

CITY OF SPRINGBORO
320 W. CENTRAL AVENUE, SPRINGBORO, OHIO

CITY COUNCIL WORK SESSION

TUESDAY, DECEMBER 18, 2007

6:00 PM

NOTICE: THE CITY COUNCIL WORK SESSION HAS BEEN RESCHEDULED TO TUESDAY, DECEMBER 18.

CITY COUNCIL

John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor
Scott Anderson
Jim Chmiel

Gary Hruska
Sheila Lairson
John D. Parise

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager
Jeff Kruithoff, Police Chief
Robyn Brown, Director of Finance

Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Work Session to order at approximately 6:00 PM in Council Chambers.
- ITEM 2. ATTENDANCE.** Ms. Lairson and Mr. Hruska were absent due to professional conflicts.
- ITEM 3. LEGISLATIVE AGENDA.** – City Council considered 6 legislative agenda items slated for the December 18, 2007 City Council Regular Meeting.

Mayor Agenbroad noted that there would be three presentations at tonight's City Council Regular Meeting as follows: the Oath of Office and Swearing In Ceremony for Mayor Elect John Agenbroad and Council Members Elect Marie Belpulsi and Mike Hemmert, a Proclamation in Recognition and Honor of Police Lieutenant Jon Wheeler for his service in Iraq, and a presentation in recognition of departing Council Member Gary Hruska.

- 1) EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL APPROPRIATION OF MONIES; THEREBY AMENDING ANNUAL APPROPRIATION ORDINANCE NO. O-07-01 OF THE CITY OF SPRINGBORO, OHIO PASSED BY THE CITY COUNCIL ON DECEMBER 21, 2006 FOR THE YEAR 2007; AND DECLARING AN EMERGENCY. (YEAR END)

The Director of Finance has requested that City Council waive the second and third readings of this ordinance and pass this legislation as an emergency in order to properly appropriate funds for expenditure for the current year. City Council had no objections to this request.

- 2) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE MAKING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SPRINGBORO FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2008, AND DECLARING AN EMERGENCY.

The Director of Finance has requested that City Council waive the second and third readings of this ordinance and pass this legislation as an emergency in order to properly appropriate funds for expenditure as of January 1, 2008. City Council had no objections to this request.

Ms. Brown explained that the only change that has occurred in the proposed appropriations for 2008 since the CIP Presentation and the Budget Presentation was to include the amount for the Secure Our Schools COPS Grant, which the City was awarded following the Budget Presentation in November.

- 3) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A FOUR (4) YEAR CONTRACT WITH WILSON, SHANNON & SNOW, INC. AND THE OFFICE OF THE AUDITOR OF STATE, TO CONDUCT AN AUDIT OF THE CITY OF SPRINGBORO FOR THE PERIODS ENDING DECEMBER 31, 2007 THROUGH DECEMBER 31, 2010.

Ms. Belpulsi referred to the spreadsheet that accompanied this legislation and questioned why the graph showed the year 2005 for all four years of the contract? Ms. Brown explained that it was an inadvertent error and the spreadsheet should show years 2007 through 2010.

Mayor Agenbroad commented that he appreciates the \$17,000.00/year savings on the audit. Ms. Brown explained that the City would no longer be required to conduct a separate audit for the golf course. Mayor Agenbroad confirmed that the City is still required by the State to perform a CAFR, which is expensive. Ms. Brown confirmed that the State does not perform the CAFR.

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER #1 WITH S.K. CONSTRUCTION, INC. TO EXTEND WEST TECH ROAD APPROXIMATELY 250 FEET AT A NOT TO EXCEED PRICE OF \$50,000.00.

No discussion.

- 5) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KINNISON EXCAVATING, INC. TO COMPLETE THE EAST STREET RECONSTRUCTION PROJECT, PHASE V.

Mayor Agenbroad asked how long this project would take? Ms. Thompson explained that each block of improvements on East Street has taken approximately three months to complete; therefore, she estimates that this phase would take about three months to complete. Mayor Agenbroad asked when the contractor would begin this project? Ms. Thompson answered, in the Spring –March or April. Mayor Agenbroad confirmed that this project would be complete by the time school is out for the Summer –June. Ms. Thompson replied yes, stating that this project is the last phase of the improvements on East Street.

- 6) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RHULE EXCAVATING, INC. TO COMPLETE THE WEST FACTORY ROAD WATER MAIN REPLACEMENT PROJECT, PHASE I.

Mr. Chmiel stated that he would abstain from the vote on this Resolution at tonight's City Council Regular Meeting.

ITEM 4.

CITY MANAGER.

-Issues/Reports.

City's Temporary Facility Update – Ms. Thompson commented that this is the first City Council meeting in the City's temporary facility in the Dalco Building (located at 425 S. Pioneer Boulevard in Springboro). The Planning Commission held their first meeting at this location last week and the recording equipment, etc. worked well. Ms. Thompson commended staff and Mr. Pozzuto for coordinating the move to Dalco. She explained that the phones were in service by the end of the day Friday, the day of the move, and the computer server was connected by Saturday morning, which was very unexpected. Ms. Thompson commented that she has not received and is not aware of any complaints from residents regarding interruptions in service due to the move, and she added that the accommodations in the temporary facility are different for everyone, but staff has adjusted exceptionally well. At last, Ms. Thompson commented that she hopes the move to the new City building will be as smooth a transition.

On behalf of City Council, Mayor Agenbroad also commended staff for the smooth transition, commenting that it is never easy to move.

New City Building Update – Jack Sharts' building is scheduled for demolition next week. The same company that demolished the car wash to the west of the City building will demolish Mr. Sharts' building as well. The City building is tentatively scheduled for demolition in mid-January dependent on the weather. The City building was used for S.W.A.T. training last week, and the Fire Department will use the building for training exercises next week. The Fire Department is not permitted to burn the City building because they would have to close SR73 causing traffic problems, etc.

In addition, Ms. Thompson announced that she would be taking some vacation leave during the remainder of the year, but she would be in town and available via her cell phone.

Snow Removal Update: Ms. Belpulsi inquired regarding the status of the first snow removal of the year? Ms. Thompson stated that it went well, but she had some internal issues that she has addressed and has been working with the Public Works Department to correct concerning the dispatching of snowplows, etc. Ms. Thompson explained that in the past, the Police Department would alert the dispatch office regarding the road conditions, and the dispatch office would then contact the on-call person or the street supervisor, who would determine whether or not to dispatch the snowplows, and this procedure was not followed during the first snowfall. Ms. Thompson further explained that she and Mr. Pozzuto talked to Barry Conway, Public Works Director, in order to institute some procedures to follow in the future. In addition, Ms. Thompson stated that she has always asked the Public Works Department to notify her if they intend to plow the streets, first, to be able to inform City Council Members if the snowplows are out, and second, to be able to gauge any overtime issues, etc. Ms. Thompson explained that they have had problems in past years scheduling employees for the next eight hours after they have worked all night plowing the streets. Ms. Thompson further explained that staff has instituted some changes to address those issues, which will be put into a policy the first of the year. Ms. Thompson added that they had worked on some of these issues last year, but they did not create a policy. She further added that the new policy would even out the employee's work day and employees would not be asked to snow plow from 2:00AM-6:00AM, and then work until 4:00PM the following day, as there are rules regarding the amount of consecutive hours worked. Ms. Thompson stated that snow plowing eight to ten consecutive hours is about the maximum allowed. Ms. Thompson commented that she does remember when the Street Department was out 18-24 hours without rest, which is totally dangerous and a huge liability; thus, they are trying to monitor all of these scheduling issues along with the safety issues.

Also, Ms. Thompson mentioned that she is looking into the beet juice solution to treat the roads during icy conditions. She explained that the Street Department tested the beet juice last year and determined that it did not help, but she is not accepting that determination at this time; she would like some kind of data or measurement as to whether this treatment is better or worse than traditional treatments. Ms. Thompson stated that she would like the Street Department to prove to her that it does not work, because it is a green issue.

Ms. Belpulsi commented that the City of Moraine has used the beet juice solution for many years, and Kettering has recently begun using it. Ms. Belpulsi further commented that the MTA held a snow and ice seminar last week, and the beet juice solution is nearly a standard now, but it depends on how the solution is applied.

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Ms. Thompson commented that she wanted to know how they used it, etc., and she would be revisiting that issue with the street department. Ms. Thompson did comment that during the last icy weekend they were out on the streets when the icy weather began and watched the weather for predictions. Ms. Thompson stated that she thought the streets were in great shape, and the street department performed very well.

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

City Council Meeting Schedule – The first City Council meeting of 2008 will be held on January 3 beginning with the Work Session at 6:00 PM followed by the Regular Meeting at 7:00 PM at the City's temporary facility in the Dalco Building (located at 425 S. Pioneer Boulevard in Springboro). The Council Agenda packets for the January 3 meeting will be delivered this Friday, December 21. There are two legislative items slated for the January 3 City Council Regular Meeting.

Ms. Martin will be out of the office on vacation leave December 24 through January 1. In addition, Ms. Martin wished everyone Happy Holidays!

There were no other reports from attending staff members.

ITEM 6. CITY COUNCIL. –Issues/Reports.

Mr. Parise – No issues/reports.

Mr. Chmiel – Mr. Chmiel commented that Ms. Thompson and Ms. Martin did a nice job on the annual Volunteer/Employee Appreciation Event and Holiday Open House held on Friday, December 14, and he truly enjoyed the event.

Mr. Anderson – No issues/reports.

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

Mayor Agenbroad – Mayor Agenbroad recommended that City Council conduct an Executive Session to discuss the City Manager's evaluation and the Clerk of Council's evaluation with the 2007 City Council in place.

Mayor Agenbroad also recommended discussing committee appointments for 2008 when the new Council Member, Mike Hemmert, takes office in January in order to have his input regarding those appointments. Mayor Agenbroad recommended that City Council schedule the discussion regarding committee appointments at the first Work Session in 2008 on January 3. In addition, Mayor Agenbroad suggested convening the January 3 Work Session early at 5:30PM to accommodate the discussion regarding committee appointments, as it is a new process for Mr. Hemmert and there are applications to review.

Mr. Parise confirmed that committee appointments for 2008 would be discussed at the Council Work Session on January 3, and he asked if Mr. Hemmert would receive the appropriate information to review prior to the Work Session? Mayor Agenbroad confirmed that Ms. Martin would forward the committee information received by all other Council Members to Mr. Hemmert in advance to prepare for the discussion.

There were no objections to convening the Work Session at 5:30 PM on January 3 for the purpose of discussing committee appointments for terms beginning in 2008.

In reference to Mayor Agenbroad's recommendation to conduct evaluations for Ms. Thompson and Ms. Martin, Ms. Belpulsi commented that she is not prepared to participate in their evaluations this evening. Ms. Belpulsi also commented that Ms. Lairson and Mr. Hruska are not in attendance. Ms. Belpulsi explained that Council has nothing to base the evaluations on, and she would prefer to wait to perform the evaluations until Mr. Hruska and Ms. Lairson could

participate. She added that it would be very difficult for Mr. Hemmert to have any input regarding evaluations of staff at this point, and asked if Mr. Hemmert agreed with her. Mr. Hemmert agreed. (Mr. Hemmert was present in the audience.)

Ms. Belpulsi again stated that she has nothing to base the evaluations on, and any salary increases would be retroactive. Ms. Belpulsi stressed that she is not comfortable performing the evaluations when she does not know what to evaluate on.

Mr. Anderson stated that he remembers receiving evaluation forms or something concerning their evaluations from both Ms. Thompson and Ms. Martin last year? Ms. Thompson explained that Council Members received the standard evaluation form used for all City employees, which is based on a number system to rate certain performance criteria. Ms. Thompson stated that she and Ms. Martin agree that they receive little value from this evaluation form because some or the majority of Council just circle a number on the form with no explanation. Ms. Thompson further commented that last year her evaluation consisted of a conversation with Council where issues were discussed and suggestions were made regarding her performance.

Mayor Agenbroad commented that he believes that a basic evaluation form is a useless exercise for long-term employees. He added that for employees of one to five years, he thinks the form is a good tool, but for employees of five years or more he thinks the best way to evaluate their performance is to sit down and talk with them, and then excuse them in order to consider their performance and any compensation adjustments. Mayor Agenbroad commented that he has had 30 years of experience evaluating employees, and he believes a dialogue with the employee regarding their performance is a more conducive method for long-term employees, but he will serve at the pleasure of Council regarding this process. Mayor Agenbroad continued by stating that he does not have a problem if Council does not reach a conclusion regarding the evaluations tonight, but he would like to at least have the current Council talk with the two employees because it is not fair for Mr. Hruska or Mr. Hemmert to be involved in that process after the fact. Mayor Agenbroad explained that Mr. Hruska will no longer be a Council Member on January 1, 2008; therefore, it just makes more sense to conduct an Executive Session to discuss these evaluations tonight and if Council does not reach a consensus then the discussion would be postponed to a later date, but Council should at least talk about the evaluation process with the two employees, and commented that Council has had all year long to evaluate the performance of these employees and there is nothing to surprise Council here.

Mr. Chmiel commented that he did not bring any of his historical reference materials regarding the evaluations, but if Mayor Agenbroad has some of that information concerning these evaluations from the past couple of years, then he would be willing to proceed with the Executive Session. Mayor Agenbroad explained that he did not have the past performance ratings, but he does have the history of compensation adjustments. Mayor Agenbroad again stated that Council could at least talk with these two employees because they both answer to Council.

Ms. Belpulsi commented that she would like to see information from both Ms. Martin and Ms. Thompson regarding what they have accomplished during the year. She explained that she has to have something to refer to; it is not just a matter of money. Ms. Belpulsi also agreed that the standard evaluation form is of little or no value, and especially with respect to the evaluation of the City Manager and the Clerk of Council, she does not find the form to be appropriate, but she does not know how to evaluate an employee without any input.

Mayor Agenbroad addressed Ms. Belpulsi's concerns by commenting that Council would evaluate these employees based on what they have done.

Ms. Thompson stated that the budget book includes a section of accomplishments for 2007 and goals for 2008. Ms. Thompson offered to copy those for Council to review. Ms. Thompson explained that accomplishments and goals are included in the budget book every year. She further explained that Council held a goal setting session in January, and she could present the list of those goals such as updating the City's Comprehensive Land Use Plan and the SR73 Access Management Plan to Council for review.

Mayor Agenbroad commented that last year's evaluation of the City Manager consisted of a discussion with her during which Council asked for more frequent reports, which Ms. Thompson has produced and sent to Council on a regular

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basis for the entire year. Mayor Agenbroad further commented that this bi-weekly report has given Council a flavor of what is going on in the City instead of waiting to receive updates, and from that perspective Council does have a paper trail from the City Manager regarding her performance. Mayor Agenbroad added that Ms. Martin answers directly to Council in performing her duties. Mayor Agenbroad further added that he is trying to simplify the evaluation process.

Ms. Belpulsi again stressed that she is still not comfortable with this process, but she would do whatever the Mayor and Council wishes regarding these evaluations.

Mayor Agenbroad again stated that he serves at the pleasure of Council.

Ms. Belpulsi reiterated that Ms. Lairson is absent; therefore, she would not have any input this evening.

Mr. Parise stated that he is flexible, and he would go with the flow regarding this decision.

Mr. Chmiel stated that he does not have a problem discussing the evaluations as long as Council is not forced into a decision tonight. Mayor Agenbroad stated that Council would not make any decisions unless there was a consensus, but he added that it is imperative that they perform these evaluations while the current Council is in place because this is the Council that these employees worked for in 2007. Mayor Agenbroad also commented that Ms. Belpulsi admitted earlier that the standard evaluation form used by the City does not have a lot of merit, and he believes that dialogue does have a lot more merit, but if Council needs something beyond that, then they could request additional information from these employees.

Mr. Chmiel suggested entering Executive Session following the Regular Meeting once Mr. Hruska has arrived, and then all but one Council Member would be here and they could at least get the discussion going and not have to repeat the process at a later date.

Ms. Belpulsi stated that Ms. Chmiel's suggestion would work for her.

Mayor Agenbroad stated that from his standpoint the evaluation process can be simple or cumbersome, and it is different when dealing with long-term employees, versus short-term employees. Mayor Agenbroad further stated that this Council is very, very democratic, and the majority rules, and asked if he should assume that when Council finishes the Work Session discussion, they would enter Executive Session for one of these employees or hold an Executive Session for both of these employees following the Regular Meeting.

Ms. Belpulsi remarked that Council does not know when Mr. Hruska will arrive. Mayor Agenbroad stated that Mr. Hruska should arrive between 7:15PM and 7:30PM. Ms. Belpulsi commented that the meeting might be over by that time.

Ms. Thompson suggested that Council use the time following the Work Session to adjourn to Executive Session to discuss what kind of process they do want to use. Ms. Thompson added that the most valuable thing that came out of her evaluation process last year was simply that Council would like more communication on a regular basis instead of waiting until the Council Meetings; and, as a result, she started sending the bi-weekly updates to Council. Ms. Thompson stated that she has been working for the City for 18 years, and as long as Council gets away from using the standard evaluation form that just requires circling a number on a piece of paper with no dialogue or comments, she would be more comfortable. Ms. Thompson explained that the standard evaluation form is of no value to her and does not help her to do her job for Council. She added that typically only five or six of the evaluations forms are returned.

Mayor Agenbroad reiterated that Council could meet tonight to discuss the evaluations, and if Council does not reach a consensus regarding compensation, etc., then Council could meet in early January at which time Mr. Hemmert would have a vote and Mr. Hruska would be present for input, but would not have a vote.

Ms. Thompson asked Mr. Schaeffer if, from a legal perspective, Mr. Hruska could be involved in the evaluation process if he is no longer a City Council Member? Mr. Schaeffer commented that it is a little problematic; however, Council could certainly ask Mr. Hruska for input, but excuse him from the room when Council debates and makes a decision. Ms. Thompson confirmed that Mr. Hruska could have input, but could not be involved in any decisions.

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Mayor Agenbroad stated that Mr. Hruska might very well defer and give up the opportunity to participate in the evaluation process.

Mr. Schaeffer stated that Mr. Hruska could be asked to give written input, and that there are lots of ways that Mr. Hruska could participate, if necessary.

Ms. Thompson again suggested using the time tonight to discuss an evaluation process for herself and Ms. Martin.

With no further comments or discussion regarding this topic, Mayor Agenbroad suggested adjourning to Executive Session following the Work Session discussion. There were no objections of Council.

At approximately 6:25 PM, Ms. Belpulsi motioned to enter Executive Session, under R.C. 121.22(G), to consider the compensation of a public employee. Mr. Chmiel seconded the motion.

No discussion.

VOTE: Parise, Yes; Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes. [APPROVED 5-0]

Ms. Thompson was asked to attend the Executive Session to make any comments regarding her evaluation.

With no objections, City Council exited Executive Session at approximately 6:49 PM; whereby, no votes were taken.

ITEM 8. ADJOURNMENT. With no further discussion, Mayor Agenbroad adjourned the City Council Work Session at approximately 6:49 PM.

CITY OF SPRINGBORO
320 W. CENTRAL AVENUE, SPRINGBORO, OHIO

CITY COUNCIL REGULAR MEETING

TUESDAY, DECEMBER 18, 2007

7:00 PM

NOTICE: THE CITY COUNCIL REGULAR MEETING HAS BEEN RESCHEDULED TO TUESDAY, DECEMBER 18.

CITY COUNCIL
John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor
Scott Anderson
Jim Chmiel

Gary Hruska
Sheila Lairson
John D. Parise

CITY STAFF
Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager
Jeff Kruthoff, Chief of Police

Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

Robyn Brown, Director of Finance

- ITEM 1.** **CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order at 7:00 PM in Council Chambers at the City's temporary facility located in the Dalco Building 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; Hruska, Absent (Mr. Hruska arrived at approx. 5:15PM); Lairson, Absent; Parise, Present.

Mayor Agenbroad stated that Ms. Lairson is absent due to a professional scheduling conflict.

Mr. Parise motioned to excuse Ms. Lairson from the meeting. Ms. Belpulsi seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Chmiel, Yes; Parise, Yes; Anderson, Yes; Belpulsi, Yes. [APPROVED 5-0]

Mayor Agenbroad announced that Mr. Hruska would be tardy due to a professional commitment, but he should arrive momentarily.

- ITEM 4.** **APPROVAL OF MINUTES:** THE MINUTES OF THE NOVEMBER 15, 2007 CITY COUNCIL WORK SESSION AND REGULAR MEETING & THE MINUTES OF THE DECEMBER 6, 2007 CITY COUNCIL WORK SESSION AND REGULAR MEETING.

Ms. Belpulsi motioned to approve the Minutes of the November 15, 2007 City Council Work Session and Regular Meeting & the December 6, 2007 Work Session and Regular Meeting as submitted by the Clerk of Council. Mr. Parise seconded the motion.

No corrections.

VOTE: Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes. [APPROVED 5-0]

- ITEM 5.** **PRESENTATIONS:** MAYOR ELECT JOHN AGENBROAD AND COUNCIL MEMBERS ELECT MARIE BELPULSI AND MIKE HEMMERT TOOK THE OATH OF OFFICE AND WERE SWORN IN TO SERVE THE CITY OF SPRINGBORO FOR TERMS BEGINNING IN 2008.

Alan Schaeffer, City Law Director, administered the Oath of Office to Mayor Elect John Agenbroad and Council Members Elect Marie Belpulsi and Mike Hemmert; whereby, they were sworn in to serve the City of Springboro as City Council Members for a four-year term beginning on January 1, 2008.

Mr. Schaeffer administered the Oath of Office in the following order: Council Member Elect Marie Belpulsi, Council Member Elect Mike Hemmert, and Mayor Elect John Agenbroad. (A copy of the Oath of Office for each elected official will be filed with the minutes for the record.) Mayor Agenbroad's wife, Patti, received a presentation bouquet.

Mayor Agenbroad thanked Mr. Schaeffer for administering the ceremony.

MAYOR AGENBROAD PRESENTED A PROCLAMATION IN HONOR AND RECOGNITION OF POLICE LIEUTENANT JON WHEELER FOR HIS SERVICE IN IRAQ. Mayor Agenbroad presented a proclamation in recognition and honor of Police Lieutenant Jon Wheeler for his service in Iraq. Lieutenant Wheeler received a

standing applause. (A copy of the Proclamation will be filed with the minutes for the record.) Lieutenant Wheeler's wife, Amy, received a presentation bouquet.

ITEM 6.

LEGISLATION:

City Council held a Work Session at 6:00 PM tonight for approximately 25 minutes to discuss the following legislative items as well as other matters before the City, followed by a 24-minute Executive Session to consider the compensation of a public employee. No votes were taken during Executive Session.

- 1) **ORDINANCE O-07-44: FIRST READING.** "AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL APPROPRIATION OF MONIES; THEREBY AMENDING ANNUAL APPROPRIATION ORDINANCE NO. O-07-01 OF THE CITY OF SPRINGBORO, OHIO PASSED BY THE CITY COUNCIL ON DECEMBER 21, 2006 FOR THE YEAR 2007; AND DECLARING AN EMERGENCY. (YEAR END)," was read by the Clerk of Council. Ms. Thompson deferred to Ms. Brown to comment on this item.

This is the first reading of an ordinance authorizing supplemental appropriations for 2007. This legislation is a year-end supplemental appropriation of monies, which would decrease total appropriations for 2007 by \$331,817.40.

Mr. Parise motioned to suspend the rules and waive the second and third readings of Ordinance O-07-44. Ms. Belpulsi seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Chmiel, Yes; Parise, Yes; Anderson, Yes; Belpulsi, Yes. [APPROVED 5-0]

Mr. Chmiel motioned to approve Ordinance O-07-44. Mr. Parise seconded the motion.

No discussion.

VOTE: Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes. [APPROVED 5-0]

- 2) **ORDINANCE O-08-1: FIRST READING.** "AN ORDINANCE MAKING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SPRINGBORO FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2008, AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson deferred to Ms. Brown to comment on this item.

This is the first reading of the annual appropriations ordinance for current expenses and other expenditures for the year 2008. The figures included in the appropriation ordinance were based on the 2008 CIP Presentation and the 2008 Budget Presentation. The appropriations also include an additional \$33,875.00, which covers expenses for a Secure Our Schools Grant awarded to the City following the 2008 Budget Presentation in November. The total amount of all appropriations for 2008 is \$46,457,246.00.

Mr. Chmiel motioned to suspend the rules and waive the second and third readings of Ordinance O-08-1. Mr. Parise seconded the motion.

No discussion.

VOTE: Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes. [APPROVED 5-0]

Mr. Parise motioned to approve Ordinance O-08-1. Ms. Belpulsi seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Chmiel, Yes; Parise, Yes; Anderson, Yes; Belpulsi, Yes. [APPROVED 5-0]

- 3) **RESOLUTION R-07-54:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A FOUR (4) YEAR CONTRACT WITH WILSON, SHANNON & SNOW, INC. AND THE OFFICE OF THE AUDITOR OF STATE, TO CONDUCT AN AUDIT OF THE CITY OF SPRINGBORO FOR THE PERIODS ENDING DECEMBER 31, 2007 THROUGH DECEMBER 31, 2010," was read by the Clerk of Council. Ms. Thompson deferred to Ms. Brown to comment on this item.

This resolution authorizes the City Manager to enter into a four-year contract with Wilson, Shannon & Snow and the State Auditor's Office to conduct the annual City audit for 2007 through 2010. The City received five bids for this contract, which ranged from \$96,000.00 to \$108,000.00. The State Auditor's Office and the City of Springboro recommend Wilson, Shannon & Snow for this contract.

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

Ms. Belpulsi motioned to adopt Resolution R-07-54. Mr. Parise seconded the motion.

No discussion.

VOTE: Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes. [APPROVED 5-0]

NOTE: Mr. Hruska arrived at approximately 7:15 PM.

- 4) **RESOLUTION R-07-55:** A RESOLUTION SOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER #1 WITH S.K. CONSTRUCTION, INC. TO EXTEND WEST TECH ROAD APPROXIMATELY 250 FEET AT A NOT TO EXCEED PRICE OF \$50,000.00," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution authorizes the City Manager to enter into change order #1 with S.K. Construction to extend West Tech Road approximately 250 ft. for a not-to-exceed amount of \$50,000.00. The City had purchased 90 acres of property at South Tech Industrial Park, and the City made a commitment to extend West Tech Road to serve economic development in that area of South Tech. The City was able to extend the road under the original contract with S.K. Construction allowing Montgomery County to reach their lift station at that location, and due to very favorable pricing and the availability of the Street Capital Improvement Funds, staff recommends extending the road an additional 250 feet for a not-to-exceed amount of \$50,000.00.

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

Mr. Parise motioned to adopt Resolution R-07-55. Mr. Anderson seconded the motion.

No discussion.

VOTE: Belpulsi, Yes; Agenbroad, Yes; Hruska, Abstain; Chmiel, Yes; Parise, Yes; Anderson, Yes. [APPROVED 5-0-1]

- 5) **RESOLUTION R-07-56:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KINNISSON EXCAVATING, INC. TO COMPLETE THE EAST STREET RECONSTRUCTION PROJECT, PHASE V," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution authorizes the City Manager to enter into a contract with Kinnison Excavating, Inc. to complete the

East Street Reconstruction Project, Phase V. This project is the final phase of improvements to East Street, which have occurred over the last five to six years. This project includes the installation of sidewalk, curb and gutter, and pavement widening. The City received bids for this project ranging from \$319,415.00 to \$375,000.00. The Kinnison Excavating bid was \$319,415.00, which was the lowest bid. The engineer's estimate for this project was \$350,000.00.

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

Mr. Parise motioned to adopt Resolution R-07-56. Mr. Chmiel seconded the motion.

No discussion.

VOTE: Parise, Yes; Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Hruska, Yes; Chmiel, Yes. [APPROVED 6-0]

- 6) **RESOLUTION R-07-57:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RHULE EXCAVATING, INC. TO COMPLETE THE WEST FACTORY ROAD WATER MAIN REPLACEMENT PROJECT, PHASE I," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution authorizes the City Manager to enter into a contract with Rhule Excavating, Inc. to complete the West Factory Road Water Main Replacement Project, Phase 1. This project will replace approximately 1,100 feet of 8-inch water main with a new 12-inch water main. The City received bids for this project ranging from \$188,920.00 to \$297,850.00. The engineer's estimate for this project was \$210,000.00. The Rhule Excavating bid was \$188,920.00, which was the lowest bid.

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

Ms. Belpulsi motioned to adopt Resolution R-07-57. Mr. Parise seconded the motion.

No discussion.

VOTE: Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Hruska, Yes; Chmiel, Abstain; Parise, Yes. [APPROVED 5-0-1]

ITEM 7.

REPORTS:

Mayor's Report – The Christmas Holiday will be observed on December 24 and 25; whereby, the City offices will be closed. The New Year's Day Holiday will be observed on January 1, 2008; whereby, the City offices will be closed. The next City Council Work Session will be held on Thursday, January 3, 2008 at 5:30PM in Council Chambers. The next City Council Regular Meeting will be held on Thursday, January 3, 2008 at 7:00 PM in Council Chambers, as scheduled. The Work Session has been rescheduled to begin at 5:30 PM to discuss committee appointments for 2008. The City Council Meetings will be held at the City's temporary facility located in the Dalco Building at 425 S. Pioneer Boulevard in Springboro.

City Manager's Report – Ms. Thompson commented that the City has moved its offices to 425 S. Pioneer Boulevard in Springboro. Ms. Thompson commended City staff for their efforts during the move, and the residents and community as well, as everyone has been very patient during the transition. Overall, the Service Department and the entire City staff really stepped up to the plate and moved the City offices in four days and were operational within two days. With all of the functions and services that the City provides, Ms. Thompson stated that she personally felt that staff did an outstanding job to get the City to that point following the move. Ms. Thompson stressed that this is a temporary facility and staff hopes to make improvements in the interim, if there is anything that

is lacking or needed, the City will make every effort to follow up. Finally, Ms. Thompson wished everyone a Happy Holiday.

On behalf of City Council, Mayor Agenbroad also commended staff for their efforts during the move to the temporary facility.

Committee Reports –

Mr. Parise – No reports.

Mr. Chmiel – No reports.

Mr. Hruska – No reports.

Mr. Anderson – No reports.

Ms. Belpulsi – Planning Commission – The Planning Commission met on Tuesday, December 11, 2007 at 6:00 PM in Council Chambers to consider the following item: Site Plan Review – 365 North Main Street, new dental/general office building. The next Planning Commission Work Session will be held on Wednesday, January 9, 2008 at 7:00 PM, as scheduled. The Planning Commission Work Session will be held at the City's temporary facility located in the Dalco Building at 425 S. Pioneer Boulevard in Springboro.

ITEM 8. OTHER BUSINESS. At this time, Mayor Agenbroad asked for a moment of silence for former Mayor of Springboro John Remick, who passed away last week. Everyone stood to observe a moment of silence.

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Ms. Belpulsi commented that this is the last City Council Meeting of the year and the final Council Meeting for Council Member Gary Hruska. Ms. Belpulsi wished Mr. Hruska the best of luck, as he has been a wonderful Council Member, and has been so committed to this community. Mr. Hruska has served on the City's various City boards and commissions and put a lot of time and effort into everything he has done for the City. Ms. Belpulsi again wished Mr. Hruska good luck, and she hopes that he will continue to be involved in the City, as he is a great resource.

In addition, Ms. Belpulsi commented that Mayor Agenbroad will undergo surgery tomorrow, and she asked everyone to keep the Mayor in their thoughts and prayers. Ms. Belpulsi added that she is sure the surgery will be very successful, and the Mayor will be back on his feet in a few weeks.

Finally, Ms. Belpulsi wished Ms. Martin a Happy Birthday. Ms. Belpulsi also wished everyone a very happy holiday, and a wonderful New Year, and thanked everyone for all of their support this past year.

At this time, Mayor Agenbroad announced that it has been the tradition of City Council and staff to honor a departing Council Member. Mayor Agenbroad presented a proclamation in recognition and honor of Mr. Hruska for his service as a City Council Member. (A copy of the proclamation will be filed with the minutes for the record.) Mayor Agenbroad also presented Mr. Hruska with a parting gift. Mr. Hruska received a standing applause.

Mr. Hruska thanked all of his colleagues on City Council for all the years of friendship and support, and stated that it has been a pleasure to serve the City.

Ms. Thompson commented that former City Council Member David Vomacka brought to her attention that a tree was planted on behalf of the City of Springboro in California where the devastation occurred due to forest fires. Ms. Thompson further commented that it was very gracious of Mr. Vomacka to plant a tree in the City of Springboro's honor in California to restore the forest. She wished the public to know that it was a very thoughtful gesture, and that Springboro has a tree in California in the City's name.

Mayor Agenbroad thanked everyone who participated in the election, and stated that he appreciates those who attended tonight's meeting to honor their newly elected officials. Mayor Agenbroad also thanked everyone for all they have done over the years, and further stated that Springboro is a great City, and has a lot to be proud of, and they will work hard for the next four years as a Council.

At this time, Mayor Agenbroad asked for a motion to enter Executive Session to consider the compensation of a public employee; whereby, no votes would be taken.

Ms. Belpulsi motioned to enter Executive Session under R.C.121.22(G), following the Regular Order of Business, to consider the compensation of a public employee. Mr. Chmiel seconded the motion.

No discussion.

VOTE: Parise, Yes; Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Hruska, Yes; Chmiel, Yes. [APPROVED 6-0]

ITEM 10.

GUEST COMMENTS. Mike Hemmert, 115 Heatherwoode Boulevard, Springboro – Mr. Hemmert commented as follows: Mr. Hemmert thanked the residents of Springboro and the business community for giving him the opportunity to serve on City Council. He assured them that he sincerely appreciates it, and he does not take his service lightly. Mr. Hemmert commented that he thinks the citizens sent a definite message, as there were three candidates running for two seats and there were only 95 votes between the three candidates. Mr. Hemmert further commented that he thinks that the residents believed that there were three very, very qualified candidates. Mr. Hemmert again expressed that he appreciates and feels very blessed to have this opportunity to serve for the next four years. In addition, Mr. Hemmert wished to thank and recognize some people that are very special in his life as follows: Mr. Hemmert's father, Mike, his brother, Frank, and his sister, Cindy, who has been a registered nurse at Miami Valley Hospital for many years. Mr. Hemmert commented that his brother, Frank and his sister, Cindy help out immensely with his father's care. Mr. Hemmert also thanked his nephew Cody, and the many other friends that were here to support him tonight. In closing, Mr. Hemmert wished everyone in the community a very, very blessed, safe, and happy holidays.

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

No other guests came forward.

Mayor Agenbroad again welcomed home Lieutenant Jon Wheeler.

ITEM 11.

EXECUTIVE SESSION. City Council entered Executive Session following the Regular Order of Business to consider the compensation of a public employee.

ITEM 12.

ADJOURNMENT. Mayor Agenbroad thanked the MVCC for tonight's telecast and eventual rebroadcast of this Springboro City Council Meeting. On behalf of City Council, Mayor Agenbroad wished everyone a happy, healthy, and safe holiday season.

Ms. Belpulsi motioned to adjourn the meeting to Executive Session followed by the adjournment of the City Council Regular Meeting; whereby, the Tuesday, December 18, 2007 Springboro City Council Regular Meeting was adjourned to Executive Session at approximately 7:28 PM. Mr. Hruska seconded the motion.

No discussion.

VOTE: Chmiel, Yes; Parise, Yes; Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Hruska, Yes. [APPROVED 6-0]

With no objections, City Council exited Executive Session at approximately 8:00 PM; whereby, no votes were taken. And, with no further business, Mayor Agenbroad adjourned the City Council Regular Meeting at approximately 8:00 PM.

John Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council