

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

CITY COUNCIL SPECIAL MEETING

THURSDAY, JULY 31, 2008

5:30 PM

COUNCIL

John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor
Scott Anderson
Sheila Lairson

Jim Chmiel
Tom LaDu
John D. Parise

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager
Jeff Kruihoff, Police Chief

Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Special Meeting to order on Thursday, July 31, 2008 at 5:30 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.

Attendance Note: Mr. Chmiel was present via speakerphone. Mr. Chmiel participated in the meeting discussion, but did not vote. *(Council microphones were turned on to amplify the discussion for Mr. Chmiel.)*

ITEM 4. LEGISLATION:

RESOLUTION R-08-37: "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BRUMBAUGH CONSTRUCTION, INC. AS THE GENERAL CONTRACTOR FOR THE CONSTRUCTION OF THE CITY OF SPRINGBORO MUNICIPAL BUILDING," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

Ms. Thompson explained that the City has been working for a very long time to reach a satisfactory contract amount with the lowest and best bidder for general contractor for the construction of the new City Building. The proposed contract is approximately 10% over the original estimate of 30,000 sq. ft./\$200.00 per sq. ft. presented two to four years ago, which would have amounted to a \$6M project. The proposed bid is \$211.00 per sq. ft., which is approximately 10% or \$600,000 over the original estimate. Ms. Thompson commented that some of the legislation coming before Council next week entails the refinancing of some of the City's bonds that will essentially save the City \$235,000.00 per year on interest due to lower interest rates on the refinancing. The City also has some land sale opportunities on SR 73, Advanced Drive, and Commercial Way and those funds will go into the City Building Fund. None of the funds to pay the debt payment for the City Building will come from the General Fund; they will come from the Water, Sewer, and Income Tax Capital Improvement Funds. Ms. Thompson is comfortable that the general contractor has done an honest and thorough job in attempting to get the value engineering adequately reduced without compromising the

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building or size. The contractor encouraged the City not to jeopardize any of the functioning parts of the building such as HVAC, etc. Ms. Thompson referred to a rendering of the new City Building with a shingle roof, which is a significant change. Ms. Thompson explained that when the City initially approved the building it was designed with a grey-tone metal roof. The rendering depicts a grey roof with a commercial shingle roof. The difference in cost between the materials and labor for the metal seam roof and a commercial shingle roof is \$87,000. The warranty on the shingle roof is 30 years; the warranty on the metal roof is 50 years. Shingles will not compromise the pitches and elevations of the roof, which are very significant to the architectural style of the building. There are three different roof elements facing the SR 73 corridor that could have been eliminated from the design to save \$15,000–\$20,000, but it would have compromised the building. Tonight's bid proposal consists of the cost to construct the building as the design was previously presented and approved by Council with the exception of the metal roof, which has been value engineered to be a shingle roof. No other building elements or size were compromised.

Mr. Parise asked if the metal roof was to be light grey would the shingle roof also be a light color, and if so, would the shingles be algae proof? Mr. Parise explained that, after several years, light colored shingles begin to look dingy like dirt is running off.

Ms. Thompson explained that the architectural firm would recommend different types of commercial grade shingles to choose from. The intention tonight was to show a dark grey shingle roof in place of the metal roof. Again, they are not exactly sure which shingle will be selected, but will be conferring with the architects and they will make sure the roof material is protected against algae. Ms. Thompson repeated that no decisions have been made with respect to specific materials, but they will keep Mr. Parise's recommendation in mind.

Ms. Thompson commented that the question is whether Council wants to give up the metal roof for the shingle roof at a cost differential of \$87,000.00. The metal roof is labor intensive and takes more time, which could delay getting the building covered before winter and conceivably cost more money to winterize the building and protect it from the elements. There is a \$30,000.00 allowance built into the contract for any additional protection issues over winter other than the standard precautions such as heaters. Ms. Thompson explained that time is of the essence, which is one of the reasons why she is bringing this contract to Council tonight for approval.

Ms. Belpulsi asked if this price also includes the interior of the building such as the Council Room technology? Ms. Thompson explained that all of the cabling for IT systems and anything else that has to do with technology infrastructure is all-inclusive. Ms. Thompson explained that what is not in the bid is the physical monitor or chair for example. Components and furnishings will amount to about \$300,000.00–\$400,000.00 more. Again, the cabling for computer-based systems is included in this bid as well as lights, etc., but the physical furnishings are not.

Mr. Anderson asked if a change in the roof style from metal to shingle would impact the heating/cooling costs? Ms. Thompson answered that the change in roof style would probably improve heating/cooling costs. Also, the metal roof requires some soundproofing to muffle the rain, which costs more.

Mr. Anderson asked what the original reasoning was for the metal roof? Ms. Thompson explained that it was a design element, and part of the combination of historic and modern features in incorporated into the overall building design. Ms. Thompson further explained that when designing the building, the architects took into account the porches on S. Main Street and the more contemporary metal roofs on N. Main Street.

Mr. Chmiel commented that he only discovered one roof in the whole four-block area of the building site that had a metal roof; therefore, the shingle roof is compatible with the surrounding architecture.

Mr. Anderson asked if the banding element on the exterior of the building is still part of the design? Ms. Thompson replied yes, the banding would remain part of design. The brick banding cost approximately \$20,000.00, but they did not remove this design element during the value engineering process because it would compromise the appearance of the building too much.

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Ms. Thompson commented that she would have been happier if the bid had come in lower also, but in the current economic environment and in talking with Brumbaugh about what they have to do to secure their subcontractors, bidders are only holding their bids 10 to 15 days rather than the traditional 30 to 45 days. Ms. Thompson commented that she was disappointed that they were not able to get more value engineering out of it, but she is comfortable that the bid is the best under the current conditions. Ms. Thompson further commented that they got to \$951,000.00 of value engineering, almost \$1M, which is a significant number. Ms. Thompson was hoping for a \$1.2M reduction, but it did not happen, and this bid is the choice the City is faced with and she is bringing it to Council for consideration.

Mr. LaDu asked if there would be any change order requests? Ms. Thompson explained that there is always that chance. She further explained that the bid proposal is a fixed number; therefore, unless something really unusual occurs during construction the percentage of change orders diminishes because the site work is complete. And, since the site work is complete, all of the chances for a change order associated with the site itself are gone.

Ms. Thompson commented that depending upon the results of the contract approval there is already a meeting scheduled tomorrow between Brumbaugh and Miller Brothers, who did the site work. The contractor can communicate through the City's construction manager assigned to the project from Lorenz and Williams. Anticipating the conclusion of Council regarding this legislation, Ms. Thompson would need to call Brumbaugh to let them know if the meeting is on or off. If the contract with Brumbaugh is accepted, they are anticipating being on the site and activated in 10 days. Brumbaugh is waiting on certain shop drawings based on the value engineering, which caused the shop drawings to change. Once the drawings are finalized, Brumbaugh and the Architect can be on the site and working within 10 days.

Mr. Chmiel commented that it is worth mentioning that a 10% increase is not outrageous in today's market, and that the conversation Ms. Thompson had with Brumbaugh concerning the steel might be worth sharing.

Ms. Thompson commented that since June 9 when they initially bid this project until Monday, July 28 the price of steel went up \$31,000.00. The steel contractor informed Brumbaugh that if they did not order the steel by August 1, that would be the next rate hike. Brumbaugh realized they had to lock in the price if Council was prepared to vote on the contract. From June 9 to the July 28, the concrete contractor went up to \$60,000.00. Also, the masonry contractor was \$150,000.00 lower than the next lowest bidder, and they did not want to wait too long in order to take advantage of that price.

Mr. Chmiel commented that Ms. Thompson gave him a good overview of the project up to the point when they spoke on Tuesday based on the examples of what the building industry is going through right now. Mr. Chmiel further commented that The City's timing on this project is probably a little less than best in terms of getting a great price. Mr. Chmiel suggested that if the City had done something maybe a year or six months sooner it might be looking at a better deal, but if the City continues to hold out and possibly bid this to the next lowest proposal it might find itself where it was when we started the whole process. Mr. Chmiel commented that the City would need to either accept the situation it is in right now as a no-win or decide that it needs to scrap the project and wait until it can afford it if it is not within our means, but a 10% variance is probably within reason of today's market. Mr. Chmiel stated that he is not opposed to going forward with the proposed contract, but if the City waits too long it might be looking at a different situation. Mr. Chmiel further stated that his concern is getting the best price, if the City goes forward with a different proposal it might have lost that window of opportunity to be at a better price.

Mr. Anderson asked if there is any other cash available to put into this project in the General Fund, as opposed to borrowing money, to make up the difference between the original bid estimate and the final bid price? Ms. Thompson commented that we still have land to sell, which goes into the Municipal Building Fund and a lot is going to depend upon what happens at South Tech. The City's debt on the land purchased at South Tech has been reduced by \$2.5M already through land sales, and the City has only sold three lots. The lots were sold to Maverick, Children's Hospital, and Crucible. The total original debt was \$4.4M. That money is not earmarked for anything else and the City can utilize those funds. Ms. Thompson added that the longer the City stays in the Dalco Building the more it pays in rent, which is not an inexpensive proposition. The City is paying \$10,000.00-\$11,000.00 per month on an annual basis to lease the Dalco space.

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Mr. Anderson asked if there is still a target to get the building built in the same time frame? Ms. Thompson answered yes. She explained that the target is still August 2009 to move into the building, if construction starts now.

Mayor Agenbroad presented the item for further questions or comments of Council. There were no further questions or comments.

Ms. Lairson motioned to adopt Resolution R-08-37. Mr. Parise seconded the motion.

No discussion.

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

Ms. Thompson requested that, following the Charter Review discussion, Council briefly discuss the scope of the groundbreaking ceremony for the new City Building. Ms. Thompson thanked Council for their support by approving the contract for the construction of the new City Building and commented that staff and the architects tried to do the best thing they could for the City, and she feels very comfortable that the contractor feels the same way.

ITEM 5. DISCUSSION: REPORT OF RECOMMENDATIONS FROM THE 2008 CHARTER REVIEW COMMISSION.

Mayor Agenbroad proceeded by reviewing the Charter section by section presenting each recommendation for consideration and discussion. (A COPY OF THE PROPOSED CHARTER AMENDMENTS SUBMITTED BY THE 2008 CHARTER REVIEW COMMISSION IS ATTACHED FOR REFERENCE AND RECORD.)

There were two recommendations that affected the entire Charter. They were to replace the word "Municipality" in all forms with the word "City" and to replace the word "Councilmember" in all forms with the word "Council Member" throughout the Charter. There were no objections to these two recommendations.

(Sections of the Charter that were not changed were not addressed during this discussion.)

Mayor Agenbroad presented the recommended changes to the Title, Table of Contents, Preamble, and Article I for consideration and discussion. There were no objections to these recommendations.

Mayor Agenbroad presented the recommended changes to Article III for consideration and discussion. There were no objections to these recommendations.

Mayor Agenbroad suggested addressing Article IV at the end of the discussion due to the more substantive nature of the recommendations. There were not objections to this suggestion.

Mayor Agenbroad presented the recommended changes to Article V for consideration and discussion. There were no objections to these recommendations.

Mayor Agenbroad confirmed that Ms. Martin recommended the change to Section 5.09 regarding the frequency that the City updates the codified ordinances. Ms. Martin confirmed that the recommendation of "at least every two years" in Section 5.09 works well with the City's current practice and takes into account any contingencies. There were no objections to this recommendation.

Mayor Agenbroad presented the recommended changes to Article VI for consideration and discussion.

Mayor Agenbroad did not understand the rationale behind the recommendation in the first sentence of Section 6.01. Mayor Agenbroad commented that Council has the power to approve or not approve a contract for the City Manager, and asked why the language "for an indefinite term" was deleted and the language "on terms and conditions acceptable to a majority of Council" was added to the section.

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Mr. Anderson confirmed that Council sets the terms of the Manager's contract whether definite or indefinite.

Ms. Lairson suggested that "indefinite" might make it questionable as to whether the contract could be ended or not.

Mayor Agenbroad commented that "indefinite" means that the term length could be one-year, two-year, three-year, etc. at Council's discretion.

Ms. Lairson commented that the added language clarifies that the "terms and conditions" of the contract are determined by Council as opposed to simply stating "for an indefinite term."

Ms. Belpulsi agreed that the added language does serve to clarify.

Ms. Martin explained that the Commission Member that presented this particular recommendation wanted to "spell out" the process in more detail. She further explained that the Commission Member actually presented a more detailed recommendation that would outline how Council proceeded from appointing a Manager to establishing the terms of the contract and proposed a procedure as to how that would occur.

Mr. Schaeffer pointed out that the first sentence of Section 6.01 states that "a five (5) out of seven (7) vote of all members of Council" is required to appoint a Manager; whereas, the newly proposed language states that an appointment will be made "on terms and conditions acceptable to a majority of Council." Mr. Schaeffer stated that a "majority" is less than "five (5) out of seven (7)" votes.

Ms. Martin explained that originally there was a recommendation to change the language "five (5) out of seven (7)" to "four (4) out of seven (7)," which might be why the newly proposed language was written to include the word "majority." In short, when the Commission was considering the recommendation, the language "four (4) out of seven (7)" was included for review as well.

Mr. Anderson confirmed that "five (5)" is considered a supermajority, and suggested that the word "majority" be replaced with the word "supermajority."

Mr. Schaeffer commented that if five of seven have to appoint a Manager presumably five of seven are going to agree on the terms of the contract, but he wanted to simply point out the difference in the language as proposed.

Mr. Anderson confirmed that the recommendation would allow five out of seven to appoint a Manager and four out of seven to decide the Manager's compensation. Mr. Anderson asked if that is the current practice?

Mayor Agenbroad stated that the decision to appoint a Manager has always been based on the five out of seven requirement.

Mr. Chmiel commented that the terms of the Manager's contract have always been Council's decision. Whether indefinite or not, the terms and conditions of the appointment are going to be whatever proposal Council makes and agrees upon.

Mr. Schaeffer explained that the Charter currently states that, "The Council by a five (5) out of seven (7) vote of all members of Council, shall appoint a Manager for an indefinite term and shall fix compensation."

Mayor Agenbroad commented that it does not make a difference from a contract standpoint; the terms and conditions of the Manager's appointment are determined by Council. Mayor Agenbroad asked why Council would change this language if it really does not matter, unless it provides further clarification.

Ms. Lairson suggested that the language state, "a five (5) out of seven (7)" before the word "majority" i.e. "on terms and conditions acceptable to a five (5) out of seven (7)" majority of Council."

Mr. Anderson commented that the language should be consistent regardless of how it is stated.

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Mayor Agenbroad commented that the fewer changes the better, but Council needs to reach a consensus to either leave the recommended language in or take it out.

Mr. LaDu wished to leave Section 6.01 "as is," and not accept the recommendation.

Mr. Parise stated that he would agree with the majority; it does not make a difference to him.

Ms. Lairson commented that the new language clarifies the section a little bit better, but there is still the conflict in the number of votes required to appoint a Manager versus what is needed to agree on the terms and conditions of the contract.

Mr. Anderson suggested leaving Section 6.01 "as is" because of that conflict.

Ms. Belpulsi commented that if Council is not going to clarify the language, then she suggests leaving it "as is."

Mr. Chmiel agreed to leave the language "as is" although he is not able to vote. Mr. Chmiel asked if Mr. Schaeffer agreed with leaving the language "as is?"

Mr. Schaeffer responded that under Ohio Law and under the City Charter, the City Manager is a super at-will employee and can be hired or fired for any or no reason and the fewer complexities the better. Mr. Schaeffer stated that he thinks this section does not need to be changed.

It was the consensus of Council not to accept the recommendation in the first sentence of Section 6.01.

There were no objections to the recommendations in Section 6.02 and 6.03.

Mayor Agenbroad asked Ms. Martin what the rationale was behind the recommendation in Section 6.04(a), which strikes the language "~~from the Department or from another source~~ to act as Manager" in the last sentence of the section.

Ms. Martin commented that she thought it was simply because that is not the procedure used now to appoint an acting Manager.

Ms. Thompson suggested that because there was an Assistant Manager the automatic assumption might have been that if the Manager is suspended the Assistant Manager becomes the Manager rather than someone from the outside.

(Charter Review Commission Chairman Greg Bell was present in the audience.)

Mr. Bell agreed the fact that there is an Assistant City Manager was probably the rationale behind this recommendation.

Ms. Belpulsi thought the deletion clarified the language to state that if the Manager is suspended it would be Council's decision to appoint an administrator to act as Manager, but it might not be the Assistant City Manager.

It was the consensus of Council to accept the change in Section 6.04(a) regarding the appointment of an acting Manager; therefore, there were no objections to the recommendations in Section 6.04.

Mayor Agenbroad presented the recommended changes to Article VII for consideration and discussion.

Ms. Belpulsi pointed out that the recommendation in Section 7.03 to delete "part-time" in the first sentence and retain "full-time" would require that there be a full-time director at the head of each department. Ms. Belpulsi asked what would happen if the organization or the economy changed and the City wanted to appoint a part-time director, the City would not have the flexibility to do that. Ms. Belpulsi

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recommended deleting "part-time or full-time" from the first sentence to allow the flexibility to hire either a part-time or a full-time director. Ms. Belpulsi also recommend adding the words "or her" following the word "his" in the second sentence of Section 7.03.

There were no objections to Ms. Belpulsi's recommendations. Section 7.03 will be amended to strike "part-time or full-time" from the first sentence and to add "or her" following "his" in the second sentence of the section.

Mayor Agenbroad confirmed that Director of Finance Robyn Brown recommended the changes in Sections 7.06 and 7.07, and these changes were reviewed by the Charter Review Commission.

With the exception of the modifications to the recommendations in Section 7.03, Council accepted the recommendations of the Charter Review Commission in Article VII.

Mayor Agenbroad presented the recommended changes to Article VIII for consideration and discussion.

Mayor Agenbroad confirmed that the recommendations in Article VIII were based on the suggestions of the Director of Finance, and they reflect the City's current practice.

There were no objections to the recommendations in Article VIII.

Mayor Agenbroad presented the recommended changes to Article IX for consideration and discussion.

Mayor Agenbroad confirmed that the recommendations in 9.01 and 9.02 pertained to Council's power to dissolve boards and committees and remove board and committee members. Ms. Martin confirmed that the recommendation in 9.02 would allow Council to remove committee members in the same manner in which they were appointed, by motion, rather than preparing a resolution.

Mr. Anderson asked what the word "authority" references? (The word "authority" was added to Article IX and Section 9.02.) Ms. Martin explained that the "Tree Authority" would be considered an authority, and the reasoning was that if the City is going to create authorities, then they should be represented in Article IX.

Mayor Agenbroad confirmed that the recommendation to delete Section 9.06 Personnel Board was based on conflicts with state statutes.

Mayor Agenbroad confirmed that the recommendation in Section 9.07 Planning Commission is to modify the residency requirement to state that the two years of residency required for appointment to the City's Planning Commission must be "consecutive" years and are to be "immediately prior to such appointment."

Ms. Belpulsi questioned the strike through of the following sentence in Section 9.07(b), "~~The Planning Commission shall cooperate with other government or private planning agencies to secure the maximum benefit to the Municipality's agencies.~~"

Ms. Thompson stated that no one really understood what it meant, and the City does not commonly use the word "agency" to refer to anything in the City.

Ms. Martin agreed with Ms. Thompson's explanation and confirmed that the City does not have any "agencies."

Ms. Belpulsi questioned the strike through of ~~and Recreation~~ in the title of Section 9.09 Park and Recreation Board.

Ms. Thompson commented that the City does not have a recreation department.

Ms. Belpulsi commented that she knows the City does not have a recreation department now, but many cities do have parks and recreation departments.

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Ms. Thompson stated that she did not think the recreation department would be controlled by the Park Board or else there would be a department director and employees i.e. the recreation department would be separate.

There were no objections to the recommendations in Article IX.

Mayor Agenbroad presented the recommended changes to Article X for consideration and discussion.

Mr. Anderson questioned the deletion of number (5) in Section 10.01(b), which states, "The Secretary to the Manager, and personal secretaries of all department heads, agencies, boards, and commissions" from unclassified service.

Mr. Schaeffer explained that "classified service" is full-time hourly workers, whereas "unclassified service" is salaried employees.

Ms. Belpulsi confirmed that classified employees can qualify for overtime and unclassified employees typically are not eligible for overtime.

Mr. Schaeffer explained that workers under classified service are entitled to overtime if they work more than 40 hours by law; whereas, salaried employees receive their salary regardless of whether they work more than 40 hours.

There were no objections to the recommendations in Article IX.

Mayor Agenbroad presented the recommended changes to Article XI for consideration and discussion.

There were no objections to the recommendations in Article XI.

Mayor Agenbroad presented the recommended changes to Article XII for consideration and discussion.

Mayor Agenbroad commented that, as he understood it, the recommendations in Article XII were merely changes to update the Charter to current practices in the City.

There were no objections to the recommendations in Article XII.

Mayor Agenbroad presented the recommended changes to Article XIII for consideration and discussion.

Ms. Thompson questioned whether the Transitional Provisions should be removed, such as Section 13.03.

Mr. Schaeffer recommended leaving the Transitional Provisions in the Charter for continuity. Mr. Schaeffer commented that the Transitional Provisions in Article XIII serve as a starting reference. Mr. Schaeffer provided the following example: if legislation was passed in September 1979, and is still effective and there is no frame of reference prior to November of 1979 –the first election of a Municipal Council occurred in November 1979 according to Section 13.03– someone could challenge what the City is doing today because the Charter does not give Council the authority to have passed legislation prior to 1979. Mr. Schaeffer admitted that the possibility of this type of challenge is extremely remote, but still exists. It is more appropriate to leave the Transitional Provisions in the Charter rather than run the risk of removing the language.

Mayor Agenbroad asked Mr. Schaeffer if he is comfortable with the way Section 13.03 is written? Mr. Schaeffer replied yes.

Ms. Belpulsi questioned the language in the first sentence of Section 13.14; it does not make sense?

Mr. Schaeffer explained that the newly proposed language attempts to correct the statement that "The Mayor's Court shall remain in existence until such time as Springboro becomes a City," because Springboro

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has become a City. The newly proposed language states, "Council for the City continued the Mayor's Court upon becoming a City."

Ms. Lairson suggested that it state, "Council for the City shall continue the Mayor's Court upon becoming a City."

Ms. Thompson commented that Springboro already became a City in 1989.

Mr. Schaeffer pointed out that the rest of this paragraph concerns establishing a Municipal Court, which the City does not have. Mr. Schaeffer commented that as a Charter home rule community, Springboro has the right to create a Mayor's Court and should reference the Mayor's Court somewhere in the Charter with the ability to create a Mayor's Court.

Ms. Martin commented that the second part of Section 13.13, which pertains to establishing a Municipal Court, was added during the 2000 Charter Review when the State was threatening to do away with Mayor's Courts.

Mr. Schaeffer suggested that the first sentence state, "Council for the City has created a Mayor's Court."

Ms. Thompson stressed that there should be some language identifying a Mayor's Court.

There were no objections to Mr. Schaeffer's suggestion regarding the first sentence of Section 13.13, which modifies the Charter Review Commission's original recommendation.

Mayor Agenbroad confirmed that Mr. Schaeffer reviewed Section 13.14, Mayor's Court Magistrate, and made the proposed changes? Mr. Schaeffer replied yes.

In reference to 13.14(c), Ms. Belpulsi recommended adding the words "or her" following the word "his." Ms. Belpulsi also recommended that, in Section 13.14(g), the words "part-time" be eliminated for the same reasons stated during the discussion of Section 7.03, to give the City the flexibility to hire either a part-time or a full-time magistrate.

With the exception of the modifications to the recommendations in Sections 13.13 and 13.14, Council accepted the recommendations proposed by the Charter Review Commission in Article XIII.

Mr. Schaeffer referred back to Section 6.04(a), the last sentence, which refers to Council appointing an Administrator to act as Manager. Mr. Schaeffer explained that if a word like "Administrator" is capitalized it means it is a defined term. If no deletions were made, then "Administrator" means "Administrator from the Department" and "Department" is a defined term. If the words "from the Department" were eliminated, he, as legal counsel for the City, would interpret this language as "During his or her suspension, Council shall appoint an (a)dmistrator to act as Manager." Mr. Schaeffer would interpret "(a)dministrator" to mean virtually anybody inside or outside the City that Council would want to appoint. Mr. Schaeffer recommended not using a capital "A" in administrator in this case.

There were no objections to Mr. Schaffer's recommendation to changed "Admistrator" to "administrator" in the last sentence of Section 6.04(a).

Mayor Agenbroad presented the recommended changes to Article IV for consideration and discussion.

Mr. LaDu contested Section 6.01(b) with respect to the newly proposed language underlined as follows: "Within six (6) months following receipt of each Federal decennial census information, . . . Council will redivide the City into four (4) wards of substantially equal population of contiguous precincts." Mr. LaDu commented that he has less of a problem with the "contiguous precincts" language because he thinks that contiguous precincts are probably good, but has more of problem with the "Within six (6) months" language.

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Mr. Parise commented that he has a problem with the "contiguous precincts" language. He thinks it is irrelevant; a ward member does not help their constituents any less if they are separated by a couple of blocks or not. This language was not in the Charter before, and he does not see any need for it to be in the Charter now.

Ms. Lairson asked what if property that was annexed into the City was an island surrounded by the township?

Mr. Schaeffer explained that under the annexation laws a certain percentage or portion of the property has to touch or be contiguous to City property in order for the City to annex.

Mr. Anderson agreed with Mr. LaDu's contention with the six-month time frame to redivide the wards, as recommended in Section 4.01(b), and agreed that it needed to be looked at.

Ms. Belpulsi confirmed that the precincts have to be contiguous? Ms. Martin explained that the boundaries of the wards have to follow precinct lines. She further explained that what the newly proposed language is saying is that the wards need to consist of contiguous precincts, which are precincts attached to one another, not several disconnected precincts.

Ms. Belpulsi asked why the City would not want the wards to be contiguous? Ms. Belpulsi asked that the down side would be to having wards of contiguous precincts because when something is contiguous, it follows a clear unbroken line.

Ms. Martin commented that contiguous precincts would create one defined area.

Ms. Belpulsi commented that without wards of contiguous precincts, the City could have a ward consisting of one precinct in one area of the City and one precinct in another area of the City. If Ward 1 were separated by sections of Ward 2, then the City would not have contiguous precincts.

Mr. Parise commented that on the proposed ward redistribution map, the only reason the one ward is not contiguous is because a section of that non-contiguous area is township property, which is the Option 4 ward re-distribution proposal he is lobbying for. Mr. Parise commented that a ward member is not going to represent their constituents any less because they have a block of township property separating two areas of the ward. Mr. Parise again stated that the language "contiguous precincts" was not in the Charter before, and should not be included. Mr. Parise commented that he can appreciate the language regarding "four (4) wards of substantially equal population," but the language regarding "of contiguous precincts" he does not see as a relevant issue.

Ms. Belpulsi asked if the ward map is contiguous right now? Ms. Martin replied yes. Ms. Belpulsi commented that only that one example out of the 84 examples that Council reviewed over the years has a ward that does not consist of contiguous precincts. Ms. Martin confirmed Ms. Belpulsi's comment.

Mr. Parise stated that the crux of the matter primarily is to make the wards equal in population, and that is the main thrust of this Charter language.

Ms. Belpulsi commented that she thought the wards were pretty even in population under the current ward map.

Ms. Lairson commented that the wards are not even in population the way they are distributed now.

Ms. Belpulsi stated that she is referring to the ward map that will be effective in 2009 that was re-divided in 2005. Ms. Belpulsi commented that her preference is to have wards consist of contiguous precincts.

Mr. Chmiel asked if Council was discussing Article IV of the Charter because it sounds like Council is discussing ward redistribution and both issues were scheduled for discussion tonight? Mr. Chmiel commented that what he is hearing is that the current Charter recommendations are for ward redistributions

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to be equally distributed based on census data and contiguous precincts. Mr. Chmiel further commented that the last ward re-distribution, which goes into effect in 2009, pretty much meets those requirements specified in the Charter. Mr. Chmiel stated that the most recent ward map has accomplished the mission of the Charter by evenly distributing the wards, and he really does not know that using the logic of redistributing the wards again because of the positioning of Council Members is really an action that Council should be taking. Again, Mr. Chmiel commented that the Charter pretty much spells out why ward re-distribution should be done and when it should be done.

Mr. Parise stated that this document came out after the previous Council voted on the ward re-distribution. Mr. Parise reiterated that this change in the wording came after that, not before. Mr. Parise stressed that he only has a problem with one word in this section, "contiguous."

Ms. Lairson asked why add the language if it was not in the Charter before? What was the reasoning behind adding that language? Ms. Martin explained that the particular member that recommended this adding this language did not want to see a ward re-distribution map turn out like a puzzle with a bunch of disjointed pieces, but rather to divide the City into reasonable and practical wards that were contiguous sections of the City.

Ms. Lairson commented that the ward map has to be voted on by Council, and why would the majority of Council not want a map of contiguous wards. Ms. Lairson commented that it should be left up to the Council to decide what is the best way to divide the wards.

Ms. Martin confirmed that ward re-distribution is voted on by Council.

Ms. Lairson's question was why add the new language to this section if it is vote on by Council. Ms. Lairson continued by stating that if someone tried to propose a ward re-distribution that did not make sense to do that she would hope that Council or the majority of Council would say vote "no."

Ms. Martin commented that it would be up to Council to decide if they wanted that specific requirement "contiguous precincts" spelled out in the Charter.

Ms. Belpulsi asked when the Commission researched this section of the Charter did they determine how do other cities handle this. Ms. Belpulsi asked why this wording was added or if Mr. Bell could recall the discussion.

Chairman Bell referred to Mr. Schaeffer's earlier explanation and stated that the language was to avoid having a piece of a ward here or there as opposed to all of the ward being in the same general area.

Mr. LaDu commented that if all of the Council seats were at-large ward redistribution would not be an issue, which was his initial preference, but he knows that is not the general consensus of Council. Mr. LaDu agreed with Ms. Lairson's suggestion not to add the language "contiguous precincts." Mr. LaDu further stated that Council can choose or not choose to redistrict and also choose how and when they want to re-district, and he would not want to take away any of the flexibility Council has with regard to this issue. Mr. LaDu confirmed that he would prefer not to include the new language "Within six months" and "contiguous precincts," but he agrees with the rest of the recommendations in this section.

Ms. Belpulsi commented that "Within six (6) months" has always been in the Charter. It was confirmed that this language is actually newly proposed language.

Ms. Martin explained that the time frame to re-district following the census was never defined in the Charter. The Charter currently states, "Following each Federal decennial census or at any other time when necessary . . ."

Ms. Belpulsi confirmed that Mr. LaDu objects to adding the "Within six months" time frame and the words "contiguous precincts," but accepts all other recommendations in this section.

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Mr. Anderson and Ms. Lairson agreed with Mr. LaDu.

Mayor Agenbroad ascertained that based on Mr. Parise's earlier comments Mr. Parise agrees with Mr. LaDu as well. Mr. Parise replied yes.

Ms. Belpulsi stated that she has a concern not necessarily with the language "Within six months," but removing the additional language "contiguous precincts." Ms. Belpulsi commented that Council has to consider the future and believes the Commission was also looking ahead to make sure that wards flow logically and are not split by other wards. Ms. Belpulsi asked if Council has to approve the whole set of recommendation or none at all.

Mayor Agenbroad commented that once Council goes through this whole set charter amendment recommendations; it would be voted on as one package.

Ms. Belpulsi asked what happens when Council does not agree with certain recommendations?

Ms. Martin explained that the report of recommendations does not necessarily have to go as a whole package, but generally for this particular process, which occurs every eight years, it goes as a package. Council has the option to submit separate items.

Mr. Schaeffer explained that if Council does not approve some of the recommendations, then those recommendations simply do not go to the voters, but a package of recommendations would appear on the ballot as a single ballot issue.

Ms. Thompson clarified that if Council wants to address certain sections of the Charter separately, they could submit separate ballot issues.

Ms. Martin explained that because the recommendation comes to Council as a whole, generally Council would submit the recommendations to the ballot as one recommendation, but that is not a requirement. However, Council may, if it chooses, address one particular topic on the ballot as a separate issue.

Mr. Chmiel asked Mr. LaDu what his feeling is regarding the time frame "Within six months." Mr. Chmiel asked if Mr. LaDu thought the time frame should be changed to one year or deleted all together.

Mr. LaDu answered that he prefers to leave the language "as is," without the new language, "Within six months."

Mayor Agenbroad confirmed that Mr. LaDu wants to keep Section 4.01(b) "as is" except for the nomenclature changes.

Mr. Schaeffer explained that in theory the "Within six months" rule is the concept or idea of redistricting once the census material has been received and is to a degree a legal obligation that Council has because it is essentially unconstitutional to be unbalanced. Mr. Schaeffer further explained that lawsuits have been filed against federal re-districting where it has been uneven or unfair in some way, and it becomes a constitutional question. Mr. Schaeffer stated that in theory, Council has the obligation to review the wards; it might not be "Within six months," but Council does have that obligation to review the ward populations. Mr. Schaeffer also stated that "Within six months" is very fast given the time frame to submit to the Board of Elections for the following year, and it might be unrealistic, but, again, Council has the obligation to review the wards.

Mayor Agenbroad confirmed that the old language would be better. Mr. Schaeffer agreed with this is probably the best conclusion.

Ms. Martin explained that the language "Within six months" was added to force Council to act in a timely manner.

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Chairman Bell commented that the last time the City received the census information in 2001; it was four years later in 2005 that Council took any action to re-district, and the wards were very unbalanced those four years, which was the reason the Commission recommended putting some kind of time frame in the Charter to force Council to look at it.

Ms. Lairson suggested a one-year time frame?

Ms. Thompson commented that she never thought staff could accomplish the ward redistricting in six months anyway. Ms. Thompson explained that technically, from a staff perspective, it really falls on Ms. Martin to create a proposal(s) and it involves a lot of work and again regardless of the census information. Ms. Thompson commented that she understood Mr. Bell's point that if Council continues to not act on the ward map after the census Council will end up where it is now, which is the ward map was not acted on until 2005, four years after receiving the census information. Ms. Thompson reiterated that six months is not realistic for staff.

Ms. Martin explained that the original proposal from the Commission was shorter than six months, but she negotiated it up to six months.

Ms. Thompson commented that if Council wants to satisfy the mentality of the group, she thinks Council could find a different number for the time frame because Council's duty and the Charter's dictate is to make equitable wards regardless.

Ms. Lairson suggested one year; she thinks that is much more reasonable for staff and it would force Council look at the wards.

Ms. Martin referred to the language "Following receipt of each Federal decennial census information" and pointed out that that information is not received until the spring of the following year. In the case of the next census, the information would be received in the spring of 2011. She explained that that was factored into the time frame, which means the ward redistricting process would not be complete until almost two years following receipt of the census information. Ms. Martin would not be comfortable drawing any kind of ward maps based on initial population numbers before receiving the official information.

Ms. Thompson asked what would happen if the Census Bureau changes the way they do things, technology improves, etc. and the City receives the census information a week after the census closes, then the City would have only six months to complete the ward redistribution process.

Ms. Martin commented that staff could be involved on other intensive projects at the time and not have enough time to dedicate to ward redistribution within that time frame.

Ms. Thomson agreed with Ms. Martin and added that the City could lose staff that would work on this particular project and cannot fall on Ms. Martin only given her workload. Ms. Thompson stated that she would like the time frame to be more reasonable.

Mr. Chmiel commented that given the size of the City's operation why not make the time frame 18 months. The current wards have been distributed in an equal way, and the next ward re-distribution will not change that drastically where the wards would be as disproportionate as they have been in the past.

Ms. Thompson clarified that Mr. Chmiel meant 18 months within receipt of the census information, and pointed out that it could take the re-districting of the map up to 2.5-3 years.

Mr. Schaeffer commented that it could also only take 18 months if technology improves and the census information is received on a more immediate basis.

Ms. Thompson suggested not basing the time frame on the receipt of the census information because that is the unknown variable in this time frame.

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Mr. Chmiel commented that the Charter is unique to Springboro and this City's potential for changing population masses is not as great as it was ten years ago. Therefore, the distribution of wards would not be as lopsided as they were in the past given the future building projections, and he does not think that a reasonable amount of time would be as detrimental to future re-districtings?

Mr. Schaeffer commented that Mr. Chmiel's statement was a fair assessment.

Mayor Agenbroad recommended the one-year time frame as the best suggestion in addressing this issue. It was the consensus of Council to modify the recommendation to state, "Within one (1) year . . ." in Section 4.01(b).

Mayor Agenbroad presented the proposed language that states "contiguous precincts" in Section 4.01(b).

Ms. Belpulsi suggested that Council move on to the next section of the Charter because she is the only one that seems to have a problem removing that recommendation.

Mayor Agenbroad asked if everyone was comfortable removing the proposed language "contiguous precincts" from Section 4.01(b).

Ms. Belpulsi again stated she was not comfortable with removing that language, but understood that she is the only person opposed to deleting it. Ms. Belpulsi stated that she did not want to return to the topic because Council is not going to reach consensus concerning this issue, and she would like to move on and continue with the rest of the review.

It was determined that the Charter Review Commission's recommendation to add the language "contiguous precincts" would be removed from Section 4.01(b).

Mayor Agenbroad questioned the deletion of the following language from Section 4.03(a), "The Mayor shall have judicial powers."

It was later determined that "The Mayor shall have judicial powers" would be left "as is" because it allows the Mayor the power and authority to solemnize marriages and administer the Oath of Office as an Officer of the Court. Mr. Schaeffer explained that when the Mayor performs marriages he does it in a civil capacity, not a spiritual capacity; therefore, the state recognizes the marriage and requires that the Mayor have the judicial powers to perform this duty. Mr. Schaeffer recommended retaining the language "The Mayor shall have judicial powers" in Section 4.03(a).

In reference to Section 4.05, Filling of Vacancies," Mayor Agenbroad pointed out that the recommendation is to delete the current language of Section 4.05(d), and replace it with completely new language.

Mr. Anderson commented that he prefers the existing language, the new language adds a lot more things that Council could debate, and he believes it is better to keep it short, and likes the language the way it was.

Mayor Agenbroad agreed with Mr. Anderson to keep the Charter's existing language concerning the Filling of Vacancies.

Mr. Schaeffer proceeded to explain some of the technical aspects of this recommendation. Mr. Schaeffer explained that the General Election is in November, but a candidate must submit their petition to the Board of Elections 75 days before the date of the Election. This year that date would be August 21. For example, if there is a vacancy prior to August 21, this new language deals with that issue and if there is a vacancy after August 21, but before the election, this new process deals with that scenario as well. Mr. Schaeffer commented that the old process is vague and general. Mr. Schaeffer also commented that the old process works, but Council would have to rely on the Director to make an interpretation. Mr. Schaeffer added that the new process simply defines how the process works and eliminates the ambiguity.

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Ms. Belpulsi disputed that the new language eliminated the ambiguity and asked what the reasoning behind this recommendation was?

Mr. Schaeffer stated that he was asked to research the section and draft language to address Council vacancies. Mr. Schaeffer explained that the new language addresses how Council would deal with the issue when a vacancy is created before that 75th day in an election year and after that 75th day, but before the election, and the current system does not address either scenario. Mr. Schaeffer further explained that this does not mean that the vacancy does not get filled; it just means the Law Director makes an interpretation and Council moves forward with the vacancy. Mr. Schaeffer added that his rationale was to respond to what he was asked to do by the Charter Review Commission, and if someone had an agenda along the way he could not address that.

Ms. Lairson commented that, as she stated during the last discussion regarding this issue, her concern is that there is a chance under the recommended scenario of having five Council Members running in one election and the possibility of having five new people on a seven-member Council is a concern to her.

Mr. Chmiel commented that in the real world when a new Council Member is appointed or elected it takes time for that person to get up to speed and really be an active member in terms of knowing the direction the Council and the City have been working towards. Mr. Chmiel continued by stated that it really puts a continuous learning curve on new members if Council is turning over members that often. He added that new members that might not be effective along with the possibility of that new member being replace with a new member(s) that is not affective would seem a little inappropriate in terms of the complexities involved to serve the City's needs.

Mr. Schaeffer ascertained that Ms. Lairson and Mr. Chmiel are saying the same thing. They each agreed.

Mayor Agenbroad ascertained that it was the consensus of Council to leave the current language of Section 4.05(d) and to not accept the newly recommended language for Section 4.05(d).

In reference to Section 4.07, Compensation, Mayor Agenbroad commented that he does really appreciate what the Charter Review Commission tried to do by adding the new language concerning minimum salary requirements to receive service credit from PERS. Mayor Agenbroad commented that during the last discussion of this issue there were several Members of Council that were sensitive to this issue. Mayor Agenbroad commented that Mr. Anderson raised a point a few meetings ago that this issue could sink the whole Charter amendment, and with the other issues going on in the community right now such as the new City building he would not want some artificial issue such as this recommendation pertaining to salary to hurt the credibility of Council. Mayor Agenbroad stated again that he does appreciate what the Charter Commission has recommended, and it was a very good suggestion, but in light of everything else that is going on, he would not be inclined to add this language to Section 4.07 especially since Council receive a salary adjustment in response to PERS' requirements not too long ago. Mayor Agenbroad stated that he agrees with Mr. Anderson's opinion regarding this issue.

Ms. Lairson commented that the way the new language is worded, if PERS raises the minimum they are raising the minimum salary, it is not providing for Council's salary to go above the minimum.

Mayor Agenbroad commented that Council adjusted the salary to meet the minimum the last time the minimum was raised and took a lot of heat over it involving politics and the election, but right now the most important objectives for this Council are to balance the budget, build the new City building, and take care of the City.

Mr. Parise commented that part of this issue concerning the minimum salary requirement to receive PERS credit would be interpreted as what people perceive it to be. Mr. Parise explained that people have a mind-set that Council is trying to raise their salary and trying to raise taxes; those people do not sit here and see the finer points of how the City operations or other considerations. Mr. Parise reiterated that it is all perception and anything dealing with a pay-raise, no matter how it is perceived by Council there is no guarantee that it will not be perceived differently in the outside world. Mr. Parise asked Ms. Thompson how

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often PERS raises the minimum salary requirement for service credit. Ms. Thompson explained that it is very rare. Mr. Parise responded that if it is rare and only occurs every 15-20 years, he does not see it as a big burden of Council to have to go through this same routine to meet the minimum salary requirement if it happens again.

Mayor Agenbroad commented that there are some issues regarding expenditures like the new City building that Council has less control over, but on this particular issue Council does have control over whether to do it or not. Mayor Agenbroad reiterated that Council appreciates what the Charter Review Commission tried to do.

Mr. Chmiel commented that a future Council will have to go through the same fight that this Council had to a couple of years ago and figure it out for themselves.

Ms. Lairson commented that she liked the new language in this section for that reason, to avoid that scenario in the future.

Mayor Agenbroad commented that timing is everything and that is his main concern right now.

Ms. Lairson commented that she thinks part of addressing public perception is educating the public.

Ms. Thompson commented that Council did meet the PERS minimum the last time it was raised, but had to use the current and very difficult procedure. Ms. Thompson explained that Council could do it either way, add the language to the Charter so that the salary adjustment is automatic when it occurs or actually follow the current Charter rules that were followed last time which provided Council the ability to follow the PERS minimum, but Council had certain timing issues such as it has to be done a year before the next election and then certain Council Members would only qualify after they have been re-elected. Ms. Thompson asserted that Council could still give themselves the minimum to meet the salary requirement, but she thinks this new language was intended to allow Council to continue to receive service credit without jumping through all of those hoops.

Ms. Belpulsi asked if having this in the Charter eliminates Council's ability to give themselves a large raise.

Ms. Thompson explained that the proposed language is very specific regarding how much Council can make basically stating that should the PERS system raise the minimum for eligibility for full service credit, for example, in five more years the current salary of \$450/month is now going to \$500/ month this language would eliminate the need to jump through the hoops Council jumped through the last time; however, Council could not give themselves, for example, \$1000 over that minimum.

Ms. Thompson clarified that this language does not give Council the ability to give themselves more than the PERS minimum for eligibility for full service credit.

Ms. Belpulsi asked if the Charter did not have this language, does that give Councils that follow this Council the ability to raise their salary to any amount they want?

Ms. Thompson explained that this Council and future Councils could raise salaries right now to anything they want if they jump through the hoops outlined in the Charter. Ms. Thompson clarified that by virtue of the new language no Council, present or future, could vote themselves a raise beyond the minimum PERS requirement.

Mayor Agenbroad commented that Council put a Charter amendment on the ballot several years ago concerning Council's salary adjustments based on a consensus of all the cities in the area by population because Council could give themselves a large raise right now if it wanted to. In essence, Council was trying to find a way to give themselves a raise based on what other cities were doing regarding the same, and that ballot issue went down.

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Ms. Belpulsi commented that with this new language in the Charter, Council would never have to worry again, unless the Charter is amended, about giving themselves a PERS raise. Ms. Belpulsi stated that she does not agree with this position and believes this language should be considered as a separate ballot issue.

Ms. Lairson pointed out that if PERS raises the minimum close to an election, Council might not have time to go through the current process.

Ms. Schaeffer answered that Council would have to wait another two years or until the next election.

Ms. Thompson commented that there were some Council Members during the last process that had to wait longer than others to receive their salary adjustment because of how the current language is worded.

Ms. Belpulsi explained that this happened because a Council Member cannot take advantage of the salary adjustment while still serving their term; they have to be re-elected before they would receive the raise.

Ms. Thompson commented that Council if this additional language is not included in the Charter Council would have to go through all kinds of hoops to meet the PERS minimum salary requirement if it changes; however, regardless of whether this language is included or not Council would still have to go through the hoops to give themselves any other raise besides the PERS minimum increase. For example, if in five or ten years the PERS minimum salary requirement was raised by \$50 this language would allow for that increase automatically, and no future Council would have to be concerned with meeting the minimum for service credit.

Ms. Lairson added that no future Council would have to be concerned with losing service credit either.

Mr. Anderson commented that the language is very logical and agreeable, but public perception and education is a whole different ballgame. Ms. Anderson stated that if everyone understood the process and the language, it would be a "no-brainer" to include this as an amendment, but he thinks that public perception and trying to educate the public is a very, very difficult obstacle.

Ms. Thompson commented that Council could make this language a separate ballot issue, which would give the voters the opportunity to ask questions or communicate with the public regarding the issue. Ms. Thompson further commented that Council does have the opportunity to put this language on the ballot as a separate issue.

Mayor Agenbrood stated that he is not inclined to put this language in the Charter for the reasons previously stated, and ascertained that it was the consensus of Council the not add the proposed language regarding the PERS minimum salary requirement to Section 4.07, leaving the Section "as is."

Mr. Parise agreed to leave Section 4.07, as it pertains to salary, "as is."

Mr. LaDu commented that when he reviewed the recommendations he noted that this new language was not needed, but stated that Ms. Lairson was being quite persuasive.

Ms. Lairson commented that she was obviously not being persuasive enough, but she would like to leave the proposed language pertaining to the PERS minimum salary requirement in the Charter.

Mr. Anderson also agreed to leave Section 4.07, as it pertains to salary, "as is."

Ms. Belpulsi commented that she would like to leave the proposed language pertaining to the PERS minimum salary requirement in the Charter, and she would like it to be a separate ballot issue, which she believes is the best way to handle this issue.

Mayor Agenbrood commented that it appears that the proposed language pertaining to the PERS minimum salary requirement will not be included in Section 4.07 of the proposed Charter amendments.

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Mayor Agenbroad referred to the recommendation to change 4.10(a), Meetings, to state, "The Council shall meet regularly at least once in every month" rather than "at least twice in every month."

Ms. Belpulsi asked why Council would want to change the language to "once per month," when Council has been meeting twice per month?

Ms. Thompson commented that the language was intended to mean that is the minimum that Council would meet. Ms. Thompson commented this language was intended to address situations such as meetings that occur very close to the holidays and Council Members have other commitments and are not able to attend the meeting and there is no legislation to consider, but Council, by Charter, has to meet regardless of these types of circumstances. Ms. Thompson explained that the intention was not to reduce the number of Council meetings, but allow for only one meeting under certain circumstances such as she stated above and there are not any months in which Council can have only one meeting because the Charter currently requires two meetings per month.

Ms. Belpulsi commented that the proposed language gives the idea that Council will hold only one meeting per month. Ms. Belpulsi commented that she believes that Council is here to serve the community. She further commented that there may not be legislation to consider, but at least Council is here meeting and it gives the residents an opportunity to attend and voice their opinions. Ms. Belpulsi stated that by changing it to "once per month" does not give people the opportunity to communicate with Council as often. Ms. Belpulsi suggested leaving Section 4.10(a) "as is."

Mayor Agenbroad ascertained that it was the consensus of Council to leave the Charter language in Section 4.01(a), "The Council shall meet regularly at least twice in every month" "as is," rather than accept the Charter Review Commission's recommendation of "at least once in every month."

With the exception of Sections 4.01(b), 4.03(a), 4.05(d), 4.07, and 4.10(a), Council accepted the recommendations made by the Charter Review Commission in Article IV.

Mayor Agenbroad concluded the review of the Charter Review Commission's recommendations and stated that Ms. Martin will prepare legislation for the August 7 meeting, which will include the changes that were made at tonight's meeting. Mayor Agenbroad commented that Council would also discuss Mr. Parise's proposal for ward redistribution on August 7.

Ms. Martin added that Council's packet for the August 7 meetings will be delivered tomorrow and Council will receive the cover memo, legislation, and a copy of the Charter with the most current updates to the recommendations. Ms. Martin asked Council to please review the Charter carefully to make it has been accurately updated.

Ms. Thompson announced that Lytle Five Points Road should be open presently, but would be officially open tomorrow morning.

Mayor Agenbroad thanked Mr. Chmiel for joining Council for this discussion during his vacation.

Ms. Thompson also asked for Council's input regarding a groundbreaking ceremony for the new City Building. Ms. Thompson explained that she is looking for some direction and scope for the event, for example, should it be large or small event.

It was the general consensus of Council to have a small groundbreaking ceremony and large event when the new building opens.

Ms. Thompson confirmed the following invite list for the groundbreaking event: Township Trustees, School Board, Chamber Board, Library, Representative Shannon Jones, Senator Robert Schuler, and County Commissioners among others.

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Ms. Thompson stated that a date would have to be set for the event, and she would schedule it on the night of an upcoming Council meeting.

Mayor Agenbroad recommended having a big event when the new building is finished, and stated that Ms. Thompson should use her discretion regarding the groundbreaking event.

ITEM 6. ADJOURNMENT. With no further discussion, Mayor Agenbroad asked for a motion to adjourn the City Council Special Meeting at approximately 7:50 PM.

Mr. Parise motioned to adjourn the meeting; whereby, the Thursday, July 31, 2008 Springboro City Council Special Meeting was adjourned at approximately 7:50 PM. Mr. LaDu seconded the motion.

No discussion.

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

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council