

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, June 18, 2019, in the Forum of City Hall, was called to order.

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

The invocation was offered by Mr. Copeland, who then led the assembly in the Pledge of Allegiance.

On motion of Mr. Rue, seconded by Dr. Estrop, members approved the minutes of the May 21, 2019, Legislative meeting as presented.

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

Yeas 5, Nays 0.

FIRST READINGS—ORDINANCES

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

132-19 Ordinance titled, "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 Ordinance titled, "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 Ordinance titled, "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."

~~~~~ Next regular City Commission meeting: July 2, 2019. ~~~~~

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**101-19** Ordinance No. 19-165 titled, "Vacating the first alley north of Pleasant Street from Lowry Avenue east to the first north-south intersecting alley"

On motion of Mrs. Chilton, seconded by Mr. Rue, the ordinance passed.

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

Yeas 5, Nays 0.

**149-19** Ordinance No. 19-166 titled, "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."

On motion of Dr. Estrop, seconded by Mr. Rue, the ordinance passed.

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

Yeas 5, Nays 0.

**150-19** Ordinance No. 19-167 titled, "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."

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

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

Yeas 5, Nays 0.

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**158-19** Emergency Ordinance No. 19-168 titled, "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."

On motion of Dr. Estrop, seconded by Mr. Rue, the ordinance passed.

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

Yeas 5, Nays 0.

**160-19** A Fiscal Officer's Certificate was presented in connection with the proposed issuance of Special Obligation Nontax Revenue Note, Series 2019 (the Note) in the maximum principal amount of \$3,300,000, to be issued in anticipation of the issuance of bonds (the Bonds) to pay the cost of constructing and equipping a new parking garage and improving the site therefor, together with all necessary appurtenances thereto. The estimated life of the Improvements is at least five (5) years. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Ohio Revised Code, is at least thirty (30) years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of the notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds. The maximum maturity of the Notes is five years, provided that their maximum maturity is one year if the Notes are sold at private sale.

Emergency Ordinance No. 19-169 titled, "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."

On motion of Dr. Estrop, seconded by Mr. Rue, the ordinance passed.

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

Yeas 5, Nays 0.

The Fiscal Officer's Certificate was presented June 10, 2019, prior to the commencement of the City Commission meeting and prior to passage of the ordinance.

**161-19** A Fiscal Officer's Certificate was presented in connection with the proposed issuance of \$149,500 Sidewalk Improvement Bonds, Series 2019 (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 & Gutter Program at various locations throughout the City. The estimated life or period of usefulness of the improvements is at least five years. The maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Ohio Revised Code, is twenty (20) years, but because the special assessments will be payable over a period of five (5) years, and the Bonds are to be issued in anticipation of the collection of those special assessments, the maximum maturity of the Bonds is five (5) years.

Emergency Ordinance No. 19-170 titled, "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."

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

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

Yeas 5, Nays 0.

The Fiscal Officer's Certificate was presented June 4, 2019, prior to the commencement of the City Commission meeting and prior to passage of the ordinance.

**162-19** Emergency Ordinance No. 19-171 titled, "Securing to The City of Springfield, Ohio, the benefits of the Savvik Buying Group Purchasing Cooperative; and declaring an emergency."

On motion of Dr. Estrop, seconded by Mr. Rue, the ordinance passed.

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

Yeas 5, Nays 0.

**91-19** Emergency Ordinance No. 19-172 titled, "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."

On motion of Dr. Estrop, seconded by Mr. Rue, the ordinance passed.

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

Yeas 5, Nays 0.

**196-17** Emergency Ordinance No. 19-173 titled, "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."

On motion of Dr. Estrop, seconded by Mr. Rue, the ordinance passed.

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

Yeas 5, Nays 0.

**99-19** Emergency Ordinance No. 19-174 titled, "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."

On motion of Mrs. Chilton, seconded by Mr. Rue, the ordinance passed.

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

Yeas 5, Nays 0.

**163-19** Emergency Ordinance No. 19-175 titled, "Authorizing the City Manager to enter into a State & Municipal Lease/Purchase Agreement with Clayton Holdings, LLC and related Escrow Agreement by and among Clayton Holdings, LLC, The Commerce Trust Company, and the City of Springfield, Ohio in the principal amount of \$362,747.82 to finance the purchase of two Frazer Medic Units and appurtenant equipment; authorizing the City Manager, Finance Director, City Treasurer and Law Director to do all things they deem necessary to enter into and complete the subject lease transaction; and declaring an emergency."

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

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

Yeas 5, Nays 0.

**164-19** Emergency Ordinance No. 19-176 titled, "Authorizing the purchase of two Frazer Type III 14' Ambulances from Frazer, Ltd., for an amount not to exceed \$337,787.04, through the H-GAC Cooperative Purchasing Program in accordance with the provisions of Section 9.48 of the Ohio Revised Code; authorizing the purchase and installation of appurtenant equipment for said ambulances from various vendors for an amount not to exceed \$24,960.78; and declaring an emergency."

On motion of Dr. Estrop, seconded by Mr. Rue, the ordinance passed.

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

Yeas 5, Nays 0.

**167-19** Emergency Ordinance No. 19-177 titled, "Authorizing the City Manager to enter into an Agreement by and between The City of Springfield, Ohio and A.F.S.C.M.E. Local 1608, Ohio Council 8, AFL-CIO; and declaring an emergency."

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

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

Yeas 5, Nays 0.

### **EMERGENCY RESOLUTIONS**

The following legislation was presented for the first time:

**44-19** Emergency Resolution No. 6054 titled, "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."

On motion of Mr. Rue, seconded by Dr. Estrop, the resolution was adopted.

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

Yeas 5, Nays 0.

**165-19** Emergency Resolution No. 6055 titled, "Consenting to the appointment of John M. Spencer to the City Planning Board; and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mr. Rue, the resolution was adopted.

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

Yeas 5, Nays 0.

### **COMMENTS ON AGENDA ITEMS**

**102-19** Mr. Rue asked for additional information on the proposed amendment of the Motor Vehicle License Tax adopted at the last meeting. City Manager Heck explained the state's recent provision for an additional Motor Vehicle License Tax allows for collection to begin on January 1, 2020. The amended ordinance reflects the correct commencement date.

**149-19** Dr. Estrop asked for a brief review of the 2019 Energized Community Grant through the Northeast Ohio Public Energy Council (NOPEC). Assistant to the City Manager Cobbs explained the city may apply for a grant assisting with the implementation of energy-saving initiatives for the city as an organization. Mr. Heck added that NOPEC also has programs for commercial and residential customers.

Mr. O'Neill asked if NOPEC controls how the grant funds are used by the city. Ms. Cobbs stated the city will choose the energy-saving projects and select the contractors with NOPEC paying the contractors directly.

**150-19** Mrs. Chilton asked for additional information on the removal and application of bio-solids. Service Director Moore explained the Wastewater Treatment Plant's process of separating liquids which are treated at the plant from solids that are stored then hauled away as fertilizer.

**196-17** Dr. Estrop commented the sanitary sewer liner process saves time and money without damaging streets and replacing sewer lines. City Engineer Shanayda also stated sewer lines treated with a liner are subsequently stronger than regular sewer lines.

**99-19** Dr. Estrop asked for additional detail on the 2019 PI Paving Project change order. Mr. Shanayda replied that the project required a 10-inch base instead of the estimated 7-inch base which resulted in additional material used. The curb was also extended 30 feet from the original project proposal.

**164-19** Dr. Estrop asked if the requested ambulances are manufactured locally by Navistar. Fire Chief Miller explained the truck portions are manufactured locally through a partnership with International and General Motors. The frames will be fitted with the ambulance bodies in Texas; local vendors will customize the final vehicles.

Mr. Rue asked how many have been purchased recently. Chief Miller stated that three of these vehicles were also purchased in 2018 fulfilling tax levy promises to upgrade fire apparatus and equipment.

**167-19** Mr. Copeland stated that he was pleased an agreement had been reached with the employee bargaining unit, A.F.S.C.M.E. Local 1608.

### **COMMENTS FROM COMMISSIONERS**

**4-19** Dr. Estrop spoke on attending the Springfield Air National Guard Community Day with the 178<sup>th</sup> Wing Mission. He thanked the many people involved and stated that he learned much from the event.

**136-19** Dr. Estrop also announced the Groundbreaking Ceremony for the new downtown parking garage scheduled for Thursday, June 27, 2019, at 2 p.m.

**4-19** Mrs. Chilton thanked those who attended the Community Health Fair at the Family Needs Center on June 18.

**5-17** Mr. O'Neill spoke on the recent Transportation Coordinating Committee meeting related to the Derr Road reconstruction project. Mr. O'Neill stated his concerns over the miscommunications related to a vote that was scheduled for June 14 but was postponed until September. Mr. O'Neill stated that the citizen participation for the project has been great, and thanked Commissioners Estrop and Chilton for their diligence in making sure the citizens and city were represented in the decision-making. Mr. O'Neill also thanked Matt Parrill from the Ohio Department of Transportation (ODOT) for coming to the June 14 meeting and helping with the TCC Board tabling their decision until September. ODOT will further review the project. Mr. O'Neill stated the citizens have spoken on how they want the project completed, but many on the TCC Board would have voted to have it built differently.

Mr. Rue also thanked Commissioners Estrop and Chilton for their representation on the TCC Board and fighting for the citizens.

Mr. Copeland commented that the City Commission and staff must stay on top of the project.

Dr. Estrop stated that TCC staff had asked for two subcommittees to vote on the project without having all of the critical information needed for an informed vote.

Mrs. Chilton added that she personally contacted the director and learned that the subcommittees had voted without all of the required information. Mrs. Chilton also added that no decision has been made at this time and the project is still ongoing.

**4-19** Mr. Copeland asked for information on the process of possible removal of certain traffic signals for citizens who have concerns. Mr. Shanayda detailed the ODOT process as follows: (1) identified signals are set to flashing for 90 days while seeking citizen input, (2) identified signals for removal are then covered for 60 days for evaluation, and (3) the signals are removed upon evaluation results. The final disposition is determined by the staff using ODOT protocol, not by City Commission action.

Mrs. Chilton asked for the process for citizens wishing to keep the signals in the original location. Mr. Shanayda explained that staff uses the ODOT process for evaluation, but City Commission may request to halt the process. The selected locations no longer meet warrant by ODOT standards which include traffic volumes and pedestrian traffic.

Mr. Copeland commented about maintaining traffic speeds in areas that would have long distances without traffic signals nor stop signs as a result of signal removal.

Mr. O'Neill asked if sight distance is taken into consideration of the traffic signal removal, specifically the area of Sunset and Burnett Road. Mr. Shanayda responded that sight distance is a factor and stated staff would look again at the area.

Dr. Estrop asked if four-way stop signs could be considered in place of the traffic signals. Mr. Shanayda indicated that another traffic study could be conducted to determine if the location warrants a four-way stop.

Service Director Moore added that the Service Department staff also reviews the signals from an operations standpoint. The subject traffic signals did not meet warrant in 2009 and do not today. Most of the signals are at the end of useful life, and staff felt obligated to explore other options other than replacing them with very expensive hardware and mast poles.

Mr. Danny Mapp, Portage Path, asked why staff waited until after school was out for the summer to begin the traffic signal study. Mr. Moore explained the traffic patterns are studied at different times of the year. The 90-day evaluation period recently began. Other factors taken into account include proximity to schools.

### COMMENTS FROM THE AUDIENCE

**4-19** Mr. Michael Gilbert, 360 South Limestone Street, Apt. #208, spoke about his upcoming jury trial on June 27, 2019, where he faces two felony charges. Mr. Gilbert described his arrest and his offer to facilitate educational opportunities for the public and staff on racial and disability discrimination.

Upon violating the public comment time limit of three minutes, Mr. Gilbert was asked to step away from the podium and then from the meeting.

Mr. Rue commented that that Mr. Gilbert violated the commission's adopted rules to maintain a fair public meeting.

Mr. Copeland stated that he turned over Mr. Gilbert's concerns pertaining to service and support animals to the Human Relations Board who responded with education materials related to the matter.

**4-19** Mr. David Sanford, 528 Yellow Springs Street, spoke on unfair practices by Code Enforcement related to junk and trash violations, the need for fence permits, the mishandling of Civil Rights complaints, neighborhood grants, and the hiring practices by the city related to minority workers.

Mr. Copeland explained the Choice Neighborhood Grant discussed during a previous work session has very specific requirements for approval and disbursement. The targeted area must include public housing and cannot be used for property downtown.

Mr. Copeland also stated the Human Relations Board has discussed the issue of minority hiring and expects to hear from city staff on recruitment efforts at their next meeting.

### COMMUNICATIONS

The following communications were received and filed:

**51-19** Minutes from the May, 2019, meeting of the National Trail Parks and Recreation Board.

**130-19** Minutes from the April and May, 2019, meetings of the Community Beautification Committee.

**160-19** Adopted Resolution and Certificate of Approval by Designated Community Improvement Corporation dated June 18, 2019, in support of the construction of a parking garage.



There being no further business, on motion of Mr. O'Neill, seconded by Dr. Estrop, the meeting adjourned at 8:13 p.m..

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

Yeas 5, Nays 0.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION