

**CITY OF SPRINGBORO
320 W. CENTRAL AVENUE, SPRINGBORO, OH**

CITY COUNCIL WORK SESSION

THURSDAY, MARCH 3, 2011

6:00 PM

COUNCIL

John Agenbroad, Mayor

Tom LaDu, Deputy Mayor Marie Belpulsi

Jim Chmiel Sheila Lairson

Bruce Moore David Vomacka

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager

Alan Schaeffer, Law Director

Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Work Session to order on Thursday, March 3, 2011 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Ave., Springboro, Ohio.

ITEM 2. ATTENDANCE. Council: Mr. LaDu was absent. Staff: Ms. Thompson, Mr. Pozzuto, Police Chief Kruithoff, Mr. Montgomery, and Ms. Martin were present. Law Director Alan Schaeffer was absent. David Montgomery served as Acting Law Director in Mr. Schaeffer's absence.

ITEM 3. LEGISLATIVE AGENDA. –Six legislative agenda items were reviewed for the March 3 Regular Meeting.

1) **EMERGENCY ORDINANCE: SECOND READING.** AN ORDINANCE AMENDING FEES AND RATES FOR MONTHLY TRASH COLLECTION, THEREBY AMENDING APPENDIX A OF CHAPTER 1464 OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO; REPEALING THE INCREASE TO THE CITY'S WATER AND WASTEWATER SERVICE CHARGES BASED ON THE INFLATIONARY INDEX AS AUTHORIZED BY SECTION 1464.04, APPENDIX A, OF CHAPTER 1464 OF THE CODIFIED ORDINANCES, REPEALING ANY INCREASE IN WATER AND WASTEWATER RATES OTHERWISE PREVIOUSLY AUTHORIZED FOR IMPLEMENTATION IN 2011, 2012 AND 2013 AND IN LIEU OF ALL SUCH INCREASES, INCREASING THE CITY'S WATER RATES AND WASTEWATER RATES EFFECTIVE APRIL 1, 2011, JANUARY 1, 2012 AND JANUARY 1, 2013; AND AMENDING PART TEN-STREETS, UTILITIES AND PUBLIC SERVICES, TITLE FOUR-UTILITIES, CHAPTER 1050 STORM WATER, SECTION 1050.03 RATES AND COLLECTION OF CHARGES AND DECLARING AN EMERGENCY.

No discussion.

2) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE DETERMINING TO PROCEED WITH IMPROVEMENTS TO CERTAIN PROPERTY IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO, AS DESCRIBED IN RESOLUTION NO. R-11-05 AND DECLARING AN EMERGENCY. (2011 SIDEWALK/DRIVEWAY APRON PROGRAM)

No discussion.

- 3) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE DIRECTING THE APPROPRIATION OF A FEE SIMPLE INTEREST IN CERTAIN REAL ESTATE FOR THE PURPOSE OF ESTABLISHING AND WIDENING A PUBLIC ROAD AND DECLARING AN EMERGENCY.

It has been requested that the second and third readings of this legislation be waived in order to ensure that the construction time schedule for this roadway improvement is not impeded.

There were no objections to this request.

Council will consider a motion at tonight's Regular Meeting to waive the second and third readings of this ordinance.

- 4) **ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, AND REZONING APPROXIMATELY 0.36 ACRES OF LAND LOCATED AT 10 FAIRWAY DRIVE, FROM O-R, OFFICE-RESIDENTIAL DISTRICT, TO PUD-O, PLANNED UNIT DEVELOPMENT-OFFICE.

No discussion.

- 5) **RESOLUTION:** A RESOLUTION ENDORSING THE NEED FOR THE REAUTHORIZATION OF A MULTI-YEAR FEDERAL SURFACE TRANSPORTATION PROGRAM.

No discussion.

- 6) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE, EXECUTE AND THEREBY RATIFY A PURCHASE AGREEMENT WITH TOMCO MACHINING, INC.

No discussion.

ITEM 4. CITY MANAGER. –Issues/Reports.

Snow Report: *Ms. Thompson reported on the cost of snow removal this year. The City had 25.5 inches of snow and 2,191 hours were spent removing snow by employees at a cost of \$50,000. The City spent \$134,000 on salt and drove 13,300 miles to remove the snow. Fuel costs were \$9,700. The total cost for snow removal this year was \$193,242.00. Last year the City had 36.25 inches of snow resulting in a total cost of \$279,665 in salt, fuel, etc. The higher amount spent last year was primarily due to the high cost of salt at \$145 per ton. Ms. Thompson stated that she has spoken with the Public Works Director about the current high fuel rates and is concerned about the budget in this area. Ms. Thompson informed Council that staff is looking into the City's fuel price with the vendor, but a supplemental appropriation might be necessary to increase the fuel budget for 2011 if prices continue to increase. The fuel budget for 2011 had been reduced based on fuel expenditures in 2010 coming in under budget.*

Ms. Belpulsi asked if a comparison had been done based on how many overtime hours were worked for snow removal this year versus last year.

Ms. Thompson stated that this year 2,191 hours were worked compared to 2,326 hours worked last year. Ms. Thompson further stated that there was more snow last year, but there must have been more ice this year because the City used 1,761 tons of salt last year and 2,069 this year.

Ms. Belpulsi asked if the roads were pre-treated last year. Ms. Thompson answered yes, the roads were pre-treated last year.

Mayor Agenbroad asked what the average cost for salt was this year. Ms. Thompson answered that the approximate cost for salt this year was \$65 per ton.

Mr. Vomacka asked if a supplemental appropriation for fuel was necessary, would it be presented in the form of an emergency ordinance. Ms. Thompson answered yes, it most likely would be.

Dayton Development Coalition Fly-in: Ms. Thompson shared with Council that she and Mr. Pozzuto went to a meeting on Tuesday at Warren County, and they have been trying to encourage Warren County to proceed in the direction of a fly-in. The meeting discussion turned toward developing a coalition. Warren County is changing and growing, and from an economic development perspective, it seems as though looking into the availability of programs to aid Warren County is a good idea. Ms. Thompson stated that the group began to talk about what the purpose would be if a coalition was formed, and what the goals and focus would be. Ms. Thompson stated that the Dayton Development Coalition has many sub-categories they focus on including transportation, economic development, and more.

Ms. Belpulsi stated that the Dayton Development Coalition goes to Washington to lobby for federal funds. Ms. Belpulsi asked what kind of funds Warren County usually receives that would give them a reason to go to Washington and what the benefit would be.

Mr. Vomacka stated that Dayton typically gets together with jurisdictions and decides on a list of projects they want to pursue. There are all different types of projects that may be considered.

Ms. Thompson stated that the Coalition would go to Washington as a County to present projects as a whole in order to have one voice to push for the most necessary projects.

Ms. Belpulsi stated that she never saw Warren County as an area that received a great deal of federal funds.

Ms. Thompson stated that there are areas of Warren County that do receive these funds; Mason has been a recipient of a large amount of federal dollars in the past. Ms. Thompson further stated that there are currently three projects that the County is trying to get funded. These projects are Fields Ertel Road, Western Row Road, and the State Route 73 Northbound Ramp. These would be the three projects that the Warren County TID would take to Washington and identify as projects the County had agreed funding is needed to complete.

Warren County Transportation Improvement District (TID): Ms. Thompson stated that the Warren County Commissioners have passed legislation to establish the Warren County TID. There are no specifics for the district yet except for identifying the three projects to focus on. As mentioned above, the projects are Fields Ertel Road, Western Row Road, and the State Route 73 Northbound Ramp. Ms. Thompson further stated that to be able to champion the projects and have an organization behind you to pursue federal and state dollars is great. There is no monetary commitment yet and the organizational meetings are still ongoing. Ms. Thompson continued by stating that she has been asked to serve on the Board of Commissioners for the TID. Mason, Deerfield Township, Warren County Engineer Neil Tunison, and Attorney Rusty Sherman have also been asked to serve on the Board. Ms. Thompson asked that Council consider a motion to allow her to be authorized to represent the City on the Board, which would ensure there would be a voice for Springboro when projects were being discussed.

Council will consider a motion at tonight's Regular Meeting to allow Ms. Thompson to serve on the Board of Commissioners for the Warren County Transportation Improvement District.

Community Survey: Ms. Thompson sent a copy of the Community Survey to Council for review. Mr. Pozzuto commented that the survey will be mailed to 1,250 residents randomly in mid to late March.

Ms. Thompson stated that this survey will be beneficial, as it is the same survey that was completed by residents three years. This follow-up survey will allow the City to see the areas it has improved in and the areas that need to be focused on.

Mr. Pozzuto stated that only three changes have been made to the survey. Mr. Pozzuto explained that questions were added regarding E. Milo Beck Park, the new leaf collection program, and the new recycling program. The park and leaf and recycling programs were not established at the time of the original survey.

Casualty and Property Loss Insurance: The City is doing a RFP/RFQ to review the City's casualty and property loss insurance. There is no record of a casualty and property loss insurance review for the past twenty years. Ms. Thompson stated that she feels there is a need to take a look at what the City is paying for and what it is getting in return. This insurance covers the golf course, buildings, vehicles, etc.

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

Calendar Update: Ms. Martin reported that Marty Heide, Warren County Outreach Coordinator for the 3rd U.S. District, will be in the Community Room on Friday, March 25, 2011 from 1:00 to 2:00 PM conducting office hours representing Congressman Turner.

Springboro Chamber Business Expo: Ms. Martin reminded Council that the Annual Springboro Chamber Business Expo will take place on Saturday, March 19 from 10:00 AM to 4:00 PM at Springboro High School.

Business Appreciation Breakfast: Ms. Martin confirmed that Council received an invitation to the City's annual Business Appreciation Breakfast scheduled for Thursday, April 7 at 7:45 AM at Heatherwoode Golf Course. Council Members who wish to attend should notify Ms. Martin as soon as possible.

Amended Council Meeting Schedule for April: Ms. Martin stated that per the last Council Meeting there has been an amendment to the Council meeting schedule for April. On April 7, two Regular Meetings will be conducted back to back, the original April 7 meeting followed by the rescheduled April 21 meeting. On April 21, the Annual Goal Setting Session will be held in the Community Room beginning at 5:30 PM. These meeting schedule changes will be advertised.

ITEM 6. CITY COUNCIL. –Issues/Reports.

Mr. Moore – Mr. Moore will present a Tree Authority report at tonight's Regular Meeting under Committee Reports.

Mr. Chmiel – No issues/reports.

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

Ms. Belpulsi reported that the Planning Commission's action on The Springs Revision to the Approved General Plan was tabled on February 23. The Commission will continue to review the plan in Work Session and consider the plan for action again in a Formal Meeting on March 30. Assuming the Planning Commission will be prepared to vote on a recommendation on March 30, Ms. Belpulsi asked Council if it would be acceptable for citizen comments to be heard on April 7 during the first of the two Regular Meetings to be held that night. If the Planning Commission does have a recommendation, Council would hear the recommendation and take action on it during the second Regular Meeting on April 7 (the rescheduled meeting of April 21). This would ensure that the developer would not be held up any further and residents would still have an opportunity to comment.

Council agreed to allow citizens to comment during the first Regular Meeting on April 7 and hear the recommendation of the Planning Commission during the second Regular Meeting on April 7.

Ms. Belpulsi also stated that she will present a notice for liquor license at tonight's Regular Meeting under Other Business.

Mr. Vomacka – *Mr. Vomacka will present an Architectural Review Board report at tonight's Regular Meeting under Committee Reports.*

Ms. Lairson – *No issues/reports.*

Mayor Agenbroad – *Mayor Agenbroad stated that in addition to Ms. Belpulsi's motion regarding a notice for a liquor license and a motion authorizing Ms. Thompson to sit on the Board of the Warren County Transportation Improvement District, Council will need to consider a motion to extend the sixty-day moratorium on Internet Cafés. In addition, Mayor Agenbroad stated that a motion would be in order, based on the Planning Commission's recommendation, to proceed with a Public Hearing on Thursday, April 7, 2011 beginning at 7:00 PM in Council Chambers regarding a request to rezone approximately 2.43 acres of land located at 945 West Central Avenue — situated on the southwest corner of West Central Avenue and Sharts Road— from ED, Employment Center District, to B-1, Highway Business District.*

ITEM 7. ADJOURNMENT. *With no further discussion, Mayor Agenbroad adjourned the March 3, 2011 City Council Work Session at approximately 6:21 PM*

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

CITY COUNCIL REGULAR MEETING

THURSDAY, MARCH 3, 2011

7:00 PM

COUNCIL

John Agenbroad, Mayor
Tom LaDu, Deputy Mayor Marie Belpulsi
Jim Chmiel Sheila Lairson
Bruce Moore David Vomacka

CITY STAFF

Chris Thompson, City Manager
Chris Pozzuto, Assistant City Manager
Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, March 3, 2011 at 7:00 PM in Council Chambers at the Springboro Municipal 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; Belpulsi, Present; Chmiel, Present; LaDu, Absent; Lairson, Present; Moore, Present; Vomacka, Present. Staff: Ms. Thompson, Mr. Pozzuto, Police Chief Kruihoff, David Montgomery, who served as Acting Law Director in Mr. Schaeffer's absence, and Ms. Martin were present.

Ms. Belpulsi motioned to excuse Mr. LaDu from tonight's Council Meetings. Mr. Vomacka seconded the motion.

No discussion.

VOTE: Lairson, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes. [6-0]

PUBLIC HEARING

A PUBLIC HEARING WAS HELD BEFORE THE CITY COUNCIL OF THE CITY OF SPRINGBORO, OHIO AT 7:00 P.M. ON THURSDAY, MARCH 3, 2011 TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO. THE PUBLIC HEARING TOOK PLACE IN COUNCIL CHAMBERS AT THE CITY OF SPRINGBORO MUNICIPAL BUILDING, 320 WEST CENTRAL AVENUE (SR 73).

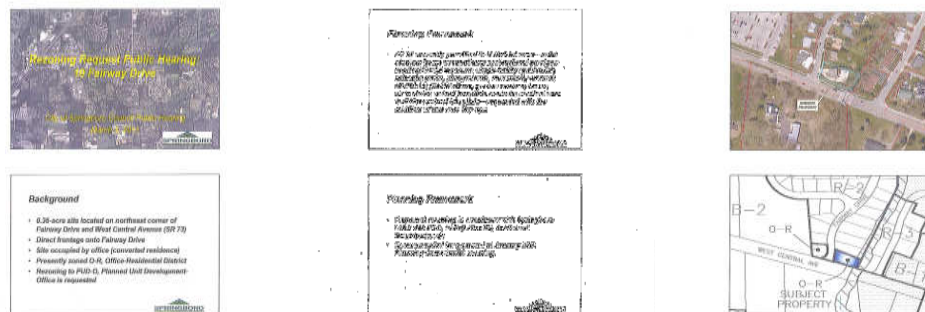
PUBLIC HEARING: THIS PUBLIC HEARING WAS IN REGARDS TO A RECOMMENDATION FROM THE SPRINGBORO PLANNING COMMISSION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO AND REZONE APPROXIMATELY 0.36 ACRES OF LAND LOCATED AT 10 FAIRWAY DRIVE—SITUATED ON THE NORTHEAST CORNER OF FAIRWAY DRIVE AND WEST CENTRAL AVENUE—FROM O-R, OFFICE-RESIDENTIAL DISTRICT, TO PUD-O, PLANNED UNIT DEVELOPMENT-OFFICE.

THIS PUBLIC HEARING WAS BEING HELD IN ACCORDANCE WITH CHAPTER 1284 (AMENDMENTS) OF THE CITY'S PLANNING AND ZONING CODE. THE PUBLIC HEARING WAS LIMITED TO 30

MINUTES; 15 MINUTES RESERVED FOR THE OPPONENTS, AND 15 MINUTES RESERVED FOR THE PROPONENTS.

MAYOR AGENBROAD STATED THAT IN KEEPING WITH PROTOCOL, COUNCIL WILL BEGIN BY HEARING PROPONENTS FOLLOWED BY OPPONENTS. MAYOR AGENBROAD INVITED ANY PROPONENTS THAT WISHED TO BE HEARD TO PLEASE COME TO THE PODIUM AND STATE THEIR NAME AND ADDRESS FOR THE RECORD AND MAKE THEIR COMMENTS ACCORDINGLY.

BEFORE PROPONENTS WERE HEARD, CITY PLANNING CONSULTANT DAN BORON PROVIDED BACKGROUND INFORMATION REGARDING THE PUBLIC HEARING AS FOLLOWS: (A COPY OF THE PRESENTATION HANDOUT IS FILED WITH THE MINUTES FOR THE RECORD AND APPEARS BELOW.) THE PROPERTY IS APPROXIMATELY A THIRD OF AN ACRE IN AREA AND IS LOCATED ON THE NORTHEAST CORNER OF FAIRWAY DRIVE AND W. CENTRAL AVENUE ABOUT THREE BLOCKS EAST OF THE CITY BUILDING. THIS PROPERTY HAS FRONTAGE ON FAIRWAY DRIVE AND IS PRESENTLY OCCUPIED BY A SINGLE FAMILY RESIDENCE THAT WAS CONVERTED SOME TIME AGO TO AN OFFICE BUILDING THAT IS CURRENTLY USED AS A LAW OFFICE. THE PRESENT ZONING ON THE PROPERTY, WHICH DATES BACK TO 2002, IS O-R, OFFICE RESIDENTIAL, AND THE PROPOSED ZONING IS TO PUD-O, PLANNED UNIT DEVELOPMENT OFFICE, AT THE REQUEST OF THE APPLICANT, WHO IS IN ATTENDANCE TONIGHT. WHAT IS PROPOSED AS PART OF THIS PLANNED UNIT DEVELOPMENT—OFFICE ARE ALL 13 USES PRESENTLY PERMITTED IN THE O-R DISTRICT AND ON THIS SITE TODAY. IN ADDITION TO THOSE USES, THERE IS ONE USE THAT IS BEING REQUESTED, A DAY SPA, WHICH IS THE USE THAT THE APPLICANT OR THEIR PROSPECTIVE TENANT OR BUYER IS INTERESTED IN USING ON THE SITE. THE PROPOSED REZONING IS CONSISTENT WITH THE LAND USE PLAN, WHICH WAS ADOPTED IN APRIL OF 2009 POLICY AREA 2, THE NORTHWEST NEIGHBORHOODS, WHICH CALLS FOR A BUFFER AREA OR AN AREA OF TRANSITION FROM RESIDENTIAL TO NON-RESIDENTIAL USES TO THE NORTH OFF THE STATE ROUTE 73 CORRIDOR. THIS RECOMMENDATION WAS APPROVED BY THE PLANNING COMMISSION ON JANUARY 26, 2011. MAPS SHOWING THE RELATIVE LOCATION OF THE PROPERTY ARE INCLUDED IN THE HANDOUT. THE AERIAL SHOWS THE DEVELOPMENT SITE ALONG WITH THE PARKING AREA TO THE EAST. ALSO SHOWN ARE ZONING DISTRICTS RELATIVE TO THE SITE, WHICH ARE R-2, A LOW DENSITY RESIDENTIAL ZONING TO THE NORTH, R-3, MULTI-FAMILY RESIDENTIAL DEVELOPMENT TO THE EAST, AND B-2 ZONING TO THE SOUTH AND WEST. THERE IS ALSO AN AREA OF O-R ACROSS THE STREET, WHICH IS A LAW OFFICE ON THE WEST SIDE OF THE INTERSECTION OF FAIRWAY DRIVE AND W. CENTRAL AVENUE. MR. BORON OFFERED TO ANSWER ANY QUESTIONS OF COUNCIL.



THERE WERE NO QUESTIONS/COMMENTS OF COUNCIL.

PROPONENTS:

- 1) CHRIS CORNYN, PROPERTY OWNER AND APPLICANT, 10 FAIRWAY DRIVE, SPRINGBORO – MR. CORNYN COMMENTED THAT HE WOULD DEFER TO MR. BORON'S COMMENTS, AS HE HAS STATED THE REZONING ACCURATELY. MR. CORNYN FURTHER COMMENTED THAT

HE IS REQUESTING THAT THE REZONING APPLICATION BE GRANTED. MR. CORNYN OFFERED TO ANSWER ANY QUESTIONS.

THERE WERE NO QUESTIONS OF COUNCIL.

2) JAMES BOYS, 20 FAIRWAY DRIVE (NEXT DOOR TO THE PROPERTY PROPOSED TO BE REZONED), SPRINGBORO – MR. BOYS COMMENTED THAT HE WAS HERE NEITHER TO OPPOSE NOR BE A PROPONENT OF THE REZONING. MR. BOYS FURTHER COMMENTED THAT HE WANTED, FOR THE RECORD, TO MAKE A QUICK STATEMENT. MR. BOYS STATED THAT HE AND MR. CORNYN HAVE BEEN ABLE TO COME TO AN AGREEMENT ON HOW THEY WILL HANDLE THIS SITUATION, BUT IT HAS BEEN A DIFFICULT SITUATION THEY HAVE BEEN PUT IN AND HE IS NOT SURE THEY NECESSARILY NEED TO BE WHERE THEY ARE TONIGHT, BUT, NONE THE LESS, THEY ARE WHERE THEY ARE. MR. BOYS FURTHER STATED THAT HE CERTAINLY HOPES THIS WILL CLOSE THE DOOR ON THIS ISSUE AND THAT THEY WILL NOT HAVE FURTHER REZONING ISSUES TO DEAL WITH IN THE FUTURE ON THIS PROPERTY, AS THE PROPERTY OWNER NEXT DOOR. MR. BOYS ADDED THAT CHRIS CORNYN HAS BEEN A GREAT NEIGHBOR AND THERE ARE NO ISSUES THERE WHATSOEVER, BUT HE DOES HOPE THEY ARE DONE WITH THIS CHAPTER AND DO NOT HAVE TO COME BACK AND TALK ABOUT IT AGAIN. MR. BOYS THANKED COUNCIL FOR THEIR TIME.

MAYOR AGENBROAD THANKED MR. BOYS AND STATED THAT HE APPRECIATED ALL OF THE HARD WORK EVERYONE HAS PUT INTO THIS ENDEAVOR.

NO OTHER PROPONENTS CAME FORWARD.

OPPONENTS:

NO OPPONENTS CAME FORWARD.

MAYOR AGENBROAD CLOSED THE PUBLIC HEARING AT APPROXIMATELY 7:06 PM.

ITEM 4. **APPROVAL OF MINUTES:** THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF FEBRUARY 17, 2011.

Mr. Moore motioned to approve the Minutes of the City Council Work Session and Regular Meeting of February 17, 2011, as submitted. Ms. Lairson seconded the motion.

No corrections.

VOTE: Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes. [6-0]

ITEM 5. **PRESENTATIONS:** No presentations.

ITEM 6. **LEGISLATION:** City Council held a Work Session at 6:00 PM tonight for approximately 21 minutes to discuss the following legislation as well as other City business.

- 1) **EMERGENCY ORDINANCE: SECOND READING.** "AN ORDINANCE AMENDING FEES AND RATES FOR MONTHLY TRASH COLLECTION, THEREBY AMENDING APPENDIX A OF CHAPTER 1464 OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO; REPEALING THE INCREASE TO THE CITY'S WATER AND WASTEWATER SERVICE CHARGES BASED ON THE INFLATIONARY INDEX AS AUTHORIZED BY SECTION 1464.04, APPENDIX A, OF CHAPTER 1464 OF THE CODIFIED ORDINANCES, REPEALING ANY INCREASE IN WATER AND WASTEWATER RATES OTHERWISE PREVIOUSLY AUTHORIZED FOR IMPLEMENTATION IN 2011, 2012 AND 2013 AND IN LIEU OF ALL SUCH

INCREASES, INCREASING THE CITY'S WATER RATES AND WASTEWATER RATES EFFECTIVE APRIL 1, 2011, JANUARY 1, 2012 AND JANUARY 1, 2013; AND AMENDING PART TEN-STREETS, UTILITIES AND PUBLIC SERVICES, TITLE FOUR-UTILITIES, CHAPTER 1050 STORM WATER, SECTION 1050.03 RATES AND COLLECTION OF CHARGES AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the second reading of an ordinance to amend fees and rates for water and sewer utilities and trash collection service and storm water utility. This Finance Committee and City Staff have worked on this legislation proposing to increase the water and sewer rates for a number of months along with Members of Council. Ms. Thompson made the following slide presentation:

<p>Water / Sewer Rates</p> <p>Why are rates being increased?</p> <ul style="list-style-type: none"> *Population growth from 5,000- over18,000 residents from 1989-present *Water plant construction = \$14M *Sewer plant construction = \$18M <ul style="list-style-type: none"> *Unfunded state mandates *Unfunded federal requirements <ul style="list-style-type: none"> * General inflation <p>For questions please contact the City at 937-748-4343 and the Utility Department will be able to assist you in answering questions concerning your bill.</p>	<p>When will the new rates be effective?</p> <ul style="list-style-type: none"> *The new rates will become effective on April 1, 2011 <p>How do the new rates effect me ?</p> <ul style="list-style-type: none"> *75% of all water and sewer customers use 5000 gallons of water or less per month <ul style="list-style-type: none"> * at 5000 gallons per month the increase will result in an \$8.62/ per month increase the first year; \$13.90 /per month increase in year 2; and a \$7.89 /per month increase the 3rd year. 	<p>What will the City do to minimize the rate increase ?</p> <ul style="list-style-type: none"> * the storm water utility monthly fee of \$3.00 will be waived thru the remainder of 2011 and reduced by \$1.00 per month thru 2013 <ul style="list-style-type: none"> * each customer will receive a \$1.00 per month reduction on their trash fee for the next 3 years * no cost of living increase for water and sewer for the next 3 years
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Ms. Thompson also commented that a resident recently inquired about a sewer reduction for the summer months and she was able to answer that question by sharing the calculation the City utilizes to grant that reduction i.e. when a resident waters the grass in the summertime, the sewer rate is based on the water usage, not on the water being absorbed into the ground. Therefore, in the summer months, residents do receive a reduction for the water that is not going into the sewer system, but is being absorbed into the

ground. The third reading of this legislation will be held at the Council Meeting on Thursday, March 17. Mr. LaDu, as Chair of the Finance Committee, may have some additional comments at that time.

Mayor Agenbroad thanked Ms. Thompson for her comments and information.

No action required at this time.

- 2) **EMERGENCY ORDINANCE: FIRST READING.** "AN ORDINANCE DETERMINING TO PROCEED WITH IMPROVEMENTS TO CERTAIN PROPERTY IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO, AS DESCRIBED IN RESOLUTION NO. R-11-5 AND DECLARING AN EMERGENCY. (2011 SIDEWALK/DRIVEWAY APRON PROGRAM)," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the first reading of an ordinance to proceed with the 2011 Sidewalk/Driveway Program. The resolution of necessity for this program was passed on February 3, 2011 and this ordinance allows the City to proceed with the improvements. The streets affected this year are Northbrook Court, Ambridge Court, Brookside Drive, Greenleaf Village Drive, Royal Birkdale Drive, portions of Deer Trail Drive, Elkins Drive, Pleasant Valley Drive, and Angel Court. The cost of the improvements is \$7.00 per s.f. for sidewalks and \$8.00 per s.f. for driveway aprons. The price difference is due to the fact that driveway aprons are 2" deeper than sidewalks and require more concrete. This year's prices are consistent with past prices. The City's Engineering Department has marked all of the locations in need of replacement.

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

No action required at this time.

- 3) **ORDINANCE O-11-5: FIRST READING.** "AN ORDINANCE DIRECTING THE APPROPRIATION OF A FEE SIMPLE INTEREST IN CERTAIN REAL ESTATE FOR THE PURPOSE OF ESTABLISHING AND WIDENING A PUBLIC ROAD AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the first reading of an ordinance to appropriate certain land located at 325 East Central Avenue near Hillspring of Springboro for public road purposes. This ordinance will appropriate a fee simple interest in some real estate for the City to widen E. Central Avenue near Hillspring Health Center. This notice of intent to acquire will make a good faith effort to purchase the property that is necessary for the improvements. The appraised amount for the property is \$17,250. The City will revert to an eminent domain take in order to complete the project if necessary, but have been negotiating with Hillspring, and according to the Law Director's office, will most likely be able to reach an agreement without exercising eminent domain.

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

As discussed at the Work Session, staff has requested that Council waive the second and third readings of this ordinance in order to meet certain notification requirements.

Mr. Chmiel motioned to suspend the rules and waive the second and third readings of this ordinance. Mr. Vomacka seconded the motion.

No discussion.

VOTE: Lairson, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes. (6-0)

Ms. Belpulsi motioned to adopt Ordinance O-11-5. Ms. Lairson seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes. [6-0]

- 4) **ORDINANCE: FIRST READING.** "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, AND REZONING APPROXIMATELY 0.36 ACRES OF LAND LOCATED AT 10 FAIRWAY DRIVE, FROM O-R, OFFICE-RESIDENTIAL DISTRICT, TO PUD-O, PLANNED UNIT DEVELOPMENT-OFFICE," was read by the Clerk of Council. Mr. Boron's comments are summarized as follows:

This is the first reading of an ordinance to rezone approximately 0.36 acres of land located at 10 Fairway Drive from O-R, Office-Residential District, to PUD-O, Planned Unit Development-Office. This ordinance was the subject of the Public Hearing at the beginning of tonight's meeting. This is a request by the applicant, property owner Chris Cornyn, to rezone the property from O-R to PUD-O. One use, "day spa," has been added to the array of uses already permitted on the site, which is the O-R District and the 13 uses associated with it.

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

No action required at this time.

- 5) **RESOLUTION R-11-11:** "A RESOLUTION ENDORSING THE NEED FOR THE REAUTHORIZATION OF A MULTI-YEAR FEDERAL SURFACE TRANSPORTATION PROGRAM," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution endorses the need for the reauthorization of a multi-year federal surface transportation (STP) program. Basically, this legislation allows the City to insure that all of the revenues that tax payers pay to the Highway Trust Fund are actually used for highway and transit programs and projects. The City requests approval to be able to support the continuance of that initiative.

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

Mr. Vomacka motioned to adopt Ordinance R-11-11. Ms. Lairson seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes. [6-0]

- 6) **RESOLUTION R-11-12:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE, EXECUTE AND THEREBY RATIFY A PURCHASE AGREEMENT WITH TOMCO MACHINING, INC.," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes the City Manager to negotiate, execute and ratify a purchase agreement with Tomco Machining, Inc. This legislation would authorize the City Manager to execute a contract to sell 2.4573 acres of City owned land at South Tech Business Park to Tomco Machining Company in the amount of \$75,000. Tomco is a precision parts manufacturer that is currently residing in Dayton and wishes to locate in Springboro. They are proposing to build a new building on that land to house approximately 20 employees and hope to grow by an additional 15 employees during their time here in Springboro. The City is excited about selling this property because the property has a gas line running through the middle of it creating some difficulty, but they were able to fit a building footprint adequately on the property. Included in the contract is the "right of first refusal" clause, which allows the City to buy back the property if the property does not develop as Tomco proposes. Staff encourages and asks for approval of this resolution.

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

Ms. Belpulsi motioned to adopt Ordinance R-11-12. Mr. Vomacka seconded the motion.

No discussion.

VOTE: Lairson, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes. [6-0]

- ITEM 7. REPORTS: Mayor's Report** – The Springboro Chamber Business Expo will be held on Saturday, March 19, 10:00 AM-4:00 PM at Springboro High School. The 3rd U.S. District Office Hours will be held on Friday, March 25, 1:00-2:00 PM in the Community Room. The next City Council Work Session and Regular Meeting will be held on Thursday, March 17, 2011 beginning with the Work Session at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers, as scheduled. In addition, the Finance Committee will meet on Thursday, March 17 at 5:30 PM in Council Chambers.

City Manager's Report – Ms. Thompson reported that this year the City had 25.5 inches of snow and 13,300 miles were driven. As reported in the Work Session, the total cost for the City to plow snow this year was \$192,000 encompassing \$134,000 for salt, \$9,700 for fuel, and \$50,000 for overtime. The grand total of \$193,000 was lower than last year, which was over \$250,000 primarily due to the cost of salt which was \$142 per ton; salt was approximately \$65 per ton.

At this time, Mr. Pozzuto reported that in 2008 the City conducted its first community wide citizen satisfaction survey administered by Miami University. They recommended conducting a follow up survey every three to four years, and 2011 is the three-year mark. Staff has contacted Miami University to conduct another community wide citizen satisfaction survey, and they hope to have the survey mailed to citizens by the end of March. Mr. Pozzuto encouraged citizens who receive the survey to complete and return it. The survey will be mailed to 1,250 residents randomly. Mr. Pozzuto explained that a computer randomly selects addresses from a list provided through the City's utility accounts. The City does look at the survey results and will provide those to Council; the report should be issued in July. During the last survey, the City had a 40% response rate, which is excellent. A 15-20% response rate is typical and they consider that good. Mr. Pozzuto commented that the City hopes to have the same response rate this time around because the City really does look at the results and uses the information for future decisions. Again, the survey will be sent mid to late March; if you receive a survey, please take the time to fill it out and send it back.

Committee Reports –

Mr. Vomacka – Architectural Review Board – The Architectural Review Board met on Monday, February 21 and approved a sign at 55 N. Main Street for Caleho Dental, a new dentist locating in Springboro. The Board also had an extended discussion in regard to exactly what needs to be done at the Null Log Cabin and how to go about working with both the Historical Society and the City to get that structure properly restored. The next Architectural Review Board meeting will be held on Monday, March 14 at 6:00 PM in Council Chambers.

Ms. Lairson – Community Service Board – Ms. Lairson commented that Sean Acrey, a local youth pastor, is leading a project called "Love Your City" day. Ms. Lairson explained that it is an area-wide project and Mr. Acrey is looking for projects for volunteers. They have over 300 volunteers, some teenagers and some adults, who pull together that day to make their City more beautiful. Projects can be City projects or individual projects for residents. Anyone in the community that might need volunteer help with a project should please contact Mr. Avery at 748-2670. A letter explaining the project and how to contact Mr. Avery will also be posted on the City's website.

Mr. Moore – Tree Authority – Mr. Moore reported that on Monday, February 28 a Tree City Awards banquet was held and attend by Mayor Agenbrood and City Manager Chris Thompson. It is very significant that the City has a Tree Authority and each member has graduated from the Tree Commission Academy. The academy is an extensive study of beautification and trees in the area and there is a lot more science involved than what people understand regarding trees in the community such as where they go, types of soils, what kind of trees go where, safety and functionality, diseases of trees, which trees should come down and which should stay in place as well as insect infestations, etc. Again, there is a lot of training involved and each of the City's Tree Authority Members has graduated their senior year from the academy. Mr. Moore commented that he is the only undergrad, but has just completed his sophomore year in the academy with only year on City Council. Mr. Moore congratulated the Members of the Tree Authority and thanked them very much for all they have done and their efforts to complete the extensive home work and lab work following the classes. The City will be honoring the graduates by presenting their senior certificates at the City Council Meeting on May 7. Tree Authority Member Chris Pearson will officiate that ceremony and we look forward to the presentation.

Mr. Chmiel – No reports.

Ms. Belpulsi – Planning Commission – The Planning Commission met on Wednesday, February 23 in Formal Meeting to consider the following items: A Sign Approval – 55 N. Main Street, which was recommended for approval by the Architectural Review Board. An Application for Rezoning – 945 West Central Avenue (SR 73), ED, Employment Center, to B-1, Highway Business District. The Commission recommended that Council set a public hearing for this rezoning application. A Revision to the Approved General Plan – The Springs PUD, Planned Unit

Development. The Commission heard a lot of discussion regarding the Revision to the Approved General Plan for The Springs Subdivision and tabled any action on that plan. The subdivision's developer will attend the Work Session next Wednesday, March 9 to further discuss the development.

ITEM 8. OTHER BUSINESS. Under Other Business, the following motions were made:

Based on Staff's request, Council will proceed with a motion to extend the 60-day moratorium on the acceptance of an application for zoning compliance to the City of Springboro for internet café establishments or any similar use as declared by City Council under Resolution No. R-11-7 on February 3, 2011 by 30 days.

Ms. Belpulsi motioned to extend the 60-day moratorium on the acceptance of an application for zoning compliance to the City of Springboro for internet café establishments or any similar use as declared by City Council under Resolution No. R-11-7 on February 3, 2011 by 30 days. Mr. Vomacka seconded the motion.

No discussion.

VOTE: Lairson, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes. [6-0]

Based on the Planning Commission's recommendation, Council will proceed with a motion to schedule a Public Hearing on Thursday, April 7, 2011 at 7:00 pm in Council Chambers for a request to rezone approximately 2.43 acres of land located at 945 W. Central Avenue in Springboro, Ohio –situated on the southwest corner of West Central Avenue and Sharts Road– from ED (Employment Center District) to B-1 (Highway Business District).

Mr. Vomacka motioned to schedule a Public Hearing on Thursday, April 7, 2011 at 7:00 pm in Council Chambers for a request to rezone approximately 2.43 acres of land located at 945 W. Central Avenue in Springboro, Ohio –situated on the southwest corner of West Central Avenue and Sharts road– from ED (Employment Center District) to B-1 (Highway Business District). Ms. Lairson seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes. [6-0]

A motion authorizing the City Manager Chris Thompson to serve on the Board of Commissioners of the Warren County Transportation Improvement District.

Mr. Vomacka motioned to authorize the City Manager Chris Thompson to serve on the Board of Commissioners of the Warren County Transportation Improvement District. Ms. Lairson seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes. [6-0]

Ms. Belpulsi presented a notice of an application for a Liquor License as follows:

A notice of an application for a new Liquor License from Ambiance Art LLC DBA Ambiance Art, 345 S. Main Street, Springboro, Ohio 45066 bearing the number 0160912. The Liquor License is for Permit D-2 – On premises consumption and carry out of wine and mixed beverages until 1:00

a.m. As always, the Springboro Police Division has completed a records check on the applicant and can find no cause for objection to this application, and recommends that City Council and the City of Springboro not express any objections and not request a hearing from the Ohio Division of Liquor Control.

Ms. Belpulsi motioned that the City Council and the City of Springboro not express any objections and not request a hearing from the Ohio Division of Liquor Control regarding this Liquor License application. Ms. Lairson seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes. [6-0]

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Referring to Legislative Item 6, Mayor Agenbroad welcomed Tomco Machining Incorporated to Springboro commenting that the City appreciates Tomco bringing their business to Springboro.

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 scheduled rebroadcasts of this Springboro City Council Meeting. Mayor Agenbroad thanked everyone in the audience this evening for attending the meeting.

Ms. Belpulsi motioned to adjourn the meeting; whereby, the Thursday, March 3, 2011 Springboro City Council Regular Meeting was adjourned at approximately 7:30 PM. Mr. Chmiel seconded the motion.

VOTE: Moore, Yes; Vomacka, Yes; Lairson, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes. [6-0]

—MEETING ADJOURNED—

John H. Agenbroad

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council