

THE CITY OF SPRINGFIELD, OHIO
CITY COMMISSION REGULAR MEETING MINUTES
Tuesday, October 11, 2022 – 7:00 p.m.
City Hall Forum

The meeting was called to order by President Copeland. Roll call was answered by Dr. Estrop, Mr. O'Neill, Ms. Phillips, 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 Mr. O'Neill, seconded by Mr. Rue, members approved the minutes of the September 27, 2022, Work Session, Public Hearing and Legislative Meeting as presented.

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, 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:

278-22 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 185.17 entitled *Longevity Payment* and repealing Section 185.18 entitled *Longevity Administration Rules*.

279-22 Consenting to the repair of bridge erosion issues on SR 41 18.624, Structure File Number 1201654 within the City of Springfield, by the Ohio Department of Transportation (identified as D07 BH FY24 (A), and further identified by PID No. 110155); providing for the maintenance of the right-of-way; and authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the project.

Dr. Estrop asked for the location of the bridge requiring repair. Service Director Moore explained the repair project includes the Plum Street bridge over Buck Creek.

280-22 Consenting to the removal and replacement of Type A anchor guardrail assemblies at various locations within the City of Springfield, by the Ohio Department of Transportation (identified as D07 GR Type A Replacement, and further identified by PID No. 113767); providing for the maintenance of the right-of-way; and authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the project.

~~~~~ Next regular City Commission meeting: October 25, 2022. ~~~~~

**SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**243-22 Ordinance No. 22-305: Amending the Zoning Map of Springfield, Ohio by rezoning 31.27 acres located at 330 Tuttle Road, Springfield, Ohio from RS-5, Low-Density, Single-Family Residence District and City EECPOD, Eastern Edge Corridor Plan Overlay District, to RS-8, Medium-Density, Single-Family Residence District and City OPD-H, Planned Development Housing Overlay District.**

Ms. Brenda Jackson, 25 Larchmont, spoke on safety concerns for neighborhood children, noted the proposed development is the fourth major housing development planned for the east side of Springfield and Clark County, and spoke on the environmental impact of the area.

Ms. Diane Bereczky, 1152 Old Columbus Road, spoke on traffic concerns, children's safety in the area, overcrowding in the school district, and annexations.

Dr. Estrop stated annexations occur at the request of the property owners for city services such as police, fire services, and utilities. The city does not request annexation of property into the city.

Mr. Rue clarified the subject property was already annexed into the city and stated developers would not be interested in the location if there was not a market for additional housing in the area.

Ms. Jackson stated Larchmont Avenue is not wide enough to be one of the planned entrances into the development and also commented that children play in that street. Mr. Rue added the developers who attended the previous public hearing on this development indicated a park space would be included in design.

Ms. Linda Brown, 220 Tuttle Road, noted the former rezoning request for an Aldi store was not permitted to have access to State Route 40 and asked why the proposed development would be permitted to have such access. City Manager Heck explained the proposed development requested a right-hand turn only for both in and out of the property at Route 40. The proposed Aldi development had requested a traffic light which was denied.

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

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**271-22** **Ordinance No. 22-306:** **Accepting the application for annexation of certain territory containing 13.38 acres, more or less, in Springfield Township and commonly known as the Titus Road/South Charleston Pike Annexation Area to The City of Springfield, Ohio.**

On motion of Ms. Phillips, seconded by Mr. Rue, the ordinance was passed.

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.

**272-22** **Ordinance No. 22-307:** **Authorizing the City Manager to enter into agreements with Reid Park Limited for the lease, operation and maintenance of Reid Park Golf Course.**

On motion of Ms. Phillips, seconded by Dr. Estrop, the ordinance was passed.

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.

**249-18** **Ordinance No. 22-308:** **Confirming and approving Change Order No. 1 to the contract between the City and Motorola Solutions, Inc., to reduce the contract in an amount not to exceed \$422,953.50, for a total amount not to exceed \$507,387.50; and authorizing the City Manager to execute said Change Order No. 1.**

Mr. Heck explained the contract was for dispatch consoles transferred to the Dispatch Center now operated by Clark County.

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

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.

**273-22** **Ordinance No. 22-309:** **Consenting to the repair of the bridge deck due to an over height load accident on Structure File Number 1203126 within the City of Springfield, by the Ohio Department of Transportation (identified as CLA - USR 68 11.47, and further identified by PID No. 117656); providing for the maintenance of the right-of-way; and authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the project.**

Mr. Moore stated the subject bridge is located on Eagle City Road over U.S. Route 68.

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

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, Mr. Rue, and Mr. Copeland. Yeas 5, Nays 0.

**274-22** **Ordinance No. 22-310:** **Confirming and approving the acceptance of an Assistance to Firefighters Grant from the Federal Emergency Management Agency ("FEMA") in an amount up to \$65,676.32 for Rapid Intervention Training; authorizing the local matching expenditure in an amount not to exceed \$6,567.64; and authorizing the City Manager, Finance Director, Law Director and Fire Chief to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant and to comply with all relevant local, state and federal legal requirements.**

**NOTE:** Ms. Phillips stepped out of room briefly following the motion and did not participate in the discussion nor vote for several agenda items during this time.

Fire Chief Miller explained the grant would provide fund overtime for off-duty crews participating in specialized intervention training. The training is specifically for crews on standby during a fire event to rescue firefighters who are actively on scene. Chief Miller noted the training was recently put into action when a firefighter was rescued during an active fire following an accidental fall. Chief Miller reported the firefighter is recovering from his injuries.

On motion of Ms. Phillips, seconded by Mr. Rue, the ordinance was passed.

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

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**5-22** **Emergency Ordinance No. 22-311:** **Confirming purchases and the obtaining of services for the City and providing for payments therefor; and declaring an emergency therein.**

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

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

**14-22** **Emergency Ordinance No. 22-312:** **Providing for Supplemental Appropriations within various funds; and declaring an emergency therein.**

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

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

**NOTE:** The Clerk announced Item #22-22 was amended after publication of the agenda and read the ordinance title as amended.

**22-22** **Emergency Ordinance No. 22-313:** **Authorizing the City Manager to enter into Amendment No. 1 to the Agreement with Marker Inc. for the Design-Build construction of the National Advanced Air Mobility Center of**

**Excellence to be located at the Springfield-Beckley Municipal Airport to exempt the purchase of the pre-engineered metal building (materials) from the retainage requirement; confirming and approving related expenditures incurred from August 30, 2022 to September 30, 2022; and declaring an emergency therein.**

On motion of Dr. Estrop, seconded by Mr. Rue, the amended ordinance was passed as read.

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

Yeas 4, Nays 0.

**220-21 Emergency Ordinance No. 22-314: Confirming and approving Change Order No. 4 to the contract between the City and BlueScope Construction for the Installation of a Sludge Storage Facility at the Wastewater Treatment Plant, to increase the contract in an amount not to exceed \$390,129.21, for a total amount not to exceed \$3,279,911.71, and to extend the contract completion date to December 31, 2022, pursuant to the Sourcewell Contract Purchasing Cooperative Program, in accordance with the provisions of Section 9.48 of the Ohio Revised Code; authorizing the City Manager to execute said Change Order No. 4; and declaring an emergency therein.**

Dr. Estrop asked Mr. Moore to share detail on the proposed storage facility and the subsequent cost savings related to the facility. Mr. Moore explained the new storage facility will properly house the sludge resulting from the wastewater process. The expense of hauling sludge to a landfill is about 300 percent higher than storing it onsite until it can be field-applied as fertilizer.

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

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

Yeas 4, Nays 0.

**281-22 Emergency Ordinance No. 22-315: Confirming and approving the acceptance of a FY2022 Bulletproof Vest Partnership Award in an amount up to \$15,153.13 from the Bureau of Justice Assistance; authorizing the City Manager, Finance Director, Law Director and Chief of Police to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant and to comply with all relevant local, state and federal legal requirements; and declaring an emergency therein.**

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

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

Yeas 4, Nays 0.

**85-22 Emergency Ordinance No. 22-316: Confirming and approving Change Order No. 2 to the contract between the City and Miller Pipeline, LLC for the 2022 Miscellaneous Sewer Lining, Phase 1 Project, to increase the contract in an amount not to exceed \$5,477.50, for a total amount not to exceed \$531,096.50, and to extend the contract completion date to September 30, 2022; and authorizing the City Manager to execute said Change Order No. 2; and declaring an emergency therein.**

**NOTE:** Ms. Phillips returned to the room during the discussion of this item.

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

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**70-22 Emergency Ordinance No. 22-317: Confirming and approving Change Order No. 1 to the contract between the City and Kinnison Excavating, Inc. for the 2022 Miscellaneous Waterline Replacements Project, to increase the contract in an amount not to exceed \$25,100.00, for a total amount not to exceed \$984,841.00; and authorizing the City Manager to execute said Change Order No. 1; and declaring an emergency therein.**

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

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**282-22 Emergency Ordinance No. 22-318: Authorizing the acceptance of a donation from the Police Wives Club of 100 combat application tourniquets valued at \$2,000.00; and declaring an emergency therein.**

Dr. Estrop asked Police Chief Graf to convey the commission's appreciation for the donation.

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

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

### **EMERGENCY RESOLUTION**

The following legislation was presented for the first time:

**283-22 Emergency Resolution No. 6173: Finding the necessity and declaring the intent to appropriate interests in real property in connection with providing right-of-way and easements needed for the 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, traffic signal upgrade, drainage improvements, and/or water and sewer infrastructure improvements on Yellow Springs Street, between W. Grand Avenue and Pleasant Street; and declaring an emergency therein.**

On motion of Ms. Phillips, seconded by Mr. Rue, the resolution was adopted.

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

**COMMENTS FROM COMMISSIONERS**

**18-22** Dr. Estrop spoke on a recent family trip to Italy and Denmark. He also praised staff responsible for maintaining the flowers downtown which have received many compliments.

**18-22** Mr. Copeland spoke on the newest downtown mural of Ms. Hattie Moseley who was a local civil rights advocate in Springfield. Ms. Phillips also noted that some of Ms. Moseley's family are still in the Springfield area.

**18-22** Mr. O'Neill noted that Beggars' Night for Springfield and Clark County is on Saturday, October 29, from 6 p.m. to 8 p.m.

**18-22** Mr. Copeland shared that he completed his physical therapy sessions following knee surgery a few months ago.

**COMMUNICATIONS**

The following communications were received and filed:

**267-22** File-stamped copy of Resolution No. 6171 as filed with the Clark County Auditor.

**284-22** Notification from the Ohio Division of Liquor Control of a new liquor permit for Tracy L. Shirk, 1815 Columbus Avenue.



There being no further business, on motion of Dr. Estrop, seconded by Mr. Rue, the meeting adjourned at 7:34 p.m.

Yeas, Dr. Estrop, Mr. O'Neill, Ms. Phillips, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION