

CITY COMMISSION AGENDA

December 10, 2019

The Honorable City Commission
The City of Springfield, Ohio

The City Commission will meet in the City Commission Forum at 6:45 PM on Tuesday, December 10, 2019.

PUBLIC HEARINGS

158-19 At 6:45 PM, a public hearing will be held in the City Commission Forum relative to considering the adoption of the proposed appropriations ordinance for operations of the City for the calendar year 2020.

250-19 At 6:55 PM, a public hearing will be held in the City Commission Forum to consider the vacation of the first alley west of Scott Street from Selma Road north to the intersecting alley and the first alley north of Selma Road from Scott Street west 125' to the terminus.

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 December 19, 2019:

250-19 Vacating the first alley west of Scott Street from Selma Road north to the intersecting alley and the first alley north of Selma Road from Scott Street west 125' to the terminus.

205-18 Authorizing the City Manager to enter into a contract with Majors Enterprises, Inc. for the Broadway Reconstruction Project for an amount not to exceed \$2,892,346.00.

SECOND READING – ORDINANCE

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

256-19 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 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 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 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.

097-15 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 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.

EMERGENCY ORDINANCES

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

127-15 Authorizing the City Manager to enter into Amendment No. 4 to the Agreement for Professional Engineering Consulting Services between the City and Strand Associates, Inc. in connection with the Combined Sewer Overflow Long Term Control Plan to extend the project completion date to December 31, 2020.

099-19 Confirming and approving Change Order No. 2 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 \$59,533.77, for a total amount not to exceed \$2,128,209.31, and to extend the contract completion date to December 2, 2019; authorizing the City Manager to execute said Change Order No. 2.

NEW ITEMS ON THE AGENDA

REMARKS FROM THE AUDIENCE

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bryan Heck".

Bryan Heck
City Manager

250-19



CITY OF SPRINGFIELD
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION

MOTION SHEET

DATE: October 10, 2019
TO: City Commission
FROM: City Planning Board

Dec. 10, 2019
6:55 pm

SUBJECT: RIGHT-OF-WAY ALLEY VACATION RESIDENTIAL 19-RW-05

REQUEST: Request to vacate the first alley west of Scott Street from Selma Road north to intersecting alley and the first alley north of Selma Road from Scott Street west 125' to terminus.

RECOMMENDED ACTION: 14 Day Ordinance

The following motion was made at the regular October 7, 2019 City Planning Board meeting:

MOTION: Motion by Ms. George to approve case #19-RW-05 to vacate the first alley west of Scott Street from selma Road north to intersecting alley and the first alley north of Selma Road from Scott Street west 125' to terminus. Seconded by Mr. Wendt.

VOTE: YAYS: Mr. Wendt, Ms. Fleming, Ms. George, Mr. Harris, Mr. Smith and Ms. Roberge. NAYS: None. Motion approved.

cc: Tom Franzen
Jill Pierce

Respectfully submitted,

A handwritten signature in blue ink that reads "Stephen Thompson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Stephen Thompson
Planning Zoning and Code Administrator

Attachments:

1. Staff Report
2. Application and Attachments

STAFF REPORT

TO: City Planning Board

DATE: October 2, 2019

PREPARED BY: Stephen Thompson

SUBJECT: Right-of-Way Vacation #19-RW-05

GENERAL INFORMATION:

Applicant: Brook Willmeth & Karl Proctor, 615 Scott St, Springfield, OH 45505

Requested Action: Request to vacate the first alley west of Scott Street from Selma Road north to intersecting alley and the first alley north of Selma Road from Scott Street west 125' to terminus.

Petitioner's Comments: See attached Exhibit C

Adjoining Property Owners: See attached Exhibit B

File Date: September 3, 2019

RETURNED REPORTS:

Columbia Gas: No Objections

Spectrum: No Objections

AT&T: No Objections

Ohio Edison: There are existing underground street lighting facilities for the city within this alley and existing right of way. In order to recommend vacating this drive area, an easement must be secured for occupation of, access and maintenance to these facilities. The city may also consider relocation of the street light.

City Service Department: The east-west portion of the proposed vacation contains a 24" public sewer. Easement rights shall be maintained.

City Engineer: No Objections.

Fire Division: During an inspection of this area, we noted the

following: 1) There is a white wooden fence that runs from the fence around the lot at the corner of Selma Rd. and Scott St on the NW corner and the building to the W of the alley. This fence has obviously been there quite some time. 2) The space behind the fence (to the N) has tall grass, a large metal shelving unit, and a large amount of debris in it. 3) The portion of the alley that runs W off of Scott St. at end of Ellsworth Ave. has a travel trailer parked at its end where the intersection of the two alleys would be. This looks as if it has been there quite some time.

Police Division:

No Objections

Planning and Zoning:

The alley is not passable as is and it does not have a curb apron on Selma Rd.

STAFF RECOMMENDATION:

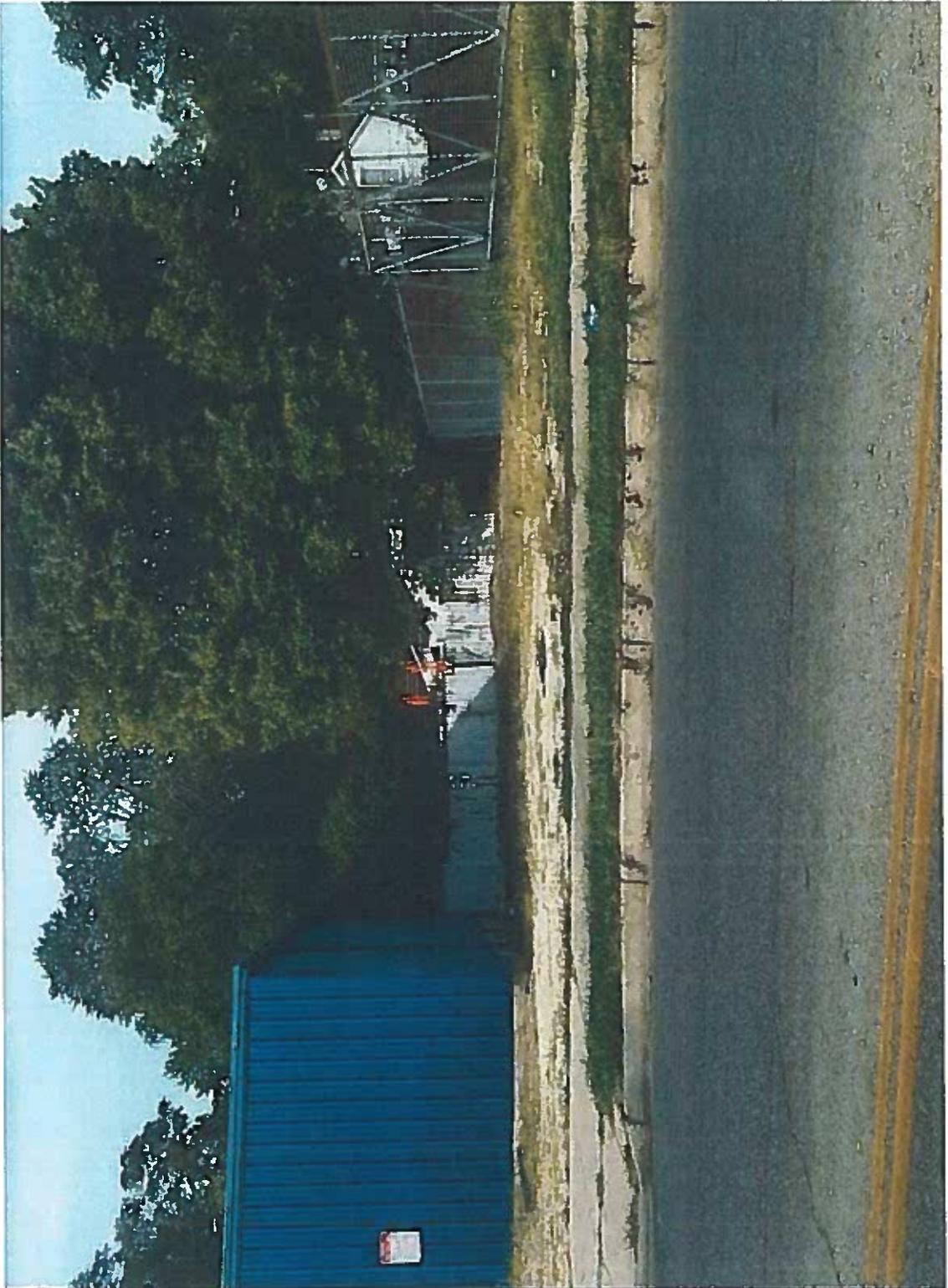
Approval of the request to vacate the first alley west of Scott Street from Selma Road north to intersecting alley and the first alley north of Selma Road from Scott Street west 125' to terminus.

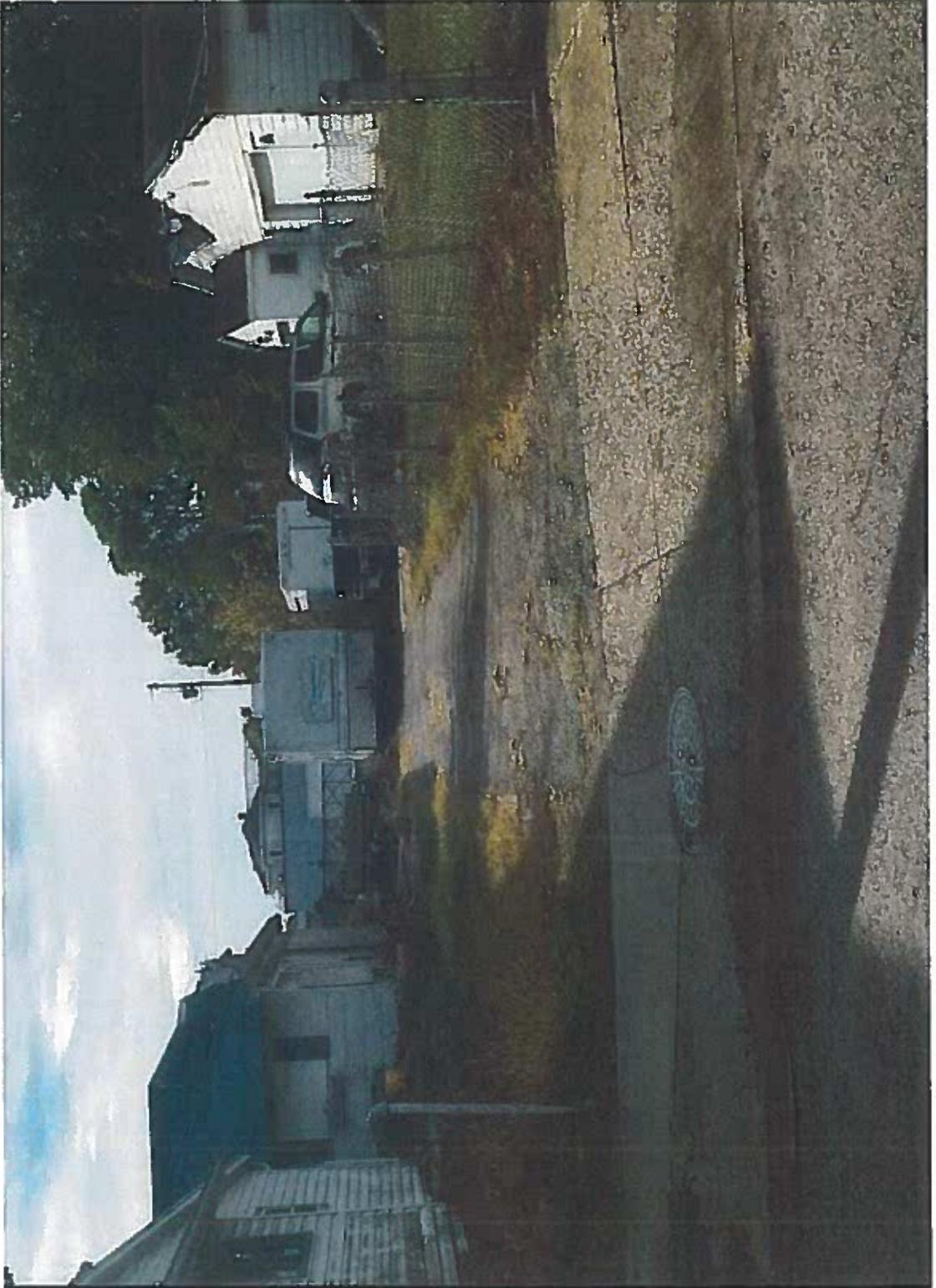
ATTACHMENTS:

1. Vicinity map
2. Petition with petitioner's comments



Right of Way Vacation Case # 19-RW-05 Scott St.







FOR PLANNING USE ONLY
 Case #: 19-80
 Date Received: 9-3-19
 Received by: JLS
 Application Fee: \$ 90.00
 Review Type:
 Admin EPB BZA

19-RW-05

A. PROJECT GENERAL APPLICATION

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

Right of Way Vacation

2. Address of Subject Property: NA

3. Parcel ID Number(s): NA

4. Full legal description attached? yes no

5. Size of subject property: NA

6. Existing Use of Property: Alley

7. Existing Zoning of Property: NA

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): KARL PROCTOR & Brooke A Willmeth

Title: Home Owner

Company (if applicable): N/A

Mailing address: 615 Scott St

City: Springfield State: OH ZIP: 45505

Telephone: 937-509-2989 FAX: () _____

Email KMP120985@yahoo.com

3. If the applicant is agent for the property owner:
Name of Owner (title holder): SELF

Mailing Address: 615 Scott St
City: Springfield State: OH ZIP: 45505

C. Additional Information

1. Is there any additional contract for sale of, or options to purchase, the subject property? Yes No

If "yes," list names of all parties involved:

N/A

Is the contract/option contingent or absolute? Contingent Absolute

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

[Signature]
Signature of Applicant

Karl M Proctor
Typed or printed name and title of applicant

State of Ohio
County of Clark

[Signature]
Signature of Co-applicant

Brooke Ann Willmeth
Typed or printed name of co-applicant

The foregoing instrument was acknowledged before me this 3rd day of September 2019 by Brooke Ann Willmeth (name of person acknowledged).



SARAH A. GILLIS
Notary Public, State of Ohio
My Comm. Expires July 23, 2022

[Signature]
Notary Public Signature

My commission expires: _____

EXHIBIT C

To whom it may concern,

I, Karl Proctor, am requesting the right of way vacation for the alley that has yellow dashes on the exhibit A picture that is attached. I own both houses on both side of the alley. Also, I am asking for it due to it is the only way I have into my garages. The alley that runs east and west, at the west end there is already a gate there placed by the company that has the other half and it dead ends into my property line. The alley running north and south I am only asking for the section that runs behind my houses at 655 and 651 Scott Street and drew a back line where my property stops. I own all the houses and when I purchased them there was a fence at the back of the property line of 655. The fence was there running east and west along the property line of 655 Scott street. The alleys dead end and have no exit, so I ask for them to be vacated to me as I own all properties they run through and behind and will not affect anyone else, in addition to it is the only way I have to get into my garages. Thanks for your time and have a great day.

Sincerely,

Karl Proctor

ABBREVIATED PUBLICATION

First Notice

NOTICE OF PUBLIC HEARING PROPOSED RIGHT-OF-WAY VACATION

Notice is hereby given that on September 3, 2019, Brook Willmeth and Karl Proctor, owners of 615 Scott Street, filed with the Clerk of the City Commission of The City of Springfield, Ohio, a certain petition praying for the vacation of the first alley west of Scott Street from Selma Road north to the intersecting alley and the first alley north of Selma Road from Scott Street west 125' to the terminus.

Notice is hereby further given that a Public Hearing will be held on Tuesday, December 10, 2019, at 6:55 p.m. (local time), in the City Commission Forum, City Hall, 76 East High Street, Springfield, Ohio, to consider the vacation of said right-of-way.

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

Jill R. Pierce

Clerk of the City Commission

NEWS-SUN: Friday, November 8, 2019

Second Notice

NOTICE OF PUBLIC HEARING PROPOSED RIGHT-OF-WAY VACATION

Notice is hereby given that a Public Hearing will be held on Tuesday, December 10, 2019, at 6:55 p.m. (local time), in the City Commission Forum, City Hall, 76 East High Street, Springfield, Ohio, to consider the vacation of the first alley west of Scott Street from Selma Road north to the intersecting alley and the first alley north of Selma Road from Scott Street west 125' to the terminus.

This notice has been published on the State of Ohio public notice website at www.publicnoticesohio.com and can also be viewed at www.springfieldnewssun.com.

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

Jill R. Pierce

Clerk of the City Commission

Stephen Thompson, Planning, Zoning and Code Administrator, City of Springfield, Ohio
76 East High Street, 937-324-7674, sthompson@springfieldohio.gov

NEWS-SUN: Friday, November 15, 2019

AN ORDINANCE NO. _____

Vacating the first alley west of Scott Street from Selma Road north to the intersecting alley and the first alley north of Selma Road from Scott Street west 125' to the terminus.

...oooOOOooo...

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

Section 1. That the first alley west of Scott Street from Selma Road north to the intersecting alley and the first alley north of Selma Road from Scott Street west 125' to the terminus 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

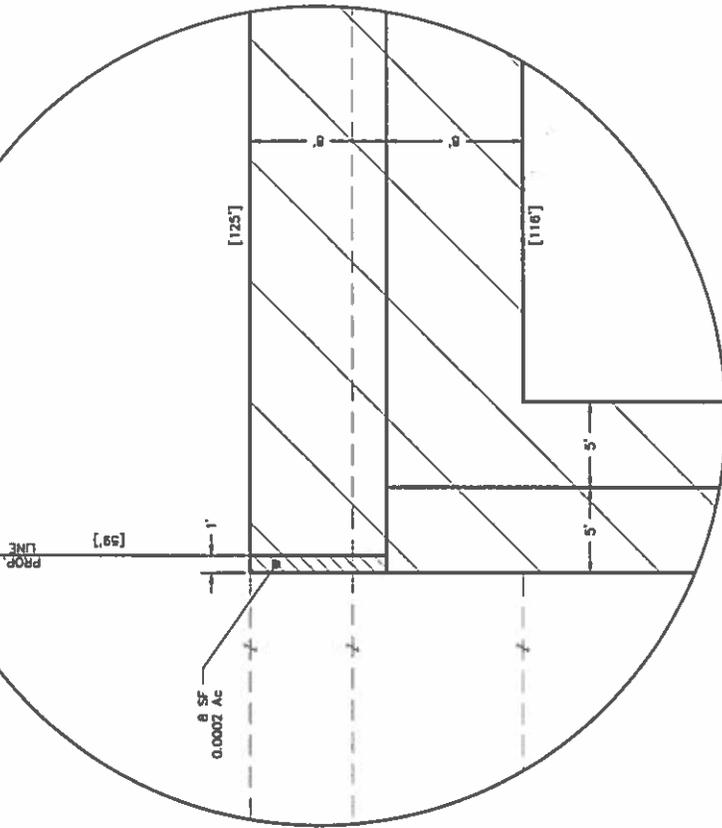
(Published: Springfield News-Sun

_____, 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

APPROVED
By Eric Moody at 8:27 am, Nov 05, 2019



DETAIL "A"

RIGHT OF WAY VACATION

FIRST ALLEY WEST OF SCOTT STREET FROM SELMA ROAD
NORTH TO INTERSECTION ALLEY AND THE FIRST ALLEY
NORTH OF SELMA ROAD FROM SCOTT STREET WEST 126'
TO TERMINUS.

PART OF SEC. 34, T. 5, R. 9 B.M.R.S.
CITY OF SPRINGFIELD
CLARK COUNTY, OHIO
NOVEMBER 4, 2019

MARK T. SCHOLL, P.S. 6599

CITY OF SPRINGFIELD, OHIO
ENGINEERING DEPARTMENT
1000 W. CLAYTON ST.
SPRINGFIELD, OHIO 45502

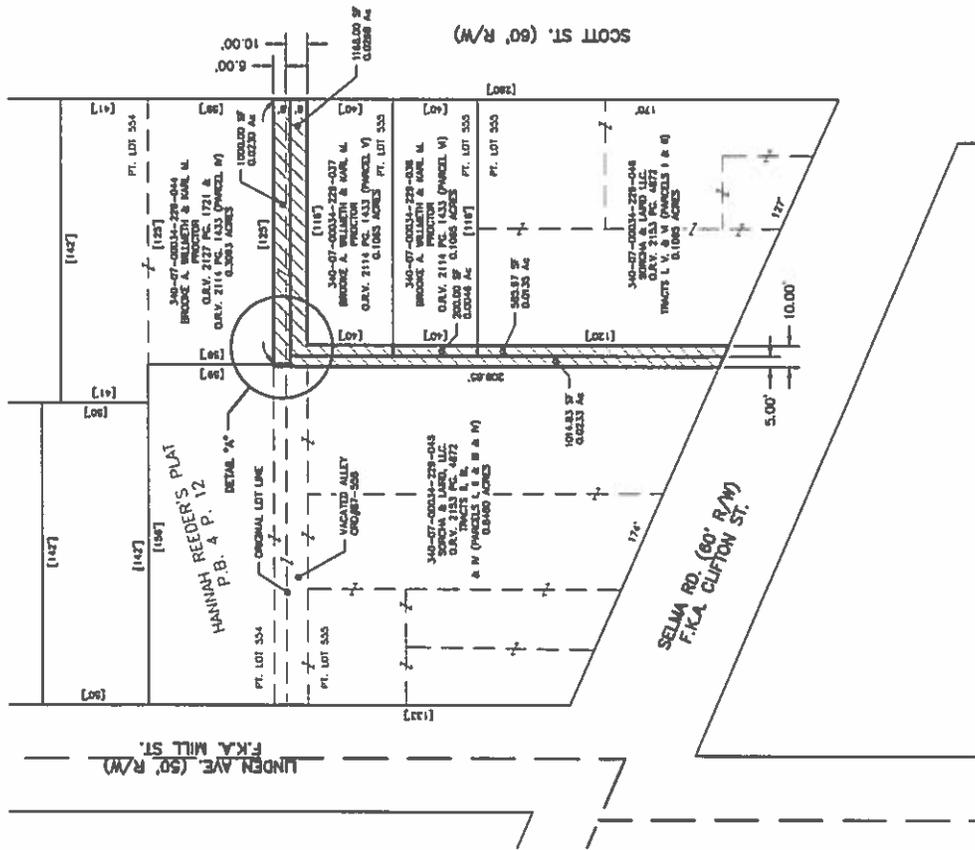
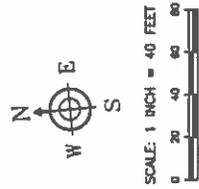
FILE: ENGINEERVACATIONS\AS220.DWG

S.F.A.L.

NOTES:

1. THE INFORMATION SHOWN HEREON WAS DERIVED FROM RECORDS AT THE CLARK COUNTY, OHIO TAX MAP DEPARTMENT AND THE CLARK COUNTY, OHIO RECORDER'S OFFICE AND IS NOT THE RESULT OF A FIELD SURVEY.
2. THE VACATED RIGHT-OF-WAY SHALL BE DIVIDED ALONG THE CENTERLINE AND EACH PART SHALL BE ADDED TO THE ADJOINING PROPERTIES. THE AREA OF VACATED RIGHT-OF-WAY TO BE ADDED TO EACH PARCEL IS SHOWN ON THE MAP.
3. THIS MAP WAS PREPARED UNDER THE SUPERVISION OF MARK T. SCHOLL, P.S. - OHIO REG. NO. 6599.

TO BE VACATED



Request for Commission Action City of Springfield, Ohio

Item Number: 205-18

Agenda Date: 12/10/19

Today's Date: 12/4/19

Subject: Award of Contract to Majors Enterprises, Inc. for the Broadway Reconstruction Project

Submitted By: Kurt Tyson, Construction Superintendent

Department: Engineering

Contact: Chris Moore, Service Director

<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"/> Motion	<input checked="" type="checkbox"/> Contract
<input type="checkbox"/> Emergency Resolution	

Prior Ordinance/Resolution: 18-238

Date of Prior Ordinance/Resolution: 9/11/18

Summary:

Bids were received on November 22, 2019, for the above referenced project. The following is a list of the bidders and their bids:

Majors Enterprise, Inc.	\$ 2,892,346.00 (Read as \$2,889,146.00)
Milcon Concrete, Inc.	\$ 2,914,900.00
J & J Schlaegel, Inc.	\$ 3,251,843.18
Adleta Construction, Inc.	\$ 3,590,959.69 (Read as \$3,590,959.70)
Barrett Paving Materials, Inc	\$ 3,693,500.00
Engineer's Estimate	\$ 2,870,313.50

This project consists of improvement of roadway from US40 (Park Avenue) to North Bechtie Avenue, including pavement reconstruction, curb and curb ramp replacement, grading, drainage improvements, water service replacements and sanitary sewer lining.

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

Department/Division	Fund Description	Account Number	Actual Cost
Engineering	OPWC		\$ 895,267.00
Engineering	PI	140012-6050 (4740)	\$ 895,267.00
Engineering	Sewer	331207-6050 (4740)	\$ 653,062.00
Engineering	Water	221127-6050 (4740)	\$ 448,750.00

Total Cost: \$ 2,892,346.00

AN ORDINANCE NO. _____

Authorizing the City Manager to enter into a contract with Majors Enterprises, Inc. for the Broadway Reconstruction Project for an amount not to exceed \$2,892,346.00.

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WHEREAS, the City's Purchasing Division has advertised for and received bids for the Broadway Reconstruction Project; and

WHEREAS, after receiving and reviewing the bids submitted, the City's Purchasing Division has recommended award of contract to Majors Enterprises, Inc., for an amount not to exceed \$2,892,346.00, which was the lowest and best bidder: 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 a contract with Majors Enterprises, Inc. for the Broadway Reconstruction Project for an amount not to exceed \$2,892,346.00.

Section 2. That the 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. The City Manager is authorized to approve change orders with respect to the contract so long as the scope of the work is not materially changed and the amount hereby authorized is not exceeded.

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

Request for Commission Action City of Springfield, Ohio

Item Number: 256-19

Agenda Date: November 26, 2019

Today's Date: November 19, 2019

Subject: Amendment of the Codified Ordinances to reorganize the Engineering Department as a function of the Service Department.

Submitted By: Jill Pierce, City Clerk

Department: City Clerk

Contact:

<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:

It is respectfully requested that the City Commission amend the Codified Ordinances of Springfield, Ohio, to reorganize the existing Engineering Department as a function of the Service Department. Requested amendments include repealing Chapter 130 entitled Engineering Department, amending Chapter 141 entitled Service Department, and amending various sections of the Codified Ordinances referencing the duties of the Engineering Department and City Engineer.

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>
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Total Cost:

An Ordinance No. _____

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.

...oooOOOooo...

WHEREAS, pursuant to Section 23 of the Charter of The City of Springfield, Ohio, departments other than the Department of Finance and the Department of Law may be established by ordinance, and the work of such departments distributed as may be established by ordinance upon the recommendation of the City Manager; and

WHEREAS, the City Manager has recommended to this Commission that the existing department of Engineering be reorganized as a function of the Service Department; and

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

Section 1. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by repealing Chapter 130 entitled Department of Engineering in its entirety.

Section 2. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the enactment of Section 141.04 to read as follows:

141.04 ENGINEERING.

The Service Department shall provide engineering designs, technical specifications, cost estimates, and inspection services for public improvements undertaken by the City; and perform such other duties as required by City Charter or ordinance.

Section 3. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Section 149.05(b) to read as follows:

149.05 LEASE OF CITY PROPERTY.

(b) The City Manager is authorized to grant, on behalf of the City, licenses to public utilities to use City property, including public thoroughfare right-of-way; provided, that such licenses may be revoked at any time and the ~~City-Engineer~~ Service Director or designee has made a determination that granting such license will not result in creating a nuisance within a public thoroughfare. The City Manager may impose such obligations and limitations upon a licensee as are necessary to prevent safety hazards, protect public property and ensure the licensee's compliance with law.

Section 4. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Sections 901.01(c) and 901.03(a)(2) and to read as follows:

901.01 DEFINITIONS.

(c) As used in this Chapter 901, "Engineer" means the ~~City-Engineer or the City-Engineer's designee~~ Service Director or designee as set forth in Chapter 141.

901.03 CONDITIONS FOR ISSUANCE OF PERMIT.

- (2) The restoration deposit shall be in a sum of money sufficient to restore the street or alley as nearly as is reasonably possible to a condition as good or better as existed prior to the opening or excavation of the street or alley. The City Manager shall from time to time prepare and place on file in his office and in the office of the ~~Service Department and Engineer~~, schedules of the estimated costs relating to surface restoration related to permitted excavations or disturbances. The deposit required shall be based upon such schedules, provided that the City Manager may in any instance make special estimates for work or materials or costs not covered by his general schedules.

Section 5. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Sections 902.01(d), 902.02(f), 902.03(b), 902.04(c), 902.04(e), 902.06(a)(4), 902.06(a)(5), 902.06(b)(2), 902.06(b)(3), 902.06(c), 902.08, 902.11, 902.12, and 902.17 to read as follows:

902.01 PURPOSE AND SCOPE OF CHAPTER.

- (d) The policy of the City with regard to right-of-way is hereby declared to be:
- (1) To promote public safety and protect public property;
 - (2) To promote the utilization of right-of-way for the public health, safety and welfare and to promote economic development in the City;
 - (3) To promote the availability of a wide range of public utility, telecommunication and other services, including the rapid deployment of new technologies and innovative services to the City's citizens and taxpayers at reasonable rates;
 - (4) To promote cooperation among the City, Franchisees, and Permittees in the occupation of right-of-way and work therein in order

- to minimize public inconvenience during work in the right-of-way, to facilitate the delivery of quality services and products by Franchisees and Permittees to the public, to avoid uneconomic, unneeded and unsightly duplication of facilities and to manage the use of space within the right-of-way to provide for the addition of municipal and public utility infrastructure to meet the future needs of the public;
- (5) To ensure adequate public compensation for the private use of the right-of-way and the regulation thereof; and
 - (6) To promote and require reasonable accommodation of all uses of right-of-way and to establish the following priority of use of right-of-way, when all requested usage of right-of-way by Permittees cannot be accommodated:
 - A. Use by the City shall have first priority;
 - B. Use by another governmental entity, with City concurrence, or other uses required by law shall have second priority;
 - C. Use by public utilities Permittees shall have third priority;
 - D. Use by telecommunications provider Permittees which are not public utilities, but which provide services to the public shall have fourth priority; and,
 - E. Special Permittees shall have fifth priority;

provided, however, that the ~~City Engineer~~ Service Director may reasonably require Permittees to cooperate to accommodate use by other Permittees and Franchisees and provided further that the City Manager may alter this priority when the City Manager determines that such alteration is necessary to protect the public health, safety and/or welfare.

902.02 DEFINITIONS.

- (f) "~~City Engineer~~ Service Director" means the City ~~Engineer~~ of Springfield Service Director or designee.

902.03 TYPES OF PERMITS, GRANT OF LICENSE AND PRIVILEGE.

(b) All Permits shall specify the use or uses for which such Permits are granted and contain such other non-discriminatory terms and conditions as the ~~City Engineer~~ Service Director determines are necessary to accomplish the City policy objectives set forth in Subsection 902.01(d), such terms and conditions as are set forth in this Chapter and such terms and conditions as are negotiated and agreed to by the City and the Permittee to provide for the public health, safety or welfare. Permittees are granted the license and privilege to occupy the right-of-way as specified by and limited in their Permit granted pursuant to this Chapter.

902.04 APPLICATION PROCEDURE, TERMS, AND CONDITIONS.

(c) Applicants for Special Permits, or renewals thereof, shall file an application therefor in such form as the City Manager requires along with an application fee of One Hundred Dollars (\$100.00). The applicant shall provide such additional information as the ~~City Engineer~~ Service Director may require to explain, clarify, supplement or verify information and representations contained in the application. The ~~City Engineer~~ Service Director shall determine if the application is in order and, if so, and if the ~~City Engineer~~ Service Director also finds in accordance with the criteria set forth in Section 902.05, that the application should be granted, the ~~City Engineer~~ Service Director shall grant or renew

such a Permit. The terms and conditions of such Permit shall be determined by the ~~City Engineer~~ Service Director but, in no event, shall the duration of such Permit exceed 10 years.

(e) Any Applicant may appeal the failure of the ~~City Engineer~~ Service Director to grant a Permit. In order to perfect such appeal, the Applicant shall file an appeal to the City Manager within ten (10) days of the ~~City Engineer~~ Service Director's determination or after thirty (30) days but within one sixty (60) days of the filing of the application if the ~~City Engineer~~ Service Director has taken no action. The City Manager shall then review the matter and render a final determination, in writing and with appropriate findings of fact, after serving upon the applicant at least twenty (20) days advance written notice of the Permittee's opportunity for a hearing before the City Manager and granting the applicant an opportunity to be heard in person or in writing, as the applicant may chose. Except to the extent otherwise appealable by law, the City Manager's decision shall be final.

902.06 OBLIGATIONS OF PERMITTEES, CONDITIONS OF PERMITS.

(a) In addition to the other requirements set forth in this Chapter and set forth specifically in the Permit granted, each Public Utility Permittee, each Telecommunications Permittee and each Special Permittee shall:

(4) In the event the ~~City Engineer~~ Service Director determines that a Permittee must remove or rearrange the Permittee's facilities as necessary so as not to interfere with higher priority uses, as established in Subsection 902.01(d)(6) [by way of example and not by way of limitation, the operation, construction, repair or modification of any street, sidewalk, City water or sewer utility infrastructure or other governmental uses], or if additional or subsequent City or other public uses of right-of-way are inconsistent or incompatible with then current uses of Permittees or for any other reasonable cause, the ~~City Engineer~~ Service Director shall so advise the Permittee in writing and invite the Permittee to comment on the ~~City Engineer~~ Service Director's determination within five (5) days of such notification. Upon the written direction of the ~~City Engineer~~ Service Director served on the Permittee, and at no cost to the City, the Permittee shall promptly remove or rearrange the Permittee's facilities as necessary so as not to interfere with higher priority uses, as established in Subsection 902.01(d)(6), or if additional or subsequent City or other public uses of right-of-way are inconsistent or incompatible with then current uses of Permittees or for any other reasonable cause as determined by the ~~City Engineer~~ Service Director.

(5) Provide maps and other information in such form and at such times as the ~~City Engineer~~ Service Director may require. It shall not be unreasonable for the ~~City Engineer~~ Service Director to require a Permittee to provide maps and other information which has been previously prepared by or for the Permittee, or the Permittee's predecessor, and which is in the possession of or subject to the control of the Permittee. Said maps and information shall locate, describe and identify all structures and facilities of such Permittee in, over and/or under the right-of-way;

(b) Construction and Technical Standards.

(2) In those areas of the City where telephone and electric services are

provided by underground facilities, all new facilities shall be placed underground. In all other areas the Permittee, upon written request of the City served upon the Permittee, shall use its Best Efforts to place its facilities underground. However, the term facilities as used in the preceding sentence shall not include equipment which is customarily placed on or above the ground in conjunction with underground transmission facilities (e.g. splice and terminal pedestals, equipment cabinets and transformers). Where not otherwise required to be placed underground by this Chapter, the Permittee's system shall be located underground at the request of the adjacent property owner; provided, the placement of such system shall be consistent with the Permittee's construction and operating standards and provided that the excess cost over the above grade location shall be borne by the property owner making the request. All cable to be installed under the roadway shall be installed in conduit. In no circumstance shall a new pole or poles be located in any right-of-way of the City where such pole or poles are not replacing an existing pole or poles; without first obtaining the written approval of the City Engineer Service Director.

- (3) The Permittee shall construct, install, operate and maintain its system in a manner consistent with all applicable laws as well as with such published standards as are recommended by the Federal Communications Commission, whether or not those published standards have the force of law; unless the Permittee demonstrates to the satisfaction of the City Engineer Service Director that such published, recommended standard is impractical and will not contribute to the public health, safety or welfare.
- (6) The City does not guarantee the accuracy of the City's maps showing the horizontal or vertical location of existing substructures in the right-of-way. When a Permittee discovers a substructure not properly located on the City's map of the relevant area, the Permittee shall immediately notify the City Engineer Service Director and cooperate with the City Engineer Service Director's efforts to correct and revise the City's map.

(c) Right-of-Way Work Permit Required. All Permittees shall obtain a right-of-way Work Permit from the City Engineer Service Director prior to the beginning of any work in the right-of-way; however, prior City approval shall not be required for emergency repairs or for routine maintenance which does not require excavation in the public right-of-way or complete blockage of traffic using the right-of-way or entry on to Public Property other than right-of-way. The term "routine maintenance" as used in this subdivision means:

- (1) inspection of facilities,
- (2) groundline treatment of poles,
- (3) switching,
- (4) repairing damaged or failed equipment,
- (5) installing new service extensions
- (6) tree trimming, and
- (7) relamping of street lights,
- (8) cathodic protection maintenance,
- (9) resetting a pole in the general area of its original location.

The Permittee and its contractors shall restore the right-of-way and Public Property, when disturbed by the Permittee or its contractor, as required by the ~~City Engineer~~ Service Director. A Permittee shall be liable to the City for any and all damage done by its contractors to the right-of-way or to Public Property or to sewer laterals located within the right-of-way. Such right-of-way Work Permit shall be issued in writing and shall contain such conditions that may be required by the ~~City Engineer~~ Service Director for the protection of the public health, safety, welfare and preservation of Public Property and right-of-way and to accomplish the City's policy objectives as set forth in this Chapter. The Permittee, and its contractors shall endeavor to complete, in a timely manner, restoration of the right-of-way and Public Property and all workmanship and materials used by the Permittee and its contractors for such restoration shall be subject to the inspection and approval of the ~~City Engineer~~ Service Director and shall be warranted for a period of one (1) year from the date of completion for any failure due to workmanship or quality of materials.

902.08 NOTICE OF RIGHT OF WAY WORK AND JOINT PLANNING.

(a) All applicants for right-of-way Work Permits required under Section 902.06 of this Chapter shall file a written notice with the ~~City Engineer~~ Service Director at least seven (7) days before working in or on the right-of-way, except in the case of emergency. In addition to such other information as the ~~City Engineer~~ Service Director shall require, the notice shall:

- (1) Identify the right-of-way affected;
- (2) Contain a description of any facilities to be installed, constructed or maintained;
- (3) State whether or not any right-of-way will be excavated;
- (4) State to what extent any right-of-way will need to be restricted, blocked or temporarily closed;
- (5) Provide an estimate of the amount of time needed to complete such work;
- (6) Provide a description and timetable of any restorative measures planned to close any street excavation or to remedy any damage done to the right-of-way in performing such work;
- (7) Contain a certification that other affected or potentially affected Permittees or Franchisees have been notified of the proposed work; and
- (8) Contain a certification that all Springfield consumers of any public utility products or services which will be adversely affected by such work have been or will be notified in advance of any disruption in delivery of the public utility products and services to such consumers.

(b) Permittees may, under emergency or other exigent circumstances, work in the right-of-way so long as the Permittees notify the ~~City Engineer~~ Service Director in advance of the work to be performed, via voice mail delivered to a telephone number which shall be published by the ~~City Engineer~~ Service Director, and as long as the Permittees use Best Efforts to provide the City with the notice required by Subsection 902.08(a) at the earliest possible time.

902.11 REMOVAL OF FACILITIES.

(a) In the event any Permittee intends to discontinue use of any facilities within the right-of-way, such Permittee shall submit a notice to the ~~City Engineer~~ Service Director

describing the portion of the facilities use of which will be discontinued and the date of discontinuation of use, which date shall not be less than thirty (30) days from the date such notice is submitted to the ~~City Engineer~~ Service Director. The Permittee may not remove, destroy or permanently disable any such facilities after such notice without the advance, written approval of the ~~City Engineer~~ Service Director. In the event the Permittee abandons such facilities by failing to remove such facilities within six months after the Permittee has discontinued use of such facilities, the Permittee shall remove, unless prohibited by federal or state law, and/or secure such facilities or shall abandon such facilities in place as directed by the ~~City Engineer~~ Service Director in written instructions served on the Permittee.

902.12 REMEDIES AND REVOCATION.

(b) The ~~City Engineer~~ Service Director shall give the Permittee sixty (60) days prior written notice of City's intent to revoke the Permit under the provisions of this Chapter stating the reasons for such action. If the Permittee cures the stated reason within the sixty (60) day notice period, or if the Permittee initiates efforts satisfactory to the City to remedy the stated violation, the City shall not revoke the Permit. If the Permittee does not cure the stated violation or undertake efforts satisfactory to the City to remedy the stated violation; then, after serving upon the Permittee at least twenty (20) days advance written notice of the Permittee's opportunity for a hearing before the City Manager and granting the Permittee an opportunity to be heard in person or in writing as the Permittee may chose, the City Manager may revoke the Permit.

902.17 REPAIR OF SEWER LATERALS IN RIGHT OF WAY.

(a) Upon a property owner discovering that a sewer lateral connecting his property, located within the corporate boundaries of the City, to the City's sewer line has broken down in that portion of the sewer lateral located within the City's right-of-way, the owner may request that the City repair that portion of the sewer lateral located within the City's right-of-way at no charge to the property owner. Such request for repair of a broken down sewer lateral located within the City's right-of-way shall be made by written application to the City's Service Director on such application form as may be required by the City's Service Director and shall be accompanied by a certification issued by a person registered under to this Section verifying that the subject lateral is broken down within the City's right-of-way. Upon receipt of a proper application for repair of a broken down sewer lateral located within the City's right-of-way, the City's Service Director shall commence an investigation to determine whether;

- (1) the applicant is a proper person to request the sewer lateral repair described in this Section,
- (2) the sewer lateral is in fact broken down within the City's right-of-way, and
- (3) that the break down in the sewer lateral is not the result of willful damaging by the property owner or a tenant of the property owner.

If the City's Service Director is able to confirm each of the above factors, the City's Service Director shall arrange to have the broken down sewer lateral within the City's right-of-way repaired and shall not charge the property owner for such repair. Blockage of a sewer lateral which can be remedied by cleaning the sewer lateral does not constitute a break down of the sewer lateral. The City makes no warranties, either express or implied, regarding the repair of sewer laterals engaged in by the City pursuant to this section. The

City's actions in repairing a sewer lateral in no way constitute an acceptance by the City of a dedication of the subject sewer lateral to the City.

Section 6. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Sections 918.10(a) and 918.10(c) to read as follows:

918.10 STORMWATER UTILITY COORDINATOR; APPEALS.

(a) Stormwater Utility Coordinator. The City Manager shall designate a City employee who shall report to the ~~City Engineer~~ Service Director or designee and who shall administer the City's stormwater utility, including;

- (1) Receiving reviewing and granting or denying applications for credits,
- (2) Determining the appropriate Stormwater Class for Properties based on GIS and land use information collected and maintained by the County Auditor,
- (3) Using any and all land use data, determining the Impervious Area measurement for Properties, and
- (4) Reviewing and granting or denying applications for reconsideration of ESU multiples, Stormwater Class determinations, determinations of impervious surface, determinations of whether a property is unlikely under any circumstances to contribute stormwater to the Stormwater System, the amount of a stormwater utility service charge assessed, and other determinations made by the Stormwater Utility Coordinator.

(c) Appeals. An applicant aggrieved by a decision of the Stormwater Utility Coordinator made on an application filed with the City, may file an appeal with the ~~City Engineer~~ Service Director or designee along with a processing fee of \$100.00 for property with a Commercial or Industrial Stormwater Class designation and \$25.00 for property with an Agricultural, Condominium, Residential, or Vacant Stormwater Class designation; provided that the filing of the appeal is made within fourteen days after the Stormwater Utility Coordinator issues his/her decision granting or denying the application. The appeal shall be made to a panel comprised of the City Manager, the Finance Director and the Law Director, or their designees. The appeal panel shall consider the provisions of this Chapter, land use data establishing the actual conditions of the property, the application and its attachments, the decision of the Stormwater Utility Coordinator and the contents of the appeal document in reviewing the Stormwater Utility Coordinator's decision and shall affirm or reverse or reverse and remand the Stormwater Utility Coordinator's decision. The decision of the appeal panel shall be final. Further appeal shall be to the Court of Common Pleas.

Section 7. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Sections 931.01(a), 931.01(d), 931.01(e), 931.01(f), 931.03(f),

931.03(k), 931.04(g), 931.05(b), 931.05(h), 931.06(a), 931.06(c)(3), 931.06(e), and 931.07(a)(5), to read as follows:

931.01 ENGINEERING DRAWINGS.

(a) Preparation. Developers of private property shall submit to the ~~City Engineer~~ Service Director or designee for preliminary and final approval, drawings of engineering details of all existing and proposed facilities and utilities which will become the property of, or maintained by, The City of Springfield, Ohio. Drawings shall be prepared by or under the supervision of a registered professional engineer in the State of Ohio and bear his signature and stamp of the seal prescribed by the State Board of Registration for Professional Engineers and Surveyors. All engineering drawings shall be prepared on sheets 24-inch by 36-inch size out to out of the trimming edges.

(d) Specifications and Standard Drawings. All construction and materials shall comply with the current City of Springfield specifications and standard drawings on file in the ~~City Engineer's office~~ Service Department. City of Springfield specifications and standard drawings shall be referenced on engineering drawings.

(e) Construction. No construction may begin until the final plans are approved by the ~~City Engineer~~ Service Director or designee and all fees are paid. The ~~City Engineer's office~~ Service Department shall be notified 48 hours in advance of any construction so that inspection may be provided. This notification policy shall be stated on engineering drawings.

(f) As-Built Drawings. After the development has been completed, "as-built drawings" shall be turned over to the ~~City Engineer~~ Service Director or designee. The original engineer or surveyor of record shall certify the "as-built drawings". These plans shall show the following items in detail:

- (1) Water and sewer mains located in reference to the curb line.
- (2) Fire hydrants and water valves.
- (3) Water services.
- (4) Plan and profile of all main sewers including manhole locations.
- (5) House connections (sewer location at curb line referenced to the nearest street right-of-way line and measured along the curb line.)
- (6) Final curb elevations and stationing.
- (7) Grading plan including limits and grades of detention/retention areas.
- (8) Typical sections of all pavements.

These plans shall be submitted in one of the following formats: mylar drawings, computer disk in autocad format, or computer disk in a DXF file format.

931.03 STREETS.

(f) Concrete curb, gutter, and sidewalk where required shall be constructed in accordance with the standard drawings and specifications on file in the ~~City Engineer's office~~ Service Department.

(k) All traffic signal support devices shall be mast-arm type installations unless deemed impractical by the ~~City Engineer~~ Service Director or designee.

931.04 STORM SEWERS.

(g) Storm sewers, manholes, catch basins, and appurtenances shall be constructed in accordance with the standard drawings and specifications on file in the ~~City Engineer's office~~ Service Department.

931.05 SANITARY SEWERS.

(b) The minimum size of a main sewer shall be eight inches in diameter and shall be constructed in accordance with the specifications for installation of sanitary and storm sewers on file in the ~~City Engineer's office~~ Service Department. The minimum size house connection shall be four inch.

(h) Manholes, sewers, and appurtenances shall be constructed in accordance with the standard drawings and specifications on file in the ~~City Engineer's office~~ Service Department.

931.06 WATER MAINS.

(a) Water mains shall be designed in accordance with this section. Water main materials shall conform to *City of Springfield Construction and Material Specifications*, latest edition, on file in the ~~City Engineer's office~~ Service Department. The developer shall consult the City's master water plan before preparing plans.

(c) All water mains shall be sized a minimum of eight inches in diameter as well as to meet usage and fire flow demands unless otherwise specified as follows:

- (3) Should it be determined by the Service Department that inadequate cycling of the water would occur, thus resulting in nonconformance with water quality standards and regulations, alternative line sizing and connection configurations will be identified by the ~~City Engineer~~ Service Director or designee. The ~~City Engineer~~ Service Director or designee shall cooperate with the fire official in determining the main size to ensure adequate fire flow demands.

(e) All water distribution systems in a subdivision shall be designed with looping for proper water flow. Dead end lines shall be approved by the ~~City Engineer~~ Service Director or designee, after consultation with the fire official, only if the developer can show no feasible means to loop the lines.

931.07 STREET LIGHTS.

(a) A street lighting plan shall be submitted with final construction drawings for any development. The lighting plan may be a separate drawing, or the proposed layout may be shown on the overall plan drawing.

- (5) Approval of the lighting layout must be secured from the ~~City Engineer's office~~ Service Department prior to installation and after approval of the street lighting construction plans by the public utility.

Section 8. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Sections 961.01(e), 961.05, 961.06(b), 961.07(a), 961.07(c),

961.07(d), 961.09(b), 961.10(a)(1), 961.10(b)(1), 961.10(b)(2), 961.11, and 961.12 to read as follows:

961.01 PURPOSE AND SCOPE.

(e) This regulation does not require a Comprehensive Stormwater Management Plan for linear construction projects, such as pipeline or utility line installation, that do not result in the installation of impervious surface. Such projects must be designed to minimize the number of stream crossings and the width of disturbance. Linear construction projects must comply with the requirements of the latest edition of the Ohio Department of Natural Resources Rainwater and Land Development Manual or other erosion control guideline approved by the City Engineer.

961.05 COMPREHENSIVE STORMWATER MANAGEMENT PLANS—PLAN DEVELOPMENT.

(a) This regulation requires that a Comprehensive Stormwater Management Plan be developed and implemented according to the requirements set forth in the most recent version of the Ohio Environmental Protection Agency's General Permit Authorization for Stormwater Discharges Associated with Construction Activity Under the National Pollutant Discharge Elimination System:

- (1) for soil disturbing activities disturbing one or more acres of total land or less than one (1) acre if the disturbing activities are part of a larger common plan of development or redevelopment disturbing one or more acres of total land
- (2) for soil disturbing activities disturbing less than one (1) acre of land when the City Engineer determines that development and implementation of a Comprehensive Stormwater Management Plan is necessary to serve the purposes of this Chapter, and
- (3) for soil disturbing activities which are part of any regulated activity described in Section 961.01(c). The City Engineer may require the development and implementation of a Comprehensive Stormwater Management Plan for soil disturbing activities disturbing less than one acres of land and which are not part of a larger common plan of development, when necessary to accomplish the purposes described in Section 961.01.

(b) The City of Springfield through the ~~office of its City Engineer~~ Service Department shall administer this regulation, shall be responsible for determination of compliance with this regulation, and shall issue notices and orders as may be necessary.

961.06 PROHIBITIONS.

(b) No person or entity shall engage in non-agricultural, earth-disturbing activities performed on lands located within the City of Springfield's corporate boundaries, and which are lands not subject to the jurisdiction of a state or federal governmental agency which regulates the matters governed by this Chapter, when a Comprehensive Stormwater Management Plan is required to be developed and implemented under Section 961.05 of this Chapter; unless a Comprehensive Stormwater Management Plan has been submitted to and approved by the ~~City Engineer~~ Service Director or designee for the non-agricultural, earth-disturbing activities.

**961.07 COMPREHENSIVE STORMWATER MANAGEMENT PLANS—
APPLICATION PROCEDURES.**

(a) Pre-Application Meeting. Applicants for permissions granted under the Chapter 961 are encouraged to meet with the ~~City Engineer~~ Service Director or designee to discuss the proposed project, review the requirements of this and other pertinent regulations, identify unique aspects of the project that must be addressed during the review process, and establish a preliminary review and approval schedule in advance of tendering an application to the ~~City Engineer~~.

(c) Review and Comment. The ~~City Engineer~~ Service Director or designee shall review the Comprehensive Stormwater Management Plan submitted, and shall either approve the plan or return the plan with comments and recommendations for revisions.

(d) Approval Necessary. No person shall begin land clearing and/or soil-disturbing activities unless the ~~City Engineer~~ has approved the related Comprehensive Stormwater Management Plan.

**961.09 COMPREHENSIVE STORMWATER MANAGEMENT PLANS—PLAN
CONTENT.**

(b) Contents of Comprehensive Stormwater Management Plan. The Comprehensive Stormwater Management Plan shall meet the requirements of the latest edition of Ohio EPA's General Permit Authorization For Stormwater Discharges Associated With Construction Activity Under The National Pollutant Discharge Elimination System and shall provide the following information:

(1) Plans must include the following notes:

- A. At the end of construction, all stormwater pipes, basins, channels, etc. shall be cleaned out of all sediment accumulation and restored to the original design as shown per these plans.
- B. Forty-eight hours prior to any earth disturbance work, the Contractor shall notify the City of Springfield, Engineering Service Department.
- C. All mud/dirt tracked onto roads from the site, due to construction, shall be promptly removed at the end of each day.
- D. No construction shall commence until all City of Springfield permits and connection fees have been issued as required.
- E. Stormwater control facilities composed of straw are not permitted.
- F. Clearing, grading, and equipment storage is prohibited within twenty-five (25) feet of all water resources unless otherwise approved by the ~~City Engineer~~ Service Director or designee.
- G. Where construction activity is necessary within ten (10) feet of a water resources high water mark, perimeter protection using Filtrexx erosion control socks or similar material shall be used.
- H. Construction projects scheduled to last six (6) months or more shall not use silt fence as perimeter protection; instead, Filtrexx erosion control sock or similar material shall be used.
- I. Dewatering discharges shall not be directed into the City of Springfield's stormwater system without the prior approval of the

City Engineer Service Director or his designee.

- (2) Location of all existing easements, covenants and restrictions impacting each stormwater management practice, facility, or improvement.
- (3) An Inspection and Maintenance Plan designed to ensure that all pipes and channels built to convey stormwater to the stormwater control facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater discharged from the facility serves its designed purpose through its expected period of use shall be submitted as a stand-alone document for review and approval by the City Engineer Service Director or designee during the Plan approval process. At a minimum, the Inspection and Maintenance Plan shall include a method and frequency for the following activities:
 - A. Inspection of all permanent structures,
 - B. Debris/clogging control through appropriate removal and disposal,
 - C. Vegetation control (mowing, harvesting, eradication of undesirable plants),
 - D. Erosion repair,
 - E. Non-routine maintenance should include pollutant and sediment removal and the "rejuvenation" or replacement of filters and appropriate soils, and
 - F. Disposal of collected pollutants, sediments, and filter media in accordance with local, state, and federal regulations.
 - G. Inspection and Maintenance Plans shall include language affirming the following:
 - (i) The City of Springfield has the authority and right to enter upon the development area to conduct inspections as necessary to verify that the stormwater management practices are being maintained and operated in accordance with this regulation.
 - (ii) Notice that the City of Springfield maintains public records of the results of site inspections for the period of time specified in the City of Springfield's record retention schedule, shall inform the site owner(s) or organization responsible for maintenance (by written notice served on the tax mailing address for the subject land) of the inspection results, and shall specifically indicate any corrective actions required to bring the stormwater practices into proper working condition.
 - (iii) If the City of Springfield notifies the site owner(s), or other entity responsible for maintenance, of maintenance deficiencies that require correction, the specific corrective actions shall be taken within thirty (30) days of the service of the notice; unless the City Engineer grants an extension of time to complete correcting deficiencies due to the impracticality of completing the correction of deficiencies

- within thirty (30) days.
- (iv) Maintenance deficiencies not corrected within thirty (30) days may be declared a public nuisance in accordance with Chapter 1323 of these codified ordinances.
 - (v) The method of funding long-term maintenance and inspections of all stormwater management practices, facilities and improvements.
- (4) Calculations required. The applicant shall submit calculations for projected stormwater runoff flows, volumes, and timing into and through all stormwater management facilities for flood control, channel protection, water quality, and the condition of the habitat, stability, and incision of each water resource and its the floodplain, as required in Section 961.10 of this regulation. These submittals shall be completed for both pre- and post-development land use conditions and shall include the underlying assumptions and hydrologic and hydraulic methods and parameters used for these calculations. The applicant shall also include critical storm [See Section 961.10(c)] determination and demonstrate that the runoff from upper watershed areas have been considered in the calculations. Redevelopment projects shall only submit calculations at the discretion request of the City Engineer.
- (5) The Comprehensive Stormwater Management Plan shall include a time schedule for completing all elements of the work to construct Comprehensive Stormwater Management Plan facilities and achieve final stabilization.
- (6) Detention exemption. When the total detention required on a development area is under 1,000 cubic feet, the City Engineer may, upon the request of the developer, waive the detention requirements of this chapter; provided, however that the City Engineer shall not grant a waiver if it is determined that storm water drainage would be a threat to adjacent properties if no detention were to be provided or if it is determined that the public sewer system downstream of the development area is not adequate to handle the increased storm flow.
- A. Residential development of three units or less that are not part of a larger common plan of development or redevelopment are exempt from the detention requirements of this chapter; provided, however that the City Engineer shall not determine that storm water drainage would be a threat to adjacent properties if no detention were to be provided or if it is determined that the public sewer system downstream of the development area is not adequate to handle the increased storm flow.
- (7) The Comprehensive Stormwater Management Plan shall conform to the performance standards specified in Section 961.10.

961.10 PERFORMANCE STANDARDS.

(a) General. Each Comprehensive Stormwater Management Plan shall include stormwater management facilities for storage, treatment and control, and conveyance; shall be designed to prevent structure flooding during a 100-year, 24-hour storm event; shall maintain predevelopment flow rates and discharge volumes; and shall meet the following criteria:

(1) Exemption. The site where soil-disturbing activities are conducted shall be exempt from the requirements of Section 961.10 if it can be shown to the satisfaction of the City Engineer that the site is part of a larger common plan of development where the stormwater management requirements for the site are provided by an existing stormwater management practice, facility or improvement.

(b) Stormwater Quality Control.

(1) Criteria applying to all stormwater management facilities. Each facility shall be designed to facilitate sediment removal, vegetation management, debris control, and other maintenance activities defined in the Inspection and Maintenance Plan for the site. Approved practices are listed in the Ohio DNR Rainwater and Land Development Manual (Third Edition, 2006). The City Engineer may approve other proposed facilities if the applicant can demonstrate to the City's Engineer's satisfaction that these facilities meet the objectives of this regulation.

(2) Additional criteria applying to infiltration facilities.

- A. All runoff directed into an infiltration basin must first flow through a pretreatment facility as described in the Ohio DNR Rainwater and Land Development Manual, (Third Edition, 2006).
- B. Pursuant to Chapter 1153 of these Codified Ordinances, a site owner required to provide off street parking can receive a reduction of required parking spaces for the use of stormwater practices described therein.
- C. The City Engineer may require a soil engineering report to be prepared for the site to demonstrate that a proposed infiltration facility meets these performance standards.

961.11 MAINTENANCE AND FINAL INSPECTION APPROVAL

To receive final inspection and a determination by the City Engineer that the approved Comprehensive Stormwater Management Plan and the requirements of this regulation have been complied with in performing a construction project, the following must be completed:

- (a) All permanent stormwater management facilities must be installed, free of debris, and made functional per the approved Comprehensive Stormwater Management Plan.
- (b) An as-built survey, sealed, signed and dated by a Professional Surveyor and a written certification by a Professional Engineer certifying that permanent stormwater management facilities, as designed and installed, meet the requirements of the approved Comprehensive Stormwater Management Plan shall be delivered to the City Engineer. The as-built survey must provide the location, dimensions, details, volume, and bearing of such facilities. In evaluating this certification, the City Engineer may

require the submission of a new set of stormwater calculations if ~~he/she~~ the City determines that the design was altered materially from the approved Comprehensive Stormwater Management Plan.

961.12 AMENDMENTS TO THE COMPREHENSIVE STORMWATER MANAGEMENT PLAN.

Proposed amendments to an approved Comprehensive Stormwater Management Plan shall be made to the City ~~Engineer~~ within seven (7) working days of the site owner identifying said need. The site owner shall provide the City ~~Engineer~~ with any requested calculations, drawings, or other information requested in order to determine if the proposed amendment satisfies the requirements of this chapter.

Section 9. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Section 971.01(f)(2) to read as follows:

971.01 GENERAL PROVISIONS.

(f) **Basis for Establishing the Areas of Special Flood Hazard.** For the purposes of these Floodplain Regulations, the following studies and / or maps are adopted:

- (2) Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which has been approved by the City of Springfield ~~City-Engineer~~, as required by Section 971.04(c) Subdivisions and Large Scale Developments.

Section 10. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Section 1205.02(c)(6)(S) to read as follows:

1205.02 SUBDIVISIONS INVOLVING MORE THAN FIVE LOTS.

- (6) The Phase I map of the proposed subdivision shall contain the following items:
 - (S) The location of all proposed street light poles and power supply lines to such poles; however, if the plan for such poles and power lines is not yet complete at the time that Phase I approval is being requested, a note shall be made on the Phase I Map and that the subdivider of the subdivider's developer is working to complete such plan with the utility that will provide power to the light poles and the ~~City-Engineering~~ Service Department.

Section 11. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Sections 1213.01(b) and 1213.07(k) to read as follows:

1213.01 PHASE I PLAN AND DATA.

- (b) Plat Copies. Within one working day after receiving the Phase I plat and accompanying items, the staff will refer one copy of the plan to the Engineering Service Department for review of improvement plan; local school district, where involved, for report on school site requirements; and other applicable agencies and departments.

1213.07 REQUIRED STATEMENTS AND SIGNATURES TO BE AFFIXED ON THE PHASE 2 (RECORD) MAP.

- (k) Certification by the ~~City Engineer~~ Service Director.
I hereby certify that a copy of this plat was filed in the ~~City Engineer's office~~ Service Department.

Date _____

By: _____
City Engineer Service Director

Section 12. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Sections 1311.17(e), 1311.17(g)(3), 1311.17(o), 1311.17(p), and 1311.21 to read as follows:

1311.17 DEMOLITION REQUIREMENTS.

(e) A traffic plan shall be submitted prior to demolition for approval by the ~~Engineering, Police and Fire Divisions~~ Service Department, Police Division and Fire Division.

- (g) All necessary precautions shall be taken to comply with the following:
 - (3) The ~~City Engineer~~ may require such reasonable measures as may be necessary to prevent particulate matter from becoming airborne including but not limited to paving or frequent cleaning of roads, driveways and parking lots; application of dust-free surfaces; application of water; and the planting and maintenance of vegetative ground cover.

(o) All excavations and depressions shall be filled with inorganic material not exceeding sixteen (16) inches by sixteen (16) inches by sixteen (16) inches in size. Backfill material and method of placement shall be approved and inspected by the ~~City Engineer~~ Service Director or designee and Chief Building Official and/or the Code Enforcement Manager. (See Chapter 923 of the Codified Ordinances.)

(p) The Chief Building Official or the Code Enforcement Manager and ~~City Engineer~~ Service Director or designee shall approve the final grading plan. Finished grade shall consist of a four (4) inch surface layer of soil, seeded and mulched to reduce the germination and propagation of weeds or noxious vegetation, and to prevent fugitive dust conditions and soil erosion, unless otherwise approved by the Chief Building Official.

1311.21 ENDORSEMENTS ON CERTIFICATES OF USE AND OCCUPANCY

(a) The Chief Building Official shall provide each certificate of use and occupancy approved by the Chief Building Official to the ~~City's Planning and Zoning Administrator~~ Community Development Director or designee and to the ~~City Engineer~~ Service Director or designee prior to delivering the certificate of use and occupancy to the owner of the building or structure to which the certificate of use and occupancy pertains.

(b) Approval required to occupy. No building or structure in whole or in part shall be used or occupied until the ~~Planning and Zoning Administrator~~ Community Development Director or designee and the ~~City Engineer~~ Service Director or designee have each endorsed their approval on that back of the certificate of use and occupancy, certifying that the use of the building or structure and the premises upon which the building or structure is situated is in compliance with Parts Nine, Eleven, and Twelve of the City's Codified Ordinances. The building owner shall only use the structure in compliance with the certificate of use and occupancy and any stated conditions therein. The structure and all approved building service equipment shall be maintained in accordance with the approval.

Section 13. That Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, is hereby amended by the amendment of Sections 1325.06 and 1325.08 to read as follows:

1325.06 DUTIES OF CHIEF BUILDING OFFICIAL.

(d) Designate Streets for Removal. The Chief Building Official shall procure from the ~~City Engineering Service~~ Department a list of designated streets over which the building may be moved. The Chief Building Official shall have the list approved by the Chief of Police and shall reproduce the list upon the permit in writing. In making their determinations, the ~~Public Works Director~~ Service Director or designee and the Chief of Police shall act to assure maximum safety to persons and property in the City and to minimize congestion and traffic hazards on public streets.

1325.08 ENFORCEMENT.

(a) The Chief Building Official, the Police Division and the ~~City Engineer~~ Service Director or designee shall enforce and carry out the requirements of this chapter.

Section 14. That existing Chapter 130 and Sections 141.04, 149.05(b), 901.01(c), 901.03(a)(2), 902.01(d), 902.02(f), 902.03(b), 902.04(c), 902.04(e), 902.06(a)(4), 902.06(a)(5), 902.06(b)(2), 902.06(b)(3), 902.06(c), 902.08, 902.11, 902.12, 902.17, 918.10(a), 918.10(c), 931.01(a), 931.01(d), 931.01(e), 931.01(f), 931.03(f), 931.03(k), 931.04(g), 931.05(b), 931.05(h), 931.06(a), 931.06(c)(3), 931.06(e), 931.07(a)(5), 961.01(e), 961.05, 961.06(b), 961.07(a), 961.07(c), 961.07(d), 961.09(b), 961.10(a)(1), 961.10(b)(1), 961.10(b)(2), 961.11, 961.12, 971.01(f)(2), 1205.02(c)(6)(S), 1213.01(b), 1213.07(k), 1311.17(e), 1311.17(g)(3), 1311.17(o), 1311.17(p), 1311.21, 1325.06, and 1325.08 of the Codified Ordinances of The City of Springfield, Ohio, are hereby repealed.

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: 257-19

Agenda Date: 11/26/19

Today's Date: 11/13/19

Subject: Edwin & Dianne Cogar- Mutual Settlement

Submitted By: Seth Timmerman

Department: Airport

Contact: x6108

<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:

It is respectfully requested that the City Commission authorize the City Manager, Law Director and Finance Director to do all things necessary to settle a claim with Edwin & Dianne Cogar in the amount of \$5,000. The claim arises out of deterioration caused to the Cogar's driveway, located at 5866 Springfield-Xenia Rd the costs to remedy said deterioration. Also directing the Director of Finance to make payment to Edwin & Dianne Cogar in the amount of \$5,000 as settlement for said damages.

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

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

Total Cost: \$5,000.00

AN ORDINANCE NO. _____

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.

...oooOOOooo...

WHEREAS, a claim has arisen as a result of deterioration to the above-mentioned driveway located in the vicinity of 5866 Springfield-Xenia Road; and

WHEREAS, in accordance with Codified Ordinance 147.13, the Law Director reviewed the claim and determined the City's responsibility; NOW, THEREFORE:

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

Section 1. That the Director of Law is hereby authorized to settle a claim with Edwin Cogar & Dianne Cogar for the expense incurred as a result of deterioration to the above-mentioned driveway located in the vicinity of 5866 Springfield-Xenia Road.

Section 2. That the Director of Finance is hereby authorized to make payment to Edwin Cogar & Dianne Cogar in the amount of \$5,000.00 as and for said deterioration.

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: 258-19

Agenda Date: 11/26/2019

Today's Date: 11/13/2019

Subject: Approve Payment under the Memorandum of Understanding

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

Department: Springfield City Area Transit (SCAT)

Contact: Nikki Weber, Treasurer

<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:

Requesting City Commission authorize payment to Clark County Commission on behalf of Clark County - Springfield Transportation Coordinating Committee (CCSTCC) for transit planning services provided during calendar year 2020 under the City's 2012 Memorandum of Understanding, in an amount not to exceed \$66,600.00.

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

Department/Division	Fund Description	Account Number	Actual Cost
Finance / Accounting	FTA Bus Grant	633610-4070	\$59,200.00
Finance / Accounting	General Fund	210450-4070	\$ 7,400.00

Total Cost: \$66,600.00

AN ORDINANCE NO. _____

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.

...oooOOOooo...

WHEREAS, the City, through the Board of County Commissioners of Clark County, Ohio, may from time to time as needed, procure planning services from Clark County-Springfield Transportation Coordinating Committee; NOW, THEREFORE:

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

Section 1. That 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 is hereby approved.

Section 2. 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: 274-18

Agenda Date: 11/26/19

Today's Date: 11/18/19

Subject: Change Order No. 1 with J & J Schlaegel, Inc., for Lagonda and James Sewer Replacement

Submitted By: Leo Shanayda, City Engineer

Department: Engineering

Contact: Chris Moore, Service Director

- | | | |
|--|--|---|
| <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: 19-97

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

Summary:

Work is finished on this project. In order to compensate the contractor for additional catch basin work for the Service Department and extra work to re-route around water transmission main, an adjustment of the quantities is needed. And to allow enough time for the project completion, the contract completion date should be extended from August 2, 2019 to November 8, 2019. Due to these adjustments, a contract change order must be authorized by City Commission.

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>
Engineering	Sewer	331207-6050 (7192)	\$89,054.01

Total Cost: \$ 89,054.01

AN ORDINANCE NO. _____

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.

...oooOOOooo...

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

Section 1. That this Commission hereby confirms and approves 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.

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 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

CONTRACT CHANGE ORDER

NUMBER (1) One

DATE November 18, 2019

TYPE OF PROJECT: Lagonda and James Sewer Replacement

CONTRACTOR: J & J Schlaegel, Inc., 1250 E US Hwy 36, Urbana, OH 43078

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			\$94,320.01
TOTAL DECREASE		(\$5,266.00)	

The sum of \$89,054.01 is hereby added to, deducted from the total. Therefore, the adjusted contract price to date is \$271,930.31.

The time provided for completion in the contract has been extended to **November 8, 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

Lagonda and James Sewer Replacement			
ITEM NO.	DESCRIPTION OF CHANGE	Contract Cost	
		DECREASE	INCREASE
202	Catch Basin Removed 1 EA @ \$450.00		\$450.00
202	Curb Removed 10 FT @ \$5.00		\$50.00
202	Curb Wall Removed 23 FT @ \$10.00		\$230.00
261	Pavement Restoration: Type D-Mod 213.43 SY @ \$95.00		\$20,275.85
608	4" Concrete Walk 424 SF @ \$10.00		\$4,240.00
608	6" Concrete Walk (58) SF @ \$12.00	(\$696.00)	
609	Curb, Misc: Type A, Straight (16) LF @ \$45.00	(\$720.00)	
609	Curb, Misc: Type A, Radius (2) LF @ \$50.00	(\$100.00)	
609	Curb, Misc: Type A (Curb Wall) 16 LF @ \$55.00		\$880.00
609	Curb & Gutter, Misc: Combination Curb and Gutter, Type B 10 FT @ \$50.00		\$500.00
803	12" Conduit, Type B 40 FT @ \$95.00		\$3,800.00
804	Manhole, No. 1, Type A-3 2 EA @ \$5,500.00		\$11,000.00
804	Manhole, No. 1, Type A-3 (Doghouse) 1 EA @ \$7,200.00		\$7,200.00
804	Catch Basin, No. 1 1 EA @ \$2,850.00		\$2,850.00
SPEC	Bypass Pumping (0.50) LS @ \$7,500.00	(\$3,750.00)	
SPEC	Fill and Plug Existing Conduit, 24" 65 FT @ \$44.00		\$2,860.00
SPEC	Extra Work due to Sewer Relocation because of Conflict with Water Transmission Main 1 LS @ \$39,984.16		\$39,984.16
TOTAL INCREASE			\$94,320.01
TOTAL DECREASE		(\$5,266.00)	

Request for Commission Action City of Springfield, Ohio

Item Number: 097-15

Agenda Date: 11/26/19

Today's Date: 11/19/19

Subject: Change Order No. 3 with Eagle Bridge Co. for CLA – Bechtle – 0.57, PID 99563

Submitted By: Leo Shanayda, City Engineer

Department: Engineering

Contact: Leo Shanayda

<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"/> Motion	<input type="checkbox"/> Emergency Resolution
<input checked="" type="checkbox"/> Contract	

Prior Ordinance/Resolution: 18-253
19-143
19-211

Date of Prior Ordinance/Resolution: 9/25/18
5/21/19
7/30/19

Summary:

Work is finished on this project. In order to compensate the contractor for quantity adjustments, an up and down adjustment of the quantities is needed. Due to these adjustments, a contract change order must be authorized by City Commission.

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

Department/Division	Fund Description	Account Number	Actual Cost
Engineering	ODOT		\$ 44,442.80
Engineering	OPWC		\$ 2,339.09

Total Cost: \$ 46,781.89

AN ORDINANCE NO. _____

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.

...oooOOOooo...

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

Section 1. That this Commission hereby confirms and approves 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.

Section 2. That the City Manager is hereby directed and authorized to endorse upon Change Order No. 3, a copy of which is attached, his approval on behalf of the City.

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

CONTRACT CHANGE ORDER

NUMBER (3) Three

DATE November 19, 2019

TYPE OF PROJECT: CLA - Bechtle - 0.57, PID 99563

CONTRACTOR: Eagle Bridge Co., 800 S. Vandemark Rd., PO Box 59, Sidney, OH 45365

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			\$74,103.25
TOTAL DECREASE		(\$27,321.36)	

The sum of \$46,781.89 is hereby added to, ~~deducted from~~ the total. Therefore, the adjusted contract price to date is \$1,480,521.52.

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

CONTRACT CHANGE ORDER

CLA - Bechtle-0.57, PID 99563			
ITEM NO.	DESCRIPTION OF CHANGE	Contract Cost	
		DECREASE	INCREASE
202	Pipe Removed, 24" and Under 36 FT @ \$22.00		\$792.00
608	4" Concrete Walk 548.5 SF @ \$9.00		\$4,936.50
608	6" Concrete Walk 31.63 SF @ \$11.00		\$347.93
659	Repair Seeding and Mulching (44) SY @ \$1.50	(\$66.00)	
832	Erosion Control (4,708.40) EA @ \$1.00	(\$4,708.40)	
803	12" Conduit, Type B 36 FT @ \$110.00		\$3,960.00
254	Pavement Planing, Asphalt Concrete: (1.5" Depth) 742.09 SY @ \$18.00		\$13,357.62
301	Asphalt Concrete Base, PG64-22 15.74 CY @ \$230.00		\$3,620.20
407	Tack Coat 1 GAL @ \$2.50		\$2.50
441	Asphalt Concrete Surface Course, Type 1, (448), PG64-22 32.7 CY @ \$370.00		\$12,099.00
441	Asphalt Concrete Intermediate Course, Type 1, (448), PG64-22 22.03 TON @ \$300.00		\$6,609.00
*609	Curb, Type A, Straight 120 LF @ \$25.00		\$3,000.00
*609	Curb, Type A, Radius (24) LF @ \$25.00	(\$600.00)	
645	Railroad Symbol Marking, Type A 1 EA @ \$3,735.00		\$3,735.00
509	Reinforcing Steel, Replacement of Existing Reinforcing Steel, As Per Plan (15) LB @ \$0.90	(\$13.50)	
510	Dowel Holes with Nonshrink, Nonmetallic Grout (24) EA @ \$12.00	(\$288.00)	
518	6" Non-Perforated Corrugated Plastic Pipe, Including Specials (35) FT @ \$12.00	(\$420.00)	
846	Polymer Modified Asphalt Expansion Joint System (51) CF @ \$340.00	(\$17,340.00)	
614	Work Zone Lane Line, Class I, 4", 642 Paint (0.03) MILE @ \$2,990.00	(\$89.70)	
614	Work Zone Edge Line, Class I, 4", 642 Paint (0.266) MILE @ \$4,485.00	(\$1,193.01)	
614	Work Zone Edge Line, Class I, 4", 740.06, Type 1 (0.28) MILE @ \$6,000.00	(\$1,680.00)	

CONTRACT CHANGE ORDER

CLA - Bechtle-0.57, PID 99563			
ITEM NO.	DESCRIPTION OF CHANGE	Contract Cost	
		DECREASE	INCREASE
614	Work Zone Dotted Line, Class I, 642 Paint (513) FT @ \$1.75	(\$897.75)	
616	Water (1) MGAL @ \$25.00	(\$25.00)	
SPEC	Extra Work on Bechtle Bridge for Old Foundation Removal, Catch Basin Repair, Extra Demolition and Extensions of Pier Caps, Walk and Curb Change for Drainage 1 LS @ \$21,643.50		\$21,643.50
TOTAL INCREASE			\$74,103.25
TOTAL DECREASE		(\$27,321.36)	

Request for Commission Action City of Springfield, Ohio

Item Number: 207-18

Agenda Date: 11/26/19

Today's Date: 11/18/19

Subject: Change Order No. 1 with Associated Excavating, Inc., for Northern Heights Water and Sewer Improvements

Submitted By: Leo Shanayda, City Engineer

Department: Engineering

Contact: Chris Moore, Service Director

<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: 19-193

Date of Prior Ordinance/Resolution: 7/2/19

Summary:

In order to allow enough time for the project completion, due to unforeseen conflicts and obstacles underground, a contract change order is needed that extends the contract completion date from November 8, 2019 to May 1, 2020, and must be authorized by City Commission.

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

Department/Division	Fund Description	Account Number	Actual Cost
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Total Cost:

AN ORDINANCE NO. _____

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.

...oooOOOooo...

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

Section 1. That this Commission hereby confirms and approves 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.

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 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

CONTRACT CHANGE ORDER

NUMBER 1 (One)

DATE November 18, 2019

TYPE OF PROJECT: Northern Heights Water & Sewer Improvements

CONTRACTOR: Associated Excavating, Inc., 10532 Westbrook Rd., Brookville, OH 45309

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

ITEM NO.	DESCRIPTION OF CHANGE	Contract Cost	
		DECREASE	INCREASE
	NOTE: CHANGE IN COMPLETION DATE ONLY		
TOTAL INCREASE			\$0.00
TOTAL DECREASE		\$0.00	

The sum of \$0.00 is hereby added to, deducted from the total. Therefore, the adjusted contract price to date is \$1,042,938.25.

The time provided for completion in the contract has been extended to **May 1, 2020**. 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: 127-15

Agenda Date: 12/10/2019

Today's Date: 12/3/2019

Subject: Approve Amendment No. 4 to the Agreement for Engineering Consulting Services with Strand Associates Inc.

Submitted By: Chris Moore, Service Director

Department: Service

Contact: Leslie McDermott, 525-5848

<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: 2015-0147
2017-0022
2018-0081
2019-0032

Date of Prior Ordinance/Resolution: 5/26/2015
1/31/2017
3/13/2018
1/29/2019

Summary:

Respectfully request City Commission authorization to approve the execution of Amendment No. 4 to the Agreement for Professional Engineering Consulting Services with Strand Associates Inc. Services to be provided are in connection with the Combined Sewer Overflow (CSO) Long Term Control Plan. The amendment extends the completion date to December 31, 2020.

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

Respectfully request approval for an Emergency Ordinance to prevent interruption in services related to the City's CSO Long Term Control Plan and National Pollutant Discharge Elimination System (NPDES) permit.

Department/Division	Fund Description	Account Number	Actual Cost
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Total Cost:

AN ORDINANCE NO. _____

Authorizing the City Manager to enter into Amendment No. 4 to the Agreement for Professional Engineering Consulting Services between the City and Strand Associates, Inc. in connection with the Combined Sewer Overflow Long Term Control Plan to extend the project completion date to December 31, 2020; and declaring an emergency.

...oooOOOooo...

WHEREAS, the City and Strand Associates, Inc. have entered into an Agreement for Professional Engineering Consulting Services pursuant to Ordinance No. 15-147, and amended pursuant to Ordinance Nos. 17-22, 18-81 & 19-32, in connection with the Combined Sewer Overflow Long Term Control Plan; and

WHEREAS, the City and Strand now wish to amend said agreement to extend the project completion date; and

WHEREAS, it is necessary that this Ordinance become effective immediately in order to avoid an interruption in services, 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 No. 4 to the Agreement for Professional Engineering Consulting Services between the City and Strand Associates, Inc. in connection with the Combined Sewer Overflow Long Term Control Plan to extend the project completion date to December 31, 2020, 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

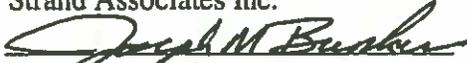
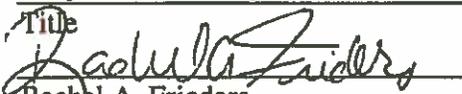
**AGREEMENT FOR PROFESSIONAL ENGINEERING CONSULTING SERVICES
BETWEEN STRAND ASSOCIATES, INC. AND THE CITY OF SPRINGFIELD, OH**

AMENDMENT NO. 4

THIS AMENDMENT entered into this ____ day of _____, 2019 by and between **THE CITY OF SPRINGFIELD, OHIO** (hereinafter "CITY") and **STRAND ASSOCIATES, INC.** (hereinafter "STRAND"); WITNESSETH:

The CITY and STRAND entered into an agreement for professional engineering consulting services on June 9, 2015 and amended on February 14, 2017, March 14, 2018, and January 30, 2019. The CITY and STRAND now wish to amend the terms of that agreement in the following respects:

1. The date for substantial completion of the Basic Services as stated in §III C is extended through December 31, 2020.
2. In all other respects, the terms of the Agreement remain in full force and effect.

Approved:	Strand Associates Inc.  Joseph M. Bunker Corporate Secretary	The City of Springfield, Ohio _____ Bryan Heck City Manager
Attest:	Title  Rachel A. Frieders _____ Title	_____ Name _____ Title

Approved as to Form:

By: _____
Jill N. Allen, Law Director
Date: _____

Request for Commission Action City of Springfield, Ohio

Item Number: 099-19

Agenda Date: 12/10/19

Today's Date: 12/4/19

Subject: Change Order No. 2 with A & B Asphalt Corporation for the 2019 PI Paving Project

Submitted By: Kurt Tyson, Construction Superintendent

Department: Engineering

Contact: Chris Moore, Service Director

<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
19-174

Date of Prior Ordinance/Resolution: 4/9/19
6/18/19

Summary:

During construction, a decision was made to switch the stabilization material from Calciment to 6% Cement. Due to a conflict with Columbia Gas in the Kenwood area, the following streets were non-performed: Kenwood Avenue – Selma Road to S. Belmont Avenue; Nagley Street – Sunset Avenue to Kenwood Avenue; Rutland Avenue – Nagley Street to Belmont Avenue; and Fulton Avenue – Nagley Street to S. Belmont Avenue.

Being the above streets were non-performed, additional streets were added and they are: Red Coach – Villa Road to Limestone Street; Archer Drive – Red Coach to Archer Lane; Argonne Avenue – Red Coach to Argonne Lane; Hilltop – Lagonda east to end; Berger Avenue – Lagonda east to end; Fairview Avenue – Greenwood Avenue to Edgewood Avenue; Greenwood Avenue – Tecumseh Avenue to Fairview Avenue; Edgewood Avenue – Tecumseh Avenue to Fairview Avenue; Parker Street – Tecumseh Avenue south to end; and Roberts Avenue – Hilltop Avenue to Tecumseh Avenue.

The change in streets resulted in a change in quantities. In addition to the quantity change, the completion date needs to be extended from November 1, 2019 to December 2, 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 \$59,533.77 by emergency ordinance at their December 10th meeting.

Department/Division	Fund Description	Account Number	Actual Cost
Engineering	PI	140012-6070 (4779)	\$99,887.17
Engineering	PI	140012-6050 (4756) Cliff Park	(\$40,353.40)

Total Cost: \$ 59,533.77

AN ORDINANCE NO. _____

Confirming and approving Change Order No. 2 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 \$59,533.77, for a total amount not to exceed \$2,128,209.31, and to extend the contract completion date to December 2, 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 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. 2 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 \$59,533.77, for a total amount not to exceed \$2,128,209.31, and to extend the contract completion date to December 2, 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

DATE December 4, 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
	NOTE ATTACHED SHEETS		
TOTAL INCREASE			\$824,257.95
TOTAL DECREASE		(\$764,724.18)	

The sum of **\$59,533.77** is hereby added to, ~~deducted from~~ the total. Therefore, the adjusted contract price to date is \$2,128,209.31.

The time provided for completion in the contract has been extended to **December 2, 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

2019 PI Paving			
ITEM NO.	DESCRIPTION OF CHANGE	Contract Cost	
		DECREASE	INCREASE
202	Walk or Drive Removed (7,184.75) @ \$4.25	(\$30,535.19)	
202	Curb Removed 1,608.50 @ \$10.00		\$16,085.00
202	Pavement Removed 859.11 SY @ \$22.82		\$19,604.89
203*	Excavation 75.19 CY @ \$25.91		\$1,948.17
203*	Excavation, As Per Plan (1,421) @ \$25.91	(\$36,818.11)	
204*	Excavation of Subgrade (12") (51.18) CY @ \$28.00	(\$1,433.04)	
204*	Granular Material, Type B (51.18) CY @ \$52.20	(\$2,671.60)	
204*	Subgrade Compaction 511.61 SY @ \$3.38		\$1,729.24
254*	Pavement Planing, Asphalt Concrete 20,073 SY @ \$2.50		\$50,182.50
261	Pavement Restoration, Type D-Mod, As Per Plan (15) LF @ \$25.00	(\$375.00)	
262	Bituminous Base Pulverizing and Shaping, w/Calciment (48,776) SY @ \$8.35	(\$407,279.60)	
262	Bituminous Base Pulverizing and Shaping, As Per Plan (5,198) SY @ \$9.91	(\$51,512.18)	
304	Aggregate Base 598 CY @ \$59.99		\$35,874.02
441*	Asphalt Concrete Surface Course, (448), Type 1, PG64-22 596.46 TON @ \$71.00		\$42,348.66
441*	Asphalt Concrete Intermediate Course, (448), Type 1 723.45 TON @ \$71.00		\$51,364.95
441*	Asphalt Concrete Intermediate Course, (448), Type 2 (1,404.51) TON @ \$71.00	(\$99,720.21)	
407*	Non-Tracking Tack Coat 61 GAL @ \$2.00		\$122.00
608	6" Concrete Walk (5,610) SF @ \$8.25	(\$46,282.50)	
608	8" Concrete Drive (186.87) SF @ \$9.25	(\$1,728.55)	
608	Curb Ramp, Type A1, As Per Plan (1) EA @ \$625.00	(\$625.00)	
608	Curb Ramp, Type B2, As Per Plan (1) EA @ \$625.00	(\$625.00)	
608	Curb Ramp, Type B3, As Per Plan (9) EA @ \$625.00	(\$5,625.00)	

CONTRACT CHANGE ORDER

2019 PI Paving			
ITEM NO.	DESCRIPTION OF CHANGE	Contract Cost	
		DECREASE	INCREASE
608	Curb Ramp, Type C1, As Per Plan (4) EA @ \$625.00	(\$2,500.00)	
608	Curb Ramp, Type C2, As Per Plan (20) EA @ \$625.00	(\$12,500.00)	
609	Curb, Type A, Straight 36 LF @ \$35.00		\$1,260.00
609	Curb, Type A, Radius (63) LF @ \$35.00	(\$2,205.00)	
609	Curb and Gutter, Type B, Radius 708.5 FT @ \$35.00		\$24,797.50
609	Curb and Gutter, Type B, Straight 74 FT @ \$35.00		\$2,590.00
609	Curb and Gutter, Type C, Radius 213 FT @ \$35.00		\$7,455.00
609	Curb and Gutter, Type C, Straight 753.5 FT @ \$35.00		\$26,372.50
614	Work Zone Center Line, Class I, 642 Paint (0.46) MILE @ \$3,995.00	(\$1,837.70)	
614	Work Zone Channelizing Line, Class I, 642 Paint (96) FT @ \$0.55	(\$52.80)	
614	Work Zone Stop Line, Class I, 642 Paint (51) FT @ \$2.50	(\$127.50)	
632*	Detector Loop, Powerhead 2 EA @ 1,301.05		\$2,602.10
653	Topsoil Furnished and Placed (161.76) CY @ \$85.00	(\$13,749.60)	
659	Seeding and Mulching (2,264.5) SY @ \$10.00	(\$22,645.00)	
659	Commercial Fertilizer (0.097) TON @ \$6,185.57	(\$600.00)	
804	Manhole Adjusted to Grade (5) EA @ \$600.00	(\$3,000.00)	
804	Manhole Adjusted to Grade, As Per Plan 35 EA @ \$725.00		\$25,375.00
804	Manhole Reconstructed to Grade, As Per Plan (1) VF @ \$700.00	(\$700.00)	
804	Manhole Casting Furnished 27 EA @ \$321.00		\$8,667.00
839	Valve Box Adjusted to Grade (31) EA @ \$322.40	(\$9,994.40)	
644*	Center Line, Double Solid 0.683 MILE @ \$7,545.00		\$5,153.24
644*	Channelizing Line, 8" 111 FT @ \$1.30		\$144.30

CONTRACT CHANGE ORDER

2019 PI Paving			
ITEM NO.	DESCRIPTION OF CHANGE	Contract Cost	
		DECREASE	INCREASE
644*	Stop Line (271) FT @ \$4.80	(\$1,300.80)	
644*	Crosswalk Line (1,708) FT @ \$2.80	(\$4,782.40)	
644*	School Symbol Marking (2) EA @ \$500.00	(\$1,000.00)	
644*	Transverse/Diagonal Line (220) FT @ \$4.65	(\$1,023.00)	
202	Walk Removed 635 SF @ \$4.25		\$2,698.75
202	Curb and Gutter Removed 85 FT @ \$10.00		\$850.00
261	Pavement Restoration, Type A, As Per Plan 58 SY @ \$43.84		\$2,542.72
608	4" Concrete Walk 1,125 SF @ \$7.75		\$8,718.75
609	Combination Curb and Gutter, Type B, Straight 85 FT @ \$35.00		\$2,975.00
803	6" Conduit, Type A (11) FT @ \$125.00	(\$1,375.00)	
803	8" Conduit, Type A (1) FT @ \$100.00	(\$100.00)	
262	Bituminous Base Pulverizing and Shaping, As Per Plan 37,482 SY @ \$8.76		\$328,342.32
SPEC	Work Performed in Kenwood Neighborhood (Milling, Flagging, Hauling) where Project was Halted and Postponed due to Conflict with Columbia Gas 1 LS @ \$61,127.68		\$61,127.68
441*	Asphalt Concrete Intermediate Course, (448), Type 2: Temporary Pavement for Kenwood Area 1,314.46 TON @ \$71.00		\$93,326.66
TOTAL INCREASE			\$824,257.95
TOTAL DECREASE		(\$764,724.18)	