

A Regular Meeting of the City Commission of The City of Springfield, Ohio, was held on Tuesday, January 17, 2012, in the Forum of City Hall.

Roll Call was answered by Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and President Copeland.

The invocation was offered by Mr. Copeland. The City Commission, staff members, and the audience pledged their allegiance to the flag.

On motion of Mr. Martin, seconded by Mr. O'Neill, the members dispensed with the reading of the minutes of the December 6 and 20, 2012, regular meeting and approved the minutes as presented.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

FIRST READING—ORDINANCES

09-12 An Ordinance entitled, "Authorizing the payment of \$40,000 to The Board of County Commissioners of Clark County, Ohio, as and for the City's share of the local costs of the Clark County-Springfield Transportation Coordinating Committee (TCC) for the second half of the TCC 2012 fiscal year (January 1, 2012, through June 30, 2012) and the first half of the TCC 2013 fiscal year (July 1, 2012, through December 31, 2012)," was presented for the first time and requires presentation at a second regular meeting before vote on passage.

333-09 An Ordinance entitled, "Authorizing the City Manager to enter into a Cropland Lease Agreement (2010-2012 Amendment No.1 now 2010-2015) with R. Alan Thompson," was presented for the first time and requires presentation at a second regular meeting before vote on passage.

Next regular meeting of the City Commission: January 31, 2012.

SECOND READING—ORDINANCE

274-11 An Ordinance No. 12-8 presented for the second time entitled, "To amend Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by the amendment of Chapter 1136 entitled *Wireless Communication Facilities*, specifically amending Sections 1136.03 and 1136.14, and repealing existing Sections 1136.03 and 1136.14."

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

EMERGENCY ORDINANCES

03-09 An Emergency Ordinance No. 12-9 was presented for the first time entitled, "Confirming and approving Amendment No. 1 of the current agreement with the Springfield Area Convention and Visitors Bureau and the Board of Township Trustees of Springfield Township, Clark County, Ohio, to extend the agreement through February 29, 2012, and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

10-12 An Emergency Ordinance No. 12-10 was presented for the first time entitled, "Authorizing the City Manager to enter into a contract with Chemical Services for the purchase of Sodium Hexametaphosphate for use at the City's Water Treatment Plant, for an amount not to exceed \$37,620, and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

59-11 An Emergency Ordinance No. 12-11 was presented for the first time entitled, "Approving Change Order No. 2 to the contract between the City and Genesis Contracting, Inc., for the necessary repairs to the fuel farm system at the Springfield-Beckley Municipal Airport, in an amount not to exceed \$1,642.47; authorizing the City Manager to execute said Change Order No. 2; and declaring an emergency."

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

385-99 An Emergency Ordinance No. 12-12 was presented for the first time entitled, "Authorizing an expenditure in an amount not to exceed \$81,778 to contract with SunGard Public Sector, Inc., to provide the City with maintenance services for various computer software applications for the period January 1, 2012, through December 31, 2012; confirming and approving maintenance services provided by SunGard Public Sector, Inc., under said contract for the

period January 1, 2012, to the passage of this Ordinance; and declaring an emergency.”

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

11-12 An Emergency Ordinance No. 12-13 was presented for the first time entitled, “Accepting the donation of a 2012 Dodge Charger 4-Door Police Cruiser to the City’s Police Division from the Ohio Department of Public Safety Office of Criminal Justice Services, and declaring an emergency.”

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

12-12 An Emergency Ordinance No. 12-14 was presented for the first time entitled, “Authorizing the City Manager to enter into a Jobs And Commerce Economic Development Agreement with the State of Ohio, Department of Transportation in connection with the development of new roadway, storm sewer, sanitary sewer, and water infrastructure within Phase II of AirparkOhio Industrial Park; authorizing the City Manager and the Director of Finance to do all things necessary for the execution and performance of the agreement and to comply with all relevant local, state, and federal legal requirements; authorizing an expenditure up to \$473,190 to be used as local matching funds, and declaring an emergency.”

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

13-12 An Emergency Ordinance No. 12-15 was presented for the first time entitled, “Authorizing the City Manager to apply for a grant with the Clean Ohio Council, to accept Clean Ohio Trails funds in an amount up to \$169,125 for The Little Miami Scenic Trail Extension Project and authorizing the City Manager to enter into a related Grant Agreement; authorizing the City Manager, City Engineer, and Director of Finance to do all things necessary for the submission of the application and to comply with all relevant local, state, and federal legal requirements; authorizing an expenditure in an amount not to exceed \$56,375 to be used as local matching funds, and declaring an emergency.”

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

218-11 An Emergency Ordinance No. 12-16 was presented for the first time entitled, “Confirming and approving Change Order No. 1 (Final) to the contract between the City and Leo B. Schroeder, Inc., for the Aircraft Arresting System Removal-Springfield-Beckley Municipal Airport Project to decrease funds by \$5,000 for a total amount not to exceed \$289,600; authorizing the City Manager to execute said Change Order No. 1 (Final); and declaring an emergency.”

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

84-08 An Emergency Ordinance No. 12-17 was presented for the first time entitled, “Confirming and approving Change Order No. 7 to the contract between the City and Demmy Sand & Gravel, LLC, for the CLA-40-12.46, North Street Realignment Project, PID No. 80513, in an amount not to exceed \$8,712.64 and to extend the contract completion date to March 1, 2012; authorizing the City Manager to execute said Change Order No. 7; and declaring an emergency.”

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

232-08 An Emergency Ordinance No. 12-18 was presented for the first time entitled, “Authorizing the City Manager to execute Amendment No. 5 to the Agreement For Engineering Services with ME Companies, Inc., for engineering and design services for the Springfield-Beckley Municipal Airport Water and Sewer Project, for an amount not to exceed \$18,914; confirming and approving all services rendered prior to the effective date of this Ordinance, and declaring an emergency.”

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

14-12 An Emergency Ordinance No. 12-19 was presented for the first time entitled, “Authorizing the City Manager to execute a Contract For Purchase And Sale Of Real Estate conveying certain property to Clark County Community Habitat For Humanity, Inc., and declaring an emergency.”

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

18-10 An Emergency Ordinance No. 12-20 was presented for the first time entitled, “Authorizing the City

Manager, Finance Director, City Attorneys, City Engineer, and Community Development Director to do all things they deem necessary, execute all necessary documents, and enter into contracts to continue implementation of the City's Lead Safe Springfield (LSS) 2010 Deferred Loan Program adopted in Ordinance No. 10-39; and declaring an emergency."

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

152-09 An Emergency Ordinance No. 12-21 was presented for the first time entitled, "Authorizing the City Manager, City Attorneys, and Community Development Director to do all things they deem necessary, execute all necessary documents, and enter into contracts to continue implementation of the City's Neighborhood Stabilization Homeownership Program (NSP1) adopted in Ordinance No. 11-89 and the City's Neighborhood Stabilization Program 2 (NSP2) Acquisition, Rehabilitation, Resale Program and Deep Targeting Homeownership and Rental Program adopted in Ordinance No. 10-344; and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

EMERGENCY RESOLUTION

15-12 An Emergency Resolution No. 5709 was presented for the first time entitled, "Requesting the County Auditor to draw and the County Treasurer to pay on the draft to the Treasurer of the City all money in the County Treasury payable to the account of the City, and declaring an emergency."

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

MOTION

70-11 On motion Mrs. Chilton, seconded by Mr. Martin, authorization was given to publish tentative assessments for the 2011 Sidewalk, Curb, and Gutter Program.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

LIQUOR PERMIT

16-12 On motion Mrs. Chilton, seconded by Mr. Martin, the report from the Administration relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit to Ye Shi, Inc., dba Yamato, 3467 East National Road.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

NEW ITEM ON THE AGENDA

17-12 An Emergency Ordinance No. 12-22 was presented for the first time entitled, "Appointing Mark Beckdahl and his alternate Debora Cooper, both of whom shall serve in their official capacity, to the Clark County-Springfield Transportation Coordinating Committee; and declaring an emergency."

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

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

COMMUNICATIONS

The following communication was ordered received and filed:

38-11 Minutes of the December 12, 2011, meeting of National Trail Parks and Recreation District Board of Directors.

69-11 Minutes of the November 7, 2011, meeting of the City Planning Board.

117-11 Fourth quarter financial reports, 2011.

136-11 Minutes of the November 21, 2011, meeting of the Board of Zoning Appeals.

214-11 Filed-stamped copy of transmittal document filed with Clark County Auditor, Ordinance No. 11-248, condemned structures.

16-12 Notification of a request to transfer a liquor permit to Ye Shi, Inc., dba Yamato, 3467 East National Road.

18-12 Notification of a request to transfer a liquor permit to Jam Petroleum, LLC, 1533 West North Street.

COMMENTS ON AGENDA ITEMS

03-09 City Manager Bodenmiller reported that he proposed extending the current agreement with the Springfield Area Convention and Visitors Bureau for sixty days while a new agreement was discussed. The new agreement would be a multi-year agreement.

11-12 In response to Mr. O'Neill's inquiry, Police Chief Moody stated that as a result of officers participating in traffic-related activities sponsored by the Ohio Department of Public Safety, the division was awarded a 2012 Dodge Charger police cruiser. The new vehicle would be assigned to the Traffic Enforcement Division.

13-12 City Engineer Shanayda reported that a Clean Ohio grant would fund the bikeway extension project for the Little Miami Scenic Trail, taking it off surface streets. That portion of the bikeway currently uses John and Fair streets and Johnny Lytle Way.

09-12 Mr. O'Neill requested a report from staff members at the January 31, 2012, meeting related to the City's share for the funding of the Clark County-Springfield Transportation Coordinating Committee. He was interested in learning what benefits the City would receive from the funding, how was it used with regard to TCC's staffing, and what would be the City's return on the dollars invested.

COMMENTS FROM THE COMMISSION

Mrs. Duncan offered her compliments to City staff members regarding the presentation of the Martin Luther King, Jr., luncheon.

09-11 Mr. O'Neill spoke to the City's December 2011 supplementation of the National Trail Parks and Recreation District's budget. The district's shortfall equaled eight percent or \$150,000. The reason for the shortfall was the poor condition of the City's golf courses. Mr. O'Neill was concerned because the City Commission promised the citizens that the City would not subsidize golf. The Commission, as a body, must discuss this. The deficit was a sizeable one. Mr. O'Neill felt that the district's board members expected the City to cover the shortfall. Mr. O'Neill proposed adjusting the district's 2012 budget for the additional funding provided in 2011. Such business practices should be taken seriously by the City Commission when another entity is spending its money.

Mr. Copeland questioned whether the City could continue to operate three courses. He wanted discussions with staff members on the issue. With regard to the 2011 green space levy, Mr. Copeland stated that the City promised that the money collected would only be used for green space maintenance and upkeep, and not to subsidize the golf courses. At a minimum, the golf courses must break even.

Mr. Bodenmiller commented that the district had been challenged to make the golf courses self-sufficient. That challenge was met in two of three years. In the fourth year, a subsidy was necessary.

Mr. Beckdahl stated that without the subsidy, the district's bills and vendors would have gone unpaid. A proactive stance would be taken going forward.

19-12 Messrs. Copeland and Martin stated that the disposition of the two former hospital sites should be discussed at the Commission's February retreat. Mr. Copeland noted that the City was not involved in any discussions to merge the two hospitals, nor with plans to build a new building. The City was involved in encouraging the new hospital to be located in the downtown. City Commissioners cannot control what the hospital decides, but we need to work with hospital administrators for the best interest of the City.

COMMENTS FROM THE AUDIENCE

102-11 Mr. Walt Myers, 301 North Greenmount Avenue, spoke to the proposed sexual orientation nondiscrimination ordinance and asked Mr. Martin not to vote in favor of it. Additionally, he offered comments concerning identification requirements at the voting booth.

Mr. Copeland referred to a portion of Mr. Myers' comments in which Mr. Myers stated that Mr. Copeland was in favor of passage of the ordinance. Mr. Copeland clarified that he did not consider the nondiscrimination ordinance as a document granting special rights.

08-12 Mr. Raymond Upshaw, 325 West Liberty Street, stated that he had been punished for a crime he did not commit. He commented on homelessness and secret organizations within Springfield.



There being no further business, on motion of Mr. O'Neill, seconded by Mr. Martin, the meeting was adjourned.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

PRESIDENT OF THE CITY COMMISSION

CLERK OF THE CITY COMMISSION