

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

CITY COUNCIL WORK SESSION

THURSDAY, FEBRUARY 19, 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

Alan Schaeffer, Law Director

Kelly Sizemore, Deputy Clerk

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Work Session to order on Thursday, February 19, 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. No absences.

ITEM 3. LEGISLATIVE AGENDA. –Four legislative agenda items were reviewed for the February 19, 2009 City Council Regular Meeting.

- 1) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE DETERMINING TO PROCEED WITH IMPROVEMENTS TO CERTAIN PROPERTY IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO, AS DESCRIBED IN RESOLUTION NO. R-09-5 AND DECLARING AN EMERGENCY. (2009 SIDEWALK/DRIVEWAY APRON PROGRAM – ASPHALT RESURFACING)

Mr. Parise inquired about the increase in cost from 1 or 2 years ago from \$5 to \$7 per sq ft? Mr. Parise was surprised the price had increased due to the state of the economy. Ms. Thompson explained that she too had been surprised by the price increase and inquired with the engineers but this is the rate is the estimate they have been receiving. She stated that the actual amount may end up being less than this, but the price has indeed gone up.

Mr. LaDu stated he had people asking about a letter that had been received regarding the square footage they are responsible for. Ms. Thompson stated that anyone with questions can contact Elmer Dudas for an explanation. He will meet with anyone concerned and go over their particular issue with them.

Ms. Lairson said she has also had several people tell her they were confused with the wording in the letter. They are unsure if they are supposed to send the letter back only if they are doing their own work, or if they are not doing it, or either way. Ms. Thompson stated she would look into it.

- 2) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE DETERMINING TO PROCEED WITH IMPROVEMENTS TO CERTAIN PROPERTY IN THE CITY OF SPRINGBORO, COUNTY OF WARREN,

OHIO, AS DESCRIBED IN RESOLUTION NO. R-09-6 AND DECLARING AN EMERGENCY. (2009 SIDEWALK/DRIVEWAY APRON PROGRAM – CONCRETE REPLACEMENT)

Discussed with item 1.

- 3) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE APPROVING THE RECORD PLAN FOR VILLAGE PARK OFFICES, PHASE 1, AND DECLARING AN EMERGENCY.

Mr. LaDu inquired as to what it meant that all improvements had been completed? What are all the improvements? Ms. Thompson stated that the record plan defines the properties to be improved. By stating the improvements have been completed, it is referring to survey being done, the record has been improved by the planning commission for its boundaries and those types of things. It is not improvements such as sidewalks, roads, etc.

Mr. Schaeffer stated that the improvements that had been made are the requirements for the record plan to be recorded; the project itself still has a ways to go.

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ME COMPANIES FOR THE DESIGN OF EAST MILL STREET BRIDGE OVER RICHARDS RUN CREEK.

No discussion.

ITEM 4. CITY MANAGER.

-Issues/Reports.

Austin Interchange: Ms. Thompson stated that the project bids came in 20% below the state estimate. The state had estimated \$27.490 million and the John Jurgensen Co. came in with a bid of \$22,005,676. The highest bid had been by RB Jergens at \$27.654 million. Ms. Thompson stated she is very pleased with the project not being delayed and the amount of the bids. Mike at LJB would not be surprised to be mobilized on the project in about 2 weeks because everything is sitting there and ready. As long as the bid award clears as expected they should begin moving quickly.

Ms. Belpulsi inquired if there is a percentage built in to bids for change orders. Ms. Thompson stated that there is and it is about 25%. She stated that ODOT tends to go over in their estimating software.

I-75/SR73 Bridge Project Update: Ms. Thompson reported that this project will be bid on in April. Since both projects will be occurring at relatively the same time chances are good traffic will be a bit difficult at times for the next 18 months. She stated that 73 will never be closed for the project however it will be down to one lane in each direction at times. City and Council should plan to tell citizens with concerns that the trouble will be worth it in the long run.

Ms. Belpulsi commented that it is probably best to get the word out to the residences with as much notice as possible so they are not caught off guard as to what is going to happen.

IMS Discussion: Ms. Thompson commented that discussion has been ongoing with the I75 Northbound lane project. She has asked Mr. Schaeffer to start working with BP to try to secure the property. The City met with Franklin Wednesday, February 18 with our consultants and the final form of the IMS is being submitted to ODOT. The result of everything is that we have \$5.5 million from the MVRPC to spend on this project. The bridge differential between what they were going to do as far as the ODOT project and what we asked them to do was originally around \$2 million and was estimated at \$2.4 million. It came in at \$1.1 million. We now have extra MVRPC money dedicated to other parts of the projects improvements. If you deduct the 20% local share from the \$1.1 million that is what we have to pay for the bridge project. The legislation has already been approved for the 20% match on the bridge. The IMS includes both the Northbound and Southbound ramps. The Northbound ramp will come off of 73 Northbound. The plans were finalized Wednesday as to what was going to be submitted by LJB for the IMS approval. There are several projects we can afford to do with the money, the bridge project being the primary. We can also do improvements to the Southbound exit ramp which would mean having a dedicated right lane into Franklin, a dedicated left lane into Springboro, and adding a center lane in which you would be able to choose to go either direction. The

Southbound entrance lane cannot be changed with this project but they will widen the asphalt and paint it as a single entrance ramp. When the money becomes available there will be enough pavement to be able to paint it as a double ramp. Ms. Thompson added we will be able to get two left turn lanes going in when we are able to make the 73 improvements, which are not part of the project. The money currently available will also allow us to do the Northbound ramp, which is not where we were two years ago on this project. Because of the changes ODOT made the MVRPC money has been freed up enough that the combined contribution of both Franklin and Springboro from the 20% match would be around \$1 million. Ms. Thompson stated we will work with Franklin to try to go forward. The IMS was the biggest thing to be submitted before the talks about the projects could begin. If the \$5.5 million is not used in the next two or three years, MVRPC may ask for the money back so we are going forward to get all of the estimates and details set so the only thing left to go after will be BP.

Mr. Chmiel asked if the current northbound ramp would still remain? Ms. Thompson stated that it would.

CITY BUILDING UPDATE: Ms. Thompson stated it is expected that the City Building will be fully under roof by March 31. Great things are going on inside.

Mayor Agenbroad inquired that the September move in date looks realistic? Ms. Thompson stated that is still what the company is telling us.

Mr. Pozzuto commented that we hope to have a move in date by the middle of April.

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

No issues/reports.

ITEM 6. CITY COUNCIL. -Issues/Reports.

Mr. Parise – No issues/reports.

Mr. Chmiel – Mr. Chmiel inquired about the email sent regarding the stimulus plan. Is there anything that may apply to the concrete project since it is shovel ready? Ms. Thompson stated that this is on our list. The state is requiring a form to be filed on the website OhioRecovery.gov. Every agency is submitting projects and it is impossible to predict what the outcome will be. Barry Conway had a meeting with the MVRPC to see what they believed to be appropriate and eligible projects. He stated that none of the concrete qualifies. Under the eligibility requirements you have to do an environmental to do any project which makes projects not shovel ready. We are asking for money for purchase of the BP but we can't ask for money to do anything with the construction because we cannot be shovel ready within six months. Things don't work that quickly. Ms. Thompson stated we are submitting about eight projects out of RCIP including the concrete and Ohio EPA projects for water and just have to wait and see what happens. Barry Conway is submitting the MVRPC application because they want a different process than the state. Ms. Thompson is submitting the State applications. The deadline for MVRPC is February 27. MVRPC is requiring all information up front. The State is not rejecting any applications, they are reviewing them first then telling you if you qualify and if so how to apply at that point. Ms. Thompson stated that they are meeting with Shannon Jones next week in Columbus so that we can have someone there on our side. They will be asking how to make sure that anything of the Cities at least gets consideration.

Ms. Lairson – Ms. Lairson commented the Community Service Board is planning on having an orientation for volunteers at their March meeting. There have been several concerns that have come up from the committee as a whole. The first is the application for people requesting help that is being worked on with Mr. Schaeffer. It is necessary to make sure the applicants know the volunteers are not City employees and that the City is not held liable if something were to happen. There are also concerns on the side of the volunteers. Ms. Lairson stated the situation is unique because the volunteers are not the Cities volunteers and are working through different organizations such as churches and community groups acting for the City. They are trying to establish a procedure so that everyone is on the same page so that when the referrals go out everyone is processing them the same way in regards to feedback and what happened. The concern lies with the liability of the volunteers. Are they covered by the City or the organization they are working through? Does the board need something from the organization with information regarding the volunteers or what procedure needs to be in place?

Ms. Thompson stated that Mr. Schaeffer will be in the office on Monday and they will talk through the issues. He will do some research into the liability issues. Ms. Thompson also stated that depending on the type of service being provided by the volunteer we may need to look into whether the volunteers have received any type of background screening and whose responsibility is it to conduct the background screening.

Ms. Lairson stated they did have some discussion at their last meeting regarding the screening of volunteers and did not want to make it too restrictive and turn away volunteers. She also stated they discussed whether it was necessary to keep any personal information such as a driver license number on file for the volunteers or if it would be enough to just have their contact information.

Ms. Lairson also stated that the City has been designated Tree City USA for the thirteenth year in a row. She will be going to Tree City USA for an awards event.

Mr. Anderson – Mr. Anderson announced that at the MVCC Board Meeting last night an offer was accepted from Time Warner Cable for an on demand channel to be used to promote the City. The City may want to use this to promote Heatherwoode or the new City Building. The MVCC will come out and do the filming. They will be able to track how many people are watching the program. This will be an additional channel and will not replace anything currently existing. It will be channel 723. Mr. Anderson stated that anything that is submitted will be put on but the current programs will continue to run on the same channel they were previously on as well.

Ms. Belpulsi – Ms. Belpulsi stated she will have a Planning Commission report and will comment on the Land Use Meeting. Ms. Belpulsi also stated that she attended the Warren County Municipal League dinner meeting and it was a very good meeting. The speaker was the President of Duke Energy Julie Janson. She discussed what Duke is doing, what their future is, and attempted to explain the need for rate increases. Ms. Belpulsi stated that this is a very good organization and Council is encouraged to attend the dinner meetings if they have an opportunity. It is a great way to network with people from other communities.

Mayor Agenbroad – Mayor Agenbroad commented that Council will have three public hearing on March 19. Mayor Agenbroad asked that a message be relayed to Chief Kruithoff. He has been receiving a lot of reports of people speeding at Lytle Five Points by CVS and a jogger was nearly struck the other day. Mayor Agenbroad questioned if people have commented on the poor condition of the Nutmeg property and stated it is looking very raggedy. Staff has not had any reports but it will be looked into. Mayor Agenbroad questioned what the medians would look like this year. Ms. Thompson stated the medians on 73 are all perennials so they will look the same as they did last year and no planting will be done. The medians on 741 will be trimmed with annuals. Mayor Agenbroad also commented that three inches of snow was predicted for Saturday and inquired about the salt supply. Ms. Thompson stated that the salt bins are maxed out with 800 tons of salt and they started pre-treating with brine today.

Mr. Chmiel asked if anyone had received complaints regarding the Northbound 741 turn signal when turning left at 73. Not as many cars, maybe only two or three, are able to get through on the arrow. Mr. Chmiel stated he has noticed the change for about the last week and a half. Ms. Thompson stated ODOT has done a timing survey on 73 and changed some things. Ms. Thompson stated that she will have someone look into it and see if they can make some adjustments.

Mr. LaDu – Mr. LaDu inquired about if it was deemed appropriate based on the agendas to consider consolidating two meetings per month to one meeting per month. Mr. LaDu mentioned that it sometimes seemed as if it was not worth the time of the people involved to have a fifteen minute meeting with three agenda items, and at times no scheduled items. Mr. LaDu stated he is not talking about doing this all the time, just upon the recommendation Ms. Thompson and staff. Ms. Lairson questioned if there was a meeting requirement in the Charter. Ms. Thompson stated that it is in the charter that we are required to have two meetings per month but what was being suggested was to call the meeting to order, adjourn, and then call the meeting to order again. You would essentially have two meetings in one night. Mr. LaDu stated he has seen this done in other communities. Mayor Agenbroad stated the as long as it is not a Charter obligation and it has been published in a public place he sees no problem with it and it would make sense if there are not items to be discussed. A question was raised regarding the requirements of staff to submit items for the agenda would be an issue. Ms. Thompson stated that Lori and herself did the agenda planner months ahead and that at staff meetings it was required to report any foreseen legislation. Ms. Thompson added that at times they place items on the agenda simply because there is a meeting and it would not be a problem to

hold the material off for one to two weeks for the next scheduled meeting. Ms. Thompson said that this is not a growth time and there may be circumstances where this would happen. Staff is required to turn in legislation a minimum of two weeks ahead of time so it should not be a problem determining the need for meetings from a staff perspective. Mr. LaDu stated that if there ever was a time that any Council member wanted to meet regardless of the agenda that would not be a problem and the sequence of the meetings would not change.

Mills Morgan Contract: Ms. Thompson addressed Council regarding the legislation that has been placed in their packets early for the Mills Morgan Contract. The agreement is unusual so Ms. Thompson wanted to be sure Council had plenty of time to review it and some questions could be answered if there were any. A question was asked inquiring about the exhibits that were listed on the legislation that weren't included. Ms. Thompson replied that they are still being constructed and the intent was mainly for Council to be able to review the content. Mr. Chmiel asked a question about section 13, damage and destruction of property and inquired what could cause land to become damaged or destroyed? Mr. Shaffer replied that it could be something like an earthquake that would cause a gap in the land or something along those lines. Mr. Chmiel questioned section 14, F & H which discuss setback density, signage, and buyers intended use and if it conflicted with the beginning of the legislation where it sounds as if the buyer may do any work necessary to develop a property. Mr. Shaffer stated that what section 14 says is that they must do their project against our code. It is their responsibility to make sure their project will work within the confines of our governmental restrictions. If this is inconsistency with the buyer's intended use and they close anyway, they waive the contingency.

ITEM 7. ADJOURNMENT. With no further discussion, Mayor Agenbroad adjourned the February 19, 2009 City Council Work Session at approximately 6:57 PM.

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

CITY COUNCIL REGULAR MEETING

THURSDAY, FEBRUARY 19, 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 Kruthoff, Police Chief

Alan Schaeffer, Law Director
Kelly Sizemore, Deputy Clerk

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, February 19, 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 SPECIAL MEETING OF JANUARY 31, 2009 AND THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF FEBRUARY 5, 2009.

Mr. LaDu motioned to approve the minutes of the January 31, 2009 City Council Special Meeting and the February 5, 2009 City Council Work Session and Regular Meeting as submitted by the Clerk of Council. Ms. Lairson seconded the motion.

No corrections.

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

ITEM 5. PRESENTATIONS: No presentations were scheduled. At this time, Mayor Agenbroad recognized State Representative Shannon Jones in the audience.

Representative Jones greeted City Council and commented that she represents the 67th House District, which includes Springboro. Ms. Jones explained that she stopped by this evening on her way back from Columbus to talk to Council about the State budget situation. Ms. Jones stated that she believes she would not be doing her job if she did not give Council a really serious warning, as the City is preparing its budgets not only in the short term, but also in the long term. Ms. Jones commented that she is really disheartened by where the State is right now in terms of its budget. She is disappointed at where they are at this juncture and how the Federal "so-called" stimulus money is being used to bail us out of a very precarious budget situation

with little thought being given to the next biennium budget. Ms. Jones explained that where Governor Strickland and his administration are heading right now with this budget literally craters the State budget in the next biennium. She commented that Council is part of the fiscally prudent branch of government very close to the people, but she understands that Council is working with slim margins because its budget is dependent to some degree on the tax revenues that the State collects as well as from CAT tax revenues and the Local Government Fund, and she believes she owes Council an explanation of where the State is headed. Ms. Jones explained that the State has roughly a \$54B biennium budget, which they are in the process of debating right now in the legislature. Governor Strickland has a constitutional mandate to present the legislature with the budget at the beginning of February. They are still waiting on the actual budget document, and while hearings have begun, they are postponed until next week. They do not have the line-by-line budget that is necessary to really understand the State's financial position. To give Council a little historical perspective, both the General Revenue Fund (GRF) monies, which is about \$54B and the non-GRF funds, such as Federal funds, in the last biennium budget totaled \$116B over a two-year period of time. This year, at least based on the first blue books that were submitted by Governor Strickland that are being amended right now, they were looking at about a \$128B biennium budget, which is over an 11% increase in state spending when one considers the State's share as well as all other non-GRF revenue funds. In a very difficult revenue climate, the State is continuing to spend and expand the size and scope of government, and Ms. Jones stated that she thinks that is a very, very dangerous proposition for local governments not to mention the taxpayers who are ultimately footing the bill for this spending. Ms. Jones asked, what does this mean? With \$54B in GRF, the State right now is looking to get \$5.4B of it in one-time money that is going to be spent. That \$5.4B includes a chunk of "so-called" stimulus money from the Federal Government. It also includes depleting the rainy day fund that is almost \$1B and every kind of accounting trick in the book that the Governor has at his disposal to get to \$5.4B in one-time funds. Ms. Jones asked, what does that mean, why is that important, and why is she here talking about this tonight. Because, when the State is spending \$5.4B in one-time revenues they know that they are not going to have that \$5.4B in the next budget so how are they going to close that budget gap? If the State has depleted the rainy day fund, depleted all of the accounting maneuvers, and depleted the "so-called" stimulus money, what is the State going to do and how big is that hole? Some, in the administration, have suggested that the State will cover that budget gap with increased revenues as the economy starts to improve. Ms. Jones commented that they need to really understand what the "smoke and mirrors" is all about because if they went back and looked at the most robust period in the State's growth, the period of time when the State had the biggest increase in revenues, and that number totals \$2.7B. Ms. Jones stated that no one in this room and no one she represents, even no one who works in and around the capital believes that the State is going to have robust growth to an extent never seen before in this State. Ms. Jones commented that if one assumes for a moment that the State is miraculously going to have \$2.7B more in new revenues because of the robust economy, if you subtract \$2.7B from \$5.4B that still leaves the State with \$2.7B crater and no tools in the tool box to fill that void, and have extended government even deeper and bigger than we already have it. Ms. Jones asked, what does that mean for you and your constituents? Well, for those political subdivisions in which a piece of their budget depends on the State Local Government Fund (LGF), the current budget remains intact which is 3.68% of tax revenues; however, that money is going down as the economy goes down. There is no guarantee that that money is going to be there the next biennium and the local governments need to take that into consideration. Ms. Jones further commented that when they are looking at a budget hole that great, there is no doubt in her mind that they are headed to substantial tax increases, which frankly, she does not support, does not think people in this community support, and she does not believe the State of Ohio supports, and she thinks that will impact the City as well. Ms. Jones stated that she wanted to leave Council with one other example of the kind of jeopardy the State is going to be in when it uses one-time spending in this way. She explained that if you look at the traditional school spending, one way for you to look at the Governor's budget is to say there is \$616M new dollars going into funding traditional schools over the last biennium, but that does not tell the whole story. The reality is that the State is using \$1.6B of one-time money from the Federal Government to get \$616M into those schools; therefore, we are now putting our local traditional schools in jeopardy by becoming dependent on \$600M of new revenue at the cost \$1.6B in one-time funding. Ms. Jones stated that it is outrageous! Ms. Jones further stated that she thinks they have to uncover what they are doing and she owes it to Council to say she hopes they take these things into consideration as they are planning their own budgets because the future budgets are really going to be to the likes that she has never seen before, and she is really, really that concerned about it. The legislature is continuing to do the research in hopes that the Governor gets them an actual document. Ms. Jones stated

that it is her understanding that the new bluebooks are going to be presented next week and she will continue to keep Council updated on where they are, but she is not optimistic because the State is not living within its means when one considers the current economy and that the State budget is growing by 11.1%. She added that the State cannot sustain this kind of budget growth and certainly cannot sustain it using one-time dollars because it is flat out irresponsible. Finally, Ms. Jones stated that she would be happy to answer any questions or comments that Council might have now and would certainly welcome the opportunity to sit down with Council in the future to talk about budget issues and concerns as they continue to learn more and more in the legislature about the State's financial position.

Mayor Agenbroad asked if there were any questions or comments of Council?

Ms. Belpulsi commented that her concern is the Local Government Fund. Ms. Belpulsi explained that she wished she could be optimistic about having the LGF at our disposal in the future, but you have to get money from somewhere and that is a concern that she has.

Ms. Jones thanked Ms. Belpulsi for her comment, and certainly shares that concern. Ms. Jones stated that she wants to be very clear about this. The current budget, based on the blue books the legislature has seen, and again they have not seen an actual budget, the Governor has preserved the Local Government Fund line. Ms. Jones explained that they talked about the LGF specifically in the last budget at the local political subdivisions' request and included a percentage of previous tax revenues toward the Local Government Fund, which is at 3.68%. Ms. Jones further explained that based on that request it is still at 3.68% of the previous tax revenue amounts. Ms. Jones stated that her concern is that not only are those numbers dwindling, as State tax collections go down with the economy, but where the next money is going to come from and it is going to come from somewhere. Ms. Jones stressed that the legislature does not set the budget, the Governor does and whoever the Governor is the next time around will do again be responsible for setting the budget and she does not know if the Local Government Fund is in jeopardy or not, but she thinks it would be unrealistic for her not to say to Council that it is distinct possibility, which would impact the local governments, which are closest to the people. She further stated that frankly the City's budget problems are not any different from the State's on the local government scale and again she stated that it would be irresponsible for her to say that Council ought not to prepare for a time when that Local Government Fund may or may not be there. Ms. Jones commented that the other issue she would add to that is the CAT tax revenues. She explained that 30% of the CAT tax revenues that the State collected were earmarked for local governments, with 70% going to local school districts and 30% going to local governments, but beginning in 2012 that revenue will start to move away from local governments back to state government. Ms. Jones stated that she has some real concerns with that issue as well and is looking at addressing that, but local governments could ultimately end up losing the CAT tax revenues and possibly the Local Government Funds they are currently receiving. Ms. Jones again thanked Ms. Belpulsi for her comment, and reiterated that she is certainly concerned about the Local Government Fund as well.

Mayor Agenbroad thanked Representative Jones for sharing her thoughts and comments with Council.

Representative Jones thanked Council very much for their attention; she appreciates it.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for 56 minutes to discuss the following legislation as well as other City matters.

- 1) **EMERGENCY ORDINANCE: FIRST READING.** "AN ORDINANCE DETERMINING TO PROCEED WITH IMPROVEMENTS TO CERTAIN PROPERTY IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO, AS DESCRIBED IN RESOLUTION NO. R-09-5 AND DECLARING AN EMERGENCY. (2009 SIDEWALK/DRIVEWAY APRON PROGRAM – ASPHALT RESURFACING)," was read by the Deputy Clerk. Ms. Thompson's comments are summarized as follows:

This resolution declares the necessity for the 2009 Sidewalk/Driveway Apron Program. This program has been conducted on an annual basis for at least 30 years, and allows for the necessary repair or replacement of abutting sidewalks and driveway aprons. The City typically performs the work and assesses the property owners for the improvements. The City sends a letter to each property owner in the program to make sure

they have a clear understanding of the process and are notified that they have 30 days in which to complete the work or the City will perform the work and assess them for the cost via their property tax bill. The City has recently made efforts to ensure that the language in the notification letters is a little clearer in the future. The list of streets that will be resurfaced in 2009 is attached to this legislation and is as follows: Sycamore Springs Drive, Belvoir Court, Country Club Meadows, North Ridge, Turnberry Court, McCray Boulevard, Gerry Court, Myrtle Lane, Lemonwood Court, and Timberside Court. This is the first reading of this ordinance; two more readings will occur before adoption. This legislation represents the necessary concrete repairs associated with the annual asphalt resurfacing program. The next agenda item is similar legislation, but will address the City's concrete streets.

No action required at this time.

- 2) **EMERGENCY ORDINANCE: FIRST READING.** "AN ORDINANCE DETERMINING TO PROCEED WITH IMPROVEMENTS TO CERTAIN PROPERTY IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO, AS DESCRIBED IN RESOLUTION NO. R-09-6 AND DECLARING AN EMERGENCY. (2009 SIDEWALK/DRIVEWAY APRON PROGRAM – CONCRETE REPLACEMENT)," was read by the Deputy Clerk. Ms. Thompson's comments are summarized as follows:

This resolution declares the necessity for the 2009 Sidewalk/Driveway Apron Program for Concrete Streets. During the discussions regarding the 5-Year Capital Improvement Program and in previous years during the City's resurfacing program, concrete streets have always been a concern. This ordinance represents the same program as the previous ordinance, except this ordinance addresses the City's concrete streets. The City has a number of concrete streets primarily in the Tamarack Subdivision and over the years the City has repaired them as best it can. Over the years the City started a program to replace the concrete with full-depth asphalt in place of the concrete, but it was becoming a very laborious type of project; therefore, this year Council approved a \$3M expenditure to replace all of the City's concrete streets with full depth asphalt. This legislation represents the sidewalk and driveway apron concrete work associated with this year's concrete street replacement program on Hiawatha Trail, Springwood Drive, Clearview Drive, Sycamore Creek Drive, Sycamore Creek Court, Elkins Drive, Music Circle, Evergreen, Wellington Way, Foliage Lane, St. James, Westminster Way, and Queen Anne Court. Ms. Thompson commented that, for years, these concrete streets have been a source of great deterioration; she thinks the residents will be very pleased to have them finally replaced with asphalt.

No action required at this time.

- 3) **ORDINANCE O-09-4: FIRST READING.** "AN ORDINANCE APPROVING THE RECORD PLAN FOR VILLAGE PARK OFFICES, PHASE I, AND DECLARING AN EMERGENCY," was read by the Deputy Clerk. Ms. Thompson's comments are summarized as follows:

This is the first reading of an ordinance to approve the record plan for Village Park Offices, Phase I located at the southwest corner of Gardner Road and Village Park Boulevard. The plan consists of five (5) lots ranging in size from 0.97 acres to 1.41 totaling 5.7 acres. This record plan was prepared by Apex Engineering and approved by the Planning Commission in January 2009. All of the requirements have been met, and staff recommends approval of this record plan. Ms. Thompson commented that this plan has been part of a long process, and she thanked the developer, Greg Martin, for working so closely with staff. Mr. Martin was present in the audience.

At this time, Mayor Agenbroad stated that a staff recommendation has been made to suspend the rules and waive the second and third readings of this ordinance.

Ms. Belpulsi motioned to suspend the rules and waive the second and third readings of Legislative Item 1, an Emergency Ordinance. Mr. Chmiel seconded the motion.

Mayor Agenbroad presented the item for discussion. No discussion.

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

Ms. Belpulsi motioned to adopt Ordinance O-09-4. Mr. LaDu seconded the motion.

Mayor Agenbroad presented the item for discussion. No discussion.

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

- 4) **RESOLUTION R-09-9:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ME COMPANIES FOR THE DESIGN OF EAST MILL STREET BRIDGE OVER RICHARDS RUN CREEK," was read by the Deputy Clerk. Ms. Thompson's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a contract with ME Companies for the design of East Mill Street Bridge over Richards Run Creek. The City has applied for Issue II funds for this project for a number of years and finally will be able to construct the project this year on East Mill Street Project between East Street and South Richards Run in the Eyler Drive area. This resolution specifically authorizes the contract to design the bridge, which will cross the creek. Much of the design work for this project will be done in-house by the City's engineering staff, but the actual bridge design will be prepared by an outside contractor to make sure it is done properly. The cost to design the bridge is \$32,900. The project consists of three 12 ft. wide lanes, curb and gutter, storm sewer and sidewalk on both sides of the street. Currently, the residents of the Fieldstone and Creekside Subdivisions have no pedestrian access to the Main Street area; however, this project will provide those sidewalks. The City is pleased this project will finally be completed with the help of Issue II money.

Mayor Agenbroad presented the item for discussion. No discussion.

Mr. LaDu motioned to adopt Resolution R-09-9. Ms. Lairson seconded the motion.

No further discussion.

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

- ITEM 7. REPORTS:** **Mayor's Report** – The 3rd U.S. District Office Hours will be held on Friday, February 20, 1:00-2:00 PM in Council Chambers. The next City Council Work Session will be held on Thursday, March 5, 2009 at 6:00 PM in Council Chambers, as scheduled. The next City Council Regular Meeting will be held on Thursday, March 5, 2009 at 7:00 PM in Council Chambers, as scheduled. 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 – Austin Interchange: Ms. Thompson reported that the Austin Interchange project was bid yesterday and the State of Ohio Department of Transportation awarded the bid to John R. Jurgensen Company. The bid came in at \$22,005,676.51, which was 19.95% below the State's estimate of \$27,000,000. Ms. Thompson commented that this is good news with respect to the amount of debt that has been incurred to build the interchange. Ms. Thompson further commented that she has been advised by the design company Lockwood, Jones, and Beals that they would not be a surprised to see equipment working on the project within a month. Utility work is already occurring in the area. Finally, Ms. Thompson commented that it truly has been a long process, which began approximately ten to twelve years ago with very preliminary discussions of the interchange. She added that the interchange should help to relieve a lot of the traffic congestion on State Route 73 near the I-75 Interchange.

SR73/I-75 Bridge Project: Ms. Thompson reported that Springboro and the City of Franklin are working together on the SR73/I-75 Bridge Project, and the Ohio Department of Transportation will be selling the

project in April. The bridge will be reconstructed and the piers below the bridge will be widened to allow the City to seek funding for improvements on SR73 sometime in the future. Both communities anticipate being granted funding for improvements to the ramps, which they hope to accomplish within the next three years. With the help of the Miami Valley Regional Planning Commission and the State of Ohio, the City has gotten this project off the ground, and depending on the timing of the various phases of these projects, some lanes will be closed on SR73 as well as in the area of the Austin Interchange Project. Ms. Thompson commented that she would like to make the public aware that there could be some short term challenges in getting around town due to these lane closures, but the benefits in the long term are going to be absolutely phenomenal.

New City Building: Ms. Thompson reported that the new building construction is moving along. She thanked the City's Public Works Director Barry Conway and Assistant City Manager Chris Pozzuto, who are assigned the task of meeting with the contractors every week. The project is coming along nicely, and the construction schedule is still being adhered to even with some of the challenges caused by the weather. It is anticipated that the building will be completely under roof and shingled by the end of March, and within the next four to six weeks staff will have a final completion date from the general contractor.

Committee Reports –

Mr. LaDu – No reports.

Mr. Parise – No reports.

Ms. Lairson – Finance Committee – The Finance Committee met this evening at 5:30 PM in Council Chambers and found all of the City's finances to be in order.

Community Service Board – The Community Service Board met on Monday, February 16 at 7:00 PM in Council Chambers. The Board will conduct a volunteer orientation meeting on Monday, March 16 at 7:00 PM in Council Chambers. The purpose of the Board is to coordinate organizations such as community churches, which have groups of people who would like to get directly involved in the community by providing services directly to citizens of Springboro. The Board will be providing further information on how to get involved in that program at the March 16 meeting.

Tree Authority – The Tree Authority would like to announce that the City has received the Tree City USA award for the 13th consecutive year, which the City is very proud of. Also, since the first of January, the City has planted 72 new trees and removed six. Staff has been working very hard to maintain the City's reforestation program.

Mr. Anderson – No reports.

Ms. Belpulsi – Planning Commission – *The Planning Commission's Formal Meeting scheduled on Wednesday, January 28 was canceled due to inclement weather and was rescheduled to take place on Wednesday, February 11 at 7:00 PM in Council Chambers.* The Planning Commission held their Formal Meeting on February 11 and elected officers as follows: Marie Belpulsi will serve as Chair and Hans Landefeld will serve as Vice Chair in 2009. Ms. Belpulsi thanked the Planning Commission for their vote of confidence. The Planning Commission also approved the following agenda items: Revisions ("housekeeping items") to the Approved General Plan – Village Park Planned Unit Development-Mixed Use, office component, Revision to the Approved Final Development Plan – Village Park Planned Unit Development-Mixed Use, Phase 1 of office component, and Record Plan – Village Park Planned Unit Development-Mixed Use, Phase 1 of office component. Ms. Belpulsi stated that the Planning Commission recommended approval of the Record Plan for the Village Park PUD-MU. The Commission is pleased that this project is continuing to develop and wishes Mr. Martin and his partners a lot of luck; the City is very happy they chose Springboro and hopes to see construction begin very soon. The Planning Commission also made three recommendations to schedule public hearings for requests to rezone property in the City as follows: Application for Rezoning – 2748 Pennyroyal Road, Clearcreek Township (T)R-1, Rural Residence District, to Springboro R-1, Estate-Type Residential District; Application for Rezoning – 2738 Pennyroyal

Road, Clearcreek Township (T)R-1, Rural Residence District, to Springboro R-1, Estate-Type Residential District; Application for Rezoning – 8300 Country Club Lane, Clearcreek Township (T)R-1, Rural Residence District, to PUD-MU, Planned Unit Development-Mixed Use. The purpose of these rezonings is part of a larger City goal to rezone property within the City that is currently under Township zoning to City zoning in order for the City to be able to work with the developers and have a little more control over the land uses. The next Planning Commission Work Session will be held on March 11 at 7:00 PM in Council Chambers, as scheduled.

Mr. Chmiel – No reports.

ITEM 8. OTHER BUSINESS. No other business.

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Ms. Belpulsi commented that on February 17 the City held a Land Use Master Plan Open House at Heatherwoode Golf Course to unveil the final work of the Land Use Planning Subcommittee, which has been meeting for about a year and a half to review the Land Use Plan the City developed about ten or twelve years ago. Now that the City has nearly grown to its limit, the City needs to look at how it will redevelop, and put the regulations in place to make sure that we maintain our quality of life and the strong foundation that we have here. The committee worked very hard over the last 18 months and had a very good response at the recent open house. Citizens were able to look at the different recommendations proposed by the committee and offer comments. The committee will review those comments and determine whether to tweak the plan further before taking the next step, which will be to make a final recommendation to City Council.

ITEM 10. GUEST COMMENTS. 1) **Greg Martin, Village Park Office Commons, LLC, Springboro** – Mr. Martin introduced himself as the managing member for Village Park. On behalf of his partners, Mr. Martin thanked the Planning Commission, all the staff, Mr. Schaeffer commenting that everyone has been great to work with. Mr. Martin added that they had a few challenges, but have met all of them successfully, and he thinks they are ready to go. Mr. Martin also commented that the Austin Interchange news is terrific; it will help his development, and he knows it will help Springboro a lot.

Mayor Agenbroad thanked Mr. Martin for his comments.

Mayor Agenbroad invited any other guests that wished to be heard to 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.

Mr. Parise motioned to adjourn the meeting; whereby, the Thursday, February 19, 2009 Springboro City Council Regular Meeting was adjourned at approximately 7:40 PM. Ms. Belpulsi seconded the motion.

No discussion.

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

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council