

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, July 30, 2019, in the Forum of City Hall, was called to order by Assistant Mayor and Acting President Chilton.

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

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

On motion of Dr. Estrop, seconded by Mr. Rue, members approved the minutes of the July 2, 2019, Public Hearings and Legislative Meeting as presented.

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

Yeas 4, 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:

**166-19** An Ordinance titled, "Amending the Zoning Map of Springfield, Ohio by rezoning 4.7 acres at 1311 Lagonda Avenue, Springfield, Ohio from RS-8, Medium-Density, Single-Family Residence District to M-1, General Manufacturing District."

**2-19** An Ordinance titled, "Confirming and approving Change Order No. 1 to the Owner's Representative Agreement between the City and Rodgers Incorporated relating to the Downtown Parking Garage, to increase the contract in an amount not to exceed \$2,062.50, for a total amount not to exceed \$89,212.50; and authorizing the City Manager to execute said Change Order No. 1."

**108-19** An Ordinance titled, "Authorizing the City Manager to enter into Amendment No. 1 to the contract for demolition services with Tony Smith dba Tony Smith Wrecking & Trucking to increase the contract amount by \$200,000.00, for a total amount not to exceed \$400,000.00."

**188-19** An Ordinance titled, "Authorizing the City Manager to enter into a Cooperation Agreement with The Springfield City School District Board of Education to assist the City and the Board of Education in creating and maintaining safe and orderly schools; and confirming and approving services provided up to the passage of this ordinance."

**189-19** An Ordinance titled, "Authorizing the City Manager to enter into a contract with Chemical Services, Inc. for the purchase of Liquid Ferric Sulfate 60%, for an amount not to exceed \$138,600.00."

**190-19** An Ordinance titled, "Authorizing the issuance of a purchase order for the purchase of three Progressive Cavity Sludge Pumps from Sullivan Environmental Technologies, Inc. for an amount not to exceed \$68,898.00."

~~~~~ Next regular City Commission meeting: August 13, 2019. ~~~~~

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**13-19** An Emergency Ordinance No. 19-206 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor; and declaring an emergency."

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

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

Yeas 4, Nays 0.

**14-19** An Emergency Ordinance No. 19-207 titled, "Providing for Supplemental Appropriations within various funds; and declaring an emergency."

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

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

Yeas 4, Nays 0.

**281-18** An Emergency Ordinance No. 19-208 titled, "Authorizing the City Manager to enter into Amendment No. 1 to the Redevelopment Agreement with Simms Center Street Townes, Ltd., to allow for the recording of the plat to occur after or contemporaneous to the transfer of the land to the developer; and declaring an emergency."

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

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

Yeas 4, Nays 0.

**191-19** An Emergency Ordinance No. 19-209 titled, "Authorizing the City Manager to enter into a Development Incentive Agreement (Single Family Residential Development) with Virgil L. & Sheila W. Phillips to provide for sewer services to real property outside the City limits; and declaring an emergency."

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

Yeas, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton. Yeas 4, Nays 0.

**68-19** An Emergency Ordinance No. 19-210 titled, "Confirming and approving Change Order No. 1 to the contract between the City and J & J Schlaegel, Inc. for the 2019 Miscellaneous Water Service Replacement Project, to increase the contract in an amount not to exceed \$40,056.94, for a total amount not to exceed \$495,946.94, and to extend the contract completion date to June 21, 2019; authorizing the City Manager to execute said Change Order No. 1; and declaring an emergency."

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

Yeas, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton. Yeas 4, Nays 0.

**97-15** An Emergency Ordinance No. 19-211 titled, "Confirming and approving Change Order No. 2 to the contract between the City and Eagle Bridge Co. for the CLA Bechtle - 0.57, PID No. 99563, and further identified as the Bechtle Avenue bridge over the lagoon project, to increase the contract amount by \$18,128.56, for a total contract amount not to exceed \$1,433,739.63; and authorizing the City Manager to execute said Change Order No. 2; and declaring an emergency."

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

Yeas, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton. Yeas 4, Nays 0.

**174-18** An Emergency Ordinance No. 19-212 titled, "Confirming and approving Change Order No. 2 to the contract between the City and Insituform Technologies, LLC for the 2018 Miscellaneous Sanitary Sewer Lining Project, to increase the contract in an amount not to exceed \$117,381.68, for a total amount not to exceed \$587,782.92, and to extend the contract completion date to July 12, 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, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton. Yeas 4, Nays 0.

**192-19** An Emergency Ordinance No. 19-213 titled, "Authorizing the City Manager to enter into a contract with Insituform Technologies, LLC for the 2019 Miscellaneous Sewer Lining Project for an amount not to exceed \$213,285.82; and declaring an emergency."

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

Yeas, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton. Yeas 4, Nays 0.

**4-17** An Emergency Ordinance No. 19-214 titled, "Authorizing the City Manager to enter into Agreement No. 33839 with West Erie Realty Solutions, Ltd. for the CLA McCreight Avenue Project, PID No. 104831 for an amount not to exceed \$79,350.00; and declaring an emergency."

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

Yeas, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton. Yeas 4, Nays 0.

### **EMERGENCY RESOLUTION**

The following legislation was presented for the first time:

**193-19** An Emergency Resolution No. 6059 titled, "Consenting to the reappointment of Denise D. Williams to the Board of Zoning Appeals."

On motion of Mr. O'Neill, seconded by Mr. Rue, the resolution was adopted.

Yeas, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton. Yeas 4, Nays 0.

**194-19** An Emergency Resolution No. 6060 titled, "Reappointing Craig Genet to the Historic Landmarks Commission."

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

Yeas, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton. Yeas 4, Nays 0.

### **LIQUOR PERMIT**

**185-19** On motion of Mr. O'Neill, seconded by Mr. Rue, the administration's report relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit from St. Paris Petroleum LLC, 1242 St. Paris Road, Springfield, Ohio 45504, was ordered received and filed with the City Clerk.

### **COMMENTS ON AGENDA ITEMS**

**2-19** Dr. Estrop asked for additional detail on the amended agreement with Rodgers Incorporated related to the Downtown Parking Garage. City Manager Heck explained the change did not pertain to the actual construction of the garage, but the requirement of professional liability insurance in addition to general liability insurance.

**108-19** Mr. O'Neill requested additional information on the requested demolition services funding. Community Development Director Meadows stated the additional funding would be used for more demolitions. The initial appropriations were for half of the budgeted amount, and the proposed legislation would appropriate the remaining budget.

**188-19** Dr. Estrop spoke on the successful partnership between the Springfield City Schools and the Police Division for resource officers in the schools.

Mrs. Chilton asked how many officers work in the schools. Police Chief Graf stated two officers are at the high school and two are at the junior high schools. In addition to the subject contract, D.A.R.E. officers are at the elementary buildings and two resource officers are at Clark State Community College. Officers serve in many roles including security, safety, mentoring, and community relations.

**14-19** Mr. David Sanford, 528 Yellow Springs Street, asked for additional information on the supplemental appropriations. Finance Director Beckdahl explained the three requests for additional appropriations were from Human Relations, Forestry and Engineering to cover expenses not planned.

**281-18** Dr. Estrop asked for additional detail on the amended agreement for the town homes project. Mr. Heck explained the original agreement stated the plat agreement would be recorded prior to the transfer of the property to the developer. To allow construction to begin sooner, the agreement would be amended to allow recording after the transfer.

**68-19** Dr. Estrop requested more information on the water service replacement project change order. City Engineer Shanayda explained the final change order addressed additional services by the contractor including a change from plastic to metal meter pit lids. Mr. Shanayda added the lid change will be changed for all future project specifications.

**97-15** Dr. Estrop asked for change order information on the Bechtel bridge project. Mr. Shanayda explained the project required additional concrete that increased the project total.

**174-18 and 192-19** Dr. Estrop asked for additional information on both the 2018 and 2019 Miscellaneous Sewer Lining Projects. Mr. Shanayda stated the change order for the 2018 project covered additional work for a line under a local car dealership parking lot in addition to a line repaired before an emergency situation occurred. The proposed legislation for the 2019 project awards the project to the contractor after the bid process.

**4-17** Dr. Estrop requested detail on the McCreight Avenue Project. Mr. Shanayda stated the vendor agreement allows for negotiations with property owners prior to the McCreight Avenue reconstruction.

Mrs. Chilton asked for the area of reconstruction, and Mr. Shanayda stated the project area would be McCreight Avenue from Limestone Street to Cedarview.

### **COMMENTS FROM COMMISSIONERS**

**197-19** Mr. O'Neill suggested food truck regulations as a future commission work session topic. Mr. O'Neill stated that he is not opposed to food trucks, but understands the frustrations of local restaurant owners when a food truck parks in front of their businesses.

Mr. Heck stated that staff is developing a food truck policy and reviewing policies of other communities.

Mr. Rue commented on the growth of area businesses and food trucks. He also commented on the negative comments made on social media accusing the city of not supporting local businesses. Mr. Rue encouraged citizens to attend the commission meetings to address their concerns.

**4-19** Mr. O'Neill requested additional information on the operation of the new parking garage including management and pricing. Mr. Heck stated this information would soon be presented in a work session.

**148-19** Mrs. Chilton read a letter from Ms. Patty Daniels thanking the City Commission for supporting the children's activities at the Juneteenth Celebration.

### **COMMENTS FROM THE AUDIENCE**

**4-19** Mr. David Sanford, 528 Yellow Springs Street, spoke on various code violations existing in the city including trailers and vehicles parked in yards and overgrowth of weeds and trees. Mr. Sanford stated the violations should be addressed with no prejudice or discrimination.

Mr. Rue asked for staff to explain the process for reporting code violations. Mrs. Meadows explained the various types of violations have different compliance periods. Reports of weeds and tall grass are inspected within 24

hours, notices are sent to the property owners and given five days to comply, and then orders are given to a contractor to cut the grass. Owners given notice for repair or demolition of a structure are given 30 days to comply. Emergency demolition orders can be issued and completed within hours if needed. Junk and trash orders may be given 30 days to comply or as short as 24 hours if hazardous conditions exist. Mrs. Meadows reminded commissioners and citizens that code enforcement is based on a complaint-driven system and issues must be reported.

Dr. Estrop asked about junk car violations. Mrs. Meadows stated unlicensed, inoperable, and junk cars are handled by the Police Division.

Ms. Linda Cooper, Parking Control Officer, explained the junk vehicle procedures used by the Springfield Police Division and stated complaints should be reported to her office at 937-324-7717, Option 3. If a complaint for an unlicensed or an inoperable vehicle is received, an inspection is made and a 10-day tow notice may be issued. The subject vehicle is towed after 10 days of non-compliance. If a property owner reports an unknown vehicle on their property, a 48-hour notice may be posted after the property owner signs an agreement relinquishing responsibility. The vehicle's owner would be responsible for the towing expense. Operable vehicles parked on the street longer than 48 hours may receive a tow notice. If not moved, the vehicle owner would be towed and cited.

**4-19** Mr. Otis Williams, 1627 Yorkshire Court, spoke on building relationships within the city and recent panel discussions on relations. Mr. Williams asked that issues be addressed before a bad situation occurs.

**COMMUNICATIONS**

The following communications were received and filed:

**101-19** File-stamped copy of Ordinance No. 19-165 as filed with the Clark County Auditor and Recorder.

**148-19** Correspondence from Ms. Patty Daniels related to the Juneteenth Celebration.

**195-19** Notification from Ohio Division of Liquor Control of a liquor permit transfer request from Springfield Food Market Inc., dba Clark Oil Station, 936 West North and Western, Springfield, Ohio 45506 to Nagla Food Market LLC, dba Nagla Food Market, 936 West North Street, Springfield, Ohio 45504.

**196-19** Correspondence from U.S. Department of Transportation, Federal Railroad Administration, regarding quiet zone railroad crossing safety.



There being no further business, on motion of Mr. Rue, seconded by Dr. Estrop, the meeting adjourned at 7:41 p.m..

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

Yeas 4, Nays 0.

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ACTING PRESIDENT OF THE CITY COMMISSION

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CLERK OF THE CITY COMMISSION