

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

**CITY COUNCIL WORK SESSION**

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THURSDAY, MAY 17, 2007

6:00 PM

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**CITY COUNCIL**  
John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor  
Scott Anderson  
Jim Chmiel

Gary Hruska  
Sheila Lairson  
John D. Parise

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**CITY STAFF**  
Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager

Alan Schaeffer, Law Director  
Lori Martin, Clerk of Council

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- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Work Session to order at approximately 6:00 PM in Council Chambers.
- ITEM 2. ATTENDANCE.** Mr. Hruska was absent.
- ITEM 3. LEGISLATIVE AGENDA.** –City Council considered 19 legislative agenda items slated for the May 17, 2007 City Council Regular Meeting.

- 1) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTIONS ONE, TWO, THREE AND FOUR, SUBDIVISION IN THE CITY.

Mayor Agenbroad confirmed that legislative items 1 through 11, ordinances, will be considered as a Consent Agenda. It was the consensus of City Council to proceed with a motion to suspend the rules to include a Consent Agenda consisting of legislative items 1 through 11 to be considered in aggregate, without discussion or amendment, at tonight's Regular City Council Meeting.

- 2) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTION FIVE, SUBDIVISION IN THE CITY.

Refer to comments under legislative item 1.

- 3) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTION SIX, SUBDIVISION IN THE CITY.

Refer to comments under legislative item 1.

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- 4) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENCE IN RICHARDS RUN SECTION ONE SUBDIVISION IN THE CITY.

*Refer to comments under legislative item 1.*

- 5) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENCE IN RICHARDS RUN SECTION TWO SUBDIVISION IN THE CITY.

*Refer to comments under legislative item 1.*

- 6) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENCE IN RICHARDS RUN SECTION THREE SUBDIVISION IN THE CITY.

*Refer to comments under legislative item 1.*

- 7) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENCE IN RICHARDS RUN SECTION FOUR SUBDIVISION IN THE CITY.

*Refer to comments under legislative item 1.*

- 8) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 23-44 OF THE NORTH HILLS OF STONE RIDGE, SUBDIVISION IN THE CITY.

*Refer to comments under legislative item 1.*

- 9) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 73-75 OF THE NORTH HILLS OF STONE RIDGE, SUBDIVISION IN THE CITY.

*Refer to comments under legislative item 1.*

- 10) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 77-107 OF THE NORTH HILLS OF STONE RIDGE SECTION FOUR, SUBDIVISION IN THE CITY.

*Refer to comments under legislative item 1.*

- 11) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF CONSTRUCTING OR REPAIRING CERTAIN SIDEWALKS AND DRIVEWAY APRONS IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO AS DESCRIBED IN RESOLUTION NO. R-06-12. (2006 SIDEWALK/DRIVEWAY APRON PROGRAM)

*Refer to comments under legislative item 1.*

**END CONSENT AGENDA**

**BEGIN REGULAR AGENDA**

*At this time, Ms. Thompson introduced Matt Graybill of Children's Medical Center to comment on legislative agenda item 18, a*

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*Resolution to sell 11 acres of land in South Tech Industrial Park to Children's Medical Center.*

*Mr. Graybill commented that Children's Medical Center has had a presence here in Springboro with a testing facility in Ledgestone at Settlers Walk for approximately two years. They are now looking at a much larger project, a footprint for Children's Medical Center in the future on the property at South Tech Industrial Park. Mr. Graybill further commented that he appreciates the time and effort spent by Ms. Thompson, Mr. Pozzuto, and Mr. Schaeffer working with Children's Medical Center. Mr. Graybill presented a drawing of the site master plan, which is how they envision the site looking in six to eight years. Mr. Graybill described the plan as 120,000 sq. ft. of occupied space providing a range of pediatric services and associated health care services. The first building they construct will be located closest to I-75. Of the 11-acre site, they will prepare the entire site for development, but only finish the parking lot, building, and drive associated with Phase I of the project. The site master plan will be presented to two board committees and the full board of trustees of Children's Medical Center for approval. The Children's planning committee approved the plan this morning; it will be presented for approval to the budget and finance committee on June 8, and will proceed to the full board of trustees for approval on June 19. Their architectural, engineering, and construction services are provided by Pinnacle, Stone, ATCS, Shook. They are ready to close on the property and begin site development work as soon as the purchase agreement is approved. The first phase of the project will be a one-story, 20,000 sq. ft. building, but they want to expand the presence of the building to present a noticeable image in the community and to people traveling to and from the community. The building will have a lot of glass, a two-story atrium area, and house an urgent care, lab, radiology, rehabilitation and other diagnostic services.*

*Ms. Belpulsi asked what the timeframe is to complete the entire project? Mr. Graybill answered that a guess would be a seven to ten year timeframe. Mr. Graybill explained that the drawing shows the Phase I building, and they are already in discussions with a number of their physician practices to lease land to them. The physician practices would own a medical office building as part of Phase II of the project.*

*Ms. Belpulsi confirmed that this development would be a campus in which the design and architecture for the site would consistent throughout? Mr. Graybill stated that the design needs to fit into the Austin Development Guidelines, but their intent is to build the first building and be open for business by October of 2008. They already have the first building designed and are working on construction documents. Mr. Graybill added that by the time they are finished with site development, the construction documents will be finished and they will be ready to build. In addition, Mr. Graybill referred to the drawing and described the perspectives of the building from both sides, which include a lot of color and 10x12 ft. panels depicting children. Mr. Graybill also commented that the diagram of the site does not show the wetlands on the property, which have been a topic of considerable discussion.*

*Ms. Thompson commented that they have discussed trying to mitigate the wetlands to another location. The City has been working with LJB Engineering on this issue, and should have an answer soon. She added that the City was aware of the wetlands issue when Danis owned the property.*

*Mr. Graybill also commented that they would have to add elevation to the bottom of their site. He explained that the actual spot where the building rests will have to be elevated approximately 7 ft. He added that the fill would come from another area on the site or the City's detention area, if possible.*

*Ms. Belpulsi asked Mr. Graybill if their architects have the Austin Development Guidelines. Mr. Graybill replied yes, Children's Medical Center, the architects, and the construction manager all have those guidelines.*

*Ms. Lairson asked what the other three buildings on the drawing represent? Mr. Graybill explained that the site master plan is labeled Phase 1, Phase 2, Phase 3, Phase 4, Phase 5, etc., and the buildings shown are not sized according to a final plan; their use is unknown at this time. They may develop one large building at one site and a three-story building on another. The drawing is a conceptual rendering of where the buildings might be developed; however, the parking will be located in the central core, and development would occur around that central core. Ms. Lairson confirmed that those Phases would be left open to whatever services Children's might need in the future. Mr. Graybill replied, yes.*

*Mr. Chmiel asked if they would construct the parking area in its entirety during Phase 1 of the development? Mr. Graybill replied no, initially they would construct only what is needed for Phase I of the project along with a landscaped drive approaching the building.*

*Ms. Thompson explained that the City has anticipated the drive extension to be the emergency access for the initial urgent*

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care center. Ms. Thompson further explained that the City and Children's would then decide whether or not the drive would be extended to become a real road connecting to South Tech Boulevard. The drive currently ends in a cul-de-sac at Leather Gallery. Ms. Thompson also explained that the City purchased the extra property in order to have the ability to extend the drive if desired in the future. Also, the City finally has the West Tech Road extension design, which Ms. Thompson received from LJB Engineering yesterday. Now, the City can plat the extension of that road and give the plans to Children's and anyone else who develops in South Tech, and they would know definitively where this extension would be for planning purposes.

Ms. Belpulsi asked when Children's Medical Center is coming to the Planning Commission with a site plan? Mr. Graybill answered, as soon as possible. Ms. Thompson added that items such as plan review and lot splits can happen concurrently, and Children's architects are familiar with the planning process and have had the code for several months. Staff will try their best to accommodate Children's aggressive schedule and would meet following the regular planning meeting, if necessary, to work through the plan.

Mr. Graybill also commented that they shared the City's boulevard concept with the board, and the board is very interested. Mr. Graybill explained that the only drawback with the site is that it sits back off of SR 741, and they want to make sure people can find the facility. They believe the boulevard and the signage at the entrance of South Tech, which is part of the South Tech Master Plan, will help.

Ms. Thompson stated that a temporary or monument sign for Children's is not a problem, as they are permitted under the City code. Ms. Thompson suggested preparing a letter of understanding to accommodate temporary signage for Children's, as this language is not in the contract presented tonight. Ms. Thompson added that Children's will be the only user at that end of West Tech, and the City would be willing to make some accommodations with respect to signage to help people find the facility.

Mr. Graybill reiterated that Ms. Thompson along Mr. Pozzuto and Mr. Schaeffer have been wonderful to work with on this project, and Children's is looking forward to a long relationship with the City.

Mayor Agenbroad thanked Mr. Graybill for his comments.

- 12) **ORDINANCE: THIRD READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING 78.1 ACRES OF LAND AT 6821 RED LION-FIVE POINTS ROAD FROM TR-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE ZONE, TO PUD-R, PLANNED UNIT DEVELOPMENT-RESIDENTIAL.

No discussion.

- 13) **EMERGENCY ORDINANCE: SECOND READING.** AN ORDINANCE DECLARING THE NECESSITY OF PROVIDING CERTAIN MAINTENANCE IN THE MCCRAY FARMS SECTION NINE SUBDIVISION OF THE CITY OF SPRINGBORO, OHIO AND DECLARING AN EMERGENCY.

No discussion.

- 14) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE REPEALING ORDINANCE O-06-9, WHICH APPROVED THE RECORD PLAN FOR THE ENCLAVE AT STONE RIDGE SUBDIVISION, SECTION THREE; AND DECLARING AN EMERGENCY.

Staff has recommended waiving the second and third readings of this ordinance in order to repeal the old record plan and to provide for the subsequent revisions to the General Plans represented by legislative items 15 and 16, Resolutions. City Council approved the rezoning of the 4.69 acres at Red Lion-Five Points Road and SR 73 on April 19. Once the old record plan is repealed and a new record plan is prepared to reflect this change, the new plan may be recorded at the County.

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- 15) **RESOLUTION:** A RESOLUTION APPROVING A REVISION TO THE APPROVED GENERAL PLAN FOR THE ENCLAVE PUD, PLANNED UNIT DEVELOPMENT, FORMERLY KNOWN AS THE STONERIDGE VILLAS PLANNED UNIT DEVELOPMENT SUBDIVISION.

*No discussion.*

- 16) **RESOLUTION:** A RESOLUTION APPROVING A REVISION TO THE APPROVED GENERAL PLAN FOR THE STONERIDGE COMMERCIAL PUD-B, PLANNED UNIT DEVELOPMENT-BUSINESS.

*No discussion.*

- 17) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO PLANE AND RESURFACE PORTIONS OF SR 73 THROUGH THE CITY OF SPRINGBORO.

*No discussion.*

- 18) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CHILDREN'S MEDICAL CENTER FOR THE SALE OF ELEVEN (11) ACRES OF PROPERTY WITHIN THE SOUTH TECH INDUSTRIAL PARK OF THE CITY OF SPRINGBORO.

*No further discussion. (This item was addressed at the beginning of the legislative agenda discussion.)*

- 19) **RESOLUTION:** A RESOLUTION OPPOSING THE PROPOSED STATEWIDE VIDEO FRANCHISING BILL, S.B. 117.

*Ms. Belpulsi will abstain from the vote on this Resolution at tonight's City Council Regular Meeting due to a professional conflict of interest. This legislation is being recommended by the Miami Valley Communications Council (MVCC).*

*Ms. Belpulsi commented that Senate Bill 117 was passed in the Senate 29-4. The proponents hearing will be held in the House of Representatives next Tuesday, and the opponents hearing will be held the following week. The House expects to vote on this bill following the hearings. In its current form, the bill does protect rights-of-way, but does not protect the cities' franchise fees or the PEG access channels, which will be severely damaged along with the institutional network created by the MVCC.*

*Ms. Thompson contacted State Representative Shannon Jones and other legislators regarding the City's position on this bill. In addition, Ms. Thompson and the Carlisle City Manager met with Representative Jones on Monday to discuss the status of the bill, and the results were not promising. Representative Jones reported that she sat in on the Senate Hearings for the bill. Ms. Thompson explained that the goal is to revise the bill with respect to protection of the jurisdictional rights-of-way, the PEG channels, and the franchise fees paid to the cities. In addition, the bill does not require the cable provider to service the entire area that they target; therefore, smaller communities are concerned that they will not receive service due to their small customer base. Ms. Thompson stated that they asked Representative Jones to fight for some of these things the cities want to keep by passing a bill that would still allow for competition to occur without compromising everything else. Representative Jones serves on the House Utilities Commission and hopefully can influence the commission to revise the bill to preserve some of the benefits provided to cities through the franchise agreements.*

*Ms. Belpulsi commented that the franchise agreements currently in effect are only good until 2012, and those communities that do not have a franchise agreement will not be able to obtain any of those benefits. Ms. Belpulsi added that she does not believe that competition will occur overnight because the infrastructure is not in place.*

*Ms. Thompson also commented that Representative Jones did point out that no one stopped Time Warner from offering digital phone in competition with AT&T for phone service. Ms. Thompson added that they will continue to oppose the bill in its current form through the legislature.*

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**AMENDMENT:**

- 20) **RESOLUTION:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND THEREBY RATIFY A PURCHASE AGREEMENT TO SELL CERTAIN PROPERTY OWNED BY THE CITY TO WEST TECH ROAD, LLC.

Ms. Thompson asked City Council to amend the legislative agenda to add item 20, a Resolution, for consideration at tonight's City Council Regular Meeting. This item was withdrawn from the Council Agenda on May 3, 2007.

At this time, Ms. Thompson requested an Executive Session, following the Work Session discussion, to discuss the sale of property. Ms. Thompson commented that she wished to discuss some issues that are not stated in the cover memo regarding the sale of this property.

**Ms. Lairson motioned to enter Executive Session under R.C. 121.22(G), following the Work Session discussion, to discuss the sale of property. Ms. Belpulsi seconded the motion.**

No discussion.

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

**ITEM 4. CITY MANAGER. -Issues/Reports.**

Ms. Thompson reported the following:

John Fabelo of Lorenz Williams will attend the June 7 Council Work Session to discuss preliminary plans for the new City building. The firm is preparing a survey to utilize with staff to ascertain issues/problems within the existing building.

As a follow up to the Strategic Planning Session conducted on May 5, the Strategic Planning Subcommittee (Ms. Belpulsi, Mr. Hruska, Ms. Lairson) will meet to review the results and make any recommendations. Ms. Thompson will poll the subcommittee members to determine a meeting date. Jana Evans (Strategic Planning Services Consultant) has submitted a Strategic Planning Report following the planning session, which completes her role in the project.

As a follow up to the Comprehensive Land Use Master Plan Update project, the committee will hold their first meeting on Monday, May 21 and every fourth Monday of each month thereafter until the plan has been reviewed and updated and a formal recommendation is made.

The 2007 Water & Sewer Rate Survey was distributed to City Council. The annual survey of approximately 65 jurisdictions in southwest Ohio provides the combined water and sewer rates based on 22,500 gallons of consumption in a three-month period as of March 1, 2007. The City of Springboro's rates fall in the lower third of all jurisdictions surveyed. Water rates and sewer rates are also charted separately for comparison.

The Internet Committee met on May 8 to interview two firms based on the proposals received to redesign the City's website. The City originally budgeted \$20,000 in 2007 budget for this project; however, the recommended firm's bid came in at approximately \$32,000.00. The committee is requesting that City Council allow for the additional funds to be appropriated to contract with Go Concepts. Go Concepts will redesign the site to be user friendly and visually appealing. The administrative tool for the site will eliminate outdated material on the site using an "end date" control. The administrative tool will also allow more staff members to update the site. Go Concepts is local, located in Lebanon, and offers 24/7 support. This firm may also offer the City the opportunity to advance the City's accounting/utilities/payroll database system. The current provider is hesitant to work with web tools, but a competitor also located in Lebanon has the compatibility to offer the Finance Department web tools. The Finance Department may recommend switching software systems.

Ms. Thompson asked if City Council wished to go forward with the entire website redesign and supplement the budgeted amount by \$12,000.00 or cut back the website services and only redesign the visual and navigational aspects of the website.

Ms. Belpulsi commented that she reviewed the Go Concepts site, and they have links to all of the websites they have developed great websites along with integrated e-commerce tools, which is worth the investment to make doing business with the city easier and more convenient for the residents.

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*It was the consensus of Council to proceed with the full contract as proposed by Go Concepts for the complete redesign of the City's website, and increase funding for the project by approximately \$12,000.00.*

*Ms. Thompson commented that Go Concepts projects a 90-day development phase before the site is up and running.*

*Dayton Systems Group (DSG) is holding an open house/tours this Sunday, May 20 from 1:00 to 4:00 PM. Brad Bachman is the CEO of Dayton Systems Group. DSG produces twistable bottle caps and holds contracts internationally in Mexico, South America, and Europe.*

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

*As discussed at the last Council Work Session, Ms. Martin has contacted a local photographer to take a group photo and individual portraits of City Council. Ms. Martin asked if Council Members would like to schedule individual sittings with the photographer or have their portraits taken following the group photo. Council opted to have the group and individual portraits taken in one sitting. The photo session would occur between 5:00-6:00 PM prior to a Work Session in Council Chambers.*

*Mayor Agenbrood suggested scheduling the photographer for June 7. Ms. Martin will check the photographer's schedule and confirm the date with Council Members via e-mail.*

*The Springboro Friends and Family Fundraiser will be held on July 6 at Heatherwoode Golf Course beginning with a nine-hole golf tournament at 2:30PM followed by a dinner at 6:30 PM, and will also include a raffle for prizes. Ms. Thompson will announce this event at tonight's City Council Regular Meeting during reports.*

**ITEM 6. CITY COUNCIL. –Issues/Reports.**

**Mr. Parise** – *Mr. Parise asked for an update on the appraisal for Heatherwoode Golf Course. Mr. Parise asked if the City only received the one estimate for the appraisal of the golf course? Ms. Thompson replied yes, because it is a very specialized field. Mr. Parise asked when the firm would proceed with the appraisal? Ms. Thompson stated that she has already signed the fee agreement, and has scheduled the appraisal for next Wednesday.*

*Mr. Parise asked where staff was in the process of surveying comparable communities' building permit fees and updating the fee schedule? Ms. Thompson explained that she has asked the Service Department to survey other city building departments in order to compare fees. The process of collecting and compiling the information will not be complete until the end of summer, August.*

**Mr. Chmiel** – *Mr. Chmiel will present a Finance Committee report and a Planning Commission report at tonight's City Council Regular Meeting under Committee Reports.*

**Ms. Lairson** – *Ms. Lairson announced that she would be absent from the July 5 City Council Meetings.*

**Mr. Anderson** – *Mr. Anderson announced that he would excuse himself from tonight's City Council Regular Meeting at approximately 7:40 PM due to a family commitment. Also, Mr. Anderson asked what the portraits of Council would be used for? Ms. Martin explained that the individual portraits would be posted on the City's website along with a bio of each Council Member and the group portrait of Council would be installed in a formal area such as the Council Chambers of the new City Building. Ms. Martin added that she would have the portraits on disc as well for future use. In addition, Mr. Anderson asked if the City has a credit card usage policy, which addresses what the credit cards can be used for? Ms. Thompson replied yes, policies pertaining to credit card usage are included in the travel policy in the City ordinances. Ms. Thompson explained that only a limited number of employees hold City credit cards.*

*Mayor Agenbrood commented that the credit card policy has changed several times since he has served on Council, and added that only the City Manager and Assistant City Manager have a City credit card, and City credit cards are to be used strictly for City business. Ms. Thompson clarified that the department heads do not have City credit cards.*

*Mr. Anderson clarified that he was not asking who could use the City credit cards, but rather what they could be used for? Ms. Thompson replied no, the City does not have a policy pertaining to specifically what the credit cards can or cannot be used for. She added that the City's credit card statements are sent to the Finance Committee each month for review. Ms.*

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Thompson explained that the City credit card could be used for meals, travel, transportation, and other purchases such as supplies and materials. Ms. Thompson stated that the City credit cards are actually purchasing cards, but there is no policy that governs specific uses. Mr. Anderson asked if it would be wise to review the policy and set guidelines for credit card expenditures? Ms. Thompson suggested that the Finance Committee could consider a policy, as they routinely review the credit card activity.

Mr. Chmiel commented that as long as the credit card statements are being reviewed, if there is an abuse, it would be caught by the Finance Committee.

Ms. Lairson asked Mr. Anderson if there has been a problem with credit card usage? Mr. Anderson stated, for example, when the credit card is used by employees to take other employees to lunch. Mr. Anderson explained that even though it is permitted currently, the perception might be that it is not a wise use of money. Ms. Thompson explained that if she and Mr. Pozzuto were meeting with a client regarding City business, then, yes, they would charge their lunches to the City card; otherwise, employees pay for their own lunches. Ms. Thompson asked if Mr. Anderson had a specific example? Mr. Anderson referred to a transaction where an employee paid for his own and another employee's lunch on the City credit card. It was explained that the two employees had lunch while they were returning from a business event. Mr. Anderson stated that he had questioned these types of transactions when he served on the Finance Committee. Ms. Thompson explained that employees are permitted to charge their lunch to the City when they participating in a training session or traveling to and from City business in Columbus for example, but if this is not an acceptable practice, then she would need direction from Council regarding policy, and suggested that Council have a discussion specifically addressing the topic of credit card usage.

Mr. Anderson stated that regardless of whether a specific use is permitted or not, there should be a policy that states what is permitted. Mr. Anderson would like to have a definitive policy stating that the City approves certain expenditures or would like it clarified somehow perhaps by the Finance Committee.

Ms. Thompson commented that one of the discretionary actions taken in the past was to limit the credit cards to the City Manager and Assistant City Manager. Otherwise, the Finance Department distributes credit cards to employees for use under the travel policy. Ms. Thompson stated that she would certainly comply with any policy established by Council regarding credit card usage or would be willing to provide more information regarding credit card activity if desired.

Mayor Agenbroad recommended discussing this issue at the next Finance Committee meeting and reporting back to Council. Mr. Anderson agreed with that course of action. Ms. Thompson will include credit card policy on the next Finance Committee agenda. Ms. Thompson commented that the next Finance Committee meeting would be held on July 19.

**Ms. Belpulsi** – No issues/updates.

**Mayor Agenbroad** – No issues/reports.

**At approximately 6:46 PM, City Council entered Executive Session to discuss the sale of property.**

**With no objections, City Council exited Executive Session at approximately 6:52 PM; whereby, no votes were taken.**

**ITEM 7. ADJOURNMENT.** With no further discussion, Mayor Agenbroad adjourned the City Council Work Session at approximately 6:52 PM.

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

**CITY COUNCIL REGULAR MEETING**

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THURSDAY, MAY 17, 2007

7:00 PM

---

**CITY COUNCIL**  
John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor  
Scott Anderson  
Jim Chmiel

Gary Hruska  
Sheila Lairson  
John D. Parise

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**CITY STAFF**  
Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager  
Jeff Kruthoff, Police Chief

Alan Schaeffer, Law Director  
Lori Martin, Clerk of Council

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- ITEM 1.**        **CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order at 7:00 PM in Council Chambers at the Springboro City Building, 320 W. Central Avenue, Springboro, Ohio.
- ITEM 2.**        **PLEDGE OF ALLEGIANCE.** Mayor Agenbroad led the Pledge of Allegiance.
- ITEM 3.**        **ROLL CALL.** Agenbroad, Present; Anderson, Present; Belpulsi, Present; Chmiel, Present; Hruska, Absent; Lairson, Present; Parise, Present.
- Mr. Chmiel motioned to excuse Mr. Hruska from the City Council Regular Meeting. Ms. Belpulsi seconded the motion.
- No discussion.
- VOTE:** Anderson, Yes; Agenbroad, Yes; Parise, Yes; Lairson, Yes; Chmiel, Yes; Belpulsi, Yes. [APPROVED 6-0]
- ITEM 4.**        **APPROVAL OF MINUTES:** THE MINUTES OF THE MAY 3, 2007 CITY COUNCIL WORK SESSION AND REGULAR MEETING AND THE MINUTES OF THE MAY 5, 2007 CITY COUNCIL SPECIAL MEETING.
- Ms. Belpulsi motioned to approve the Minutes of the May 3, 2007 City Council Work Session and Regular Meeting and the Minutes of the May 5, 2007 City Council Special Meeting as submitted by the Clerk of Council. Mr. Parise seconded the motion.
- No corrections.
- VOTE:** Lairson, Yes; Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes. [APPROVED 6-0]
- ITEM 5.**        **PRESENTATIONS:** THE SOUTH METRO REGIONAL CHAMBER OF COMMERCE ANNUAL UPDATE WAS PRESENTED BY JULIA MAXTON, PRESIDENT; THE 2007 HISTORIC PRESERVATION AWARDS WERE PRESENTED BY TIM RABERDING, CHAIR OF THE ARCHITECTURAL REVIEW BOARD; A PROCLAMATION

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WAS PRESENTED BY COUNCIL MEMBER SHEILA LAIRSON IN RECOGNITION OF EMERALD ASH BORER AWARENESS WEEK –THE WEEK OF MAY 20, 2007.

The South Metro Regional Chamber of Commerce Annual Update was presented by Julia Maxton, Chamber President. Ms. Maxton's comments are condensed as follows:

The Chamber received \$300,000 in federal money to begin Work Force Development in Montgomery County. The Work Force Development Project reaches out to all of the schools and produced a video on career paths, which were distributed in all of the schools and libraries. The Chamber raised another \$40,000 to convert the videos to CD-ROM format, as videos were becoming obsolete, and the University of Dayton revisited the venues and produced CD-ROMS that link to a lot of career sites. The CD-ROM will be distributed through the Montgomery County Superintendents Association to all of the school districts. Ms. Maxton's health has prevented her from visiting the Chamber's member cities for several years, and she would like to bring everyone up-to-day on the Chamber's programs. The Chamber began a chamber caucus five years ago consisting of the 14 Chambers of Commerce in Montgomery County, and they started meeting on a regular basis. The chamber caucus includes Chambers from Middletown to Sidney, Tipp City, Troy, Spring Valley, and Eaton. There are now 22 Chambers that meet once per quarter at the South Metro Regional Chamber office. The agenda is informal and discussion revolves around issues, solutions to problems, etc., and the chamber cause has been very, very productive. The Chamber is also part of the Southern Ohio Chamber Alliance. Ten years ago, seven chambers formed the Chamber Alliance as a buy in group for benefits for the smaller chambers of commerce. There are now 88 chambers in the Southern Ohio Chamber Alliance from all over the State of Ohio, and Ms. Maxton is the current President of the Chamber Alliance. The Chamber Alliance Board of Directors reviews benefits and provides healthcare, workers compensation, cell phones, and other benefits for these chambers to pass on to their smaller business members, and it has been a very, very productive organization. Ms. Maxton also received the Ohio Citizen of the Year Award for her Work Force Project efforts from the Career Education Association, which was a great honor for this part of the State of Ohio. Ms. Maxton was nominated by Oakwood, Kettering, and Centerville Schools for this award. Ms. Maxton brought packets of information to distribute to City Council for review, which provide a little more information about the make up of the Chamber. There are 40 people on the Chamber Board of Directors, and they meet once per month at Cox Arboretum. The meeting gives everyone an opportunity to speak about issues that are important to them and both large and small businesses are represented. A list of the Board Members and the companies they represent is included in the packet of information. Ms. Maxton explained that the Board Chairman changes on an annual basis, currently it is AT&T, next year it will be DP&L, and the following year it will be Richard Haas, Executive Director of Kettering Medical Center-Sycamore. The Chamber also has a very active Economic Development Committee. A list of the committee members is included in the packet of information. In the last six days, the committee received an update on the Miami Valley Hospital South Campus. JoAnne Ringer, the project developer presented an overview and the committee received an update on the City of West Carrollton. The removal of Woody's has opened up the whole downtown area of West Carrollton; it really has made a beautiful vista, and they are now able to start purchasing land along the river like Miamisburg has done. Ms. Maxton also included the Chamber calendar in the packet of information, which is a work in progress and also mentioned the website as a source of information about the Chamber program's. From the support of the cities and townships, most of the chamber events are free of charge and are open to non-members, which was the Chamber's commitment to its partners that they would be the business advocacy helpers for all of its communities. The Chamber provides beverages and networking via two to four meetings per week all year long, as noted on the calendar. The Chamber newsletter is also included in the packet of information. Ms. Maxton was approached by the Dayton Business Journal last Fall offering to produce the Chamber newsletter and insert it in the full distribution of the Dayton Business Journal because the Chambers has so much going on. This endeavor required the newspaper to raise a tremendous amount of sponsorship money, but in a week four wonderful sponsors stepped forward to sponsor the newsletter, United Health Care, Kettering Medical Center River Valley Credit Union, and Hunter Consulting, and now they have a Chamber newsletter. The newsletter is a regional piece, and it does not discuss Chamber issues. The newsletter has contributing authors, which the City of Springboro was one thanks to City Manager Chris Thompson. The newsletter has received a tremendous response because it features articles such as the one written by the Wright B. Flyer pilot and others contributed by the Miami Valley Military Affairs Association or the Miami Valley Communications Council, organizations in the community that might not otherwise have a voice. Ms. Maxton also commented that the Chamber has also become the northern Cincinnati area Chamber of Commerce, as they do consider the Chamber their northern tier, and the Chamber is quoted more in the Cincinnati publications than it is in Dayton, and Ms. Maxton is excited to be a part of such a dynamic area. Ms. Maxton thanked City Council for their time and offered to answer any questions.

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Mayor Agenbroad asked Council Members if they had any questions or comments for Ms. Maxton. There were no questions or comments. Mayor Agenbroad thanked Ms. Maxton for her presentation and information.

The 2007 Historic Preservation Awards were presented by Tim Raberding, Chair of the Architectural Review Board. Mr. Raberding's comments are condensed as follows:

On behalf of his colleagues on the Architectural Review Board, Mr. Raberding was pleased to announce this year's recipient of the Architectural Review Board's (ARB) annual Preservation Awards program. This year marks the seventh year for the preservation awards program, and the program coincides with the National Trust for Historic Preservation's "Preservation Month" in May.

**This year, the program will award the Mayor's Award for Preservation Leadership to Mr. Glenn Harper.** The Mayor's Award honors those providing leadership and service in support of historic preservation or supporting projects and activities that have substantially increased public understanding and awareness of historic preservation in the Springboro area. Glenn Harper is recognized for his longtime leadership in the preservation of the Springboro area's rich historic resources and education programs that he initiated as a member of the ARB. Mr. Harper is an original member of the ARB and served on the Board from 1997 to December 2006. His work on the ARB helped lead to Springboro's designation as a Certified Local Government (CLG) in 1997, and the recognition of Springboro's Historic District as a locally and federally designated historic district. Mr. Harper is known statewide for his expertise in the field of historic preservation. He is an employee of the Ohio Historical Society's Ohio Historic Preservation Office in Columbus where he assists communities statewide with the CLG program and oversees development of the state's comprehensive historic preservation plan. Locally, Mr. Harper played an important role in historic preservation education efforts in the community, including the establishment of the preservation collection at the Springboro Public Library, the annual preservation awards program, and countless hours of advice to property owners. This award also recognizes Mr. Harper and his wife, Carol Endres, for their efforts to preserve their historic home and property on West Lower Springboro Road in Clearcreek Township, the Decker Farmstead, a property that is listed on the National Register of Historic Places.

At this time, Mr. Raberding presented the 2007 Historic Preservation Award, the Mayor's Award for Preservation Leadership, to Mr. Glenn Harper, and made the following statement, "Mr. Harper, you helped to create this award; it is only appropriate that you should receive it."

Mr. Harper's comments are condensed as follows: Mr. Harper thanked the Mayor and Members of Council and City Manager for this award. Mr. Harper helped create this award and wrote the original criteria for this award. Mr. Harper is deeply honored to receive this award. Mr. Harper started to work on historic preservation issues in Springboro several decades ago, and it has been a pleasure to volunteer for the City because he has always felt that the Board has had the support of the City government. Having worked on similar preservation issues in dozens of communities across the State, Mr. Harper stated that, that is not always the case. Mr. Harper commented on Springboro's rich history and historic value, and now hopes everyone is aware of the unique history of this community and the buildings and structures that symbolize the community's past. Mr. Harper further commented that it is no accident that Springboro's historic environment still exists, and still has a high level of architectural integrity. This is the result of efforts on the part of the Springboro Architectural Review Board and many other citizens in the community, and the architectural design review process that has been in place for almost ten years. Mr. Harper encouraged everyone to join the Springboro Area Historical Society and to get involved in local preservation issues and initiatives, which preserve and protect Springboro's past. Mr. Harper again thanked the City for this award; he appreciates it very much.

On behalf of Springboro City Council, Mayor Agenbroad thanked Mr. Harper for his contributions to historic preservation in Springboro and thanked Mr. Raberding and the Architectural Review Board for all of their work; it is appreciated.

At this time, Council Member Sheila Lairson presented a Proclamation in Recognition of Emerald Ash Borer Awareness Week –the Week of May 20, 2007. (A copy of the Proclamation is attached for the record.) Mayor Agenbroad stated that Ms. Lairson is City Council's representative to the City's Tree Authority.

ITEM 6.

LEGISLATION:

City Council held a Work Session at 6:00 PM immediately preceding tonight's City Council Regular Meeting for approximately 46 minutes to discuss the following legislative items as well as other matters before the City, followed by a six-minute Executive Session to discuss the sale of property.

As discussed at the Work Session, Mayor Agenbroad asked for a motion to amend the Legislative Agenda to add Legislative Item 20, a Resolution.

**Mr. Parise motioned to amend the Legislative Agenda to add Legislative Item 20, a Resolution. Mr. Chmiel seconded the motion.**

No discussion.

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

**CONSENT AGENDA**

*(All items under the Consent Agenda are considered by the City Council to be routine and will be adopted by one motion. Any City Council Member may, however, remove an item from the Consent Agenda by request. Items removed for separate discussion and action will be considered under the Regular Agenda following the motion to approve the Consent Agenda.)*

Mayor Agenbroad asked for a motion to temporarily suspend the rules of Council to amend the Order of Business to include a Consent Agenda, directly preceding the Regular Legislative Agenda, consisting of legislative items 1 through 11 to be considered in aggregate, without discussion or amendment.

**Ms. Belpulsi motioned to amend the Order of Business to include the Consent Agenda for consideration in aggregate, without discussion or amendment. Mr. Parise seconded the motion.**

No discussion.

**Vote: Lairson, Yes; Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes. [APPROVED 6-0]**

**At this time, Ms. Martin read legislative items 1 through 11.**

- 1) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTIONS ONE, TWO, THREE AND FOUR, SUBDIVISION IN THE CITY," was read by the Clerk of Council.
- 2) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTION FIVE, SUBDIVISION IN THE CITY," was read by the Clerk of Council.
- 3) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTION SIX, SUBDIVISION IN THE CITY," was read by the Clerk of Council.
- 4) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENCE IN RICHARDS RUN SECTION ONE SUBDIVISION IN THE CITY," was read by the Clerk of Council.

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- 5) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENCE IN RICHARDS RUN SECTION TWO SUBDIVISION IN THE CITY," was read by the Clerk of Council.
- 6) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENCE IN RICHARDS RUN SECTION THREE SUBDIVISION IN THE CITY," was read by the Clerk of Council.
- 7) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENCE IN RICHARDS RUN SECTION FOUR SUBDIVISION IN THE CITY," was read by the Clerk of Council.
- 8) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 23-44 OF THE NORTH HILLS OF STONE RIDGE, SUBDIVISION IN THE CITY," was read by the Clerk of Council.
- 9) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 73-75 OF THE NORTH HILLS OF STONE RIDGE, SUBDIVISION IN THE CITY," was read by the Clerk of Council.
- 10) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 77-107 OF THE NORTH HILLS OF STONE RIDGE SECTION FOUR, SUBDIVISION IN THE CITY," was read by the Clerk of Council.
- 11) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF CONSTRUCTING OR REPAIRING CERTAIN SIDEWALKS AND DRIVEWAY APRONS IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO AS DESCRIBED IN RESOLUTION NO. R-06-12. (2006 SIDEWALK/DRIVEWAY APRON PROGRAM)," was read by the Clerk of Council.

Ms. Thompson commented on legislative items 1 through 11 as follows:

Legislative Items 1-10 of the Consent Agenda are special assessments for various lighting projects. The total for the aggregate is \$26,634.91. These assessments will be attached as final assessments with a one-time payment and sent to the Warren County Auditor by September 10 of this year in order for the assessments to be included in the tax duplicate. The assessments will be part of the 2008 budget, as the general revenue will not be received until 2008. This legislation will simply allow for certain subdivisions to have their street lighting assessed. The City will not expend funds for these improvements, as they are paid for through agreements with these subdivisions. The total amount for these street lighting assessments for all sections is \$26, 634.91. The assessments are based on the street lighting costs that were paid by the City the prior year. Legislative Item 11, also part of the Consent Agenda, will levy special assessments for repairing certain sidewalks and driveway aprons in the City during the 2006 program totaling a not-to-exceed amount of \$4,536.50. The property owners have 30 days to pay the cost for repairs or replacement on their particular property. After 30 days, the cost will be assessed on their property tax bill. Any direct payments received by the City will go into the fund in 2007, but funds received from the assessments will not be received by the City until those tax bills are paid in 2008.

**No action required at this time.**

**END CONSENT AGENDA**

**BEGIN REGULAR AGENDA**

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- 12) **ORDINANCE O-07-15: THIRD READING.** "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING 78.1 ACRES OF LAND AT 6821 RED LION-FIVE POINTS ROAD FROM TR-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE ZONE, TO PUD-R, PLANNED UNIT DEVELOPMENT-RESIDENTIAL," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This is the third reading of an ordinance amending the official zoning map of the City of Springboro rezoning 78.1 acres of land at 6821 Red Lion-Five Points Road located at the corner of East Mill Street and Red Lion-Five Points Road from TR-1 to PUD-R. This rezoning request was part of a pre-annexation agreement with Clearcreek Township approved by Resolution R-06-36 in July of 2006, and allows for the creation of 130 single-family residential lots within the acreage. The General Plan for this site will not be submitted until the property is rezoned. Once rezoned, the property will proceed through the Planning Commission approval process for a General Plan.

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

**Ms. Belpulsi motioned to adopt Ordinance O-07-15. Mr. Chmiel seconded the motion.**

No discussion.

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

- 13) **EMERGENCY ORDINANCE: SECOND READING.** "AN ORDINANCE DECLARING THE NECESSITY OF PROVIDING CERTAIN MAINTENANCE IN THE MCCRAY FARMS SECTION NINE SUBDIVISION OF THE CITY OF SPRINGBORO, OHIO AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This is the second reading of an ordinance declaring the necessity of providing certain maintenance in the common areas of the McCray Farms Subdivision, Section Nine. This maintenance is provided for in the covenants of Section Nine of the McCray Farms Subdivision and allows for the City to administer the assessments for the maintenance of the common areas. This assessment will last for a period of 10 years. In recent years, the City has requested that any assessments like this are filed for a minimum 10-year period so that the City does not incur costs for filing these assessments on an annual basis. In this particular case, the legislation is written as an emergency in order for the Finance Director to file with the Warren County Auditor by September 10.

No discussion.

**No action required at this time.**

- 14) **ORDINANCE O-07-16: FIRST READING.** "AN ORDINANCE REPEALING ORDINANCE O-06-9, WHICH APPROVED THE RECORD PLAN FOR THE ENCLAVE AT STONE RIDGE SUBDIVISION, SECTION THREE; AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This is the first reading of an ordinance repealing Ordinance O-06-9, which approved the record plan for the Enclave at Stone Ridge Subdivision, Section Three. This legislation is one of three pieces of legislation tonight that will refer to the same 4.69 acres of property located at the corner of Red Lion-Five Points Road and SR 73. This 4.69 acres is an addition to a pre-existing PUD-Business zoning at that location. This zoning change was approved by City Council on April 19, 2007, establishing PUD-B zoning for this 4.69 acres, which was previously zoned PUD. Because of this zoning designation change, the record plan that was originally approved for the 4.69 acres is no longer accurate and must be vacated. In order to vacate the record plan, the City must repeal the ordinance that established the record plan initially. This ordinance will vacate or repeal the original record plan in order for a new one to be filed.

Staff has recommended that City Council suspend the rules and waive the second and third readings of this

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ordinance.

**Ms. Belpulsi motioned to suspend the rules and waived the second and third readings of this Ordinance. Mr. Chmiel seconded the motion.**

No discussion.

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

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

**Ms. Belpulsi motioned to adopt Ordinance O-07-16. Mr. Chmiel seconded the motion.**

No discussion.

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

- 15) **RESOLUTION R-07-16:** "A RESOLUTION APPROVING A REVISION TO THE APPROVED GENERAL PLAN FOR THE ENCLAVE PUD, PLANNED UNIT DEVELOPMENT, FORMERLY KNOWN AS THE STONERIDGE VILLAS PLANNED UNIT DEVELOPMENT SUBDIVISION," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution approves a revision to the approved General Plan for the Enclave PUD, formerly known as the Stoneridge Villas Planning Unit Development Subdivision. This legislation is again associated with the 4.69 acres that was referred to in the previous legislation. As a result of the change in the zoning designation of the 4.69 acres to a PUD-B, a revision by code must be made to the General Plan. In order for that to occur, the original PUD has actually been reduced by 4.69 acres, which is the portion that has been rezoned to the PUD-B, and as a result, this General Plan must be reduced by 4.69 acres. This revision to the General Plan for the Enclave PUD was approved by the Planning Commission on January 31, 2007. Again, this reduction in the acreage of the original record plan for the PUD also requires a revision to the General Plan for the PUD.

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

**Mr. Chmiel motioned to adopt Resolution R-07-16. Mr. Parise seconded the motion.**

No discussion.

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

- 16) **RESOLUTION R-07-17:** "A RESOLUTION APPROVING A REVISION TO THE APPROVED GENERAL PLAN FOR THE STONERIDGE COMMERCIAL PUD-B, PLANNED UNIT DEVELOPMENT-BUSINESS," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution approves a revision to the approved General Plan for the Stoneridge Commercial PUD-B. This legislation is also associated with the 4.69 acres addressed in the two prior pieces of legislation, which has created the need to add the 4.69 acres to the existing PUD-Business zone that was the topic of the Public Hearing held on April 19, 2007. The 4.69 acres in question will now be included in a new General Plan that was revised to accommodate the addition of this acreage, and will now be part of the PUD-B at the corner of Red Lion-Five Points Road and SR 73. Adding this acreage has caused the General Plan to be revised accordingly from the original PUD-B of 8.87 acres to a new PUD-B of 13.56 acres. This revision requires legislative action as well, and was also approved for recommendation to City Council by the Planning Commission on January 31, 2007.

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

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**Ms. Belpulsi motioned to adopt Resolution R-07-17. Ms. Lairson seconded the motion.**

No discussion.

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

- 17) **RESOLUTION R-07-18:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO PLANE AND RESURFACE PORTIONS OF SR 73 THROUGH THE CITY OF SPRINGBORO," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution authorizes a contract with the Ohio Department of Transportation (ODOT) to plane and resurface portions of SR 73 (E. Central Avenue) through the City of Springboro from the east of Cherry Street to the west Red Lion-Five Points Road. This project will be paid 80% by ODOT for the planning, resurfacing, and construction engineering costs, and the City will be required to pay 20% of the planning, resurfacing, and construction engineering costs and 100% of the pavement repair costs. The City's total share for the project is \$82,196.00. The estimated construction cost for the project is \$186,802.00. The City's share of the cost will be expended from the Street Capital Budget in 2008; however, if ODOT should accelerate the project for any reason or request any funds in advance, the City would have to consider a potential supplemental appropriation to the 2007 Budget.

Mayor Agenbroad presented the item for questions/comments.

Mr. Parise asked if the plans are to block off the road and detour that section or reduce the road to one lane during the construction project? Ms. Thompson answered that they would reduce the traffic to one lane and route traffic rather than close the road.

**Mr. Parise motioned to adopt Resolution R-07-18. Ms. Lairson seconded the motion.**

No discussion.

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

- 18) **RESOLUTION R-07-19:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CHILDREN'S MEDICAL CENTER FOR THE SALE OF ELEVEN (11) ACRES OF PROPERTY WITHIN THE SOUTH TECH INDUSTRIAL PARK OF THE CITY OF SPRINGBORO," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution authorizes an agreement with The Children's Medical Center for the sale of 11 acres of property within the South Tech Industrial Park in the City. There has been a very long relationship between the City of Springboro and Children's Medical Center to try to secure some acreage for them to develop an urgent care center and a campus for doctors' offices for pediatrics, rehabilitation and physical therapy, and those types of services in the Springboro community. Matt Graybill from Children's Medical Center attended tonight's Council Work Session to introduce himself and to present drawings of the site. As it has now been defined, the site will be 11 acres at the end of West Tech Boulevard. The City had approved an agreement to sell 18 or 19 acres many months ago; this legislation will vacate that agreement, and will constitute the new agreement between the City of Springboro and Children's Medical Center.

**Mr. Parise motioned to adopt Resolution R-07-19. Mr. Chmiel seconded the motion.**

No discussion.

Mayor Agenbroad commended staff for their work on this agreement.

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

- 19) **RESOLUTION R-07-20:** "A RESOLUTION OPPOSING THE PROPOSED STATEWIDE VIDEO FRANCHISING BILL, S.B. 117," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution opposes the proposed statewide video franchising bill, Senate Bill 117. Senate Bill 117 would affect cable television and video franchising. The City is not opposed, nor are all of its jurisdictional friends and neighbors in the State of Ohio, to competition amongst the cable companies to provide services to residents of each community. However, this particular legislation has some definite flaws that will impact franchise fees, the protection of rights-of-way, the PEG Channels, which assist residents in watching City Council Meetings and events and other institutional network issues, which help to technologically connect all of the communities. The City has chosen to support this resolution and recommend City Council pass this resolution. Staff has also spoken to the local state representative, Shannon Jones, and expressed to her that while the City does not disagree with competition, as the competition could sell their services today, the legislation would allow them to compete and not require the companies to franchise and provide certain services to the municipalities. The City is going to continue along with its neighbors to try to affect some change in this bill. Opponent testimony for this bill is scheduled to take place next week and proponent testimony is scheduled for the following week. The City will continue to work through this as members of organizations like the Miami Valley Communications Council and the Ohio Municipal League.

**Mr. Parise motioned to adopt Resolution R-07-20. Mr. Chmiel seconded the motion.**

No discussion.

Mayor Agenbroad reiterated that the City is not opposed to competition among the cable providers, but in its present form this bill is not a good for municipalities, which why the City is opposing it.

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

**AMENDMENT:**

- 20) **RESOLUTION R-07-21:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND THEREBY RATIFY A PURCHASE AGREEMENT TO SELL CERTAIN PROPERTY OWNED BY THE CITY TO WEST TECH ROAD, LLC," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution authorizes a purchase agreement to sell property owned by the City to the West Tech Road, LLC. This resolution was pulled from Council's agenda on May 3 in order to work out some final details. At this time, staff is presenting this legislation to agree to execute a sale agreement with West Tech Road, LLC for 5.94 acres of land in the South Tech Industrial Park. The sale price for the property is \$504,900.00. The property would be used for office and manufacturing, and would accommodate approximately 40 employees for receiving finished steel shipments and custom processing orders for customer specifications sent primarily throughout the central and southern Ohio and Indiana region. Staff recommends approval of this resolution based on two conditions. One, the company must receive Planning Commission approval on every aspect of their plan. This is the first company that will attempt to build in South Tech Industrial Park under the new zoning regulations for the Austin Road development area. Plan approval is recommended prior to this contract being executed. The second condition is based on the City's purchase of 90 acres at South Tech Industrial Park a number of years ago. The City has master planned the 90 acres, and in order for the City to utilize the acreage it must extend W. Tech Boulevard. The City received the final design for that extension project this week, and must request that the buyer grant a public right-of-way to the City for the completion of the West Tech extension. The customer has been aware of this requirement since last fall when they began conversations with the City, and it is also included in the contract language being presented tonight for consideration.

**Ms. Belpulsi motioned to adopt Resolution R-07-21 based on the client, West Tech Road, LLC (AKA Crucible Steel) complying with the two conditions that staff has recommended and are included in the contract. Mr. Parise seconded the motion.**

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No discussion.

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

**ITEM 7.**

**REPORTS:**

**Mayor's Report** – Memorial Day will be observed on Monday, May 28; whereby, the City offices will be closed. The Memorial Day Parade will take place on Monday, May 28 on S. Main Street beginning at 2:00PM and will proceed to Wade Field, followed by refreshments at the elementary school cafeteria. Walden Storie, a Korean War Veteran and a Purple Heart Recipient, will be Grand Marshal of this year's Memorial Day Parade. The next City Council Work Session will be held on Thursday, June 7, 2007 at 6:00 PM in Council Chambers, as scheduled. The next City Council Regular Meeting will be held on Thursday, June 7, 2007 at 7:00 PM in Council Chambers, as scheduled. In addition, an Audit Committee Meeting will be held on Thursday, June 7 at 5:30 PM in Council Chambers.

In addition, Mayor Agenbroad commented that City Council received the annual water and sewer rate survey through the City Manager's Office, and noted that even with over \$30M of investments in the City's water and newly expanded sewer plants over the past few years, the City's combined rate for water and sewer charged to residents is in the lower third of rates charged by over 65 jurisdictions in the region. The survey showed a high in the combined water and sewer rates of \$253.20 for 22,500 gallons of water used; Springboro's rate is \$168.18 for the same amount. For water alone, the high is \$137.85; Springboro's high is \$83.76. For sewer alone, the high is \$152.85; Springboro's high is \$84.42. Mayor Agenbroad commented that the City has done a good job managing their rates and improving infrastructure for water and sewer.

Mayor Agenbroad also commented that the Springboro Community School District has brokered a deal with Miami Valley Hospital, which will mean major upgrades to the athletic stadium, as featured on the local news. A 40,000 sq. ft. medical building will be built beyond the current press box next to Springboro Junior High. This is innovation, and Dr. Baker and the Board of Education and School District Staff are to be commended for looking outside the box to improve the schools. At no cost to taxpayers, artificial turf, 1,000 more seats, and a new press box will be added. The artificial turf will be installed before the first home varsity game in September of this year. In addition, locker rooms and coach offices will be located in the new medical office building. Mayor Agenbroad further commented that it is nice to have the opportunity to do what the school district has just accomplished; and they deserve kudos for their vision.

**City Manager's Report** – The City's Comprehensive Land Use Master Plan Update Project will kick-off with a subcommittee meeting on Monday, May 21 at 7:00 PM. The City consultants will work with the resident committee to review and update the plan. In addition, the City finalized the Strategic Plan review process Saturday, May 5 at Heatherwoode Golf Course. The Strategic Planning session took place between 8:00AM-4:00PM. Ms. Thompson thanked the residents who participated including Betty Bray who attends every City Council meeting. Staff will meet with the Council subcommittee to review the Strategic Planning report prepared by the consultant and determine any action plan with regard to the Strategic Plan. Ms. Thompson again thanked the residents who participated in the process, as a lot was accomplished.

Ms. Thompson announced that last year the City staff began the Springboro Friends and Family Fund in order to assist employees of the City experiencing any kind of extreme medical condition or hardship. Last year, one of the City employee's two-year old child was diagnosed with a very rare form of cancer and the medical bills and hardship that ensued from that condition were devastating for the young couple, which inspired the creation of the Springboro Friends and Family Fund last year. The fund also helped another member of the Springboro family with a funeral for a family member. The City will sponsor the second annual Friends and Family Fundraiser this year on July 6 at Heatherwoode Golf Course beginning with a shotgun start nine-hole golf tournament at 2:30PM followed by a dinner at 6:30 PM. The fundraiser includes a raffle for prizes. Ms. Thompson added that anyone who wishes to help or is interested in buying tickets for golf and/or dinner, please contact the City for information. Ms. Thompson further added that last year's event went very well, and staff hopes this year's fundraiser will be another success.

**Committee Reports –**

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**Mr. Parise** – No reports.

**Mr. Chmiel – Finance Committee** – The Finance Committee met tonight at 5:30 PM in Council Chambers and found all funds to be in order and operating properly. The Finance Committee meeting scheduled for June 21 has been canceled in order for the Audit Committee to meet on June 7 at 5:30 PM in Council Chambers to review the 2006 Audit.

**Planning Commission** – The Planning Commission held their Work Session on Wednesday, May 9, 2007 at 7:00 PM in Council Chambers and reviewed the following item: Final Development Plan - Village Park Planned Unit Development-Mixed Use, proposed retail building. The next Planning Commission Regular Meeting will be held on Wednesday, May 31 at 7:00 PM in Council Chambers.

**Ms. Lairson** – Ms. Lairson Thanked the state foresters who came to Springboro on Tuesday, May 8 to present information at the City's Emerald Ash Borer Information Night held at Heatherwoode Golf Course for the community. Some residents from the City as well as the Township attended, some very good questions were asked, and a lot of information was shared. In light of the upcoming Memorial Day weekend, Ms. Lairson cautioned everyone that moving firewood across county and state lines has been restricted and urged everyone not to move firewood.

**Mr. Anderson** – Mr. Anderson excused himself from the meeting at approximately 7:40PM.

**Ms. Belpulsi** – No reports.

**ITEM 8. OTHER BUSINESS.** No Other Business.

**ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS.** No Final Council or Manager Comments.

**ITEM 10. GUEST COMMENTS.** No Guest Comments.

**ITEM 11. EXECUTIVE SESSION.** No Executive Session.

**ITEM 12. ADJOURNMENT.** Mayor Agenbroad thanked the MVCC for tonight's telecast and eventual rebroadcast of this Springboro City Council Meeting. In addition, Mayor Agenbroad wished everyone a happy, safe, and enjoyable Memorial Day weekend. Mayor Agenbroad urged everyone to thank a Veteran, and to hug a World War II Veteran because they are truly the greatest generation of all time and in five to ten years they will all be gone.

**Ms. Belpulsi motioned to adjourn the meeting; whereby, the Thursday, May 17, 2007 Springboro City Council Regular Meeting was adjourned at approximately 7:45 PM. Ms. Lairson seconded the motion.**

No discussion.

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

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John Agenbroad, Mayor

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Presiding Officer

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Lori A. Martin, Clerk of Council