

The City of Springfield, Ohio
City Commission Regular Meeting Minutes
Tuesday, March 10, 2020 – 7:00 p.m.
City Hall Forum

A special meeting was called to order by President Copeland at 6:30 p.m. Roll call was answered by Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

On motion of Dr. Estrop, seconded by Mrs. Chilton, the meeting adjourned into Executive Session on Personnel Appointment.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.

On motion of Mr. O'Neill, seconded by Dr. Estrop, the Executive Session adjourned.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.



The regular meeting was called to order by President Copeland. Roll call was answered by Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

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

On motion of Dr. Estrop, seconded by Mrs. Chilton, members approved the minutes of the February 25, 2020, Work Session and Legislative Meeting as presented.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.

FIRST READINGS—ORDINANCES

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

79-20 Authorizing the City Manager to apply for and accept a 2020 Energized Community Grant through the Northeast Ohio Public Energy Council (“NOPEC”) in an amount up to \$86,100.00 to be used for implementation of energy savings or energy infrastructure measures; authorizing the City Manager to execute a Grant Agreement for the acceptance of said Grant; and authorizing the City Manager, Law Director and the Director of Finance to do all things necessary for the submission of the application and acceptance of the grant and to comply with all relevant local, state and federal legal requirements.

Discussion

Dr. Estrop spoke on the possibilities of using the NOPEC grant for energy savings.

256-19 Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by repealing and replacing Section 1213.07(k) within Chapter 1213 entitled Plan Approval Procedures relating to the adopted Subdivision Regulations.

Discussion

City Manager Heck indicated the requested change relates to authorizing the City Engineer to sign off on plan approvals.

80-20 Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by repealing and replacing certain sections of Chapter 185 entitled Fringe Benefits.

Discussion

Mr. Heck explained the requested changes relate to compensation for employees who hold special licenses and certifications and adds a Class 4 license type.

108-19 Authorizing the City Manager to enter into Amendment No. 2 to the contract for demolition services with Tony Smith dba Tony Smith Wrecking & Trucking to increase the contract amount by \$220,000.00, for a total amount not to exceed \$620,000.00.

81-20 Approving and adopting the Clark County Multi-Jurisdictional Hazard Mitigation 5-Year Plan Update for The City of Springfield, Ohio.

6-19 Authorizing the City Manager to enter into LPA Agreement No. 33109 - Amendment No. 2 between the City and the Ohio Department of Transportation in connection with the CLA Yellow Springs Street Reconstruction, Phase 1, PID No. 109491 to increase funding limits and revise funding for all phases of the project.

107-07 Authorizing the City Manager to execute HPRI Program – Amendment No. 13 to the September 29, 2006 Subrecipient Funding Agreement with Neighborhood Housing Partnership of Greater Springfield, Inc., to revise the Work Program Budget and to extend the completion date to December 31, 2020.

82-20 Authorizing the City Manager to enter into a Loan Agreement with Opportunities Industrialization Center of Clark County, Ohio, Inc. (“OIC”) in connection with the construction of a new single-family home on Rubsam St. as part of the OIC YouthBuild Program, for an amount not to exceed \$182,300.00 of HOME funding.

Discussion

Mrs. Chilton asked for additional information on the loan agreement with OIC. Community Development Director Meadows explained that former residential sites have been cleared and are ready for new home construction. A portion of the loan will be repaid and then reused for additional sites.

72-20 Authorizing the City Manager to enter into a five-year Parking Management Agreement with Republic Parking System, LLC, for downtown parking management services, for an amount not to exceed \$2,450,995.00 for the period of April 1, 2020 through March 31, 2025.

Discussion

Dr. Estrop asked for an explanation of differences between the first reading of a parking management agreement at the February 25 meeting and the first reading at this meeting. Finance Director Beckdahl explained the first reading ordinance on February 25 included funding for one year of garage operations. The current first reading ordinance included the entire five-year contract amount. Mr. Beckdahl noted the total contract amount does not include the revenue associated with the parking garage, surface parking and on-street parking. The consultants project the parking management plan will break even considering the expenses and the revenue. Dr. Estrop commented that tax dollars would not be used to fund the parking management but relying on the user revenue. Mr. Beckdahl added debt service for the garage would continue for the structure from the Permanent Improvement Fund, but a large amount should come from user fees.

Mr. O'Neill asked about the projections for a one-year agreement previously considered, and Mr. Beckdahl replied the operations amount was estimated over \$400,000 and did not include debt service. Actual expenses would also include snow removal and computer software. Mr. O'Neill noted his concerns for actual expenses versus usage. Mr. Beckdahl stated the fees paid to the management company are scaled to usage plus a fixed \$30,000 management fee. Mr. O'Neill commented that a one-year agreement should be considered and following years added upon review of performance.

Mr. Heck commented the project's budget was prepared with various cost factors considered by the consultant who have years of experience preparing parking management plans. Fixed costs such as maintenance, the management fee, and other variables such as snow removal were included.

Mrs. Chilton asked for additional information on parking meters. Mr. Heck explained the total coordinated system includes the parking garage, on-street spaces and two surface lots. Up to 276 parking spaces were identified in an 18-block area. The first phase will be a small area and will include parking meters. The parking garage should be completed by late April, and parking meters will accept coins and credit cards, but not cash.

Mr. Rue commented the entire area should be included with the parking garage. The company selected to operate the parking system is reputable and will not focus on ticketing. Mr. Beckdahl added projections indicate the entire area would lose \$100,000 in revenue per year if nothing is done to address parking.

Further discussion included keeping all stakeholders involved in parking conversations, phasing in various parking areas, traffic concerns, coordinated traffic flows and parking turnover. Mr. Heck commented that the paid parking is intended to generate business in the downtown, not generate revenue.

Mr. Otis Williams, 1627 Yorkshire Court, asked if the parking management agreement could be a one-year agreement instead of five years to make sure the plan works out. Mr. Beckdahl indicated the agreement includes language for both parties to have a 30-day breach clause and a 90-day notice termination clause. Mr. Heck added the contract has a not-to-exceed amount and the vendor must provide an annual budget each August including associated costs beyond the annual \$30,000 fixed fee. Mr. Beckdahl stated that many of the operation costs would be needed if operated by the city or a management company.

Mr. and Mrs. Dan Freeman, 36 North Fountain Avenue, spoke in support of using an outside parking management company. They commented that their businesses lost revenue when the parking garage construction began, but sales go up when on-street parking time limits are enforced. They asked for the city to be more involved in the conversation about parking to control the narrative.

Ms. Linda Cooper, 1554 Mound Street, commented a new parking enforcement officer (or two) should have been added to help control the parking until a new plan is in place. Mr. Copeland stated his appreciation for Ms. Cooper's expertise with parking control.

Mr. David Sanford, 528 Yellow Springs Street, spoke on the impact of on-street parking spaces with meters would have on usage in the parking garage.

 Next regular City Commission meeting: March 24, 2020. 

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

60-20 Ordinance No. 20-70: Authorizing a grant to Opportunities for Individual Change (“OIC”) in the amount of \$16,000.00 for the implementation of the University of Cincinnati’s Cognitive Behavioral Interventions- Interpersonal Violence (“CBI-IPV”) Curriculum.

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

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

Yeas 5, Nays 0.

61-20 Ordinance No. 20-71: Confirming and approving recurring connection fees relating to the Marcs Radio System, from Agile Communications, for an amount not to exceed \$74,400.00 for the period of February 28, 2019 through February 27, 2024, through the Ohio Department of Administrative Services, pursuant to Ohio’s Cooperative Purchasing Act in accordance with the provisions of Section 125.04 of the Ohio Revised Code.

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

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

Yeas 5, Nays 0.

62-20 Ordinance No. 20-72: Authorizing the issuance of a purchase order for monthly access fees for MARCS Radio Communication System Equipment from The Ohio Department of Administrative Services, Office of Information Technology for an amount not to exceed \$64,560.00; and confirming and approving any related expenditures incurred from February 29, 2020 to the passage of this ordinance.

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

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

Yeas 5, Nays 0.

63-20 Ordinance No. 20-73: Authorizing the City Manager to execute a Mutual Aid Agreement with the political subdivisions in Montgomery County, and counties adjoining said Montgomery County, and Wright-Patterson Air Force Base Fire Department, for the purpose of obtaining and providing additional fire protection for the residents of the City of Springfield and other participating agencies upon their request.

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

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

Yeas 5, Nays 0.

64-20 Ordinance No. 20-74: Authorizing the Finance Director to issue a twenty-five dollar (\$25.00) credit to the water accounts of those customers who participate in the City’s 2020 Lead and Copper sampling efforts.

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

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

Yeas 5, Nays 0.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

83-20 Emergency Ordinance No. 20-75: Establishing the 690 Parking Garage Fund within the Finance Department of the City.

Discussion

Mr. O’Neill asked for additional details on the proposed fund creation, and Mr. Beckdahl explained the State Auditor requires commission authority to establish a new fund for revenue and expenditures related to the parking garage.

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

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

Yeas 5, Nays 0.

210-19 Emergency Ordinance No. 20-76: Appropriating the interests in real property hereinafter described for the purpose of providing necessary rights in real estate needed for the public purpose of making and repairing roads which shall be open to the public, without charge, to wit, the pavement reconstruction and resurfacing, curb and walk replacement and drainage improvements and water and sewer infrastructure improvements on McCreight Avenue between North Limestone Street and Cedarview Drive.

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

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

Yeas 5, Nays 0.

249-18 Emergency Ordinance No. 20-77: Confirming and approving an expenditure for an amount not to exceed \$521,158.00 for the period of March 1, 2020 through February 28, 2029 with Motorola Solutions, Inc., to provide maintenance and support services for the radio consoles used by the City Dispatch Center.

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

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

Yeas 5, Nays 0.

81-16 Emergency Ordinance No. 20-78: Authorizing the City Manager to enter into a Third Amendment to the Grant Agreement with the Ohio Development Services Agency extending the project completion date to December 31, 2020.

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

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

Yeas 5, Nays 0.

84-20 Emergency Ordinance No. 20-79: Authorizing an expenditure for an amount not to exceed \$146,114.58 for the period of April 1, 2020 through March 31, 2021 with Tyler Technologies, Inc. fka New World Systems Corporation, to maintain computer software used by the City's Public Safety Departments.

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

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

Yeas 5, Nays 0.

129-19 Emergency Ordinance No. 20-80: Authorizing the City Manager to enter into Amendment No. 1 to the Agreement for Consulting Engineering Services [Eastern Pressure District Water Upgrades - Phase 2 Preliminary and Detailed Design] with Burgess & Niple, Inc. for an amount not to exceed \$26,604.00, for a total contract amount not to exceed \$1,041,103.00.

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

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

Yeas 5, Nays 0.

192-19 Emergency Ordinance No. 20-81: Confirming and approving Change Order No. 1 to the contract between the City and Insituform Technologies, LLC for the 2019 Miscellaneous Sewer Lining Project, to increase the contract in an amount not to exceed \$40,349.67, for a total amount not to exceed \$253,635.49, and to extend the contract completion date to February 21, 2020; authorizing the City Manager to execute said Change Order No. 1.

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

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

Yeas 5, Nays 0.

85-20 Emergency Ordinance No. 20-82: Authorizing the City Manager to apply for an Assistance to Firefighters Grant from the Federal Emergency Management Agency ("FEMA") in an amount up to \$470,000.00 for the purchase of a fire engine; authorizing the local matching expenditure in an amount not to exceed \$47,000.00; authorizing the City Manager, Finance Director, Law Director and Fire Chief to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant application and to comply with all relevant local, state and federal legal requirements.

Discussion

Dr. Estrop asked for additional information on the proposed fire engine purchase. Fire Chief Miller indicated the proposed engine would replace a 25-year old engine at Station No. 3.

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

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

Yeas 5, Nays 0.

LIQUOR PERMIT

28-20 On motion of Mrs. Chilton, seconded by Mr. Rue, the administration's report relative to notification from the Ohio Department of Liquor Control of a request for a new liquor permit for James Linkhart, 2336 Northmoor Drive, Springfield, Ohio 45503, was ordered received and filed with the City Clerk and a hearing requested to address concerns or issues associated with the request.

Discussion

Mr. O'Neill asked for the nature of the staff's objection to the liquor permit transfer. Mr. Heck explained the location requires a Conditional Use Permit. The applicant has applied to the Board of Zoning Appeals for the permit, but the hearing date falls after the required response date to the Ohio Division of Liquor Control. Mrs. Meadows stated the applicant was scheduled to appear before the Board of Zoning Appeals but requested a delay. A 30-day extension from the State for the liquor permit would expire prior to the hearing.

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

Yeas 5, Nays 0.

71-20 On motion of Mr. Rue, seconded by Mrs. Chilton, the administration's report relative to notification from the Ohio Department of Liquor Control of a request for a new liquor permit from First SOC LLC, dba Courtyard by Marriott, 100 South Fountain Avenue, Springfield, Ohio 45502, was ordered received and filed by the City Clerk.

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

Yeas 5, Nays 0.

ITEM ADDED TO THE AGENDA--RESOLUTION

The following legislation was presented for the first time:

86-20 Resolution No. 6083: Reappointing Jack Legg to the Human Relations Board.

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

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

Yeas 5, Nays 0.

COMMENTS FROM COMMISSIONERS

7-20 Mrs. Chilton thanked Vandalia Baptist Temple for the cards and prayers sent to the City Commissioners.

COMMENTS FROM THE AUDIENCE

7-20 Mr. Mike Morris, Olympic Street, spoke on downtown parking efforts, street light outages reported to Ohio Edison without repair, and weekly newspaper circulars thrown into yards and sidewalks. Mr. Morris encourage citizens and businesses to participate in clean-up efforts.

Mr. Copeland agreed the papers left along the street is a problem. Service Director Moore responded that staff had worked previously with the newspaper company to address the issue. Street light outages may be reported on the Ohio Edison website and the city's website.

7-20 Mr. David Sanford, 528 Yellow Springs Street, spoke on Code Enforcement efforts not making a difference and low property values in many areas of the city.

7-20 Mr. Otis Williams, 1627 Yorkshire Court, indicated his appreciation for improvements downtown, but the area near Davey Moore Park needs to be addressed along with other areas.

COMMUNICATIONS

The following communications were received and filed:

28-20 Confirmation from the Ohio Division of Liquor Control of a 30-day extension granted for review of a request for a new liquor permit for James Linkhart, 2336 Northmoor Drive, Springfield, Ohio 45503.

55-20 Minutes of the February 10, 2020, meeting of the National Trail Parks and Recreation District Board.

78-20 Notification from the Ohio Division of Liquor Control of a liquor permit transfer request from SDYA LLC dba Main Stop Foodmart, 637 West Main Street, Springfield, Ohio 45504, to DEZA Investments LLC, 637 West Main Street, Springfield, Ohio 45504.



There being no further business, on motion of Dr. Estrop, seconded by Mr. Rue, the meeting adjourned at 8:15 p.m.

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

Yeas 5, Nays 0.

Mr. Aaron R. Copeland

PRESIDENT OF THE CITY COMMISSION

Gill R. Pierce

CLERK OF THE CITY COMMISSION