

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, November 26, 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 Dr. Estrop, seconded by Mr. Rue, members approved the minutes of the November 4, 2019, Legislative Meeting, the November 12, 2019, Budget Meeting, and the November 13, 2019, Budget 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:

256-19 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, for the purpose of reorganizing the Engineering Department as a function of the Service Department by repealing and replacing certain chapters and sections."

257-19 An Ordinance titled, "Authorizing the City Manager, Law Director, and Finance Director to do all things necessary to settle a claim with Edwin Cogar & Dianne Cogar for the expense incurred as a result of deterioration to their driveway, located in the vicinity of 5866 Springfield-Xenia Road; and authorizing the Director of Finance to make payment to Edwin Cogar & Dianne Cogar in the amount of Five Thousand Dollars (\$5,000.00) as and for said deterioration."

258-19 An Ordinance titled, "Authorizing the payment of up to \$66,600.00 to The Board of County Commissioners of Clark County, Ohio, to obtain planning services from Clark County-Springfield Transportation Coordinating Committee ("TCC") for the 2020 calendar year."

274-18 An Ordinance titled, "Confirming and approving Change Order No. 1 to the contract between the City and J & J Schlaegel, Inc. for the Lagonda Ave. and James St. Combined Sewer Replacement Project, to increase the contract amount by \$89,054.01, for a total contract amount not to exceed \$271,930.31, and to extend the contract completion date to November 8, 2019; and authorizing the City Manager to execute said Change Order No. 1."

97-15 An Ordinance titled, "Confirming and approving Change Order No. 3 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 \$46,781.89, for a total contract amount not to exceed \$1,480,521.52; and authorizing the City Manager to execute said Change Order No. 3."

207-18 An Ordinance titled, "Confirming and approving Change Order No. 1 to the contract between the City and Associated Excavating, Inc. for the Northern Heights Water and Sewer Improvements Project, to extend the project completion date to May 1, 2020; and authorizing the City Manager to execute said Change Order No. 1."

Next regular City Commission meeting: December 10, 2019.

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

251-19 An Ordinance No. 19-280 titled, "Authorizing the City Manager to enter into a three-year Project Agreement with Woolpert, Inc., for Consulting Services at the Springfield-Beckley Municipal Airport, for an amount not to exceed \$650,000.00."

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.

RESOLUTION

The following legislation was presented for the first time:

263-19 A Resolution No. 6069 titled, "Consenting to the appointment of Charles Harris to serve as the City Planning Board's Representative to the Board of Zoning Appeals."

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

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

Yeas 5, Nays 0.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

14-19 An Emergency Ordinance No. 19-281 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.

13-19 An Emergency Ordinance No. 19-282 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor; and declaring an emergency."

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

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

Yeas 5, Nays 0.

259-19 An Emergency Ordinance No. 19-283 titled, "Authorizing the City Manager to apply for and enter into an agreement with the Ohio Department of Transportation for aid in the financing of preventive maintenance, ADA paratransit, and operating activities pursuant to the FY2020 Ohio Transit Partnership Program (OTP2) Grant in the amount of \$225,000.00; confirming and approving all related expenditures from July 18, 2019 to the passage of this Ordinance; authorizing the City Manager and the Director of Finance to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant application and corresponding agreement and to comply with all relevant local, state and federal legal requirements and to provide assurances and additional information as required by the Ohio Department of Transportation; 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.

260-19 An Emergency Ordinance No. 19-284 titled, "Authorizing the City Manager to enter into a Grant Contract with the State of Ohio, Department of Transportation to accept funds in the amount of \$23,988.00 from the Ohio Elderly and Disabled Transit Fare Assistance Program; authorizing the City Manager and Director of Finance to perform all acts and execute all documents considered necessary to fulfill the City's obligations under said contract, to comply with all relevant local, state and federal legal requirements, and to provide assurances and additional information as required by the Ohio Department of Transportation; 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.

26-15 An Emergency Ordinance No. 19-285 titled, "Authorizing a reduction in the 2019 rent of the Berner Farms Cropland Lease Agreement in the amount of \$2,347.72; 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.

261-19 An Emergency Ordinance No. 19-286 titled, "Authorizing the City Manager to enter into a Shelter Plus Care 2 Grant Agreement (Grant #OH0295L5E071810) with the United States Department of Housing and Urban Development in an amount not to exceed \$33,352.00; authorizing the City Manager and the Director of Finance to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant agreement and to comply with all relevant local, state and federal legal requirements; authorizing the City Manager to enter into a Subrecipient Funding Agreement (Shelter Plus Care 2 Sponsor Based Rental Assistance -- 2019-2020) by and among the City, Springfield Metropolitan Housing Authority and the District Council of Springfield, Ohio of St. Vincent DePaul, Inc. to conduct a Shelter Plus Care 2 funded Sponsor Based Rental Assistance and Administration Program in an amount not to exceed \$30,348.00; and declaring an emergency."

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

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

Yeas 5, Nays 0.

186-11 An Emergency Ordinance No. 19-287 titled, "Authorizing the City Manager to enter into Amendment F - Modification #3 to the Project Engineering Agreement with Black & Veatch Corporation for the Erie Interceptor Express Sewer Design contract, to increase the contract by an amount not to exceed \$37,510.00 for a total amount not to exceed \$3,739,136.00, and to reallocate funds among project phases; and declaring an emergency."

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

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

Yeas 5, Nays 0.

262-19 An Emergency Ordinance No. 19-288 titled, "Authorizing the City Manager to enter into a Development Incentive Agreement (Single Family Residential Development) with Kathy L. Thornsby to provide for sewer services to real property outside the City limits; and declaring an emergency."

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

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

Yeas 5, Nays 0.

LIQUOR PERMITS

245-19 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 for a new liquor permit for Aziz Grocery Inc., 1912 South Limestone Street, Springfield, Ohio 45505, 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.

244-19 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 Cassano's Inc., 995 South Main Street, Centerville, Ohio 45459, to Cassano's Inc., 901 North Bechtle Avenue, 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.

253-19 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 Sakura Steakhouse and Sushi LLC, dba Sakura, 1795 North Bechtle Avenue, Springfield, Ohio 45504, to 1795 Bechtle Inc, dba Sakura Steakhouse & Sushi, 1795 North Bechtle Avenue, 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.

246-19 On motion of Mrs. Chilton, 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 Khan's Mini Mart LLC, 961 Selma Road, Springfield, Ohio 45505 to Hamza's Mini Mart LLC, dba Mini Mart, 961 Selma Road, Springfield, Ohio 45505, was ordered received and filed with the City Clerk and the Clerk was directed to request a hearing, as there is a concern or issue associated with this request.

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

Yeas 5, Nays 0.

COMMENTS ON AGENDA ITEMS

274-18 Dr. Estrop requested additional information on the requested Change Order No. 1 related to the Lagonda Avenue and James Street Combined Sewer Replacement Project. Service Director Moore explained the discovery of unknown concrete encasing a portion of the existing sewer which resulted in additional design work.

97-15 Dr. Estrop requested additional detail on the Change Order No. 3 for the Bechtle Avenue bridge project. Mr. Moore stated the change order included 23 items mostly related to drainage and traffic flow issues that were entirely funded by state dollars.

207-18 Dr. Estrop asked for more detail on the Change Order No. 1 for the Northern Heights Water and Sewer project. Mr. Moore stated the completion date change would allow the contractor to better complete the project next spring.

258-19 Mr. O'Neill asked for additional information on the agreement with Clark County-Springfield Transportation Coordinating Committee (TCC). Finance Director Beckdahl explained the agreement covers planning services provided by TCC in addition to assisting with reporting requirements related to the transit program.

251-19 Dr. Estrop asked for additional detail on the consulting services agreement with Woolpert, Inc. Assistant City Manager and Executive Development Director Franzen explained the vendor would provide consulting services related the Springfield-Beckley Municipal Airport including the Capital Improvements Plan that must be submitted to the Federal Aviation Association.

260-19 Mrs. Chilton asked how much bus fares would be reduced as a result of the Ohio Elderly and Disabled Transit Fare Assistance Program grant. Mr. Beckdahl stated fares would be reduced by 50 percent for qualified riders. Requests for additional information should be directed to the Springfield City Area Transit office at 937-328-7228.

26-15 Dr. Estrop requested additional information on reducing the 2019 cropland rent with Berner Farms. City Manager Heck explained the rent was reduced due to areas too wet to use during the 2019 planting season.

186-11 Dr. Estrop asked for additional detail on Modification #3 to the Erie Interceptor Express Sewer Design contract. Mr. Moore explained the project began in 2011 and took over four years to design. Technology changes required additional funding for redesign.

246-19 The City Manager recommended requesting a hearing pertaining to the liquor permit transfer request for Hamza's Mini Mart, 961 Selma Road. Dr. Estrop asked Police Chief Graf to comment on police-related issues at this location. Chief Graf stated there was a recent shooting and homicide at this location and several calls for disorderly conduct. Dr. Estrop commented the location is very close to Keifer School.

Mrs. Chilton asked Mr. Heck to speak on the building issues at the subject location. Mr. Heck stated both the Fire Division and the Community Development Department staff noted issues with the fire suppression and HVAC

systems. The staff recommended requesting a hearing to address the violations of the Building and Fire Codes. Mr. Heck added the liquor permit type requested is a D5 which allows on-premise consumption, and the building does not have a Certificate of Occupancy as a restaurant.

Dr. Estrop noted that he would vote to request a hearing for the building and police issues.

Mr. O'Neill noted the liquor permit transfer requests is due to a change of ownership.

COMMENTS FROM COMMISSIONERS

4-19 Mrs. Chilton announced the Holiday in the City activities would be held on Saturday, December 7, 2019.

Dr. Estrop announced Santa would arrive by airplane at the Springfield-Beckley Municipal Airport at 1 p.m. on Sunday, December 8, 2019.

COMMENTS FROM THE AUDIENCE

4-19 Mr. David Sanford, 528 Yellow Springs Street, spoke on criminal activities at the Quality Food Mart that are not reported to the state liquor control board. Mr. Sanford also requested the amount of grant money allocated to the south side of Springfield and indicated more activities are needed for young people of the area.

COMMUNICATIONS

The following communications were received and filed:

51-19 Minutes from the October 21, 2019, meeting of the National Trail Parks and Recreation District Board.

204-19 File-stamped copy of Ordinance No. 19-267 as filed with the County Auditor and Recorder.

221-19 File-stamped copy of Ordinance No. 19-266 as filed with the County Auditor and Recorder.

253-19 Notification from the Ohio Division of Liquor Control of a request for a liquor permit transfer from Sakura Steakhouse and Sushi LLC dba Sakura, 1795 North Bechtle Avenue, Springfield, Ohio 45504, to 1785 Bechtle Avenue Inc. dba Sakura Steakhouse & Sushi, 1795 North Bechtle Avenue, Springfield, Ohio 45504.



There being no further business, on motion of Dr. Estrop, seconded by Mr. Rue, the meeting adjourned at 7:52 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