

CITY OF SPRINGBORO
425 S. PIONEER BOULEVARD, SPRINGBORO, OH

CITY COUNCIL WORK SESSION

THURSDAY, AUGUST 6, 2009

6:00 PM

COUNCIL

John Agenbroad, Mayor

Jim Chmiel, Deputy Mayor

Marie Belpulsi

Sheila Lairson

Scott Anderson

Tom LaDu

John D. Parise

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager

Jeff Kruihoff, Police Chief

Gerry McDonald, Acting Law Director

Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Work Session to order on Thursday, August 6, 2009 at 6:00 PM in Council Chambers at the City's temporary facility in the Dalco Building, 425 S. Pioneer Boulevard, Springboro, Ohio.

ITEM 2. ATTENDANCE. Ms. Thompson was absent. Mayor Agenbroad welcomed Gerry McDonald, who is filling in for Law Director Alan Schaeffer.

ITEM 3. LEGISLATIVE AGENDA. **-Four legislative agenda items were reviewed for the August 6, 2009 City Council Regular Meeting.**

- 1) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION ISSUE II GRANT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED. (EAST CENTRAL AVENUE (SR73) ROADWAY IMPROVEMENTS BETWEEN NORTH/SOUTH RICHARDS RUN ROAD & THE EAST END OF FIELDSTONE SUBDIVISION).

No discussion.

- 2) **RESOLUTION:** A RESOLUTION ACCEPTING PERMANENT WATER MAIN EASEMENT FROM BARBARA R. HIPHER, OWNER OF THE PROPERTY HAVING THE SIDWELL # 04-21-400-010.

No discussion.

- 3) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH K. E. ROSE COMPANY TO COMPLETE THE INSTALLATION OF EQUIPMENT ON THE CAB AND CHASSIS OF A HEAVY DUTY TRUCK AND A HEAVY DUTY 1-TON TRUCK.

No discussion.

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH WOODHULL, INC. TO PROVIDE COPIERS AND RELATED SERVICE FOR THE NEW

CITY BUILDING, AND VOIDING RESOLUTION R-09-42; REPLACING SAID RESOLUTION WITH THE FOLLOWING.

Ms. Belpulsi asked Mr. Pozzuto to review this legislation.

Mr. Pozzuto explained that this resolution would replace Resolution R-09-42 authorizing a purchase agreement with Woodhull to purchase copiers for the new City Building. Mr. Pozzuto further explained that the City requested quotes from seven companies for seven copiers, which was not a sealed bid process. An eighth copier was added to the original request for quotes, but not all of the companies had the opportunity to submit a quote for the eighth copier. This discrepancy was discovered after the fact subsequent to the adoption of the original legislation. Consequently, staff requested quotes from all seven companies plus an eighth company, Donnellon McCarthy, who did not have an opportunity to submit a quote during the first request. The City received eight quotes from seven companies; Donnellon McCarthy submitted two different packages, Canon and Savin. All of the new price quotes went down in response to the second request for quotes. Upon receipt of all eight proposals, the quotes were analyzed and the recommendation is to purchase the copiers from Woodhull based on two factors, not only is Woodhull a Springboro business, but Woodhull can provide the best service to the City from a locality standpoint and, from an overall cost standpoint on monthly services, they would be the most inexpensive over a five-year maintenance. Again, new quotes were requested because Woodhull originally quoted eight copiers while the other companies only had the opportunity to quote seven copiers.

Mr. Parise commented that in an effort to remain impartial he wanted to point out that Ikon quoted a lower per month service charge and lower overall costs. Mr. Parise further commented that Ikon is offering a lower cost on copiers and a substantially lower cost on service and asked if it was accurate to say that being a local company has a huge advantage or if it was a huge part of the equation in making this recommendation?

Mr. Pozzuto answered that being a local company is not a huge advantage, but the City certainly gives preference to local businesses. Mr. Pozzuto added that they have located their business here, have employees here, etc. and that is one aspect taken into consideration when making a recommendation.

Mr. Anderson commented that he understood what Mr. Parise was saying; Ikon is \$3,000 cheaper. Mr. Anderson further commented that he understands why staff would recommend using a local business, which would also be his preference, but can locality be considered a huge part of the "lowest and best" assessment? Mr. Anderson added that he could understand if the cost differential was only \$200 or \$300, but questioned the legalities, which he does not fully understand.

Mr. Pozzuto commented that locality can be factored into the recommendation for the "lowest and best" bid. Mr. Pozzuto pointed out that it is a \$1,600 difference in cost for equipment between Woodhull and Ikon. Referencing the legislative cover memorandum, Mr. Pozzuto explained that the left column reflects the cost of the equipment, which is a one-time cost; the right column reflects the monthly cost to maintain the equipment.

Mr. Anderson pointed out that the monthly service cost is higher, as well.

Mr. Pozzuto stated that staff would do whatever Council pleases with regard to this purchase, but locality was part of the rationale for this decision. Mr. Pozzuto further stated that the City always gives preference to local companies if the cost differential is close, but if the cost differential is significant then staff would reevaluate and recommend a lower bidder regardless of locality.

Ms. Lairson asked where Ikon is located? Mr. Pozzuto stated that Ikon is located in Centerville on Centerville Business Parkway, which is about 20 minutes away.

Ms. Belpulsi asked if the service charges included exactly the same service? Mr. Pozzuto replied yes, the costs reflect the same service based on the specifications requested.

Mayor Agenbrood asked if there was any further discussion regarding this item.

(Mr. Parise's comments will not be taken into consideration, as he recused himself from the discussion due to a conflict of interest.)

There was no further discussion regarding Legislative Item #4.

ITEM 4. CITY MANAGER. -Issues/Reports.

New City Building Open House Events: A public open house is scheduled to be held on Sunday, September 27, 1-4 PM. The public will be notified of the open house via the City's abbreviated newsletter "Etc." and press releases around the second week of September. Staff guided tours will take place from 1:15 –3:45 PM. Ms. Thompson, Mr. Pozzuto, Department Heads and Assistants will be guiding tours. An open house by invitation for public officials is scheduled to be held on Monday, September 28, 5-7 PM.

Mr. Pozzuto also asked for Council's input regarding attire for the two open houses. Mr. Pozzuto explained that the original recommendation was golf shirts in cabernet and black with the City logo. Mr. Pozzuto asked if Council had an opinion regarding attire for these events.

Several Council Members expressed the desire to dress more formally for the officials' open house on Monday night while other Council Members liked the idea of wearing a golf shirt for open houses.

Ms. Martin offered to follow up via e-mail with each Council Member regarding whether they wish to wear a leisure shirt on Sunday only or on both Sunday and Monday and prepare accordingly.

Community Events: "Kiss Me Kate" will be performed by Playhouse South of Dayton at the North Park Amphitheater on Friday and Saturday, August 7 and 8 at 7:30PM and Sunday, August 9 at 2:00PM and Friday and Saturday, August 14 and 15 at 7:30PM and Sunday, August 16 at 2:00PM.

41st Best Small Town Community of the Top 100 Best Places to Live by Money Magazine: Mr. Pozzuto commented that Council had asked for some cost estimates associated with some of the ideas e.g. signage and seals for letterhead, etc, discussed to promote the 41st designation. Mr. Pozzuto listed the following quantities and costs: 5,000 seals/\$675; 22 banners/\$2,000; 10 two-sided wood signs \$1,500, which would be installed on the welcome signs at the entrances to the City and would be removable, and letterhead with special 41st logo printed/\$500 for 10 reams. The total cost to promote this designation would be about \$4,675.

Mr. Chmiel asked who would receive the letterhead/seals? Mr. Pozzuto explained that the letterhead or seals would be used to correspond with residents, businesses, developers, etc., but would be used sparingly, not for mass mailings.

Mr. Chmiel commented that the special logo could be incorporated into the website, newsletter, e-newsletter at no cost. Mr. Chmiel also commented that he had recently met with some independent business people from the Springboro area and they were talking about the designation as a tool to promote where their businesses are located. The business community seems to be very aware and excited to promote the designation.

Mayor Agenbroad added that the 41st designation was a topic of discussion at the Chamber of Commerce meeting and he has received a number of calls regarding it.

Ms. Belpulsi suggested a big banner in front of the new City building. Mr. Pozzuto explained that a banner could not be displayed because it would not comply with the sign code; the banner sign would have to be affixed to the building to be in compliance with the code.

41st Logo: Mr. Pozzuto presented Council with several sample logo designs to promote the "41st best place to live" designation. After briefly reviewing the samples, Council reached a consensus and selected the tri-color logo shown here to use on signs, banners, seals, letterhead, etc.



Mr. Anderson suggested that the special logo could be displayed on the digital marquis sign in front of Heatherwoode and at the golfers' entrance or in the pro shop.

Mayor Agenbroad suggested printing the logo on the next order of golf balls, which would not cost anything extra.

Mayor Agenbroad commented that Council discussed this during the last Work Session and recommends that the City should publicize this designation and could do it for less than \$5,000.

Ms. Lairson commented that the City is already buying banners for S. Main Street; therefore, even the banners would be a regular expense.

Mr. Parise commented that he is opposed to spending any money on publicizing this designation. Mr. Parise further commented that he is not trying to distract from it, but these are difficult times and every penny counts. Mr. Parise stated that he wanted to go on the record that he is opposed to spending any money on this.

It was the general consensus of Council to go forward with the ideas discussed to promote the "41st best place to live" designation based on the cost estimates provided by staff.

Council Meeting Schedule for September: Mr. Pozzuto commented that, as of now, there are no legislative items scheduled for the September 3 Council Meeting, which is right before Labor Day weekend. If there are no legislative items, Council is asked to consider canceling the meeting on September 3 and conducting two regular meetings on September 17. Mr. Pozzuto further commented that at this morning's staff meeting staff discussed any legislation that would be forthcoming and determined there was no legislation for September 3.

Mayor Agenbroad recommended waiting until the second meeting in August to determine the status of agenda items before making a final decision to cancel the September 3 meeting. There were no objections to the suggestion to cancel the September 3 meeting if no items were slated.

Mr. LaDu asked if there would be enough time to advertise the meeting cancelation. Ms. Martin replied yes.

ITEM 5. CLERK OF COUNCIL. -Issues/Reports.

Calendar Update: The Warren County Municipal League meeting will be held on Wednesday, August 19, 2009 at Houston Inn beginning at 6:00 PM; dinner will be served at 6:45 PM. The featured speakers are Ohio House Representatives Shannon Jones and Ron Maag.

Committee Updates: The Legal Committee meeting scheduled for tonight has been postponed to September 17. The Legal Committee is working on a board and commission handbook. Ms. Martin mentioned that she, Chris Thompson, and Alan Schaeffer met recently because she was also working on the board and commission handbook revisions. The plan is to combine the two efforts; therefore, the Legal Committee Meeting was postponed to allow for time to prepare a comprehensive version of the handbook to submit to the Legal Committee for review. Once the handbook is in its final form, the Legal Committee will seek Council's review and approval.

Ms. Belpulsi confirmed that the Legal Committee would be reviewing the handbook before a recommendation is made to Council. Ms. Martin replied yes. As soon as the first draft of the handbook is ready, it will be forwarded to the Legal Committee for review.

Council Meeting Schedule: The next Council Meetings will be held on Thursday, August 20 beginning with the Work Session at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers. The August 20 Regular Meeting will open with a Public Hearing regarding a request to rezone 477-483 N. Main Street from O-R to PUD-B. City Planner Dan Boron will be present to provide background information regarding the rezoning. In addition, the Finance Committee is scheduled to meet at 5:30 PM on August 20 in Council Chambers.

Committee Openings: Ms. Martin confirmed that Council received the letters and resumes of applicants interested in serving on the Board of Zoning Appeals and the Community Service Board. Two seats are available as follows: one term on the BZA, which expires December 2012 and one term on the Community Service Board, which expires December 2009.

Mayor Agenbroad commented that he would address the board openings later in the Work Session discussion.

ITEM 6. CITY COUNCIL. –Issues/Reports.

Mr. LaDu – No reports.

Mr. Parise – No reports.

Ms. Lairson – No reports.

Mr. Anderson – Mr. Anderson announced that he would be absent from the August 20 Council meetings.

Also, Mr. Anderson commented that budget season is approaching and traditionally Council reviews and approves the CIP and then the budget. Mr. Anderson further commented that once the CIP projects were included in the budget and the budget was approved expenditures exceeded revenues in the General Fund even though the overall budget was balanced. Mr. Anderson explained that he had issues with the fact that more money was being spent in the General Fund than was being taken in, which was due in part to CIP projects coming out of the General Fund. Mr. Anderson asked how Council could make sure that projects approved in the CIP would not create a deficit in the General Fund. Mr. Anderson commented that Ms. Thompson told him that Council could not adjust the CIP once it was approved, which led to the deficit in the General Fund. Mr. Anderson asked if there was a different process that could be used to avoid this situation. He explained that he had this issue with the budget last year when Council was approving the CIP, but when it came to the final budget the CIP skewed the General Fund balance and he did not think Council was aware of it until the budget was published; whereas, if they had cut some projects from the CIP it would have balanced the General Fund budget and would not have been an issue. Mr. Anderson commented that Ms. Thompson advised him to bring it up again for discussion this year, which is what he would like to do because the City is quickly approaching budget season again.

Mr. Pozzuto explained that the City always has to have a balanced budget and does not deficit spend. He further explained that the CIP is just a guide, even though it is approved by Council, which gives staff and Council a five-year outlook on capital projects. Mr. Pozzuto also explained that adjustments are made to the CIP throughout the year on projects that are included in the budget. But, at budget time when Council reviews all of the projections, that is when Council should recommend removing projects from the CIP in order to make sure the General Fund is balanced.

Mr. Anderson commented that he thought Council could not correct the CIP? Mr. Pozzuto commented that projects from the CIP that are included in the budget cannot be amended once the budget is passed, but it is during budget time that Council would use the CIP as a guide to put those numbers in the budget and look at the overall picture because by that time the Finance Department has almost three quarters of the previous year's revenue in and are able to make better projections. At that time, for example, Council could recommend removing a \$200,000 project from the CIP if it would draw down the General Fund balance by \$200,000.

Mr. Chmiel clarified that Mr. Anderson did not want to see expenditures in the General Fund exceeding the revenue line in the budget once it is approved, but would rather balance the General Fund budget by adjusting the CIP projects prior to Council approval of the budget.

Mr. Anderson commented that he was told by Ms. Thompson that they could not adjust the CIP once it was approved and could not adjust the budget because it was already approved, but Mr. Pozzuto's explanation made perfect sense.

Mr. Chmiel commented that this issue must have come up after the budget was approved by Council last year.

Mr. Pozzuto confirmed Mr. Chmiel's statement by stating that he believes this issue must have come up after the budget was approved at which point Ms. Thompson would have said that the budget was already approved and Council could not make adjustments. Mr. Pozzuto added that although the CIP and budget process is very quick the City has to wait as long as it can to make sure the projections are as accurate as possible.

Mr. Parise confirmed that the CIP is not "cast in stone."

Mr. Pozzuto commented that only the projects that are approved in the budget will be completed that year; the next four years serve as a guide for future budgets. Mr. Pozzuto added that staff is already considering delaying projects that were already scheduled in the CIP due to the current economy. Mr. Pozzuto further added that everything in the CIP is necessary, but may not be absolutely necessary. Mr. Pozzuto reiterated that it would be appropriate for Council to suggest reducing expenditures on capital projects during the budget discussions if projects would cause expenditures to exceed projected revenues.

Ms. Belpulsi – Ms. Belpulsi will present a Planning Commission report at tonight's Regular Meeting under Reports.

Mr. Chmiel – No issues/updates.

Mayor Agenbroad – Mayor Agenbroad questioned the City's current towing policy. Mayor Agenbroad commented that before the City converted to the county dispatch service there was only one local wrecker who was called for towing services and other wreckers were used as a back-up. Mayor Agenbroad further commented that with the county dispatching for Springboro now, the local wrecker only gets one call out of eight. Mayor Agenbroad stated that he objects to this policy and thinks the City should find a better way to dispatch for towing services because it only makes sense to have a local business be the first responder for towing services. Mayor Agenbroad offered an example of a recent accident in which the person's uncle was a local wrecker, which could have towed his car for free, but instead he had to call a dispatcher who dispatched a wrecker from Middletown, which cost \$125.

Ms. Lairson questioned the fact that if she was in an accident she would not get her choice of wreckers. Mayor Agenbroad confirmed that that is exactly what happened in the situation he described.

Chief Kruithoff commented that he was not familiar with the accident the Mayor referred to, but there should be a way to designate a preferred wrecker. Chief Kruithoff further explained that when the City dispatched locally they had several local vendors on rotation, specifically a list of four, but when the dispatch operation was transferred to the county there was a larger rotation of towing vendors. Chief Kruithoff commented that changing the policy would involve reviewing the procedures and trying to get certain protocols followed when Springboro asks for a wrecker. For example, when the dispatcher receives a call from Springboro for towing services they would draw from a smaller rotational list preferably of local vendors. Chief Kruithoff stated that he does not have a recommendation for Council, but he will share the same information he shared with Mayor Agenbroad, which is that the selection of wrecker services is a Pandora's box and wreckers will complain to Council if they feel they are not receiving fair treatment. And, if the City excludes a larger towing company, like Sandy's, because it is not a local business, but is also the only wrecker service that can carry huge pieces of equipment, e.g. a semi-truck overturned on a local street, they might choose not to respond

as quickly because they are not on the City's rotation. Chief Kruithoff commented that he would do some research and come back to Council with a recommendation, but the issue is not as cut and dry as it appears on the surface by simply asking to restrict the rotation to four local wreckers. Chief Kruithoff again stated that the City could craft a policy to change the wrecker dispatching procedure, which would speak to those issues.

Mr. Chmiel pointed out that if the local provider is in the same pool through the county dispatch service they would be getting the out of town calls as well. Chief Kruithoff commented that the local provider might not have a large enough business; therefore, they might turn down a call in South Lebanon.

Mayor Agenbroad commented that the local business person would like to at least receive one out of every four calls because that person used to be the first responder, but now is only receiving one out of every eight calls. Mayor Agenbroad commented that this example goes hand-in-hand with the City using local businesses. Mayor Agenbroad requested that Chief Kruithoff bring back a recommendation for Council to consider.

Ms. Belpulsi suggested that if there is an accident in Springboro the first person that could be called would be a Springboro towing business and if they could not respond then they would proceed down the list?

Chief Kruithoff explained that if Springboro is giving all of their business to one wrecker and another out-of-town wrecker is needed because the local wrecker is not available the out-of-town wrecker would have no incentive to respond to Springboro because they are not being treated as an equal; therefore, they would not treat Springboro as an equal in return. Chief Kruithoff also explained that once the vehicle is towed there is also the responsibility of ensuring that it is towed in a safe manner with safe equipment, and the equipment is not always safe, and the wrecker is not always bonded correctly and does not meet the insurance requirements.

Ms. Belpulsi asked how many calls require towing service? Chief Kruithoff replied that it is more than a dozen per month.

Mr. Parise asked if this policy just pertains to wrecks or does it also pertain to stalled vehicles? Chief Kruithoff commented that it would apply to any situation in which a vehicle would need to be towed. Chief again stated that they really have a concern regarding the quality of the wrecker service especially if the police have an arrest and have to impound the vehicle or a car is disabled in a traffic lane and they cannot find the owner, or in snow emergencies, etc.

Mr. Parise asked if the car is stalled and the owner is present and it is not in the right of way would the owner have a choice of towing services? Mr. Parise explained that he has towing insurance and has to call a 1-800 number for towing service. Chief Kruithoff explained that it works the same way as the county dispatch does, the insurance company would draw from a list of, for example, five or six AAA approved wrecker services.

Mr. Parise commented that his point was that it is a service that he is already paying for and not an out-of-pocket expense to the individual having the car towed. Chief Kruithoff commented that it is still an out-of-pocket expense, but would be reimbursed by the insurance company. Mr. Parise commented that the individual would still have a choice of wreckers.

Mayor Agenbroad asked if Chief Kruithoff could come back with a recommendation for Council to consider. Chief Kruithoff replied yes.

Mr. Pozzuto asked Chief Kruithoff if a change in that policy would require Council action or is it an administrative issue? Chief Kruithoff stated that it probably would not require Council action.

Citizen Committee Openings: The Board of Zoning Appeals has an open seat for an unexpired term ending December 2012 and the Community Service Board has an open seat for an unexpired term ending December 2009.

Mayor Agenbroad opened the discussion regarding the Board of Zoning Appeals open seat.

Mr. Parise nominated Dave Snider to serve on the Board of Zoning Appeals based on his experience serving as a past Chairman of the Architectural Review Board. Mr. Parise commented that being on the ARB directly or indirectly involves zoning issues as it applies to applications and zoning regulations specific to the historic district and Mr. Parise believes that Dave Snider has those qualifications. Mr. Parise added that anybody who has served on the ARB for any length of time deserves an opportunity to serve on another committee.

Mr. LaDu nominated Sarah Jobe to serve on the Board due to her recent experience volunteering on City committees.

Mayor Agenbroad observed an applicant for this position in the audience and suggested continuing the discussion regarding this position at the next Work Session. There were no objections.

Mayor Agenbroad opened the discussion regarding the Community Service Board open seat.

Ms. Lairson asked if the people that applied previously for this position were contacted regarding this opening? Ms. Martin answered yes, they were notified. Ms. Lairson asked if they would need to apply again and if they knew they needed to apply again? Ms. Martin commented that she notified everyone that was on the active list of interested applicants. Ms. Lairson confirmed that they did not respond. Ms. Martin replied yes, if they are not listed as an interested applicant they did not respond.

Ms. Belpulsi nominated Jeanne Porter to serve on the Community Service Board. Ms. Belpulsi commented that she knows Ms. Porter and worked with her years ago when she was a volunteer director. Ms. Belpulsi described Ms. Porter as an excellent candidate with a terrific amount of experience working with the court in the special advocate program in Lebanon and Xenia.

There were no other nominations for the open seat on the Community Service Board.

Mayor Agenbroad confirmed that a motion would be made at tonight's Regular Meeting under Other Business to consider the appointment of Jeanne Porter to the Community Service Board to serve an unexpired term ending December 2009. Again, the Board of Zoning Appeals seat will be discussed at the next Work Session on August 20.

ITEM 7. ADJOURNMENT. *With no further discussion, Mayor Agenbroad adjourned the August 6, 2009 City Council Work Session at approximately 6:51 PM.*

CITY OF SPRINGBORO
425 S. PIONEER BOULEVARD, SPRINGBORO, OH

CITY COUNCIL REGULAR MEETING

THURSDAY, AUGUST 6, 2009

7:00 PM

COUNCIL

John Agenbroad, Mayor

Jim Chmiel, Deputy Mayor
Marie Belpulsi
Sheila Lairson

Scott Anderson
Tom LaDu
John D. Parise

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager
Jeff Kruihoff, Police Chief

Gerry McDonald, Acting Law Director
Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, August 6, 2009 at 7:00 PM in Council Chambers at the City's temporary facility in the Dalco Building located at 425 S. Pioneer Boulevard, Springboro, Ohio.

ITEM 2. PLEDGE OF ALLEGIANCE. Mayor Agenbroad led the Pledge of Allegiance.

ITEM 3. ROLL CALL. Agenbroad, Present; Anderson, Present; Belpulsi, Present; Chmiel, Present; LaDu, Present; Lairson, Present; Parise, Present.

ITEM 4. APPROVAL OF MINUTES: THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF JULY 16, 2009.

Ms. Belpulsi motioned to approve the minutes of the July 16, 2009 City Council Work Session and Regular Meeting as submitted by the Clerk of Council. Mr. Anderson seconded the motion.

No corrections.

VOTE: Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes; LaDu, Abstain; Lairson; Yes; Anderson, Yes. [6-0-1]

Mayor Agenbroad noted that City Manager Chris Thompson is excused this evening. Mayor Agenbroad thanked Assistant City Manager Chris Pozzuto for stepping in for Ms. Thompson tonight.

ITEM 5. PRESENTATIONS. No presentations.

ITEM 6. LEGISLATION. City Council held a Work Session at 6:00 PM tonight for approximately 51 minutes to discuss the following legislation as well as other City matters.

- 1) RESOLUTION R-09-46:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION ISSUE II GRANT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED. (EAST CENTRAL AVENUE (SR73)

ROADWAY IMPROVEMENTS BETWEEN NORTH/SOUTH RICHARDS RUN ROAD & THE EAST END OF FIELDSTONE SUBDIVISION)," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes the City Manager to prepare and submit an application to participate in the Ohio Public Works Commission (OPWC) Issue II Grant Program for the East Central Avenue (SR73) Roadway Improvements Project. In 2007, the City filed an application to participate in the OPWC Issue II funding program for the widening of East Central Avenue (SR73) between North/South Richards Run Road and the east end of Fieldstone Subdivision. The length of the project will be approximately 2,200 f. Improvements include widening the pavement to three 12 f. wide lanes and installing 4 f. wide paved shoulders on both sides of the road. This resolution is a requirement of the application for financial assistance.

Mayor Agenbroad presented the item for questions/comments. No questions/comments.

Mr. LaDu motioned to adopt Resolution R-09-46. Ms. Lairson seconded the motion.

No discussion.

VOTE: Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes; LaDu, Yes; Lairson, Yes. (7-0)

- 2) **RESOLUTION R-09-47:** "A RESOLUTION ACCEPTING PERMANENT WATER MAIN EASEMENT FROM BARBARA R. HIPSHER, OWNER OF THE PROPERTY HAVING THE SIDWELL # 04-21-400-010," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution accepts a permanent water main easement from Barbara R. Hipsher, property owner. A new 12" water main will be installed to replace an existing deteriorating 12" water main along Clearcreek-Franklin Road. A portion of the new water main will go through the Hipsher property located at 9191 Clearcreek-Franklin Road. Ms. Hipsher has agreed to provide this easement to the City and we thank her for her cooperation.

Mayor Agenbroad presented the item for questions/comments. No questions/comments.

Mr. Chmiel motioned to adopt Resolution R-09-47. Mr. LaDu seconded the motion.

No discussion.

VOTE: Lairson, Yes; Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes; LaDu, Yes. (7-0)

- 3) **RESOLUTION R-09-48:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH K. E. ROSE COMPANY TO COMPLETE THE INSTALLATION OF EQUIPMENT ON THE CAB AND CHASSIS OF A HEAVY DUTY TRUCK AND A HEAVY DUTY 1-TON TRUCK," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a contract with K. E. Rose Company to complete the installation of equipment on the cab and chassis of two heavy duty trucks. K. E. Rose Company will be furnishing all labor, materials, and equipment to complete the installation of the dump body, snow plow equipment, and hydraulics for the cab and chassis of a heavy duty truck and a heavy duty 1-ton truck. The two trucks were previously purchased and are awaiting the installation of this equipment. Staff recommends awarding the contract to K. E. Rose Company in the amount of \$80,425.

Mayor Agenbroad presented the item for questions/comments. No questions/comments.

Ms. Lairson motioned to adopt Resolution R-09-48. Mr. LaDu seconded the motion.

No discussion.

VOTE: Lairson, Yes; Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes; LaDu, Yes. (7-0)

- 4) **RESOLUTION R-09-49:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH WOODHULL, INC. TO PROVIDE COPIERS AND RELATED SERVICE FOR THE NEW CITY BUILDING, AND VOIDING RESOLUTION R-09-42; REPLACING SAID RESOLUTION WITH THE FOLLOWING," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a purchase agreement with Woodhull, Inc. to provide copiers and related service for the new City Building and voids Resolution R-09-42, a resolution which authorized a previous purchase agreement with Woodhull for copiers. This legislation would authorize the purchase of eight copiers to be used throughout the new City Building. This agreement also includes the service contract for those copiers. The City received eight proposals and staff recommends awarding the copier proposal to Woodhull, a Springboro company, in the amount of \$35,376 with a monthly service charge of \$647.

Mayor Agenbroad presented the item for questions/comments. No questions/comments.

Mr. LaDu motioned to adopt Resolution R-09-49. Mr. Chmiel seconded the motion.

No discussion.

VOTE: Parise, Abstain; LaDu, Yes; Lairson, Yes; Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes. (6-0-1)

- ITEM 7. REPORTS: Mayor's Report** – The 3rd US District Office Hours will be held on Friday, August 21 from 1-2 PM in Council Chambers. The next City Council Work Session will be held on Thursday, August 20, 2009 at 6:00 PM followed by the next City Council Regular Meeting at 7:00 PM in Council Chambers, as scheduled. In addition, a public hearing will be held on Thursday, August 20 beginning at 7:00 PM for a request to rezone approximately 1.8 acres of land located at 477-483 N. Main Street (SR741) from O-R (Office Residential District) to PUD-B (Planned Unit Development-Business). Also, the Finance Committee will meet on Thursday, August 20 at 5:30 PM in Council Chambers. All meetings will be held at the City's temporary facility in the Dalco Building located at 425 S. Pioneer Boulevard in Springboro, unless otherwise posted.

City Manager's Report – No report.

Committee Reports –

Mr. LaDu – No reports.

Mr. Parise – No reports.

Ms. Lairson – No reports.

Mr. Anderson – No reports.

Ms. Belpulsi – **Planning Commission** – The Planning Commission Formal Meeting was held on Wednesday, July 29 at 7:00 PM in Council Chambers to discuss the following items: Planning & Zoning Code Amendments – Chapter 1229, Historic Preservation, minor and major changes to protected properties and appeals to City Council of certain changes, which was a recommendation brought to the Commission by the Architectural Review Board (ARB). There are two areas that the ARB would like Council to consider changing. One, defining major and minor repairs and allowing minor repairs to be approved by City staff, which would allow property owners in the historic district to go through the process a little more quickly.

Major repairs would require ARB approval, but minor changes approved by City staff would be reported to the ARB on a regular basis. The second recommendation would be to expand the type of cases that may be appealed to City Council. Evidently, back in 2000 when the City was tidying up a lot of the City ordinances a provision was omitted from the ARB ordinance, which allowed applicants who were denied a Certificate of Appropriateness (COA) to appeal to City Council. The ARB recommends that the provision be included in the code because according to the Ohio Historic Preservation Office the appeals process must be part of a preservation ordinance to allow the applicant to appeal to a higher authority if the ARB denies their application. The Planning Commission accepted those recommendations and recommends that Council consider an ordinance to amend Chapter 1229, the Historic Preservation Code, at the next Council meeting. Discussion – Planning & Zoning Code Amendment, Section 1271.02, Exterior Lighting. The Commission is considering updating the City's lighting ordinance to encourage the use of induction and LED lighting to allow developers and businesses more flexibility in the kinds of lighting to use. Also, these types of lighting are much more "green" or energy efficient and promote environmental awareness in the community. Discussion – Bicycle & Pedestrian Advisory Committee. The Planning Commission has received approximately 12 applications for the Bicycle & Pedestrian Advisory Committee. The Committee will consist of seven members. The Planning Commission has recommended forming a subcommittee consisting of two members of the Planning Commission and a staff member to review those applications and make a recommendation of seven appointees to the Planning Commission. Ultimately, the Planning Commission will seek Council's approval to appoint the committee members. The next Planning Commission Work Session will be held on Wednesday, August 12 at 7:00 PM in Council Chambers, as scheduled.

Mr. Chmiel – No reports.

ITEM 8. OTHER BUSINESS. Based on the consensus reached at the Work Session, Mayor Agenbroad asked for a motion to appoint Jeanne Porter to the Community Service Board for a term that expires in December 2009.

Ms. Lairson motioned to appoint Jeanne Porter to the Community Service Board to serve an unexpired term ending December 31, 2009. Mr. Anderson seconded the motion.

No discussion.

VOTE: Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes; LaDu, Yes; Lairson, Yes; Anderson, Yes. [7-0]

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Ms. Lairson commented that she had the honor of touring Cobasys with Lieutenant Governor Lee Fisher last week. Ms. Lairson commented that Cobasys is an amazing company and a great asset to Springboro, and she hopes to keep the company in Springboro.

ITEM 10. GUEST COMMENTS. 1) Linda Oda, 655 E. Lower Springboro Road, Clearcreek Township – Ms. Oda is a member of the Warren County community and Chair of the Miracle League Park Complex being built adjacent to Springboro Junior High School. Ms. Oda announced that on September 19, the Miracle League Park Complex will hold their grand opening with the first league kicking off on September 19. Ms. Oda explained that they are waiting for the asphalt to cure before the rubberized surface is installed, but the dugouts are almost complete and the paving is complete. The restroom facility, concession stand, and storage area will not be completed this year, but the infrastructure is in place for those facilities, which will be completed by April for next year's season. The League will get a six-week season started on September 19, and Ms. Oda wanted City Council to be aware of the grand opening date. She is visiting City Councils and Boards of Education all over Warren County to let them know that although this park is built in Springboro it is a Warren County Park and they want people from all over Warren County to come to Springboro to take advantage of this facility. Mr. Oda commented that she also serves on the Warren County Board of MRDD, which serves 1,200 people in Warren County that have been diagnosed with developmental disabilities not including school aged people. Ms. Oda further commented that there were 750 children in Springboro on IEP (Individual Education Plans), however not all of those children have been diagnosed with a developmental disability they might be someone that needs a little extra help learning. This new park is going to meet a huge need in the community. The MRDD mission statement states that MRDD would provide recreational opportunities for the people it serves and was not, which is why the MRDD Board got

involved in the Miracle League project. Ms. Oda expressed her appreciation for the people in Warren County and the City of Springboro for getting involved in this project and as an elected official in Clearcreek Township she is proud that the Township got involved as well. Finally, Ms. Oda commented that the Miracle League Park Complex is a project that the community is going to be proud of for many, many years to come. Ms. Oda offered to answer any questions.

Mr. Chmiel asked Ms. Oda what time the grand opening ceremony would begin on September 18? Ms. Oda explained that they have not set a time yet, but would contact the Mayor and the City Manager with the details closer to the date. She guessed that the grand opening would begin around 9:00 AM with a ceremony involving elected officials followed by the games starting at 10:00 AM.

Ms. Oda again thanked Springboro for participating in the project stating that she thinks Miracle League will be a real blessing to the people in Warren County, and she is really proud that her community stepped up to the plate.

Mayor Agenbroad stated that he appreciated Ms. Oda's comments and that the City is excited about the project as well.

Mayor Agenbroad asked if there were any other guests that wished to be heard, to please come to the podium and state their name and address for the record and make their comments accordingly.

2) George Mourouzis, 190 Fairfield Court, Springboro – Mr. Mourouzis commented that he was representing the Springboro Lion's Club and referenced the Money Magazine article that listed Springboro as one of the top 100 best places to live in the United States. In fact, Springboro is ranked 41 out of the top 100. Mr. Mourouzis commented that at their recent Lion's Club meeting they discussed the designation and he further commented that this ranking is due to all of the wonderful citizens that live in Springboro and to the dedicated, hard working employees of the City of Springboro and of the Springboro Schools. The Springboro Lion's Club asked Mr. Mourouzis to request that City Council consider recognizing this outstanding accomplishment by posting signs, banners, or flags throughout the City to publicize this great achievement for Springboro. Mr. Mourouzis offered to answer any questions.

In response, Mayor Agenbroad commented that Council discussed publicizing this designation at the last Work Session and again at tonight's Work Session and agreed that the City would publicize the designation on banners, stationary, etc., to recognize this distinction.

Mayor Agenbroad thanked Mr. Mourouzis for his comments.

Mayor Agenbroad asked if there were any other guests that wished to be heard, to please come to the podium and state their name and address for the record and make their comments accordingly. No other guests came forward.

ITEM 11. EXECUTIVE SESSION. No Executive Session.

ITEM 12. ADJOURNMENT. Mayor Agenbroad thanked the MVCC for tonight's telecast and scheduled rebroadcasts of this Springboro City Council Meeting. Mayor Agenbroad asked for a motion to adjourn the meeting from the 41st best place to live.

Ms. Belpulsi motioned to adjourn the meeting; whereby, the Thursday, August 6, 2009 Springboro City Council Regular Meeting was adjourned at approximately 7:20 PM. Ms. Lairson seconded the motion.

No discussion.

VOTE: Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes; LaDu, Yes; Lairson, Yes. [7-0]

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council