laybourne Rd.

Size: 4.33 acres

Existing Land Use and Zoning: Vacant, Twp A

Surrounding Land Use and Zoning: North: Fairgrounds, Twp CP
East: Interstate Interchange
South: Commercial, Twp I-2
West: Fairgrounds, Zoned CP

Applicable Regulations: Chapter 1174 Amendments

File Date: February 27, 2019

BACKGROUND:

The applicant seeks to rezone the property from Township A to CH-1. The Clark County Land Reutilization Corporation intends to develop the property for hotels and restaurants.

ANALYSIS:

Land Use Plan and Zoning:

The Connect Clark County Comprehensive Plan shows this future character area as "Mixed Use, High Intensity."

CH-1 allows for the following uses:

Principal Uses

Staff Report

- (a) Automobile and truck-oriented use
- (b) Commercial recreational facility
- (c) Community center
- (d) Daycare center
- (e) Financial institution
- (f) Hotel or motel
- (g) Office
- (h) Restaurant
- (i) Retail
- (j) Theater
- (k) Wholesale trade and warehouse establishment

Provisional Uses

None

Conditional Uses

- (a) Public utility or public use.
- (b) School, specialized private instruction.
- (c) Used merchandise store, including an antique store and flea market. Small new items such as trinkets may be sold in conjunction with used merchandise up to 50 percent of gross sales.

Surrounding Land Use:

CH-1 uses are compatible with the surrounding area.

Thoroughfare Plan:

Laybourne Rd. is classified as a Secondary Arterial Street.

STAFF RECOMMENDATION:

Approval of the request to rezone 4440 Laybourne Rd from Springfield Township A, Agricultural District to CH-1, Highway Commercial District.

ATTACHMENTS:

1. Vicinity and zoning map
2. Application



**Rezoning Case # 19-Z-04
4401 Laybourne Rd.**



**Rezoning Case # 19-Z-04
4401 Laybourne Rd.**

**FOR OFFICE USE ONLY**

Case #: 19-Z-04
Date Received: 2/27/19
Received by: ST
Application Fee: \$ 285
Review Type:
☐ Admin ☒ CPB ☐ BZA

GENERAL APPLICATION**A. PROJECT**

1. Application Type & Project Description (attach additional information, if necessary):

Reconing Application to comply with change of use. Planned development
is lodging and restaurants.

2. Address of Subject Property: 4401 Laybourn Road, Springfield, Ohio, 45505

3. Parcel ID Number(s): 30507000090082

4. Full legal description attached? ☒ yes ☐ no

5. Size of subject property: 4.331 acres

6. Current Use of Property: Vacant Land

7. Current Zoning of Property: Twp - A

B. APPLICANT

1. Applicant's Status (attach proof of ownership or agent authorization) ☒ Owner

☒ Agent (agent authorization required) ☐ Tenant (agent authorization required)

2. Name of Applicant(s) or Contact Person(s): Ethan Harris

Title: Assistant Executive Director

Company (if applicable): Clark County Land Reutilization Corporation

Mailing address: 3130 E. Main Street, Suite 1A

City: Springfield State: OH ZIP: 45505

Telephone: (937) 521-2181 Fax: (937) 328-2621

Email: eharris@clarkcountyohio.gov

3. If the applicant is agent for the property owner:

Name of Owner (title holder): Clark County Land Fertilization Corporation

Mailing Address: 3130 E. Main Street Suite 1A

City: Springfield State: Ohio ZIP: 45505

I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE.

Ethan Harris

Signature of Applicant

Signature of Co-applicant

Ethan Harris

Typed or printed name and title of applicant

Typed or printed name of co-applicant

State of Ohio

County of Clark

The foregoing instrument was acknowledged before me this 27th day of Feb, 20 19.

by Ethan Harris (name of person acknowledged).

(seal)

Stacey W Picolo

Stacey W Picolo
Notary Public Signature

My commission expires: 8/17/2020

The Clark County Land Reutilization Corporation Board, met this 14th day of March, 2018 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Steve Metzger Joyce Chilton Lowell McGlothin Charles Swaney Melanie Wilt

Resolution 2018-012

Board of Directors to change Ethan Harris' title from Project/Community Engagement Manager to Assistant Executive Director of the Clark County Land Reutilization Corporation with authorities assigned by the Executive Director.

Director Swaney moved, upon the recommendation of the Chairman of the Board, to change Ethan Harris' title from Project/Community Engagement Manager to Assistant Executive Director of the Clark County Land Reutilization Corporation with authorities assigned by the Executive Director.

Director Wilt seconded the motion and the roll being called for its passage, the vote resulted as follows:

Chairman Metzger, yes Director Chilton, yes Director McGlothin, yes
Director Swaney, yes Director Wilt, yes

I, Anette Ulery, Secretary for Clark County Land Reutilization Corporation, do hereby certify that the above is a true and correct copy of a motion as recorded, under the date of March 14, 2018.

Anette Ulery, Secretary

copy: file



☒ Planning & Zoning

CITY OF SPRINGFIELD
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION
REZONING APPLICATION

Date: 2/25/19

Property address: 4490 Laybourne Road

The undersigned petitions that the following described property be rezoned from a/an TWP A District to a/an CH-1 District containing 4.331 acres.

Please submit the following Exhibits with this rezoning application:

EXHIBIT A

Attach either a metes and bounds legal description or subdivision and lot number description (this can be obtained at the A. B. Graham Building).

EXHIBIT B

Attach a site plan of the petitioned lands.

EXHIBIT C

Rezoning request statement: Attach a sheet listing your reasons for the zoning district amendment.

EXHIBIT D

1. Is the requested zone compatible to existing zoning and land use in the area?

2. Does it conform to the City's adopted Land Use Plan and the best overall Community Development?

3. Does the proposed change in zoning conform to City's adopted Thoroughfare Plan? Will it adversely affect the capacity of the present road system in the area?

4. Are adequate sanitary sewer, water, and storm drainage facilities available?

I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE.

Ethan Harris

Signature of Applicant

Signature of Co-applicant

Ethan Harris

Typed or printed name and title of applicant

Typed or printed name of co-applicant

State of Ohio

County of Clark

The foregoing instrument was acknowledged before me this 27th day of

Feb, 2019

by Ethan Harris (name of person acknowledged).

(seal)

Stacey W. Picolo Stacey W. Picolo
Notary Public Signature

My commission expires: 8/17/2020

Exhibit A

2018-0144DEED

305-7-9-000-1024

305-7-9-000-081

APPROVED

Clark County Tax Map

LJS 29-41
SEP 18 2018

- ☒ Legal Description
☐ Survey Plat / Lotsplit
☐ Subdivision / Annexation

Transferred
Sale Price —0—

3461
51 SEP 18 2018

John S. Federer
Auditor

WARRANTY DEED

The Board of County Commissioners of Clark County, Ohio, for valuable consideration paid, grants, with general warranty covenants, to the Clark County Land Reutilization Corporation, whose tax mailing address is 3130 E. Main Street, Suite 1A, Springfield OH 45505, the following real property:

See Attached Exhibit "A"

Subject to all covenants, restrictions, easements, conditions and zoning of record; and to the real estate taxes and assessments due and payable from the date of this instrument.

PRIOR INSTRUMENT REFERENCE: BK: 2140 PG: 2103
2.82 acres: Parcel Number: 305-070-090-1024

PRIOR INSTRUMENT REFERENCE: VOL: 397 PG: 309
1.630 acres: Parcel Number: 305-07-00009-000-081


Grantee herein assumes and agrees to pay all taxes and assessments now or hereafter due to

Executed this 12th day of September, 2018.

THE BOARD OF COUNTY COMMISSIONERS
OF CLARK COUNTY, OHIO


Richard Lohnes, President


Melanie Flax-Wilt, Member


Lowell McGlothlin, Member

State of Ohio :
: SS :
County of Clark

On this 12th day of September, 2018, personally appeared before me, a notary public in and for said County and State, Richard Lohnes, Melanie Flax-Wilt, and Lowell McGlothlin, the Board of County Commissioners for Clark County Ohio, who, under penalty of perjury, represented to me to be said persons and acknowledged the execution of the foregoing instrument, and that the same is their voluntary act and deed and the voluntary act and deed of said Board of County Commissioners.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official Seal, at Springfield, Ohio, this
12th day of September, 2018.



MEGAN E. BURR, Notary Public
In and for the State of Ohio
My Comm. Expires May 8, 2021

Megan E. Burr
Notary Public

This Instrument Prepared By:

Jason Irick
Assistant Clark County Prosecutor
Civil Division
50 E Columbia St.
Springfield OH 45502

APPROVED BY
THE CLARK COUNTY CEDA
REGIONAL PLANNING COMMISSION
NO PLAT REQUIRED

This approval is not valid unless this statement is
recorded on or before December 16, 2018
September 17, 2018 Alison Neumann
Date Signature

EXHIBIT

A

Pg 1 of 3

Description of 2.82 Acres

Situated in the State of Ohio, County of Clark, Township of Springfield, and described as follows:

Being part of the northwest quarter of Section 3, Township 5, Range 9, and part of the northeast quarter of Section 9, Township 5, Range 9, between the Miami River Survey. Beginning at a point in the centerline of the Laybourne Road, North $85^{\circ} 27'$ West, 370.0 feet from the intersection of said centerline with the centerline of State Route 70 (Springfield and Washington C.H. Road);

Thence, with the centerline of Laybourne Road, North $85^{\circ} 57'$ West, 650.0 feet;

Thence, North $29^{\circ} 46'$ East, 248.63 feet to a pipe;

Thence, North $54^{\circ} 27'$ East, 180.0 feet to a pipe;

Thence, South $80^{\circ} 33'$ East, 134.22 feet to a pipe;

Thence, South $35^{\circ} 33'$ East, 423.24 feet to the place of beginning, containing 3.20 Acres.

Excepting therefrom:

Situated in the Township of Springfield, County of Clark, State of Ohio, and in Sections 3 and 9, Town 5 East, Range 9 North, and bounded and described as follows:

PARCEL NO. 12 WL

Being part of the northwest quarter of Section 3 and part of the northeast quarter of Section 9 and a triangular shaped piece off the southeast corner of the Grantor's tract in Section 3, and more completely described as follows:

Beginning at the Grantor's southeast corner, said point being on the half section line and 185.90 feet left of Station 959+57.98 on the centerline of U.S. 40 and bearing N. $84^{\circ} 15' 10''$ W., 223.76 feet from the intersection of the half section line with the centerline of U.S. 40 at Station 960+82.52;

Thence, N. $84^{\circ} 15' 10''$ W., 189.30 feet along the Grantor's south line and half section line to a point 342.77 feet radially left of Station 938+48.47 and passing 245.84 feet left of P.T. Station 959+17.82;

Thence, N. $4^{\circ} 53' 59''$ E., 233.11 feet to a point on the Grantor's east line 475.76 feet left of Station 960+44.34;

Thence S. $33^{\circ} 50' 30''$ E., 302.45 feet along the Grantor's east line to the point of beginning.

Contains 0.38 acres, more or less, excluding 0.12 acres of right-of-way previously occupied by Laybourn Road.

Said stations being station number as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.

Prior Deed Reference: Vol. 452 Pg. 645

Auditor's Parcel Number: 30507000090001024

EXHIBIT A

3308
 Board of Commissioners of Clark County, Ohio
 1.630 Acres
 Pt. N.E. ¼ 9-5-9 & Pt. N.W. ¼ 3-5-9 B.M.R.S.
 July 25, 2018

SCHOLL
 SURVEYING, LLC
 1533 Moorefield Road
 Springfield OH 45503
 937.390.3629

Situate in the State of Ohio, County of Clark, City of Springfield, and being part of the Northeast Quarter of Section 9, Town 5, Range 9, and being part of the Northwest Quarter of Section 3, Town 5, Range 9, Between the Miami Rivers Survey and being described as follows:

Commence at a 5/8" re-bar with plastic cap (set) at the southeast corner of the northeast quarter of said Section 9, thence with the centerline of Laybourne Road (right-of-way varies), also being the ¼ section line, N 84°14'26" W, 440.93 feet to a mag nail (set), the TRUE POINT OF BEGINNING HEREIN;

thence, continuing with the centerline of said Laybourne Road, N 84°14'26" W, 7.99 feet to a mag nail (set);

thence, N 10°33'07" E, 329.93 feet to a 1-1/8" o.d. iron pipe (found), passing on line a 5/8" re-bar with plastic cap (set) at 14.01 feet;

thence, N 55°49'07" E, 130.88 feet to a 1-1/8" o.d. iron pipe (found);

thence, S 89°59'56" E, 364.63 feet to a 1-1/8" o.d. iron pipe (found);

thence, with the west line of Limited Access right-of-way for Interstate 70 (CLA-70-17.87), S 18°38'41" W, 115.01 feet to a 1-1/8" o.d. iron pipe (found);

thence, continuing with the west line of said Limited Access right-of-way, S 05°09'58" W, 103.62 feet to a 6" diameter concrete right-of-way monument (found);

thence, with the north line of a 2.70 acre tract described in deed to The Board of Commissioners of Clark County, Ohio recorded Book 2140, Page 2101 of the Official Records of Clark County, Ohio, N 34°24'13" W, 120.84 feet to a un-monumented corner;

thence, with the north line of said 2.70 acre tract, N 78°50'26" W, 134.22 feet to a un-monumented corner;

thence, with the north line of said 2.70 acre tract, S 56°09'34" W, 180.00 feet to a un-monumented corner;

thence, with the west line of said 2.70 acre tract, S 31°28'34" W, 248.63 feet to the point of beginning and containing 1.630 acres, subject however, to all rights-of-way, easements, and restrictions of record, and being more specifically subject to the right-of-way of said Laybourne Road being 30 feet off the south side of the above described premises and containing an area of 0.010 acres.

The above described 1.630 acre tract is to be attached to and used in conjunction with the adjoining 2.70 acre tract to the south and is not to be used as a separate building parcel.

The above described 1.630 acre tract is currently under a lease agreement from the Board of County Commissioners to the Ohio National Guard, dated March 7, 1984.

Being part of the premises described in deed to the Board of County Commissioners recorded Volume 397, Page 309 of the Deed Records of Clark County, Ohio.

The above description is based on an actual field survey dated July 25, 2018 by Mark T. Scholl, Professional Surveyor 6599. Basis of bearings is Grid North, State Plane Coordinate System, Ohio, South Zone per O.D.O.T./C.O.R.S. 2011.




Mark T. Scholl, P.S. 6599

156
10/10/18
rww
Complete of r/w
pocket 144

NEW SURVEY

9/18/2018

CITY OF SPRINGFIELD

P.P. # 305-07-00009-000-081

CLARK COUNTY LAND REUTILIZATION CORP.
R.S.R.V. 29, PAGE 41

1.63 ACRES
0.01 ACRES IN R/W
1.62 ACRES NET

DATA ENTRY BY: CITY OF SPRINGFIELD

COMBINATION OF PARCELS

DATE 9/18/18

PRESENT OWNER: CLARK COUNTY LAND REUTILIZATION CORP. LAND

NUMBER OF PARCELS COMBINED: (2)

COMBO PARCEL	PARCEL # <u>305-07-00009-000-1024</u>	CLASS <u> </u>
	DESCRIPTION:	
	FRONTAGE X DEPTH: <u> </u>	ACREAGE: <u>2.70 ACRES</u>
	(100%) LAND <u> </u>	BUILDING <u> </u> TOTAL <u> </u>

COMBO PARCEL	PARCEL # <u>305-07-00009-000-081</u>	CLASS <u> </u>
	DESCRIPTION:	
	FRONTAGE X DEPTH: <u> </u>	ACREAGE: <u>1.63 ACRES</u>
	(100%) LAND <u> </u>	BUILDING <u> </u> TOTAL <u> </u>

COMBO PARCEL	PARCEL # <u> </u>	CLASS <u> </u>
	DESCRIPTION:	
	FRONTAGE X DEPTH <u> </u>	ACREAGE: <u>ACRES</u>
	(100%) LAND <u> </u>	BUILDING <u> </u> TOTAL <u> </u>

COMBO PARCEL	PARCEL # <u> </u>	CLASS <u> </u>
	DESCRIPTION:	
	FRONTAGE X DEPTH <u> </u>	ACREAGE: <u>ACRES</u>
	(100%) LAND <u> </u>	BUILDING <u> </u> TOTAL <u> </u>

COMBO PARCEL	PARCEL # <u> </u>	CLASS <u> </u>
	DESCRIPTION:	
	FRONTAGE X DEPTH <u> </u>	ACREAGE: <u>ACRES</u>
	(100%) LAND <u> </u>	BUILDING <u> </u> TOTAL <u> </u>

NEW PARCEL	PARCEL # <u>305-07-00009-000-082</u>	CLASS <u> </u>
	DESCRIPTION:	
	FRONTAGE X DEPTH: <u> </u>	ACREAGE: <u>4.33 ACRES</u>
	(100%) LAND <u> </u>	BUILDING <u> </u> TOTAL: <u> </u>

NOTE:

ADDRESS: 4440 LAYBOURNE RD., SPRINGFIELD, 45505

1:00-300

Springfield Township

CLARK COUNTY FAIRGROUNDS

305-07-00009-000-081

Town 5
Range 9
Section 9

219.63

1.61 Ac.

181.09

134.22

134.22

120.79

242.46

1031

LAYBOURNE RD

LAYBOURNE RD

CLARK 39.42 HIK

PT. BASE

4265

SHQ 255

Town 5
Range 9
Section 8

305-07-00009-000-024

638.62

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Clark County GIS

new # 305-07-00009-000-082

Date: 10/4/2018
1 inch = 188 feet



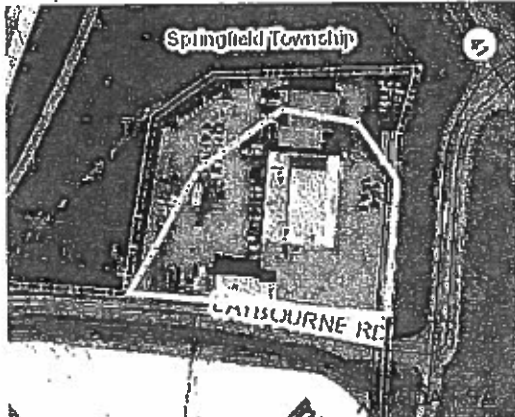


Clark County GIS - John S. Federer
(937) 521-1860 - gis@clarkcountyohio.gov

Report generated: Thursday, October 04, 2018

Your report is loading.

Parcel Report



Sorry, no sketch available
for this record

Base Data

Parcel Number: 30507000090001024
Owner Name: CLARK COUNTY LAND
REUTILIZATION CORP
Property Address: 4440 LAYBOURNE RD,
SPRINGFIELD 45505

Legal

Neighborhood: 300C1000 Legal Acres: 2.82
Legal Description: PT N E QR (3) Land Use: 610
Map Number: SSE7-00
Property Class: E

Valuation

	Appraised	Assessed (35%)
Land Value:	\$68,880.00	\$24,110.00
Building Value:	\$1,011,280.00	\$353,950.00
Total Value:	\$1,080,160.00	\$378,060.00
CAUV Value:	\$0.00	
Taxable Value:	\$378,060.00	

Tax Credits

Homestead Exemption:	No
2.5% Reduction:	No

Land

Description	Effective Lot Size	Act. Frontage	Acres	Sq. Foot	Value
RIGHT OF WAY			0.72	31,363	\$0.00
PRIMARY SITE			2.1	91,476	\$68,880.00

Land Totals

Effective Total Acres	2.82
Effective Total Square Footage	122,839
Total Value	\$68,880.00



Clark County GIS - John S. Federer
(937) 521-1860 - gis@clarkcountyohio.gov

Report generated: Thursday, October 04, 2018

Parcel Report



Sorry, no sketch available
for this record

Base Data

Parcel Number: 3050700009000081
Owner Name: CLARK COUNTY LAND
REUTILIZATION CORP
Property Address:

Legal

Neighborhood: Legal
Acres: Land
Legal Description: Use:
Map
Number:
Property Class:

Valuation

Appraised Assessed (35%)

Land Value:
Building Value:
Total Value:
CAUV Value:
Taxable Value:

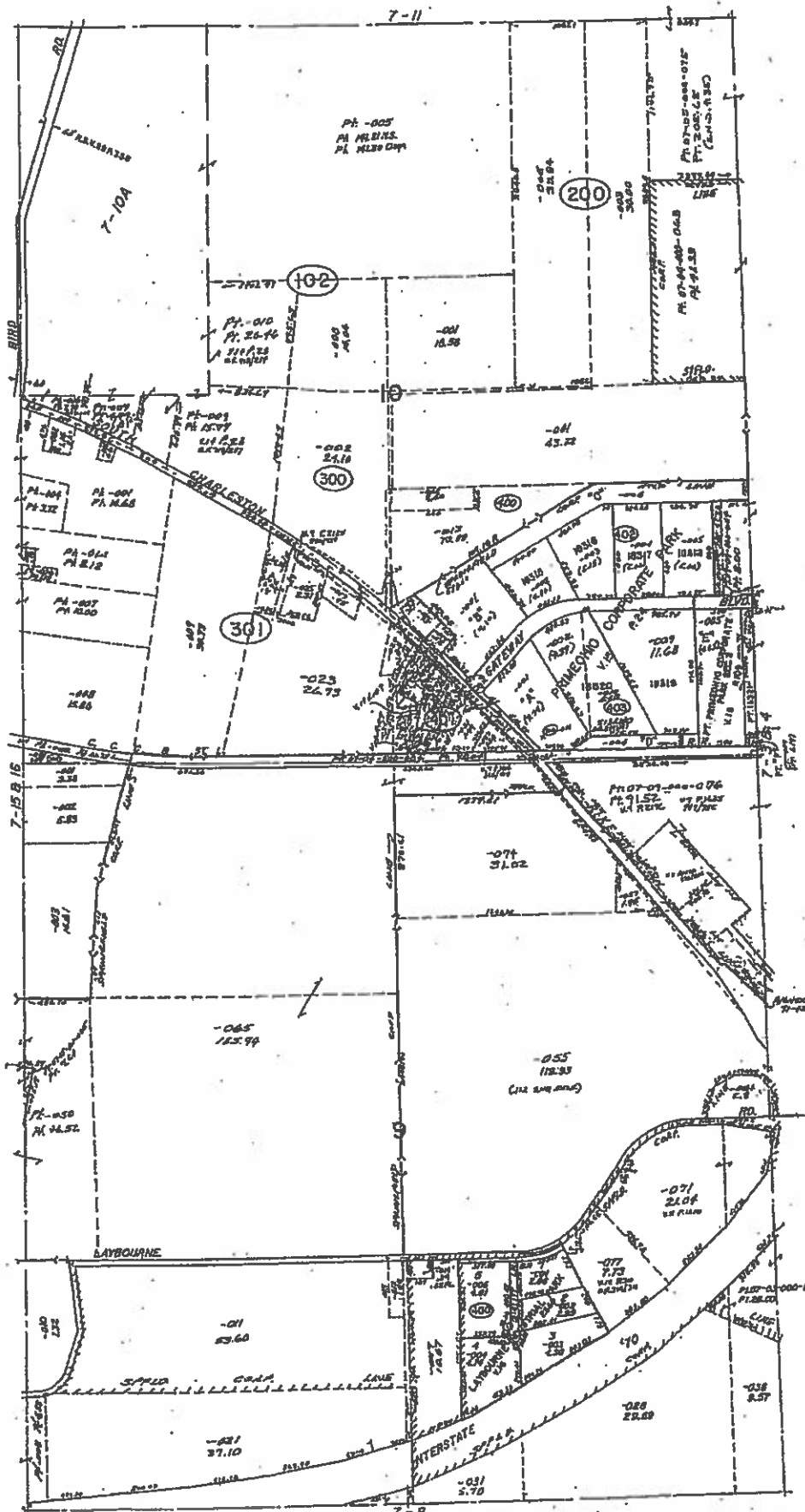
Tax Credits

Homestead: No
Exemption:
2.5% Reduction: No

Valuation

Appraised Assessed (35%)

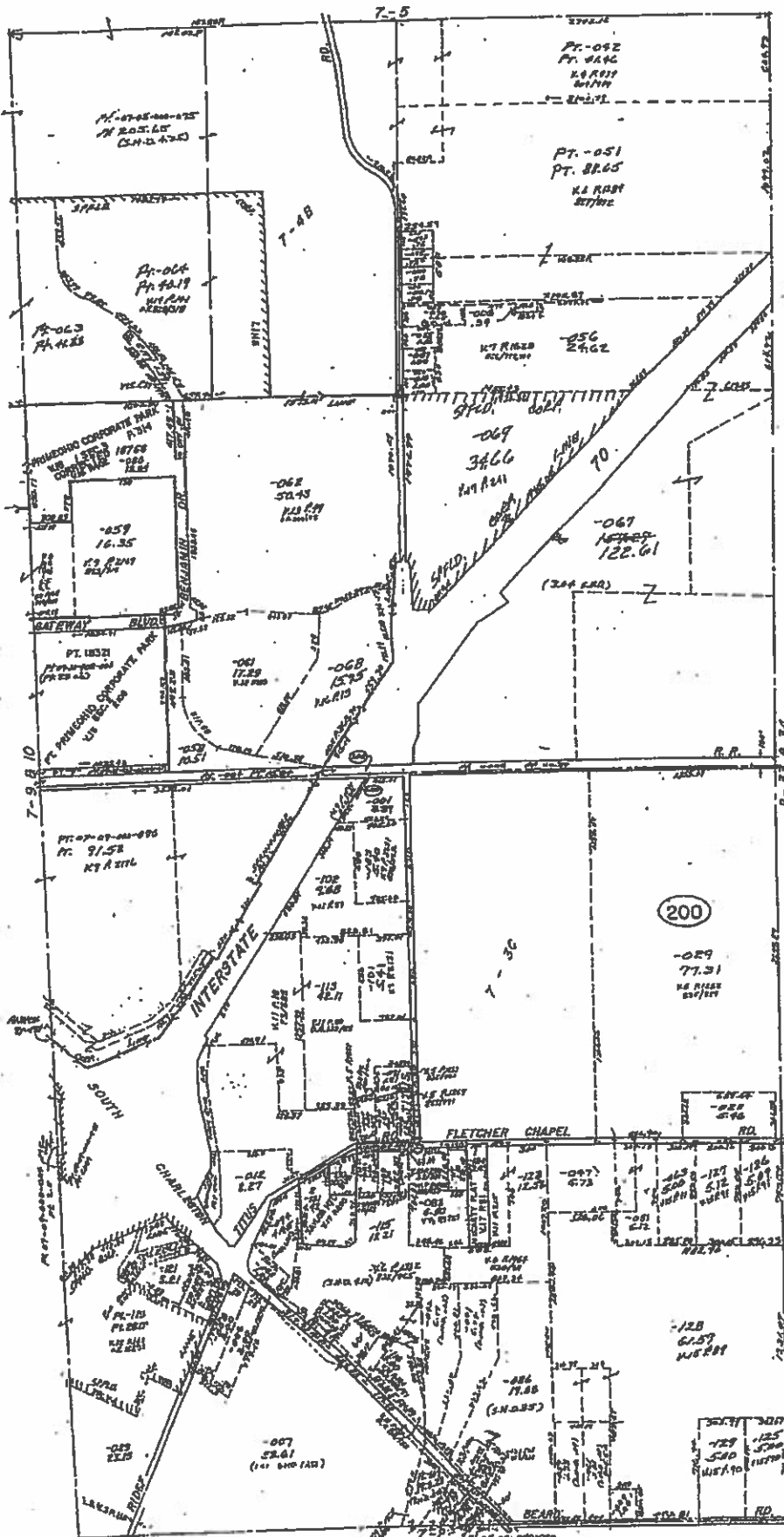
Land Value:
Building Value:
Total Value:
CAUV Value:
Taxable Value:



Copyright 1944

SCALE 1" = 40'

7-9810



SPRINGFIELD TWP.

SECS 3 & 4 T.5 R.9

RESIDENTIAL PROPERTY RECORD CARD

CLARK COUNTY

Situs : 4440 LAYBOURNE RD

Map ID: 305-07-00009-000-1024

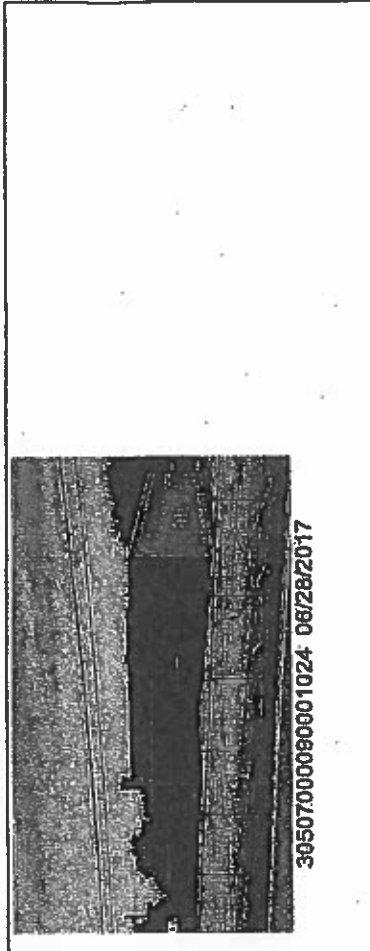
LUC: 610-EXMPT PROPERTY OWNED

Card: 1 of 2

Tax Year: 2018

Printed: 10/10/18

OHIO NATIONAL GUARD	
CAUV	Field Review Flag:
Routing No. SSE7-00 027-00 Class E Living Units 300C1000 Neighborhood District Zoning Springfield Ceda Dist Cslsd Alternate Id Tax District	



Note Codes:

Type	Size	Influence Factors	Influence %	Value
A-Primary Site	AC 2.1000			68,880
A-Right Of Way	AC .7200			
Total Acres: 2.82		Legal Acres: 2.82	NBHD Fact: 1.0000	

Assessed	Appraised	Cost	Income	Market
Land 24,110	68,880	68,880	0	0
Building 353,950	1,011,280	1,011,280	0	0
Total 378,060	1,080,160	1,080,160	0	0
Manual Override Reason				
Value Flag 1-COST APPROACH		Base Date of Value	Effective Date of Value	Owner Occupied

Date	ID	Entry Code	Source
05/11/18	MDT	6-Prop Unoccupied At Listing	3-Other
08/19/12	ABC	5-Occupant Not Home	3-Other
11/15/06	JL		

Data Issued	Number	Price Purpose	Note	Status

Transfer Date	Price Type	Validity
09/18/18		
03/09/18		

Deed Reference	Deed Type	Grantor
	WD-Warranty Deed	BOARD OF CLARK COUNTY COMM OHIO
	GV-Governor's Deed	OHIO NATIONAL GUARD

Topo:
 Utilities:
 Street/Road:
 Traffic:

Parcel Tieback:
 Range - Township - Section: 09 - 05 - 09
 Legal Descriptions:
 PT N E QR (3)
 Addl. Tieback:

RESIDENTIAL PROPERTY RECORD CARD

Situs : 4440 LAYBOURNE RD

Parcel Id: 305-07-00009-000-1024

CLARK COUNTY

Printed: 10/10/18

Tax Year: 2018

Card: 1 of 2

LUC: 610-EXMPT PROPERTY OWNED E

Story Height
Exterior Walls
Style
Year Built
Eff Year Built
Year Remodeled
Kitchen Remod
Bath Remod
Basement
Heat Type
Fuel Type
System Type
Attic
Phy. Condition
Int vs Ext
Stacks
Pre-Fab
Misc

Total Rooms
Bedrooms
Family Rooms
Full Baths
Half Baths
Addl. Fixtures
Total Fixtures
Masonry Trim
Unfinished Area
Rec Rm Size
FBLA Size
Openings
Car Bsmt Gar

Qty

Grade
CDU
Market Adj
% Complete
Cost & Design 0
Functional
Economic
% Good Ovr
NBHD Fact

Base Price
Plumbing
Basement
Heating
Attic
Other Features
Subtotal
Ground Floor Area
Total Living Area
Building Notes

Dwelling Value

Misc Adjusted Value

Misc Building No
Gross Building:

Line Low 1st 2nd 3rd Area Yr Blt Eff Yr Grade CDU %Comp Value

Type	Yr Blt	Eff Yr	Size	Area	Gr	Qty	ModCd	PH	FV	MA	%Comp	Value
RG1-Det Garage	1961		x	2,849	C	1		A	A	34		13,900
RG1-Det Garage	1965		x	1,024	C	1		A	A	34		6,720
RS2-Metal Shed	1965		9x12	108	C	1		A	A	50		720
EA2-Armory	1954		x	6,148	C	1		A	A	51		189,960
EA2-Armory	1954		x	8,152	C	1		A	A	51		282,760
EA2-Armory	1954		x	4,230	C	1		A	A	51		130,690

Complex Name
Condo Model
Unit Number
Unit Level
Number
Unit Type
Unit View
Model (Mfr)
Model Make (MH)

RESIDENTIAL PROPERTY RECORD CARD

CLARK COUNTY

Situs : 4440 LAYBOURNE RD

Map ID: 305-07-00008-000-1024

LUC: 610-EXMPT PROPERTY OWNER

Card: 2 of 2

Tax Year: 2018

Printed: 10/10/18

OHIO NATIONAL GUARD	
CAUV	Field Review Flag:
Routing No.	SSE7-00 027-00
Class	E
Living Units	300C1000
Neighborhood	
District	
Zoning	Springfield Ceda Dist Cslsd
Alternate Id	
Tax District	

Note Codes:

Type	Size	Influence Factors	Influence %	Value
A-Primary Site	AC 2.1000			68,880
A-Right Of Way	AC .7200			
Total Acres: 2.82		Legal Acres: 2.82	NBHD Fact: 1.0000	

Assessed	Appraised	Cost	Income	Market
Land	24,110	68,880	0	0
Building	363,950	1,011,280	0	0
Total	378,060	1,080,160	0	0
Manual Override Reason				
Value Flag		1-COST APPROACH	Base Date of Value	Effective Date of Value
			Owner Occupied	

Date	ID	Entry Code	Source
05/11/18	MDT	6-Prop Unoccupied At Listing	3-Other
08/19/12	ABC	5-Occupant Not Home	3-Other
11/15/06	JL		

Date Issued	Number	Price Purpose	Note	Status

Transfer Date	Price Type	Validity
09/18/18		
03/08/18		

Deed Reference	Deed Type	Grantor
WD-Warranty Deed		BOARD OF CLARK COUNTY COMM OHIO
GV-Governor's Deed		OHIO NATIONAL GUARD

Topo:
Utilities:
Street/Road:
Traffic:

Parcel Tieback:
Range - Township - Section: 09 - 05 - 09
Legal Descriptions:
PT N E QR (3)

Addl. Tieback:

RESIDENTIAL PROPERTY RECORD CARD

Situs : 4440 LAYBOURNE RD

Parcel Id: 305-07-00009-000-1024

LUC: 610-EXMPT PROPERTY OWNED E

Card: 2 of 2

Tax Year: 2018

Printed: 10/10/18

CLARK COUNTY

Story Height
Exterior Walls
Style
Year Built
Eff Year Built
Year Remodeled
Kitchen Remod
Bath Remod
Basement
Heat Type
Fuel Type
System Type
Attic
Phy. Condition
Int vs Ext
Stacks
Pre-Fab
Misc

Total Rooms
Bedrooms
Family Rooms
Full Baths
Half Baths
Addl. Fixtures
Total Fixtures
Masonry Trim
Unfinished Area
Rec Rm Size
FBLA Size
Openings
Car Bemt Gar

Qty

Grade
CDU
Market Adj
% Complete
Cost & Design 0
Functional
Economic
% Good Ovr
NBHD Fact

Base Price
Plumbing
Basement
Heating
Attic
Other Features
Subtotal
Ground Floor Area
Total Living Area
Building Notes
% Good
Market Adj
Functional
Economic
% Complete
C&D Factor
Adj Factor
Additions
Dwelling Value

Misc Building No
Gross Building:
Misc Adjusted Value

Line Low 1st 2nd 3rd Area Yr Blt Eff Yr Grade CDU %Comp Value

Type	Yr Blt	Eff Yr	Size	Area	Gr	Qty	ModCd	PH	FV	MA	%Comp	Value
EA2-Armory	1987		x	4,790	C	1		A	A	56		162,500
AP1-4s CI Mill	1987		x	20,680	C	1		A	A	100		96,860
EA2-Armory	1987		x	2,432	C	1		A	A	87		128,180

Complex Name
Condo Model
Unit Number
Unit Level
Number
Unit Type
Unit View
Model (MH)
Model Make (MH)

Exhibit B

Exhibit C

The Clark County Land Reutilization Corporation (CCLRC) is working to repurpose the land at 4440 Laybourne Road to help support the growing need of lodging and dining at the State Route 41 and Interstate 70 Interchange. The CCLRC requires the change in zoning so it can market the property to developers of hotels and restaurants.

Exhibit D

1. Yes, typical land use at State Routes and Interstate Interchanges has both lodging and restaurants. This can be seen up the road at State Route 72. Furthermore, on the other side of I-70 is a truck stop with food services. Directly adjacent to 4440 Laybourne is the fairground. The fairground provides lodging for individuals with trailers and campers. The proposed use of 4440 Laybourne will serve both guests of Clark County and citizens of Clark County in a similar way to the current uses surrounding the property.
2. Yes, it conforms to the City's Adopted Land Use Plan. The CCLRC believes the proposed use is the best possible use for the community.
3. Yes, the proposed change in zoning conforms to the City's adopted Thoroughfare Plan. The Transportation Coordinating Committee recently conducted a study of the Laybourne Road I-70 on ramp intersection in anticipation of the change in land use at 4440 Laybourne Road. The study found there to be no safety concerns with this intersection.
4. Yes

CLARK COUNTY LAND REUTILIZATION CORP
WERNER ENTERPRISES INC
CLARK COUNTY FAIRGROUNDS

3130 E MAIN ST STE 1A
PO BOX 45308
4401 SOUTH CHARLESTON PIKE

SPRINGFIELD, OH 45505
OMAHA, NE 68145
SPRINGFIELD, OH 45502

**NOTICE OF PUBLIC HEARING
PROPOSED REZONING**

Notice is hereby given that a public hearing will be held on Tuesday, June 18, 2019, at 6:55 P.M. (local time) in the City Commission Forum, City Hall, 76 East High Street, Springfield, Ohio, to consider the proposed change in zoning for 4.33 acres at 4440 Laybourne Road, from Springfield Township A, Agricultural District, to CH-1, Highway Commercial District.

By Order of the City Commission of The City of Springfield, Ohio.

JILL R. PIERCE

CLERK OF THE CITY COMMISSION

NEWS-SUN: FRIDAY, May 10, 2019

AN ORDINANCE NO. _____

Amending the Zoning Map of Springfield, Ohio by rezoning 4.33 acres at 4440 Laybourne Road, Springfield, Ohio from Springfield Township A, Agricultural District to CH-1, Highway Commercial District.

...oooOOOooo...

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio:

Section 1. That the Zoning Map of Springfield, Ohio, referred to in Subsection 1173.02(a) of the Springfield Zoning Code, is hereby amended by rezoning 4.33 acres at 4440 Laybourne Road, Springfield, Ohio, described as Parcel No. 3050700009000082, from Springfield Township A, Agricultural District to CH-1, Highway Commercial District.

Section 2. That the Clerk shall be directed to record the above amendment by filing this Ordinance together with schematic maps diagramming the effect of the amendment with the original master zoning map in the office of the Clerk, in the office of the Planning and Zoning Administrator, and in the fireproof vault provided for that purpose.

Section 3. That this Ordinance shall take effect and be in force from and after fourteen (14) days from the date of its passage.

PASSED this _____ day _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

(Published: Springfield News-Sun

_____, 2019)

I do hereby certify that the foregoing Ordinance No. _____ was duly published in the Springfield News-Sun on _____, 2019.

CLERK OF THE CITY COMMISSION

Request for Commission Action

City of Springfield, Ohio

Item Number: 159-19

Agenda Date: 6/18/2019

Today's Date: 6/11/2019

Subject: Authorization to issue a bond anticipation note in an amount not to exceed \$145,000 to refund a maturing bond anticipation note issued in 2018 to provide partial funding for improvements to the Springfield Beckley Municipal Airport.

Submitted By: Mark Beckdahl, Finance Director

Department: Finance/Treasury

Contact: Nikki Weber 7382, Bob Mauch 7329

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> 14-Day Ordinance | <input type="checkbox"/> Emergency Ordinance (provide justification below) | |
| <input type="checkbox"/> Resolution (1 Reading) | <input type="checkbox"/> 14-Day Resolution (2 Readings) | <input type="checkbox"/> Emergency Resolution |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Contract | |

Prior

Ordinance/Resolution: 16-207, 17-144, 18-173

Date of Prior

Ordinance/Resolution: 07/19/16, 06/20/17, 07/03/18

Summary:

Legislation is requested to authorize issuance of a bond anticipation note in an amount not to exceed \$145,000 to refund a bond anticipation note issued 7/20/18. The 2018 note was issued to refund the 2017 note, issued to pay the costs of constructing and equipping improvements to the airport, including the construction of new hangars and taxilanes.

Justification for Emergency Action: *(use reverse side if needed)*

<u>Department/Division</u>	<u>Fund Description</u>	<u>Account Number</u>	<u>Actual Cost</u>
----------------------------	-------------------------	-----------------------	--------------------

Total Cost:

AN ORDINANCE NO. _____

Providing for the issuance and sale of Notes in the maximum principal amount of \$145,000, in anticipation of the issuance of Bonds, for the purpose of paying the costs of constructing and equipping improvements at the Springfield Beckley Municipal Airport and providing for all related site improvements, including the construction of new hangars and taxilanes, together with all necessary appurtenances thereto.

...oooOOOooo...

WHEREAS, pursuant to Ordinance No. 18-173, passed July 3, 2018, notes in anticipation of bonds in the principal amount of \$191,500, dated July 20, 2018 (the "*Outstanding Notes*") were issued for the purposes described in Section 1, to mature on July 19, 2019; and

WHEREAS, pursuant to Ordinance No. 17-144, passed June 20, 2017, notes in anticipation of bonds in the principal amount of \$445,000, dated July 21, 2017 (the "*Outstanding Notes*") were issued for the purposes described in Section 1, to mature on July 21, 2018; and

WHEREAS, pursuant to Ordinance No. 16-207, passed July 19, 2016, notes in anticipation of bonds in the principal amount of \$444,000, dated July 21, 2016 (the "*2016 Notes*") were issued for the purposes described in Section 1, to mature on July 21, 2017; and

WHEREAS, this City Commission finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City; and

WHEREAS, the Director of Finance as fiscal officer of this City has certified to this City Commission that the estimated life or period of usefulness of the Improvement (as described in Section 1) is at least five years, the estimated maximum maturity of the Bonds, as described in Section 1, is at least twenty (20) years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is two hundred forty (240) months; Now Therefore:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio:

Section 1. It is necessary to issue bonds of this City in a principal amount not to exceed \$145,000 (the "*Bonds*") for the purpose of paying the costs of constructing and equipping improvements at the Springfield Beckley Municipal Airport and providing for all related site improvements, including the construction of new hangars and taxilanes, together with all necessary appurtenances thereto (the "*Improvement*").

Section 2. The Bonds shall be dated approximately July 1, 2020, shall bear interest at the now estimated rate of 6.00% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable are substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2021.

Section 3. It is necessary to issue and this City Commission determines that notes in a principal amount not to exceed \$145,000 (the "*Notes*") shall be issued in anticipation of the issuance of the Bonds for the purpose described in Section 1 and to retire, together with other funds available to the City, the Outstanding Notes. The principal amount of Notes to be issued (not to exceed the stated maximum amount) shall be determined by the Director of Finance in the certificate awarding the Notes in accordance with Section 6 of this Ordinance (the "*Certificate of Award*") as the amount which, along with other available funds of the City, is necessary to pay the costs of the Improvement and any financing costs. The Notes shall be dated the date of issuance and shall mature not more than one year following the date of issuance; *provided that* the Director of Finance shall establish the maturity date in the Certificate of Award. The Notes shall bear interest at a rate or rates not to exceed 3.00% per year (computed on the basis of a 360-day year consisting of twelve 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate or rates of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award in accordance with Section 6 of this Ordinance.

Section 4. The debt charges on the Notes shall be payable in lawful money of the United States of America and shall be payable, without deduction for services of the City's paying agent, at the office of Treasurer of the City (the "*Paying Agent*"). The Notes shall be prepayable without penalty or premium at the option of the City at any time prior to maturity as provided in this Ordinance. Prepayment prior to maturity shall be made by deposit with the Paying Agent of the principal amount of the Notes together with interest accrued thereon to the date of prepayment. The City's right of prepayment shall be exercised by mailing a notice of prepayment, stating the date of prepayment and the name and address of the Paying Agent, by certified or registered mail to the original purchaser of the Notes not less than seven days prior to the date of that deposit, unless that notice is waived by the original purchaser of the Notes. If money for prepayment is on deposit with the Paying Agent on the specified prepayment date following the giving of that notice (unless the requirement of that notice is waived as stated above), interest on the principal amount prepaid shall cease to accrue on the prepayment date, and upon the request of the Director of Finance the original purchaser of the Notes shall arrange for the delivery of the Notes at the designated

office of the Paying Agent for prepayment and surrender and cancellation.

Section 5. The Notes shall be signed by the Mayor and Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the original purchaser and approved by the Director of Finance, provided that the entire principal amount may be represented by a single note. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance.

Section 6. The Notes are offered at par plus accrued interest, if any, to the Treasury Investment Board of the City. Notes not purchased by the Treasury Investment Board of the City shall be sold at not less than par at private sale by the Director of Finance in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 fixing the interest rate or rates which the Notes shall bear and evidencing that sale to the original purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. The Mayor, City Manager, the Director of Finance, the Director of Law, the City Clerk and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

Section 7. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are hereby appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate

and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due.

In each year to the extent money from the municipal income tax is available for the payment of the debt charges on the Notes and the Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of such money so available and appropriated with the covenant hereinafter set forth. To the extent necessary, the debt charges on the Notes and the Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and laws of the State of Ohio and the Charter of the City; and the City hereby covenants, subject and pursuant to such authority, including particularly Section 133.05(8)(7), Ohio Revised Code, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

Nothing in the preceding paragraph in any way diminishes the irrevocable pledge of the full faith, credit and property taxing power of the City to the prompt payment of the debt charges on the Notes and the Bonds.

Section 10. The City Clerk is directed to deliver a certified copy of this Ordinance to the County Auditor of Clark County, Ohio.

Section 11. This City Commission determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 12. This City Commission finds and determines that all formal actions of this City Commission and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission or committees, and that all deliberations of this City Commission and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 13. That this Ordinance shall take effect and be in force from and after fourteen (14) days from the date of its passage.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

Request for Commission Action

City of Springfield, Ohio

Item Number: 102-19

Agenda Date: 6/18/2019

Today's Date: 6/7/2019 revised 6/11/2019

Subject: Amending Ordinance 19-134

Submitted By: Mark Beckdahl, Finance Director

Department: Finance

Contact: Bob Mauch, ext 7329

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> 14-Day Ordinance | <input type="checkbox"/> Emergency Ordinance (provide justification below) | |
| <input type="checkbox"/> Resolution (1 Reading) | <input type="checkbox"/> 14-Day Resolution (2 Readings) | <input type="checkbox"/> Emergency Resolution |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Contract | |

**Prior
Ordinance/Resolution:** 19-134

**Date of Prior
Ordinance/Resolution:** 5/21/2019

Summary:

Requesting an amendment to Ordinance 19-134, Section 2, further referencing Codified Ordinances Section 199.07(b), to change the commencement date of the additional tax to January 1, 2020.

Justification for Emergency Action: *(use reverse side if needed)*

<u>Department/Division</u>	<u>Fund Description</u>	<u>Account Number</u>	<u>Actual Cost</u>
----------------------------	-------------------------	-----------------------	--------------------

Total Cost:

An Ordinance No. _____

Amending Ordinance No. 19-134 to amend the commencement date of a Motor Vehicle License Tax pursuant to Section 4504.173 of the Ohio Revised Code.

...oooOOOooo...

WHEREAS, pursuant to Ohio Legislature's House Bill 62 which authorized municipalities to levy an additional tax under Ohio Revised Code Section 4504.173, the City has opted to impose an additional annual license registration tax; and

WHEREAS, the City amended Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, providing for an annual five dollar (\$5.00) tax as defined in Section 4503.10 of the Ohio Revised Code; and

WHEREAS, the City selected the commencement date of July 1, 2019; which is prior to the effective date of Ohio House Bill 62's effective date of July 3, 2019; and, NOW THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio:

Section A. That Section 2 of Ordinance No. 19-134 as it relates to Codified Ordinance Section 199.07(b) is hereby amended to read as follows:

199.07 DURATION OF ADDITIONAL TAX.

(b) The additional Five Dollar (\$5.00) tax also imposed by Section 199.06, pursuant to Section 4504.173 of the Ohio Revised Code, shall be effective July 3, 2019, commencing with the registration year January 1, 2020, and shall continue in effect and application during each registration year thereafter.

Section B. The Finance Director is hereby directed pursuant to Section 4504.08 of the Ohio Revised Code to submit to the Registrar of the Motor Vehicles a certified copy of this ordinance and a certified copy of the original Ordinance No. 19-134 as prepared by the City Clerk.

Section C. That this Ordinance shall take effect and be in force from and after fourteen (14) days from the date of its passage.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

Published: *Springfield News-Sun*

_____, 2019

I do hereby certify that the foregoing Ordinance No. _____ was duly published in
the *Springfield News-Sun* on _____, 2019.

CLERK OF THE CITY COMMISSION

AN ORDINANCE NO. _____

Vacating the first alley north of Pleasant Street from Lowry Avenue east to the first north-south intersecting alley.

...oooOOOooo...

BE IT ORDAINED by the City Commission of the City of Springfield, Ohio:

Section 1. That the first alley north of Pleasant Street from Lowry Avenue east to the first north-south intersecting alley is hereby vacated.

Section 2. That the City hereby reserves unto itself all existing easements and rights with respect to any underground pipes or facilities within said right-of-way described in Section 1 hereof.

Section 3. As provided in Section 723.08 of the Ohio Revised Code, the rights-of-way and easements of any lot owner in and to said right-of-way shall not be impaired by the vacation thereof.

Section 4. That the Clerk of the City Commission shall file a certified copy of this Ordinance and the plat of survey with the County Auditor of Clark County, Ohio for transfer and with the County Recorder of Clark County, Ohio for recording.

Section 5. That this Ordinance shall take effect and be in force from and after fourteen (14) days from the date of its passage.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

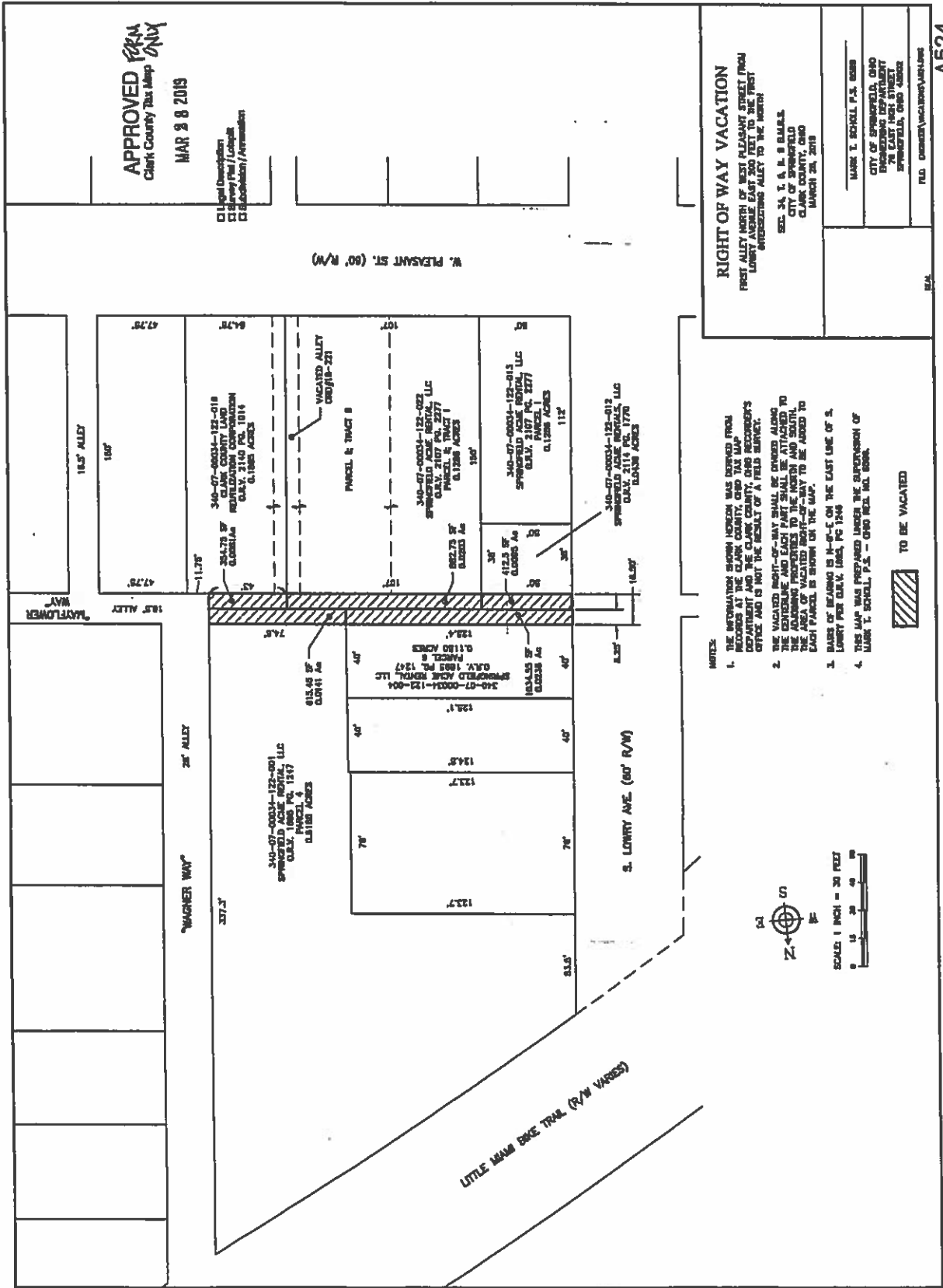
CLERK OF THE CITY COMMISSION

(Published: Springfield News-Sun

_____, 2019)

I do hereby certify that the foregoing Ordinance No. _____ was
duly published in the Springfield News-Sun on _____,
2019.

CLERK OF THE CITY COMMISSION



Request for Commission Action

City of Springfield, Ohio

Item Number: 149-19

Agenda Date: 6/4/2019

Today's Date: 5/29/2019

Subject: An ordinance authorizing all actions necessary to apply for and accept Northeast Ohio Public Energy Council (NOPEC) 2019 Energized Community Grant funds

Submitted By: Logan M. Cobbs, Assistant to the City Manager

Department: City Manager's Office

Contact: Logan Cobbs, x7300

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> 14-Day Ordinance | <input type="checkbox"/> Emergency Ordinance (provide justification below) | |
| <input type="checkbox"/> Resolution (1 Reading) | <input type="checkbox"/> 14-Day Resolution (2 Readings) | <input type="checkbox"/> Emergency Resolution |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Contract | |

Prior
Ordinance/Resolution:

Date of Prior
Ordinance/Resolution:

Summary:

Respectfully request City Commission authorize the City Manager to apply for and accept the NOPEC Energized Community Grant for 2019. The City of Springfield is a member of the Northeast Ohio Public Energy Council ("NOPEC") and is eligible for \$93,660.60 in grant funding. Grants will provide funds to help Springfield implement energy savings or energy infrastructure measures. Eligible projects include those that reduce electric and/or gas utility consumption through facility improvements and/or implementing infrastructure improvements. Examples include interior and exterior lighting, windows and doors, insulation, HVAC, geothermal and solar. Street lights and traffic lights are also eligible, if a demonstrated utility savings to the community will result.

Justification for Emergency Action: *(use reverse side if needed)*

Department/Division	Fund Description	Account Number	Actual Cost
---------------------	------------------	----------------	-------------

Total Cost:

AN ORDINANCE NO. _____

Authorizing the City Manager to apply for and accept a 2019 Energized Community Grant through the Northeast Ohio Public Energy Council ("NOPEC") in an amount up to \$93,660.60 to be used for implementation of energy savings or energy infrastructure measures; authorizing the City Manager to execute a Grant Agreement for the acceptance of said Grant; and authorizing the City Manager, Law Director and the Director of Finance to do all things necessary for the submission of the application and acceptance of the grant and to comply with all relevant local, state and federal legal requirements.

...oooOOOooo...

WHEREAS, the City has received an offer to apply for and accept a 2019 Energized Community Grant through NOPEC to be used for implementation of energy savings or energy infrastructure measures, and this Commission considers it in the best interest of the public that funding be applied for and accepted; NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio:

Section 1. That the City Commission hereby authorizes the City Manager to apply for and accept a 2019 Energized Community Grant through NOPEC in an amount up to \$93,660.60 to be used for implementation of energy savings or energy infrastructure measures.

Section 2. That the City Manager is hereby authorized to execute a Grant Agreement, a copy of which is attached hereto and is hereby approved, to accept the 2019 Energized Community Grant through NOPEC.

Section 3. That the City Manager, Law Director and the Director of Finance are hereby authorized to do all things necessary for the submission of the application and acceptance of the grant and to comply with all relevant local, state and federal legal requirements.

Section 4. That this Ordinance shall take effect and be in force from and after fourteen (14) days from the date of its passage.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

NOPEC ENERGIZED COMMUNITY

GRANT AGREEMENT

This Grant Agreement (the "Agreement") is made and entered into by and between NOPEC, Inc. ("NOPEC"), and The City of Springfield, Ohio ("Grantee"; NOPEC and Grantee, the "Parties") regarding a grant by NOPEC to Grantee to be used primarily for energy efficiency or energy infrastructure projects in accordance with NOPEC Energized Community Grant criteria, guidelines and requirements ("NOPEC Policy").

NOW, **THEREFORE**, in consideration of the foregoing and the mutual promises and covenants hereinafter set forth, the Parties hereby agree as follows:

1. **Grant of Funds.** NOPEC hereby grants a NOPEC Energized Community Grant ("NEC Grant") to Grantee in the amount calculated by NOPEC based on the number of natural gas and/or electric accounts served by NOPEC in Grantee in accordance with NOPEC Policy in the amount determined by NOPEC ("Funds"), for the purposes set forth in Grantee's Grant Application, as amended, and incorporated by reference into this Agreement.

2. **Use of Funds.** Grantee shall use the Funds granted by NOPEC for the Project(s) approved by NOPEC. Funds shall be paid in accordance with NOPEC Policy. NEC Grant disbursements shall be accompanied by a completed Disbursement Request Form with the expenditures supported by contracts, invoices, vouchers, and other data as appropriate as supporting documents. Funds not used in the year they are granted to Grantee may be escrowed and carried forward for up to two (2) years from NOPEC grant approval. If Grantee does not expend the Funds for the Project(s) approved by NOPEC within three (3) years of NOPEC's approval, Grantee shall forfeit any unused Funds.

3. **Accounting of Funds.** Grantee shall keep all Funds and make all disbursements and expenditures consistent with the manner in which all public funds are kept by Grantee in accordance with applicable law.

4. **Term.** The Parties agree that this Agreement shall begin on January 1, 2019, and shall expire on December 31, 2019, and shall be automatically renewed annually unless NOPEC discontinues the NEC Grant program for any subsequent year or Grantee is no longer a NOPEC member in good standing, as defined herein.

5. **Renewable Energy Credits.** Grantee shall be entitled to claim Renewable Energy Credits, carbon credits, or NOx allowances and/or allowances arising under other trading programs that may be established in the future for the Project(s). NOPEC reserves the right to claim/apply for such allowances if Grantee does not claim such allowances or this Agreement terminates. Grantee must notify NOPEC if Grantee does not wish to trade or sell any such credits or assets.

6. **Records, Access and Maintenance.** Grantee shall establish and maintain all records associated with the Funds in accordance with the Ohio Public Records Act and shall promptly make available to NOPEC all of its records with respect to matters covered by this Agreement, and for NOPEC to audit, examine and make copies from such records. Grantee agrees to share and release all of its utility and other data with NOPEC, Inc. and NOPEC and its consultant(s) in order to measure, verify and otherwise track savings from energy efficiency and for such other related uses as NOPEC shall require.

consultant(s) in order to measure, verify and otherwise track savings from energy efficiency and for such other related uses as NOPEC shall require.

7. **Property and Equipment Purchases.** All items purchased by Grantee from the Funds granted herein are and shall remain the property of Grantee.

8. **Inability to Perform.** In the event that Grantee does not or cannot complete the Project(s) or perform its obligations under this Agreement, Grantee shall immediately notify NOPEC in writing. NOPEC, with the approval of the Committee formed to award NEC Grants (the "Committee"), and Grantee shall jointly identify Project amendments or suitable Project(s) that meet NOPEC Policy.

9. **Dispute Resolution.** In the event Grantee desires clarification or explanation of, or disagrees with, any matter concerning the Agreement, or the interpretation or application of any and all federal or state statutes, rules, regulations, laws or ordinances, the matter must be submitted in writing to NOPEC, which shall convene the Committee to review and decide the matter. All decisions of the Committee shall be final and binding upon Grantee, and non-appealable.

10. **Termination.**

(a) If NOPEC determines that Grantee has failed to perform any requirements of this Agreement, or if Grantee is in default under any provision of this Agreement, or upon just cause, as shall be determined by the Committee, NOPEC, upon approval by the Committee, may terminate the Agreement at any time after providing Grantee with written notice and a period of at least thirty (30) days to cure any and all defaults under this Agreement. During such thirty day cure period, Grantee shall incur only those obligations or expenditures which are necessary to enable Grantee to continue to achieve compliance with the terms of this Agreement.

(b) This Agreement shall automatically terminate if Grantee is not a NOPEC member in good standing. A NOPEC member in good standing means a Northeast Ohio Public Energy Council member whose residents are receiving service from Northeast Ohio Public Energy Council's natural gas or electric aggregation program and which has not provided written notice to withdraw from such Northeast Ohio Public Energy Council's natural gas or electric aggregation program.

11. **Effects of Termination.**

(a) Within sixty (60) days after termination of this Agreement, Grantee shall surrender all reports, data, documents, and other materials assembled and prepared pursuant to this Agreement which shall become the property of NOPEC. Upon surrender of such material, Grantee shall receive Funds only as to a Project that had been approved for a NEC Grant by NOPEC prior to such termination.

(b) The Committee also may withhold final installment payment of the Funds or require Grantee to return all or any part of the Funds awarded if Grantee is found to have violated the provisions of this Agreement. Notwithstanding any other provision in this Agreement, if Grantee either withdraws from membership in the Northeast Ohio Public Energy Council or from its electric or natural gas aggregation program(s), Grantee shall no longer be

eligible for any NEC Grants. The provisions of this paragraph are in addition to the termination provisions of this Agreement and to any payments required under the Northeast Ohio Public Energy Council Bylaws and the Northeast Ohio Public Energy Council of Governments Agreement with its member communities in connection with any such withdrawal.

12. **Liability.** Grantee shall maintain, or cause any vendors or subcontractors to maintain, all required liability and property insurance to cover actionable legal claims for liability or loss which are the result of injury to or death of any person, damage to property caused by the negligent acts or omissions, or negligent conduct of the Grantee. To the extent permitted by law, in connection with activities conducted in connection with this Agreement, Grantee agrees to defend NOPEC and pay any judgments and costs arising out of such negligent acts or omissions, and nothing in this Agreement shall impute or transfer any liability of any nature whatsoever from Grantee to NOPEC, Inc. or the Northeast Ohio Public Energy Council.

13. **Compliance with Laws.** Grantee agrees to comply with all applicable federal, state, and local laws in the performance of the Project. Grantee is solely responsible for payments of all unemployment compensation, insurance premiums, workers' compensation premiums, all income tax deductions, social security deductions, and any and all other taxes or payroll deductions required for all employees engaged by Grantee on the performance of the work authorized by this Agreement.

14. **Miscellaneous.**

(a) **Governing Law.** The laws of the State of Ohio shall govern this Agreement. All actions regarding this Agreement shall be venued in a court of competent subject matter jurisdiction in Cuyahoga County, Ohio.

(b) **Entire Agreement.** This Agreement and any documents referred to herein constitute the complete understanding of the Parties and merge and supersede any and all other discussions, agreements and understandings, either oral or written, between the Parties with respect to the subject matter hereof.

(c) **Severability.** Whenever possible, each provision of this Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement is held to be prohibited by or invalid under applicable law, such provision shall be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provisions of this Agreement.

(d) **Notices.** All notices, consents, demands, requests and other communications which may, or are required to be, given hereunder shall be in writing and delivered to the addresses set forth hereunder or to such other address as the other party hereto may designate from time to time:

In case of NOPEC, to:

Charles W. Keiper, II
President
NOPEC, Inc.
31360 Solon Road
Suite 33
Solon, OH 44139

In case of Grantee, to:

Bryan Heck
City Manager
76 East High Street
Springfield, Ohio 45502

(e) Amendments or Modifications. Either party may at any time during the term of this Agreement request amendments or modifications. Requests for amendment or modification of this Agreement shall be in writing and shall specify the requested changes and justification therefor. The Parties shall review the request for modification in terms of the Project and NOPEC Policy. Should the Parties consent to modification of the Agreement, then an amendment shall be drawn, approved, and executed in the same manner as the original Agreement.

(f) Headings. Section headings contained in this Agreement are inserted for convenience only and shall not be deemed to be a part of this Agreement.

(g) Assignment. Neither this Agreement nor any rights, duties or obligations described herein, shall be assigned or subcontracted by Grantee without the prior express written consent of NOPEC.

(h) Authority. The undersigned represents and warrants to the other that each has all the necessary legal power and authority to enter into this Agreement. Grantee further represents and warrants to NOPEC that it has received all necessary approvals from Grantee's legislative authority for Grantee to accept the NEC Grant and enter into this Agreement.

(i) Determinations by NOPEC Final. All determinations as to eligibility of any project for an award of any NEC Grant, and the amount and payment schedule of a NEC Grant, will be made by NOPEC and its Committee, which shall be final, conclusive and binding upon Grantee.

(j) Designation of Grantee Representative. Grantee hereby designates its [Fiscal Officer or other position] to take all actions with respect to the NEC Grant and this Agreement as may be required and NOPEC shall be entitled to rely on the authority of such designated representative of Grantee in connection with this Agreement.

(k) Marketing Consent. Grantee hereby authorizes NOPEC, Inc. and NOPEC to use information about Grantee's grant(s) and project(s) in any marketing they may conduct, and agrees to cooperate with NOPEC in connection with such marketing.

[Signature Page to Follow.]

IN WITNESS WHEREOF, the Parties hereto have executed this Grant Agreement on the last date set forth below.

GRANTEE:

The City of Springfield, Ohio

Individual(s) Authorized by Grantee's
Legislation

By: _____

Title: _____

Date: _____

NOPEC, INC.:

By: _____

Title: _____

Date: _____

[Signature page to NOPEC Energized Community Grant Agreement.]

Request for Commission Action

City of Springfield, Ohio

Item Number: 150-19

Agenda Date: 06/04/19

Today's Date: 05/29/19

Subject: Removal of Bio-Solids

Submitted By: Mark Beckdahl, Finance Director

Department: Service Department/WWTP

Contact: Shaun Spiller, Plant Superintendent

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> 14-Day Ordinance | <input type="checkbox"/> Emergency Ordinance (provide justification below) | |
| <input type="checkbox"/> Resolution (1 Reading) | <input type="checkbox"/> 14-Day Resolution (2 Readings) | <input type="checkbox"/> Emergency Resolution |
| <input type="checkbox"/> Motion | <input checked="" type="checkbox"/> Contract | |

Prior
Ordinance/Resolution:

Date of Prior
Ordinance/Resolution:

Summary:

It is respectfully requested that the City Commission authorize the City Manager to enter into a contract with Synagro Central, LLC, 435 Williams Court, Ste. 100, Baltimore, MD 21220 for the removal and land application of bio-solids at the Wastewater Treatment Plant. The initial contract shall be for a two (2) year period, with the option to renew for two (2) additional one year periods, and exercising the option for landfilling of bio-solids when land application is not available. This recommendation is based on the only bid received.

Justification for Emergency Action: *(use reverse side if needed)*

Department/Division	Fund Description	Account Number	Actual Cost
WWTP	630	351304-4070	\$207,500.00
WWTP	630	351304-4070	\$995,000.00

Total Cost: \$1,202,500.00

AN ORDINANCE NO. _____

Authorizing the City Manager to enter into a contract with Synagro Central, LLC for Removal and Land Application of Bio-Solids, for a period of two (2) years with an option to renew for two (2) additional one-year periods, for an amount not to exceed \$1,202,500.00.

...oooOOOooo...

WHEREAS, the City's Purchasing Division has advertised for and received a bid for Removal and Land Application of Bio-Solids at the City Wastewater Treatment Plant, and

WHEREAS, after receiving and reviewing the only bid submitted, the City's Purchasing Division has recommended award of contract to Synagro Central, LLC for an amount not to exceed \$1,202,500.00, which was the lowest and best bid: NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio:

Section 1. That the City Manager is hereby authorized to enter into Contract with Synagro Central, LLC for Removal and Land Application of Bio-Solids at the City's Wastewater Treatment Plant, for a period of two (2) years with an option to renew for two (2) additional one-year periods, for an amount not to exceed \$1,202,500.00.

Section 2. That the said contract entered into by the City shall incorporate the specifications prepared by the Purchasing Division, which are hereby approved, and made available to providers submitting bids to the City, and shall conform to the recommendations of the City's Purchasing Division as made to this Commission.

Section 3. That this Ordinance shall take effect and be in force from and after fourteen (14) days from the date of its passage.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

Request for Commission Action City of Springfield, Ohio

Item Number: 158-19

Agenda Date: 6/18/2019

Today's Date: 6/11/2019

Subject: Adoption of the Fiscal Year 2020 Tax Budget

Submitted By: Mark Beckdahl, Finance Director

Department: Finance/Treasury

Contact: Nikki Weber 7382, Bob Mauch 7329

- | | | |
|---|---|---|
| <input type="checkbox"/> 14-Day Ordinance | <input checked="" type="checkbox"/> Emergency Ordinance (provide justification below) | |
| <input type="checkbox"/> Resolution (1 Reading) | <input type="checkbox"/> 14-Day Resolution (2 Readings) | <input type="checkbox"/> Emergency Resolution |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Contract | |

Prior
Ordinance/Resolution:

Date of Prior
Ordinance/Resolution:

Summary:

I hereby respectfully request that an emergency ordinance adopting the 2020 Tax Budget be scheduled for the regular City Commission agenda of June 18, 2019. A Public Hearing regarding the 2020 Tax Budget will be held June 18, 2019 prior to the formal session of the City Commission meeting. Notice of the Public Hearing was published in the Springfield News-Sun on Wednesday, May 22, 2019.

Justification for Emergency Action: *(use reverse side if needed)*

In accordance with the Ohio Revised Code, a Public Hearing and subsequent adoption of the Tax Budget must be completed and effective prior to July 15th of each year, and delivered to the County Auditor on or before July 20th. Emergency legislation is requested to allow time for necessary finalizing of documentation subsequent to the effective date of the legislation and prior to the statutory deadlines.

<u>Department/Division</u>	<u>Fund Description</u>	<u>Account Number</u>	<u>Actual Cost</u>
----------------------------	-------------------------	-----------------------	--------------------

Total Cost:

AN ORDINANCE NO. _____

Adopting the Tax Budget of The City of Springfield, Ohio for the fiscal year beginning January 1, 2020 and submitting the same to the County Auditor, and declaring an emergency.

...oooOOOooo...

WHEREAS, the City Manager has heretofore prepared a tentative Tax Budget of The City of Springfield, Ohio for the fiscal year beginning January 1, 2020, showing detailed estimates of all balances that will be available at the beginning of the year 2020, for the purpose of such year and of all revenues to be received for such fiscal year, including all general and special taxes, fees, costs, percentages, penalties, allowances and all other types or classes of revenues; also, estimates of all expenditures or charges in or for the purposes of such fiscal year to be paid or met from the said revenues or balances; and otherwise conforming with the requirements of law; and

WHEREAS, said Budget has been made conveniently available to the public inspection for at least ten (10) days by having at least two (2) copies thereof on file in the office of the Finance Director; and

WHEREAS, this Commission has held a Public Hearing on said Budget, of which public notice was given in accordance with law; and

WHEREAS, in order for the City Clerk and Finance Department to properly prepare all documents required to be submitted to the Clark County Budget Commission by the deadline, it is necessary that this Ordinance become effective immediately, which this Commission finds creates an emergency to preserve the public peace, property, health and safety, necessitating the immediate effectiveness of this Ordinance: NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio, at least four of its members concurring:

Section 1. That the Tax Budget of The City of Springfield, Ohio for the fiscal year beginning January 1, 2020, heretofore prepared by the City Manager and submitted to this Commission, copies of which have been and are on file in the Office of the Finance Director, is hereby adopted as the official Tax Budget of The City of Springfield, Ohio for the fiscal year beginning January 1, 2020.

Section 2. That the Clerk of this Commission is hereby authorized and directed to certify two (2) copies of said Budget and two (2) copies of this Ordinance and to transmit the same to the Auditor of Clark County, Ohio, on or before July 20, 2019.

Section 3. That by reason of the emergency set forth and defined in the preamble hereto, this Ordinance shall take effect and be in force immediately.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

Request for Commission Action City of Springfield, Ohio

Item Number: 160-19

Agenda Date: 6/18/2019

Today's Date: 6/11/2019

Subject: Issuance and sale of a bond anticipation note for a parking garage in a maximum amount of \$3,300,000

Submitted By: Mark Beckdahl, Finance Director

Department: Finance

Contact: Nikki Weber x7382, Bob Mauch x7329

<input type="checkbox"/> 14-Day Ordinance	<input checked="" type="checkbox"/> Emergency Ordinance (provide justification below)	
<input type="checkbox"/> Resolution (1 Reading)	<input type="checkbox"/> 14-Day Resolution (2 Readings)	<input type="checkbox"/> Emergency Resolution
<input type="checkbox"/> Motion	<input type="checkbox"/> Contract	

Prior
Ordinance/Resolution:

Date of Prior
Ordinance/Resolution:

Summary:

An ordinance is requested to provide for the issuance and sale of a Note in the maximum principal amount of \$3,300,000 in anticipation of the issuance of a Bond, for the purpose of paying the costs of constructing and equipping a new parking garage and improving the site therefor, together with all necessary appurtenances thereto.

Note ordinance to be provided by bond counsel Squire Patton Boggs.

Justification for Emergency Action: *(use reverse side if needed)*

Emergency action necessary in order to certify contracts and begin work on the project on schedule.

<u>Department/Division</u>	<u>Fund Description</u>	<u>Account Number</u>	<u>Actual Cost</u>
----------------------------	-------------------------	-----------------------	--------------------

Total Cost:

ORDINANCE NO. _____

An ordinance providing for the issuance and sale of Notes in the aggregate principal amount of \$3,300,000, in anticipation of the issuance of Bonds, for the purpose of paying the costs of constructing and equipping a new parking garage and improving the site therefor, together with all necessary appurtenances thereto; and declaring an emergency.

...oooOOOooo...

WHEREAS, The City of Springfield, Ohio (the "*City*") is authorized by virtue of the laws of the State of Ohio, including, without limitation, Section 13 of Article VIII, Ohio Constitution, and Chapter 165, Ohio Revised Code (the "*Act*"), among other things, to issue bonds or notes to acquire, construct, equip, furnish, or improve a "project" as defined in Section 165.01, Ohio Revised Code, for the purpose of creating or preserving jobs and employment opportunities and improving the economic welfare of the people of the City and of the State of Ohio; and

WHEREAS, to facilitate the creation of jobs and employment opportunities and improving the economic welfare of the people of the City and of the State of Ohio, the City has determined to issue the Notes (described below) to pay the costs of constructing and equipping a new parking garage and improving the site therefor, together with all necessary appurtenances thereto (the "*Project*"); and

WHEREAS, it is necessary that this Ordinance become effective immediately in order to expedite the start of construction, which creates an emergency to preserve the public peace, health, safety and property necessitating the immediate effectiveness of this Ordinance; NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio, at least four of its members concurring:

Section 1. This City Commission hereby determines that the Project is a "project" as defined in the Act and is consistent with the purposes of Section 13 of Article VIII of the Ohio Constitution; that the utilization of the Project is in furtherance of the purposes of the Act and will benefit the people of the City and of the State by creating and preserving jobs and employment opportunities and improving the economic welfare of the people of the City and of the State; and that the amount necessary to finance the Project will require the issuance, sale and delivery of the Notes (as defined below), which Notes shall be issued in anticipation of the Bonds (as defined below), and which Notes shall be payable and secured as provided herein.

Section 2. It is necessary to issue bonds of this City in the aggregate principal amount of \$3,300,000 (the "*Bonds*") for the purpose of paying the costs of constructing

and equipping a new parking garage and improving the site therefor, together with all necessary appurtenances thereto.

Section 3. The Bonds shall be dated approximately July 1, 2020, shall bear interest at the now estimated rate of 5.00% per year, payable semiannually until the principal amount is paid, and are estimated to mature in twenty (20) annual principal installments on December 1 of each year and in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable shall be substantially equal. The first principal payment on the Bonds is estimated to be December 1, 2021.

Section 4. It is necessary to issue and this City Commission determines that notes in the aggregate principal amount of \$3,300,000 (the "Notes") shall be issued in anticipation of the issuance of the Bonds for the purpose described in Section 2 and to pay the costs of the Project and any financing costs. The Notes shall be dated the date of issuance and shall mature not more than one year following the date of issuance. The Notes shall bear interest at rate not exceeding 6.00% per year (computed on the basis of a 360-day year consisting of twelve 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The Finance Director shall determine the final maturity date and the interest rate on the Notes. The Notes shall be issued pursuant to the laws of the State of Ohio, including, without limitation, Section 13 of Article VIII, Ohio Constitution and Chapter 165, Ohio Revised Code, the Charter of the City and this Ordinance.

Section 5. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America at the office of the Finance Director.

Section 6. The Notes shall be signed by the Mayor and Finance Director, in the name of the City and in their official capacities, *provided* that one of those signatures may be a facsimile. The entire principal amount shall be represented by a single note, which shall not have coupons attached, shall be numbered as determined by the Finance Director and shall express upon its face the purpose, in summary terms, for which it is being issued and that it is issued pursuant to this Ordinance.

Section 7. The Notes are offered at a purchase price, not less than par, as shall be determined by the Finance Director, plus any accrued interest, to the Treasury Investment Board of the City for investment under Section 731.56 of the Ohio Revised Code. The Finance Director shall cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Treasury Investment Board, to the Treasury Investment Board upon payment of the purchase price. The Mayor, the City Manager, the Finance Director, the Law Director, the Treasurer, the City Clerk and other City officials, as appropriate, and any person serving in an interim or acting capacity for any such official, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are

necessary or appropriate to consummate the transactions contemplated by this Ordinance. The actions of the Mayor, the City Manager, the Finance Director, the Law Director, the Treasurer, the City Clerk or other City official, as appropriate, in doing any and all acts necessary in connection with the issuance and sale of the Notes are hereby ratified and confirmed.

Section 8. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Economic Development Bond Retirement Account (as defined below).

Section 9. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 10. The Notes are special obligations of the City, the principal of and interest on which are payable solely from the proceeds of the Bonds and by a pledge of and lien on the Nontax Revenues established by and as provided in this Ordinance which are on deposit in the Economic Development Bond Retirement Account, all as described below. The City covenants that to the extent the Notes will not be paid fully from Nontax Revenues, it will do all things necessary for the issuance of the Bonds or renewal bond anticipation notes in an appropriate amount to provide for the payment of the principal of and interest on the Notes on the maturity date of the Notes.

There is hereby created by the City a separate account named the Economic Development Bond Retirement Account into which Nontax Revenues shall be deposited in accordance with the following provisions.

The City hereby covenants and agrees that on or before any date on which principal or interest is payable on the Notes it shall deposit into the Economic Development Bond Retirement Account from Nontax Revenues selected by the City or proceeds from the Bonds or renewal bond anticipation notes as determined by the City, an amount equal to the amount of principal and/or interest due on the Notes on that date, less, in the discretion of the City, any interest earnings or other moneys accumulated in the Economic Development Bond Retirement Account which have not theretofore been used as a credit against a prior payment obligation. Moneys in the Economic Development Bond Retirement Account shall be used solely and exclusively to pay principal and interest on City obligations payable from the Nontax Revenues.

The City hereby covenants and agrees that so long as the Notes are outstanding, it will appropriate and maintain sufficient Nontax Revenues each year to make each payment due under this Section 10 and to pay principal and interest when due; *provided, however*, the amount of such appropriation may be reduced by the amount of any Bonds

or renewal bond anticipation notes issued for the purpose of refunding the Notes and payments due hereunder and under the Notes are payable solely from the proceeds of the Bonds and the Nontax Revenues, which Nontax Revenues are hereby selected by the City pursuant to Section 165.12 of the Ohio Revised Code as moneys that are not raised by taxation. The Notes are not secured by an obligation or pledge of any moneys raised by taxation. The Notes do not and shall not represent or constitute a debt or pledge of the faith or credit or taxing power of the City, and the registered owners of the Notes have no right to have taxes levied by the City for the payment of principal of and interest on the Notes.

Nothing herein shall be construed as requiring the City to use or apply to the payment of principal of and interest on the Notes any funds or revenues from any source other than proceeds of the Bonds and Nontax Revenues. Nothing herein, however, shall be deemed to prohibit the City, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Ordinance or of the Notes.

For purpose of this Ordinance, "*Nontax Revenues*" shall mean all moneys of the City which are not moneys raised by taxation, to the extent available for such purposes, including, but not limited to the following: (a) grants from the United States of America and the State of Ohio; (b) payments in lieu of taxes now or hereafter authorized by State statute; (c) fines and forfeitures which are deposited in the City's General Fund; (d) fees deposited in the City's General Fund from properly imposed licenses and permits; (e) investment earnings on the City's General Fund and which are credited to the City's General Fund; (f) investment earnings of other funds of the City that are credited to the City's General Fund; (g) proceeds from the sale of assets which are deposited in the City's General Fund; (h) rental income which is deposited in the City's General Fund; (i) gifts and donations; and (j) proceeds from the sale of any portion of the Project.

Section 11. The Finance Director is authorized and directed to provide the notification required by Section 165.03(D) of the Ohio Revised Code to the Director of the Ohio Development Services Agency.

Section 12. The legal services of the law firm of Squire Patton Boggs (US) LLP are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Notes and securities issued in renewal of the Notes. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The Finance Director is authorized and

directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

Section 13. This City Commission determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding special obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 14. This City Commission finds and determines that all formal actions of this City Commission and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission or any of its committees, and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 15. That by reason of the emergency set forth and defined in the preamble hereto, this Ordinance shall take effect and be in force immediately.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

(Published: Springfield News-Sun

_____, _____, 2019)

I do hereby certify that the foregoing Ordinance No. 19-_____ was duly published in the *Springfield News-Sun* on _____, _____, 2019.

CLERK OF THE CITY COMMISSION

Request for Commission Action

City of Springfield, Ohio

Item Number: 161-19

Agenda Date: 6/18/2019

Today's Date: 6/4/2019

Subject: Authorization to issue 2019 Special Assessment Sidewalk Improvement Bond

Submitted By: Mark Beckdahl, Finance Director

Department: Finance/Treasury

Contact: Bob Mauch, Ext 7329

- | | | |
|---|---|---|
| <input type="checkbox"/> 14-Day Ordinance | <input checked="" type="checkbox"/> Emergency Ordinance (provide justification below) | |
| <input type="checkbox"/> Resolution (1 Reading) | <input type="checkbox"/> 14-Day Resolution (2 Readings) | <input type="checkbox"/> Emergency Resolution |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Contract | |

Prior
Ordinance/Resolution:

Date of Prior
Ordinance/Resolution:

Summary:

Ordinance No. 19-98, passed 3/26/2019, authorized the levy and collection of sidewalk, curb and gutter assessments for construction conducted during 2018, and provided for a period of direct payment to the City. With the expiration of the collection period, the issuance of a five (5) year special assessment bond is now necessary to cover those assessments remaining unpaid. The assessments remaining unpaid have been certified to the County Auditor for collection over a five year period, with interest, to retire the bonds.

I hereby respectfully request legislation authorizing the issuance of a five-year Special Assessment Bond in the maximum aggregate principal sum of \$149,500 to fund the unpaid property owners' share of the 2018 Sidewalk Curb & Gutter Program and to retire bond anticipation notes issued May 1, 2019.

Justification for Emergency Action: *(use reverse side if needed)*

This proposed 5-year special assessment bond is to cover the unfunded property-owners' share of improvements during the 2018 sidewalk improvement program. Bond anticipation notes were issued in 2018 to provide the cash to pay the City's contractors for the repairs. Those notes will matured on May 1, 2019. An interim financing note was issued on May 1, 2019 to pay the maturing principal and interest on the 2018 notes and can be now be redeemed with the issuance of this bond. An emergency ordinance is now necessary so the bond can be issued to retire the interim financing notes on July 1 and mitigate further interest cost.

<u>Department/Division</u>	<u>Fund Description</u>	<u>Account Number</u>	<u>Actual Cost</u>
----------------------------	-------------------------	-----------------------	--------------------

Total Cost:

AN ORDINANCE NO. _____

Providing for the issuance of bonds to pay the property owners' portion, in anticipation of the collection of special assessments heretofore levied of 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.

...oooOOOooo...

WHEREAS, the City Commission of The City of Springfield, Ohio, has declared the necessity of improving various locations throughout the City by constructing sidewalks, curbs and gutters comprised in the 2018 Sidewalk, Curb and Gutter Program, and in order to finance such improvements, has authorized and issued in anticipation of the issuance of bonds and the levy and collection of special assessments, notes dated May 1, 2018 in the amount of \$160,300, notes dated December 18, 2019 in the amount of \$87,200, which matured May 1, 2019 (collectively, the "Original Notes") and were refunded with notes dated May 1, 2019 (the "Interim Financing Notes") in the amount of \$140,500 which will be redeemed on July 3, 2019; and

WHEREAS, the City Commission finds and determines that the Interim Financing Notes should be retired with the proceeds of the bonds to be issued and other funds available to the City; and

WHEREAS, the Finance Director, as fiscal officer, has certified to this City Commission that the maximum maturity of the bonds proposed to be issued is twenty (20) years and the estimated life or period of usefulness of the improvements which have been constructed is at least five (5) years, but that the maximum maturity may not exceed the five (5) year period provided for the collecting of the assessments; and

WHEREAS, it is the determination of the City Commission that the sale and issuance of bonds as authorized by this Ordinance occur at the earliest possible moment to provide funds to enable the City to retire the Interim Financing Notes and thereby preserve its credit and mitigate further interest cost, which fact together with the necessity of providing for the immediate preservation of the public peace, property, health and safety cause an emergency to exist which requires that this Ordinance take effect and be in full force from and after the time hereinafter specified: NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio, at least four of its members concurring:

Section 1. That it is necessary to issue bonds of The City of Springfield, Ohio

(the "City") in the maximum aggregate principal sum of One Hundred Forty-Nine Thousand Five Hundred Dollars (\$149,500) (the "Bonds") to pay the property owners' portion, in anticipation of the collection of special assessments heretofore levied, of the cost of constructing sidewalks, curbs and gutters comprised in the 2018 Sidewalk, Curb and Gutter Program at various locations throughout the City. It is necessary and determined to be in the best interest of the City to issue the Bonds in accordance with the terms of this Ordinance and Chapter 133 of the Revised Code.

Section 2. That the Bonds shall be issued in one lot and only as fully registered bonds in the denominations of \$1,000.00 or any integral multiple thereof, but no Bond shall be issued in a denomination exceeding the principal amount of the Bonds maturing on any one date; shall be numbered in the order of their authentication; shall be dated as of July 3, 2019; and shall be designated "The City of Springfield, Ohio, Sidewalk Improvement Bonds, Series 2019." The Bonds shall bear interest at the rate of three percent (3.00%) per annum (computed on a 360-day per year basis), payable on June 1 and December 1 of each year, commencing December 1, 2019 (the Interest Payment Dates) until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for, or, if no interest has been paid or provided for, from July 3, 2019. The Bonds shall mature as follows: Thirty Thousand Dollars (\$30,000) in each of the years 2020 through 2023, and Twenty-Nine Thousand Five Hundred Dollars (\$29,250) in 2024 which maturities are in substantially equal annual principal installments. The Bonds shall express on their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance, the Charter of the City and Chapter 133 of the Ohio Revised Code. The provisions of this Ordinance shall control with respect to the Bonds notwithstanding the provisions of Chapter 151 of the Codified Ordinances of the City. The Finance Director may adjust the principal amounts of the Bonds maturing in each of years stated herein if the aggregate principal amount of the Bonds issued is an amount less than \$149,500, as determined in accordance with Section 1 of this Ordinance. In the event such adjustment is necessary, the amount of principal maturing each year shall be in substantially equal annual installments.

If the City Treasurer shall accept for purchase in the Bond Retirement Fund or if the Treasury Investment Board of the City accepts the purchase of this issue, then a single temporary manuscript bond in the maximum amount of \$149,500 numbered SA-19-1 and dated July 3, 2019, shall be issued in lieu of the fully registered bonds described in the paragraph immediately above and such bond shall be payable to the Treasurer of The City of Springfield, Ohio in the installments equal to the amount of principal amount maturing each year, at the same rate of interest, and shall pay interest and principal as described in the paragraph immediately above. Whenever determined necessary by the officer in charge of the Bond Retirement Fund or by the Treasury Investment Board of the City of Springfield, the temporary manuscript bond shall be converted into fully registered bonds of the same maturity and rate of interest in accordance with this Section, and such registered bonds shall be issued in exchange

for the temporary manuscript bond.

Section 3. That the Bonds shall be signed by the Mayor and Finance Director in the name of the City and in their official capacities provided that either or both of those signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication printed on the Bond is signed by the Bond Registrar (as defined in Section 4 hereof), as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Finance Director on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 4. That the Treasurer of the City is appointed to act as the bond registrar, authenticating agent, transfer agent and paying agent (collectively, the Bond Registrar), for the Bonds.

Section 5. That the debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered at that person's address appearing on the Bond Register (as defined in Section 6 hereof) at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date.

Section 6. That so long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep at his office all books and records necessary for the registration, exchange and transfer of the Bonds as provided in this Section (the Bond Register). Subject to the provisions of Section 5 above, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of this Ordinance. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

Any Bond may be exchanged for Bonds of any authorized denomination upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so

in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of exchanged or transferred Bonds, the City shall sign and the Bond Registrar shall authenticate and deliver the Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner, except that the City and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under this Ordinance as the Bonds surrendered upon that exchange or transfer.

Any Bond surrendered to the Bond Registrar for payment, retirement, exchange, replacement or transfer shall be cancelled by the Bond Registrar. The City may at any time deliver to the Bond Registrar for cancellation any previously authenticated and delivered Bonds that the City may have acquired in any manner whatsoever, and those Bonds shall be promptly cancelled by the Bond Registrar. Written reports of the surrender and cancellation of Bonds shall be made to the City Clerk by the Bond Registrar at least twice each calendar year. The cancelled Bonds shall be retained for a period of time and then returned to the City or destroyed by the Bond Registrar.

Section 7. That the Bonds are offered at par and any accrued interest to the City Treasurer, as officer in charge of the Bond Retirement Fund of the City. Bonds not purchased for the Bond Retirement Fund shall be offered to the Treasury Investment Board for purchase, and if any Bonds are not taken by the Bond Retirement Fund or the Treasury Investment Board for purchase, then the Bonds not so taken shall be advertised for public sale and sold in accordance with law and the provisions of this Ordinance. The Finance Director shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the original purchaser upon payment of the purchase price.

Section 8. That the proceeds from the sale of the Bonds, except any premium and accrued interest, shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund to be applied to the payment of the debt charges on the Bonds in the manner provided by law.

Section 9. That the City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants (a) that it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (b) that it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Finance Director, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or deviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts,

circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Section 10. That all special assessments collected for the improvement described in Section 1, and any unexpended balance remaining in the improvement fund after the cost and expenses of that improvement have been paid, shall be used for the payment of the debt charges on the Bonds until paid in full and shall be used for no other purpose. In the event and to the extent that those special assessments are not collected, there shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. However, in each year to the extent the income from the levy of the special assessments for the improvement is available for the payment of the debt charges on the Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of the income so available and appropriated.

Section 11. That the City Clerk is directed to deliver a certified copy of this Ordinance to the Auditor of Clark County, Ohio.

Section 12. That this City Commission determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have been performed and have been met, or at the time of delivery of the Bonds will have been performed and met, in regular and due form as required by law; that the full faith and credit and general taxing power (as described in Section 10) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 13. That it is found and determined that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 14. That by reason of the emergency set forth and defined in the preamble hereto, this Ordinance shall take effect and be in force immediately.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

(Published: Springfield News-Sun
_____, 2019)

I do hereby certify that the foregoing Ordinance No. _____ was duly
published in the Springfield News-Sun on _____, _____, 2019.

CLERK OF THE CITY COMMISSION

Request for Commission Action

City of Springfield, Ohio

Item Number: 162-19

Agenda Date: 6/18/2019

Today's Date: 6/12/2019

Subject: Savvik Buying Group Purchasing Cooperative

Submitted By: Mark Beckdahl, Finance Director

Department: Finance

Contact: Emily Adamson

<input type="checkbox"/> 14-Day Ordinance	<input checked="" type="checkbox"/> Emergency Ordinance (provide justification below)	
<input type="checkbox"/> Resolution (1 Reading)	<input type="checkbox"/> 14-Day Resolution (2 Readings)	<input type="checkbox"/> Emergency Resolution
<input type="checkbox"/> Motion	<input type="checkbox"/> Contract	

Prior
Ordinance/Resolution:

Date of Prior
Ordinance/Resolution:

Summary:

Respectfully request the City Commission authorize the City to participate in the Savvik Buying Group Purchasing Cooperative. Savvik Buying Group is a non-profit organization owned by its members and formed to reduce the financial impact within the EMS industry.

Savvik Buying Group operates as an omnibus for public sector contracts, similar to Omnia Partners, wherein government agencies are permitted to participate in contracts which have been awarded through the formal bid process by other political subdivisions.

Section 9.48 of the Ohio Revised Code recognizes the authority of Ohio Municipalities to participate in cooperative purchasing programs conducted by other states. It would be beneficial to the City of Springfield to have available to it economic contracts for the purchase of goods and services which may be obtained by Savvik Buying Group.

Justification for Emergency Action: *(use reverse side if needed)*

An emergency ordinance is being requested in order to purchase from the cooperative purchasing contract to secure pricing.

<u>Department/Division</u>	<u>Fund Description</u>	<u>Account Number</u>	<u>Actual Cost</u>
----------------------------	-------------------------	-----------------------	--------------------

Total Cost:

AN ORDINANCE NO. _____

Securing to The City of Springfield, Ohio, the benefits of the Savvik Buying Group Purchasing Cooperative; and declaring an emergency.

oooOOOooo

WHEREAS, Section 9.48 of the Ohio Revised Code provides the opportunity for counties, townships and municipal corporations to participate in cooperative purchasing programs conducted by other states; and

WHEREAS, Savvik Buying Group obtains master services agreements through partnerships with various municipalities and public entities operating under the enabling authority of each respective legislative body; and

WHEREAS, the City wishes to avail itself of the benefits of the Savvik Buying Group Purchasing Cooperative; and

WHEREAS, it is necessary that this Ordinance become effective immediately in order to purchase through the cooperative and secure available pricing, thereby providing for the usual daily operation of the Fire Division, which this Commission finds creates an emergency necessitating the immediate effectiveness of this Ordinance:
NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio, at least four of its members concurring:

Section 1. That The City of Springfield, Ohio, hereby requests authority to participate in contracts which Savvik Buying Group has entered into for the purchase of goods and services pursuant to Section 9.48 of the Ohio Revised Code.

Section 2. That the City Manager is hereby authorized to agree in the name of The City of Springfield, Ohio, to bind The City of Springfield, Ohio to all contract terms and conditions as Savvik Buying Group prescribes. Further, that The City of Springfield, Ohio, does hereby agree to be bound by all such terms and conditions.

Section 3. That the City Manager is hereby authorized to agree in the name of The City of Springfield, Ohio to directly order from the vendor and directly pay the vendor, under each such Savvik Buying Group contract in which it participates, for items it receives pursuant to the contract, and that The City of Springfield, Ohio does hereby agree to directly order from the vendor and directly pay the vendor.

Section 4. That the Clerk of the City Commission is hereby directed to file a certified copy of this Ordinance with Savvik Buying Group, P.O. Box 2286, St. Cloud,

MN, 56302.

Section 5. That by reason of the emergency set forth and defined in the preamble hereto, this Ordinance shall take effect and be in force immediately.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

Request for Commission Action

City of Springfield, Ohio

Item Number: 091-19

Agenda Date: 6/18/19

Today's Date: 6/11/19

Subject: Amendment No. 1 with Crawford, Murphy & Tilly, Inc., for Design and Engineering Services for North Street Sewers

Submitted By: Leo Shanayda, City Engineer

Department: Engineering

Contact: Leo Shanayda

<input type="checkbox"/> 14-Day Ordinance	<input checked="" type="checkbox"/> Emergency Ordinance (provide justification below)	
<input type="checkbox"/> Resolution (1 Reading)	<input type="checkbox"/> 14-Day Resolution (2 Readings)	<input type="checkbox"/> Emergency Resolution
<input type="checkbox"/> Motion	<input checked="" type="checkbox"/> Contract	

Prior
Ordinance/Resolution: 19-99

Date of Prior
Ordinance/Resolution: 3/26/19

Summary:

An amendment to the contract between the City and Crawford, Murphy & Tilly, Inc., is required so that additional work can be added to the agreement. The additional work is to include:

- Design and replace of existing 30" combined sewer from manhole ST-11005 to manhole ST-5715, a distance of approximately 155 feet. The design will include provisions for repairing the asphalt parking lot and roadway.
- Create bypass pumping notes and details for inclusion in the plans. Potential routes are from ST-7841 to ST-4560 (preferred) or from ST-7841 to ST-7843. The latter option would require crossing North Street with the bypass line.
- Create additional maintenance of traffic notes to address work within North Street/Murray Street.

Due to an increase in design requirements, the contract price will be increased, thus an amendment must be issued.

Justification for Emergency Action: *(use reverse side if needed)*

This amendment should be granted as an emergency in order to expedite the start of this work, so the design component will not be delayed.

Department/Division	Fund Description	Account Number	Actual Cost
Engineering	Sewer	331207-4030 (7202)	\$ 6,290.00

Total Cost: \$ 6,290.00

AN ORDINANCE NO. _____

Authorizing the City Manager to enter into Amendment #1 to the Project Engineering Agreement with Crawford, Murphy & Tilly, Inc. for the North Street Sewers Project for an amount not to exceed \$6,290.00, for a total agreement amount not to exceed \$107,745.00; and declaring an emergency.

...oooOOOooo...

WHEREAS, the City and Crawford, Murphy & Tilly, Inc. have entered into a Project Engineering Agreement pursuant to Ordinance No. 19-99, for the North Street Sewers Project and the City now requires additional services; and

WHEREAS, it is necessary that this Ordinance become effective immediately in order to expedite the start of additional work, which creates an emergency to preserve the public peace, health, safety and property necessitating the immediate effectiveness of this Ordinance; NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio, at least four of its members concurring:

Section 1. That the City Manager is hereby authorized to enter into Amendment #1 to the Project Engineering Agreement with Crawford, Murphy & Tilly, Inc. for the North Street Sewers Project for an amount not to exceed \$6,290.00, for a total agreement amount not to exceed \$107,745.00, a copy of which is attached hereto and is hereby approved.

Section 2. That by reason of the emergency set forth and defined in the preamble hereto, this Ordinance shall take effect and be in force immediately.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

PROJECT ENGINEERING AGREEMENT
NORTH STREET SEWER INFRASTRUCTURE IMPROVEMENTS – 2019
SURVEY, DESIGN AND ENGINEERING SERVICES

[Amendment #1]

THIS AMENDING AGREEMENT entered into this ____ day of June, 2019 by and between **THE CITY OF SPRINGFIELD, OHIO**, a municipal corporation (hereinafter "OWNER") whose mailing address is 76 East High Street, Springfield, Ohio 45502 and **CRAWFORD, MURPHY & TILLY, INC.** (hereinafter "ENGINEER"), a Delaware corporation and firm of engineers whose mailing address is 84 Remick Blvd, Springboro, Ohio 45066: WITNESSETH:

WHEREAS, OWNER and ENGINEER have entered into a PROJECT ENGINEERING AGREEMENT NORTH STREET SEWER INFRASTRUCTURE IMPROVEMENTS – 2019 SURVEY, DESIGN AND ENGINEERING SERVICES dated March 26th 2018 (hereinafter the "Subject Agreement") and wish to modify certain provisions of the Subject Agreement to their mutual benefit; and,

WHEREAS, OWNER and ENGINEER have negotiated a mutually acceptable Amending Agreement to accomplish the herein described additional work on top of the requirements already encompassed in the Subject Agreement. This additional work is to include:

- Design and replace of existing 30" combined sewer from manhole ST-11005 to manhole ST-5715, a distance of approximately 155 feet. The design will include provisions for repairing the asphalt parking lot and roadway.
- Create bypass pumping notes and details for inclusion in the plans. Potential routes are from ST-7841 to ST-4560 (preferred) or from ST-7841 to ST-7843. The latter option would require crossing North Street with the bypass line.
- Create additional maintenance of traffic notes to address work within North Street / Murray St.

Permit to Install has not been included. Exemption applies since the length of the replacement is less than 1,000 feet with no change in alignment, pipe size and number of manholes [Ohio Administrative Code 3745-42-02 (B) (14)].

Sewer lining, included in the original scope of work as an if-authorized item, will no longer be required.

WHEREAS, OWNER and ENGINEER have mutually agreed that the above mentioned additional services established in addition to the Subject Agreement services will incur the following additional fee.

- The total base fees for this additional scope of work are equal to \$5,730. An additional easement may be necessary for this work and is included if-authorized. Summary of original project fee plus this additional work follows.

Original Authorized Scope of Work	\$ 90,675
Line 1 Scope (Sewer Lining from ST-7841 north to ST-8696)	\$ 1,060
Contract Modification #1	\$ 5,730
Easement Legal Descriptions & Exhibits (\$1,620/parcel) [if authorized]	\$ 11,340
TOTAL NOT TO EXCEED FEE W/ ALL IF-AUTHORIZED FEES	\$ 107,745

A breakdown of these hours for additional work is included below for reference as Table 1 and Table 2 on the following page.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

Table 1.

CRAWFORD, MURPHY & TILLY, INC.
CONTRACT ATTACHMENT - EXHIBIT A - 2019 PROFESSIONAL SERVICES COST ESTIMATE

CLIENT	CITY OF SPRINGFIELD
PROJECT NAME	NORTH STREET SEWERS - CONTRACT MODIFICATION #1
CUT JOB NO.	19061491-00

DATE	05/15/10
Prep By	JWJ

Approved by	SAK
DATE	06/15/10

[illegible]

Table 2.

[illegible]

IN WITNESS WHEREOF, OWNER and ENGINEER have executed this agreement by their duly authorized representatives on the date first above written.

APPROVED AS TO FORM
AND CORRECTNESS:
Jill N. Allen – Law Director

By: Jason T. Irick
Assistant Law director

THE CITY OF SPRINGFIELD, OHIO


By: _____
Bryan Heck, City Manager

Date _____

I hereby certify that the money required for payment of the above obligation in the sum of \$_____ at the time of the making of this contract or order, was lawfully appropriated for such purpose and was in the treasury or in process of collection to the credit of the proper item of appropriation free from any previous encumbrance.

Finance Director

CRAWFORD MURRAY & TILLY, INC.

By: 
Scott A. Knebel, P.E., Ohio Group
Manager

Date: 6/5/19

Request for Commission Action

City of Springfield, Ohio

Item Number: 196-17

Agenda Date: 6/18/19

Today's Date: 6/11/19

Subject: Change Order No. 2 with Inland Water Pollution Control for the 2017 Miscellaneous Sanitary Sewer Lining Project

Submitted By: Leo Shanayda, City Engineer

Department: Engineering

Contact: Leo Shanayda

- | | | |
|---|---|---|
| <input type="checkbox"/> 14-Day Ordinance | <input checked="" type="checkbox"/> Emergency Ordinance (provide justification below) | |
| <input type="checkbox"/> Resolution (1 Reading) | <input type="checkbox"/> 14-Day Resolution (2 Readings) | <input type="checkbox"/> Emergency Resolution |
| <input type="checkbox"/> Motion | <input checked="" type="checkbox"/> Contract | |

**Prior
Ordinance/Resolution:** 17-251
18-277

**Date of Prior
Ordinance/Resolution:** 10/10/17
10/23/18

Summary:

Work is completed on the above referenced project. In order to compensate the contractor for additional quantities, an up and down adjustment of the quantities is needed, and in order to allow enough time for the project completion, the contract completion date should be extended from November 30, 2018 to June 7, 2019. Due to these changes, a contract change order must be authorized by City Commission.

Justification for Emergency Action: *(use reverse side if needed)*

In order to compensate the contractor for these changes to the project, it is the recommendation of this office that City Commission confirm and approve and authorize the City Manager to execute this change order in the amount of \$52,757.92 by emergency ordinance at their June 18th meeting.

<u>Department/Division</u>	<u>Fund Description</u>	<u>Account Number</u>	<u>Actual Cost</u>
Engineering	Sewer	140637-6050 (7127)	\$52,757.92

Total Cost: \$ 52,757.92

AN ORDINANCE NO. _____

Confirming and approving Change Order No. 2 to the contract between the City and Inland Waters Pollution Control, Inc. for the 2017 Miscellaneous Sanitary Sewer Lining Project, to increase the contract in an amount not to exceed \$52,757.92, for a total amount not to exceed \$588,176.86, and to extend the contract completion date to June 7, 2019; authorizing the City Manager to execute said Change Order No. 2; and declaring an emergency.

...oooOOOooo...

WHEREAS, it is necessary that this Ordinance become effective immediately in order to compensate Inland Waters Pollution Control, Inc. for work previously completed, which creates an emergency to preserve the public peace, health, safety and property necessitating the immediate effectiveness of this Ordinance; NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio, at least four of its members concurring:

Section 1. That this Commission hereby confirms and approves Change Order No. 2 to the contract between the City and Inland Waters Pollution Control, Inc. for the 2017 Miscellaneous Sanitary Sewer Lining Project, to increase the contract in an amount not to exceed \$52,757.92, for a total amount not to exceed \$588,176.86, and to extend the contract completion date to June 7, 2019.

Section 2. That the City Manager is hereby directed and authorized to endorse upon Change Order No. 2, a copy of which is attached, his approval on behalf of the City.

Section 3. That by reason of the emergency set forth and defined in the preamble hereto, this Ordinance shall take effect and be in force immediately.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

CONTRACT CHANGE ORDER

NUMBER (2) Two

DATE June 11, 2019

TYPE OF PROJECT: 2017 Miscellaneous Sewer Lining

CONTRACTOR: Inland Water Pollution Control, 4086 Michigan Ave, Detroit, MI 48210

The following changes are hereby made to the contract plans and specifications:

ITEM NO.	DESCRIPTION OF CHANGE	Contract Cost	
		DECREASE	INCREASE
	NOTE ATTACHED SHEETS		
TOTAL INCREASE			\$94,083.91
TOTAL DECREASE		(\$41,325.99)	

The sum of \$ 52,757.92 is hereby added to, ~~deducted from~~ the total. Therefore, the adjusted contract price to date is \$ 588,176.86.

The time provided for completion in the contract has been extended to June 7, 2019. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

ACCEPTED BY: _____
Contractor

Date

RECOMMENDED BY: _____
Engineer

Date

APPROVED BY: _____
City Manager

Date

CONTRACT CHANGE ORDER

2017 Miscellaneous Sewer Lining			
ITEM NO.	DESCRIPTION OF CHANGE	Contract Cost	
		DECREASE	INCREASE
SPEC	Manhole Rehabilitation using Spray Applied Monolithic Liner (Polyurethane) 54.44 VF @ \$317.28		\$17,272.73
SPEC	8" Sewer Rehabilitation using Cured In-Place Plastic Pipe 1,075 LF @ \$24.82		\$26,681.50
SPEC	15" Sewer Rehabilitation using Cured In-Place Plastic Pipe 1,146 LF @ \$41.38		\$47,421.48
SPEC	18" Sewer Rehabilitation using Cured In-Place Plastic Pipe (621) LF @ \$45.90	(\$28,503.90)	
SPEC	Laterals Reconnected 44 EA @ \$61.55		\$2,708.20
2017 Miscellaneous Sewer Lining - Alternate #1			
SPEC	Manhole Rehabilitation using Spray Applied Monolithic Liner (Polyurethane) (0.85) VF @ \$317.28	(\$269.69)	
SPEC	8" Sewer Rehabilitation using Cured In-Place Plastic Pipe (440) LF @ \$26.29	(\$11,567.60)	
SPEC	Laterals Reconnected (16) @ \$61.55	(\$984.80)	
TOTAL INCREASE			\$94,083.91
TOTAL DECREASE		(\$41,325.99)	

Request for Commission Action

City of Springfield, Ohio

Item Number: 099-19

Agenda Date: 6/18/19

Today's Date: 6/11/19

Subject: Change Order No. 1 with A & B Asphalt Corporation for the 2019 PI Paving Project

Submitted By: Leo Shanayda, City Engineer

Department: Engineering

Contact: Leo Shanayda

<input type="checkbox"/> 14-Day Ordinance	<input checked="" type="checkbox"/> Emergency Ordinance (provide justification below)	
<input type="checkbox"/> Resolution (1 Reading)	<input type="checkbox"/> 14-Day Resolution (2 Readings)	<input type="checkbox"/> Emergency Resolution
<input type="checkbox"/> Motion	<input checked="" type="checkbox"/> Contract	

**Prior
Ordinance/Resolution:** 19-106

**Date of Prior
Ordinance/Resolution:** 4/9/19

Summary:

During construction, it was discovered that the existing street base of Cliff Park Drive was 10", not the 7" as per plan. The contractor was instructed to replace the entire 10" depth. This change order also includes additional work that was needed on Cliff Park Drive. Due to these changes, a contract change order must be authorized by City Commission.

Justification for Emergency Action: *(use reverse side if needed)*

In order to compensate the contractor for these changes to the project, it is the recommendation of this office that City Commission confirm and approve and authorize the City Manager to execute this change order in the amount of \$6,651.45 by emergency ordinance at their June 18th meeting.

<u>Department/Division</u>	<u>Fund Description</u>	<u>Account Number</u>	<u>Actual Cost</u>
Engineering	PI	140012-6050 (4756)	\$6,651.45

Total Cost: \$ 6,651.45

AN ORDINANCE NO. _____

Confirming and approving Change Order No. 1 to the contract between the City and A & B Asphalt Corporation for the 2019 PI Paving Project, to increase the contract in an amount not to exceed \$6,651.45, for a total amount not to exceed \$2,068,675.54; authorizing the City Manager to execute said Change Order No. 1; and declaring an emergency.

...oooOOOooo...

WHEREAS, it is necessary that this Ordinance become effective immediately in order to compensate A & B Asphalt Corporation for work previously completed, which creates an emergency to preserve the public peace, health, safety and property necessitating the immediate effectiveness of this Ordinance; NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio, at least four of its members concurring:

Section 1. That this Commission hereby confirms and approves Change Order No. 1 to the contract between the City and A & B Asphalt Corporation for the 2019 PI Paving Project, to increase the contract in an amount not to exceed \$6,651.45, for a total amount not to exceed \$2,068,675.54.

Section 2. That the City Manager is hereby directed and authorized to endorse upon Change Order No. 1, a copy of which is attached, his approval on behalf of the City.

Section 3. That by reason of the emergency set forth and defined in the preamble hereto, this Ordinance shall take effect and be in force immediately.

PASSED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

CONTRACT CHANGE ORDER

NUMBER 1

DATE June 11, 2019

TYPE OF PROJECT: 2019 PI Paving

CONTRACTOR: A & B Asphalt Corporation, 1780 Enon Road, Springfield, OH 45502

The following changes are hereby made to the contract plans and specifications:

ITEM NO.	DESCRIPTION OF CHANGE	Contract Cost	
		DECREASE	INCREASE
*254	Pavement Planing, Asphalt Concrete 167 SY @ \$2.50		\$417.50
261	Pavement Restoration, Type D-Mod (Base Repair) 47.50 SY @ \$77.82		\$3,696.45
609	Curb, Type A, Straight 61.5 LF @ \$35.00		\$2,152.50
609	Curb and Gutter, Type C, Straight 11 FT @ \$35.00		\$385.00
TOTAL INCREASE			\$6,651.45
TOTAL DECREASE		\$0.00	

The sum of \$6,651.45 is hereby added to, ~~deducted from~~ the total. Therefore, the adjusted contract price to date is \$2,068,675.54.

The time provided for completion in the contract is unchanged. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

ACCEPTED BY: _____
Contractor

Date

RECOMMENDED BY: _____
Engineer

Date

APPROVED BY: _____
City Manager

Date

Request for Commission Action

City of Springfield, Ohio

Item Number: 044-19

Agenda Date: 6/18/19

Today's Date: 6/11/19

Subject: RESOLUTION TO PROCEED for the 2019 Sidewalk, Curb and Gutter Program, Section No. 2
Streets and Selected Locations for Section No. 2

Submitted By: Leo Shanayda, City Engineer

Department: Engineering

Contact: Leo Shanayda

<input type="checkbox"/> 14-Day Ordinance	<input type="checkbox"/> Emergency Ordinance (provide justification below)	
<input type="checkbox"/> Resolution (1 Reading)	<input type="checkbox"/> 14-Day Resolution (2 Readings)	<input checked="" type="checkbox"/> Emergency Resolution
<input type="checkbox"/> Motion	<input checked="" type="checkbox"/> Contract	

Prior

Ordinance/Resolution: 6039
19-96
6049
6050

Date of Prior

Ordinance/Resolution: 2/26/19
3/26/19
4/23/19
5/7/19

Summary:

The following is a list of Streets and Selected Locations recommended for inclusion in the Resolution to Proceed for SECTION #2 of Selected Streets and Selected Locations in the 2019 Sidewalk, Curb and Gutter Program:

Section #2 Streets include:

- Beacon Street – Kenwood Avenue to Sunset Avenue
- Schiller Avenue – Kenwood Avenue to Sunset Avenue
- Grover Street – Rutland Avenue to Fulton Avenue
- Barclay Street – Rutland Avenue to Fulton Avenue

Section #2 Selected Locations include:

- Community Gardens – southeast corner of Burnett Road and High Street, Parcel 3400700022206058

Justification for Emergency Action: (use reverse side if needed)

The resolution to proceed must be approved as an emergency in order to allow the City contractor a sufficient amount of time to complete the work prior to the streets being paved.

Department/Division	Fund Description	Account Number	Actual Cost
---------------------	------------------	----------------	-------------

Total Cost:

A RESOLUTION NO. _____

Ordering the construction or reconstruction of curbs, gutters and sidewalks at Section No. 2 of Streets and Section No. 2 of Selected Locations of the 2019 Sidewalk, Curb, and Gutter Program, as enumerated in Resolution No. 6050, and declaring an emergency.

...oooOOOooo...

WHEREAS, the City Engineer has reported to the City Commission that service has been made with respect to the work required to be done by abutting property owners as hereinafter described and has been completed more than thirty (30) days prior to such reports, which service of notice has been made pursuant to the provisions of Resolution No. 6050 adopted by this Commission; and

WHEREAS, said City Engineer has further reported that some of the property owners so served have failed to perform the work required; and

WHEREAS, it is the determination of the City Commission that the work ordered to be done must be proceeded with forthwith in order to accomplish the same during the present construction season, which this Commission finds creates an emergency to provide for the usual daily operation of the Engineering Department, necessitating the immediate effectiveness of this Resolution: NOW, THEREFORE:

BE IT RESOLVED by the City Commission of The City of Springfield, Ohio, at least four of its members concurring:

Section 1. That the City Engineer is authorized and directed to proceed with the construction or reconstruction of the sidewalks, curbs and gutters along the streets following where the property owners abutting thereon have been served notice to perform the work and have failed within thirty (30) days of said notice to undertake performance thereof:

Section #2 Streets include:

- Beacon Street – Kenwood Avenue to Sunset Avenue
- Schiller Avenue – Kenwood Avenue to Sunset Avenue
- Grover Street – Rutland Avenue to Fulton Avenue
- Barclay Street – Rutland Avenue to Fulton Avenue

Section #2 Selected Locations include:

- Community Gardens – southeast corner of Burnett Road and High Street, Parcel 3400700022206058

Section 2. That the work shall be performed in accordance with the plans and specifications therefor now on file in the office of the Clerk of the City Commission and heretofore approved by this Commission.

Section 3. That the Clerk of the City Commission is directed to file a certified copy of this Resolution with the Auditor of Clark County, Ohio, within fifteen (15) days after its passage in compliance with the requirements of Section 319.61 of the Ohio Revised Code.

Section 4. That by reason of the emergency set forth and defined in the preamble hereto, this Resolution shall take effect and be in force immediately.

ADOPTED this _____ day of _____, A.D., 2019.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION

(Published: *Springfield News-Sun*

_____, 2019)

I do hereby certify that the foregoing Resolution No. _____ was duly published in the *Springfield News-Sun* on _____, 2019.

CLERK OF THE CITY COMMISSION