

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, September 24, 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 President Copeland.

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

On motion of Mr. O'Neill, seconded by Mr. Rue, members approved the minutes of the September 10, 2019, Executive Session, Work Session, and 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:

207-19 An Ordinance titled, "To amend Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by the enactment of new Title Seven titled Vacant Property Registration Program and adopting administrative procedures related thereto; amending Sections 1324.02 titled Class A Civil Offenses and 1324.03 titled Class B Civil Offenses to include the Vacant Property Registration; and repealing existing Sections 1324.02 and 1324.03.

126-13 Authorizing the City Manager to enter into an amendment to the contract with The Ohio Bell Telephone Company dba AT&T Ohio for a one-year extension in connection with certain telephone services for municipal purposes for an amount not to exceed \$80,000.00.

~~~~~ Next regular City Commission meeting: October 8, 2019. ~~~~~

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**213-19** An Ordinance No. 19-246 titled, Authorizing the City Manager to enter into a contract with Rumpke of Ohio, Inc. for the City's 2019 Collection of Fall Bagged Leaves Program for an amount not to exceed \$55,450.00."

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.

**224-18** An Ordinance No. 19-247 titled, "Authorizing the City Manager to enter into a Springfield Comprehensive Housing Strategic Planning and Policy Development Consulting Agreement with Greater Ohio Policy Center, Inc. to help guide and develop a 5-year strategic plan for housing in the City for an amount not to exceed \$70,000."

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.

**214-19** An Ordinance No. 19-248 titled, "Consenting to the mill and fill on North Street from Limestone Street to the Lagonda overpass (west bound only) and the Lagonda overpass to Greenmount, within the City of Springfield, by the Ohio Department of Transportation (identified as CLA US 40 D/40 0.00/13.76, and further identified by PID No. 103332); providing for the maintenance of the right-of-way; and authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the project."

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.

**215-19** An Ordinance No. 19-249 titled, "Consenting to an improvement by the installation of active railroad warning devices at the intersection of Columbus Avenue and Burnett Road, within the City of Springfield (Project identified as CLA Spgfld, North Burnett/Columbus, PID No. 110976); requesting cooperation of the Director of Transportation of the State of Ohio in the planning, design and construction of such improvement; providing for the maintenance of said improvement; and authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the planning and construction of this improvement."

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

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

Yeas 5, Nays 0.

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**13-19** An Emergency Ordinance No. 19-250 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor; 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.

**14-19** An Emergency Ordinance No. 19-251 titled, "Providing for Supplemental Appropriations within various funds; and declaring an emergency."

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

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

Yeas 5, Nays 0.

**222-19** An Emergency Ordinance No. 19-252 titled, "Securing to The City of Springfield, Ohio, the benefits of The Interlocal Purchasing System ("TIPS") Purchasing Cooperative; and declaring an emergency."

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

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

Yeas 5, Nays 0.

**223-19** An Emergency Ordinance No. 19-253 titled, "Authorizing the Re-Roofing Project at Fire Station #1 from Duro Last Roofing, Inc., for an amount not to exceed \$91,269.00, through The Interlocal Purchasing System ("TIPS") Purchasing Cooperative, in accordance with the provisions of Section 9.48 of the Ohio Revised Code; and declaring an emergency."

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

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

Yeas 5, Nays 0.

**224-19** An Emergency Ordinance No. 19-254 titled, "Authorizing the acceptance of an Assistance to Firefighters Grant from the Federal Emergency Management Agency ("FEMA") in an amount up to \$491,913.63; authorizing the local matching expenditure in an amount not to exceed \$49,191.37; authorizing the City Manager, Finance Director, Law Director and Fire Chief to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant and to comply with all relevant local, state and federal legal requirements; 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.

**225-19** An Emergency Ordinance No. 19-255 titled, "Authorizing the installation of a replacement 69KV Oil Switch at the Water Treatment Plant, from Triec Electrical Services, Inc., for an amount not to exceed \$270,000.00, through the Ohio Department of Administrative Services, pursuant to Ohio's Cooperative Purchasing Act in accordance with the provisions of Section 125.04 of the Ohio Revised Code; 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.

**226-19** An Emergency Ordinance No. 19-256 titled, "Authorizing the City Manager to enter into a Subrecipient Funding Agreement [HOME Tenant Based Assistance 2019-2020] with Springfield Metropolitan Housing Authority to conduct Tenant Based Rental Assistance in an amount not to exceed \$63,000.00; and declaring an emergency."

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

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

Yeas 5, Nays 0.

**6-19** An Emergency Ordinance No. 19-257 titled, "Authorizing the City Manager to enter into Agreement No. 34148 with Crawford, Murphy & Tilly, Inc. for the CLA Yellow Springs Street Reconstruction, PID No. 109491 for an amount not to exceed \$590,570.00; and declaring an emergency."

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

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

Yeas 5, Nays 0.

**44-19** An Emergency Ordinance No. 19-258 titled, "Confirming and approving Change Order No. 1 to the contract between the City and Sterling Quality Concrete, LLC for the 2019 Sidewalk, Curb and Gutter Program, to increase the contract in an amount not to exceed \$26,136.18, for a total amount not to exceed \$364,506.18; authorizing the City Manager to execute said Change Order No. 1; and declaring an emergency."

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

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

Yeas 5, Nays 0.

**217-19** An Emergency Ordinance No. 19-259 titled, "Amending Ordinance No. 19-241 to revise the purchase amount for a 28 Tasers and Taser Equipment from Vance's Law Enforcement to \$57,554.16; 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.

### **LIQUOR PERMIT**

**219-19** 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 El Speedy Gonzales LLC, 1100 Upper Valley Pike, Springfield, Ohio 45504 to El Speedy Gonzalez LLC, 1661 W. First Street, Springfield, Ohio 45504, was ordered received and filed with the City Clerk.

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

Yeas 5, Nays 0.

### **COMMENTS ON AGENDA ITEMS**

**207-19** Dr. Estrop spoke on the proposed Vacant Property Registration Program and indicated the city spends \$1 million per year on clearing weeds, junk and trash at vacant properties that could be partially reallocated to other activities if properties were maintained. Dr. Estrop referenced an article in that day's newspaper regarding a fire in a vacant house where firefighters were uncertain of electric and gas service for the house.

Upon request, Fire Chief Miller spoke in support of the proposed ordinance in respect to first responder safety. Chief Miller indicated approximately half of the 100 to 150 fires per year in Springfield are in vacant properties.

Police Chief Graf also spoke on Police personnel who are often the first responders at a fire scene and do not know if people are inside a vacant property or the condition of the property. Vacant houses tend to attract crime, homeless citizens, and vandalism.

Mrs. Joyce Chilton, 1123 South Center Street, speaking as a private citizen, stated that she owns vacant properties and it would be a conflict of interest for her to speak and vote on legislation that would affect her personally. As a citizen, she stated the legislation does not go far enough to cover the maintenance enforcement of vacant properties owned by mortgage companies, banks, and the Department of Housing and Urban Development. Mrs. Chilton indicated code enforcement is not effective for vacant properties under foreclosure where the owner is an out-of-town institution. Mrs. Chilton offered suggestions to fix the missing link between vacant properties and code enforcement efforts including a property maintenance standard and a method of waiving or reducing registry fees when appropriate.

Mr. Rue commented the subject legislation had been tabled twice giving staff time to address all aspects of the legislation. He stated his support of the legislation as written to hold the community responsible for the properties they own.

Mr. John Brown, 390 Secretariat Drive, President of Security National Bank, stated Security Bank only has two homes in foreclosure and other local banks have very few. Mr. Brown indicated the out-of-town institutions should be held accountable to keep their properties in good condition.

Ms. Carolyn Young, 2021 East High Street, stated she is a member of the housing consortium representing Mercy Health and is in favor of the proposed legislation provided the entire housing cycle is considered including assisting citizens with house repairs. Ms. Young suggested working with the non-profit agencies to assist with repairs.

Mr. Larry Ricketts, 1736 North Fountain Boulevard, spoke as a member of the Solid Waste Technical Advisory Committee and suggested using the vacant property registry as a tool against illegal dumping. Many vacant properties are subject to illegal dumping, and a registry of property owners and contact persons would be helpful as the property owners are ultimately responsible for the clean-up.

Mr. Brad Miner, 2532 ½ East High Street, spoke as President of the Council of Neighborhood Associations which supports the Vacant Property Registry. Mr. Miner referenced reduced property values, frequent fires in vacant structures, and the need to hold landlords accountable for their properties.

Mr. Charles Patterson, Health Commissioner, 529 East Home Road, stated vacant properties are a public health issue, and a vacant property registry is one step in addressing the health issues of the city. Mr. Patterson also stated a rental property registry would be very important addressing tenant living conditions.

Mr. Sunny Dhingra stated his concerns about out-of-town property investors taking advantage of Springfield citizens and illegal drug usage inside vacant homes. Mr. Dhingra added new investors may be deterred from investing in Springfield when there are so many vacant properties without owners taking responsibility for them.

Mr. Kyle Koehler, State Representative, 4674 Hominy Ridge Road, spoke on House Bill 185 passed in 2015 which addressed individuals burning down vacant homes and claiming the owners gave them permission to do so. Without proof of property ownership, perpetrators could potentially not be charged for their crimes.

Mr. Otis Williams, 1627 Yorkshire Court, commented he has been involved in the planning conversations for the property registry, and it needs to start somewhere to make a difference. Mr. Williams stated vacant properties are a big problem on the south side of Springfield and need to be addressed.

Mr. David Sanford, 528 Yellow Springs Street, spoke on targeting out-of-town agencies who purchase properties and leave them unattended. Mr. Sanford also asked what the registry's fees would be used for after collection. Mr. Sanford also spoke on current code enforcement efforts not making changes in the neighborhoods.

Community Development Director Meadows stated the registration fees collected by the program will be used to administer the vacant property registry program.

Mr. Mike McDorman, President of Greater Springfield Chamber of Commerce, 20 South Limestone Street, thanked the city commissioners and City Manager Heck for their leadership in the completed housing study. The Chamber of Commerce is in favor of the study's suggestions to improve housing including the creation a vacant property registry.

Law Director Allen reminded commissioners the three-minute limit for public comments applies to first reading agenda items.

**213-19** Dr. Estrop asked for the dates of the fall leaf pickup. Service Director Moore stated the dates are Saturday, November 16, and Saturday, December 7.

**214-19** Mrs. Chilton asked for a description of the mill and fill process for North Street. Mr. Moore indicated two inches of the pavement is shaved off and two inches are replaced.

**222-19** Dr. Estrop asked for additional information on The Interlocal Purchasing System cooperative. Finance Director Beckdahl explained the legislation is required to join the co-op which will then be used to purchase the roofing material for Fire Station #1 at a significant savings.

**223-19** City Manager Heck indicated the funding for re-roofing Fire Station #1 comes from a NOPEC grant received for improving the energy efficiency of government buildings.

**224-19** Dr. Estrop asked for additional detail on the Assistance to Firefighters Grant received by the Fire Division. Chief Miller explained the division underwent a large radio upgrade last year and the significant grant funding would recoup a large amount of the funds spent and also allow for additional upgrades to equipment.

Mrs. Chilton thanked the Fire staff for the efforts in securing the grant.

**225-19** Dr. Estrop asked for information on the oil switch replacement at the Water Treatment Plant. Mr. Moore indicated the switch is a very large circuit breaker, and the purchase price included labor and installation.

**226-19** Mr. Otis Williams, 1627 Yorkshire Court, requested additional information on the subrecipient agreement for HOME Tenant Based Assistance. Mrs. Meadows explained the program is funded by the Department of Housing and Urban Development for rental assistance beyond Section 8 funding. The city partners with Springfield Metropolitan Housing Authority to administer the program for tenants.

**44-19** Dr. Estrop asked for additional information on the change order related to the sidewalk, curb, and gutter program. Mr. Moore explained the change related to additional concrete work performed for a traffic signal upgrade.

**219-19** Upon discussing the liquor permit transfer requested for El Speedy Gonzales, Mr. Heck stated the restaurant planned to move from their current location on Upper Valley Pike to the former Lonestar Steakhouse location on West First Street.

### **COMMENTS FROM COMMISSIONERS**

**5-17** Dr. Estrop thanked Mrs. Chilton and Mr. Heck for attending the Transportation Coordinating Committee's recent meeting and representing the city and the citizens of Springfield. The Derr Road reconstruction project will include five lanes as requested by the citizens.

**4-19** Dr. Estrop also invited citizens to attend a meeting and to engage in conversation with Urban Fast Forward to discuss the redevelopment of the south side of Springfield on Saturday, October 5, from 10 a.m. to 1 p.m. at the Second Baptist Church, 615 South Wittenberg.

**4-19** Mrs. Chilton reminded everyone of CultureFest on Saturday, September 28, from 11 a.m. to 6 p.m. on the City Hall Plaza.

**4-19** Mr. Copeland and Dr. Estrop commented on the streets where the traffic signals have been removed and cars travel without slowing down.

Mr. Heck explained the signals have been under review following an evaluation process. Mr. Heck added that vehicle speeds have been monitored on Pleasant Street and the average speed was less than 35 miles per hour.

**4-19** Mr. Rue thanked staff for the quick response to repaving areas that were originally to be reconstructed then postponed due to the Columbia Gas halting work in those locations.

Mr. Heck stated the Service and Engineering staff worked with the contractor, A & B Asphalt, to get the streets repaved. Staff will seek reimbursement for the expenses from Columbia Gas.

Dr. Estrop also thanked staff on behalf of Marianne Nave and the South East Neighborhood Association.

### COMMENTS FROM THE AUDIENCE

**4-19** Mr. Douglas Nave, 1416 Barclay Street, stated the repaving of streets in his neighborhood was appreciated, but Schiller Street had not been finished.

**4-19** Mr. Brad Miner, 2532 ½ East High Street, announced the Council of Neighborhood Associations' Candidates Night would be held in the City Forum on Wednesday, October 9, at 7 p.m.

### COMMUNICATIONS

The following communications were received and filed:

**220-19** Notification from the Ohio Division of Liquor Control of a transfer request from SSRK LLC, 2253 South Limestone Street, Springfield, Ohio 45505, to TMB Food Mart LLC, dba TMB Food Mart, 2253 South Limestone Street, Springfield, Ohio 45505.

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There being no further business, on motion of Dr. Estrop, seconded by Mr. O'Neill, the meeting adjourned at 8:25 p.m.

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

Yeas 5, Nays 0.

*Karan R. Copeland*

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PRESIDENT OF THE CITY COMMISSION

*Jill R. Pierce*

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CLERK OF THE CITY COMMISSION