

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

**CITY COUNCIL WORK SESSION**

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THURSDAY, APRIL 2, 2009

6:00 PM

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**COUNCIL**

**John Agenbroad, Mayor**

**Jim Chmiel, Deputy Mayor**

**Marie Belpulsi**

**Sheila Lairson**

**Scott Anderson**

**Tom LaDu**

**John D. Parise**

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**CITY STAFF**

**Chris Thompson, City Manager**

**Chris Pozzuto, Assistant City Manager**

**Jeff Kruthoff, Police Chief**

**Dan Boron, City Planner**

**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 Work Session to order on Thursday, April 2, 2009 at 6:00 PM in Council Chambers at the City's temporary facility in the Dalco Building, 425 S. Pioneer Boulevard, Springboro, Ohio.

**ITEM 2. ATTENDANCE.** No absences.

**ITEM 3. PRESENTATION.** –Springboro Land Use Plan Recommendation – Land Use Planning Subcommittee.

**(A copy of the Springboro Land Use Plan – April 2009 is filed with the minutes for the record.)**

Ms. Belpulsi commented that she has worked with the Land Use Planning Committee over the last two years and they are the most dedicated residents. As Members of the Land Use Planning Subcommittee, they met numerous times and spent hundreds of hours working on this plan, and she is very proud to have worked with them. Ms. Belpulsi will formally introduce and recognize the committee members at tonight's Regular Meeting.

Suzanne Geisler introduced herself as Chair of the Park Board and began the presentation by talking about public input and the process used to develop this plan. There were four points of public input for this plan as follows: a Steering Committee, Key Person Interviews, Focus Groups, and two Public Open Houses. The Steering Committee was in charge of the planning process. The Committee started by interviewing and submitting a recommendation to hire a planning consultant to help guide the process. The Committee assisted in the design of the process to complete the plan that included meetings, structure, format, and public input. The planning process involved five parts as follows: reviewing the Existing Characteristics of each of the policy areas, the Preferred Future Characteristics, Actions and Needs, the Preferred Land Uses, Recommended Density and Open Space Requirement, and Implementation Recommendations. Once the Committee established the process, they planned the first of the Public Open Houses in April of 2008. Approximately 75 people attended, and staff, committee members, and consultants were on hand to talk to and listen to the public. The Committee encouraged written comments as well, and received a lot of input. After the first Open House, the Committee met again to review those comments and to make any revisions.

The Committee held a second open house in February of 2009, and about 50 people attended. There were several common themes among the comments including connectivity between the neighborhoods and between the parks, keeping the small town atmosphere of Springboro and sense of community, traffic at SR741 and SR73, and there were a lot of comments about the parks and perceived lack of baseball diamonds and soccer fields. Those comments are recorded in Appendix B of the plan document. In addition to the Public Open Houses, there were two Focus Groups and also Individual Interviews. The first Focus Group consisted of Planning Commission Members and the second Focus Group was made up of representatives from neighborhoods and HOAs. Ten Key Person Interviews were conducted in the summer of 2007, and those people were selected based on their insights, history, and current relationship with the City.

Chris Papakirk introduced himself as a Member of the Planning Commission and made the following comments: This process was initiated in early 2007 and the document that is in front of Council tonight is the result of a lot of critical thinking, thoughtful meetings, and community input. With regard to the Committee's approach, there are different ways to approach land use planning. The traditional approach is to identify specific parcels and identify the land use assigned to those specific parcels. For example, on a map of the entire city, each parcel would have an assigned land use designation. The Committee took a different approach that they believed would be more appropriate for the City in this stage of its evolution, which is mostly built out. Therefore, a lot of the areas have existing character such as residential areas, but there are a lot of different areas that share similar characteristics and they created policy areas to help better define those areas. There are 16 total areas and the Committee looked at each of those individual areas and also looked at how they fit together as a cohesive body within the entire community. The first step was to define the actual policy areas. Policy Areas were dictated by several items, which included character, certain neighborhoods, demographics, and geography. Once the Policy Areas were established, the Committee reviewed all of the existing conditions and existing character for each of those policy areas and made sure they understood what they were looking at in each individual area. After several more meetings, the Committee determined what their preferred characteristics were for each of those policy areas. They used the zoning code, as well, to make sure both of the documents fit well together. It is important to remember that this land use plan is really just a guide meant to inform the City and the public as to the community's basic established direction for future development. The Committee then took a look at the specific land use recommendations for each area. For example, in Chapter 2 on Page 4, Policy Area I, South Tech Business Park, the first paragraph is Existing Character, which identifies the existing character in South Tech. Preferred Future Characteristics, Actions and Needs defines what the City believes should occur within each of those policy areas. Preferred Land Uses defines exactly what the City wants to see within those policy areas with some specific land uses that would relate to those policy areas and to the zoning that fits those policy areas. Once Preferred Land Uses were established, the Committee recommended density and open space requirements most of which were taken straight from the City's zoning code; thus, a lot of the recommendations were based on existing policies, but they included those policies in this document to show that it does tie into the zoning code. The final step for each Policy Area was the Implementation Recommendations, i.e. how these Policy Areas are going to be implemented and how are the community's goals going to be achieved through the Preferred Land Use patterns and characteristics that we, as a community, decided we wanted to see. In summary, the Committee went through the whole process as described for each of the 16 Policy Areas and had a lot of community input, which was also incorporated into the plan.

Mr. Boron explained that the final part of the plan summarizes or states how it will be implemented and used by City staff and boards and commissions. They are already working on the implementation of the plan by reviewing the Planning and Zoning Code in an effort to update the code to reflect current practice and also to make the code relative to some of the recommendations in the plan. The last plan was a great plan and worked for the community at that point in time in 1998, but it is now 2009, and the plan recommendations need to be implemented and codified in the Planning and Zoning Code. The Planning Commission would like to begin next month by looking at areas in the City's Planning and Zoning Code that need to be changed and also to look at resolving the problem of township zoning within the City limits. With the new Land Use Plan, the City now has a guide to help address this issue comprehensively rather than rezoning individual parcels from Township zoning to City zoning. And, Council and the Planning Commission will have more control over the community's development around the town borders. They will also look at Conservation

*Design, a manner of development for the remaining parcels in the community, which consists of large areas of open space within a development, 40% open space to be exact. Beckridge, which is located behind the temporary City building, is an example of Conservation Development. The Planning Commission will also continue the policy of enhancing the connectivity of neighborhoods through street and pedestrian connections, bikeways, etc. With the adoption of the plan tonight, the Planning Commission and staff will have a basis to move forward with these policies for the City.*

*Mr. Anderson asked if, during the process of gathering public input, there were any comments they were not able to incorporate into the plan? Ms. Geisler answered by stating that not all of the comments really dealt with the plan; therefore, not all of the comments were addressed by the plan.*

*Mr. Boron commented, for example, that they received comments about ball fields and they redirected those comments to the Park Board. He added that the good thing about the committee's membership was that there were representatives from the Park Board, the Planning Commission, and the Architectural Review Board. Mr. Boron further added that there is a recommendation to update the Parks and Rec Master Plan to implement some of those issues.*

*Ms. Belpulsi commented that all of those public comments have been or will be addressed or filtered elsewhere, and those comments pertaining to the plan have been addressed.*

*Mr. LaDu inquired about the physical connection between Village Park and North Park? Ms. Thompson answered that the connection would be the Easton Property. Mr. LaDu confirmed that the same would apply to Anna Drive and Tamarack Trail. Ms. Thompson replied yes.*

*Mr. LaDu also inquired regarding the Map on Page 2-14 of the plan document, which shows the abbreviation "(PT)" next to Woodland Greens. Ms. Thompson stated that the abbreviation means "Partial Township."*

*Mayor Agenbroad asked if there were any other questions or comments regarding the plan. There were no other questions or comments. Mayor Agenbroad commented that Council looks forward to the Committee's presentation at tonight's Regular Meeting, and that Council really appreciates all of the work the Committee has put into this plan.*

**ITEM 4. LEGISLATIVE AGENDA.                    –Five legislative agenda items were reviewed for the April 2, 2009 City Council Regular Meeting.**

- 1) **ORDINANCE: SECOND READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING APPROXIMATELY 20.2 ACRES OF LAND AT 2738 PENNYROYAL ROAD FROM (T)R-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE DISTRICT, TO R-1, CITY OF SPRINGBORO ESTATE-TYPE RESIDENTIAL DISTRICT.

*Ms. Thompson stated that Mr. Boron would comment on Legislative Items 1, 2, and 3 at tonight's Regular Meeting.*

*No further discussion.*

- 2) **ORDINANCE: SECOND READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING APPROXIMATELY 3.0 ACRES OF LAND AT 2748 PENNYROYAL ROAD FROM (T)R-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE DISTRICT, TO R-1, CITY OF SPRINGBORO ESTATE-TYPE RESIDENTIAL DISTRICT.

*No discussion.*

- 3) **RESOLUTION:** A RESOLUTION ADOPTING THE SPRINGBORO LAND USE PLAN.

*No discussion.*

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JOHN R. JURGENSEN COMPANY FOR THE "2009 CONCRETE STREET REPLACEMENT PROGRAM PHASE ONE".

*Mr. Parise asked why there was such a substantial difference between the engineer's estimate and the bid for the project? And, Mr. Parise asked what the engineer's cost is based on? Ms. Thompson explained that the engineer's estimate is based on quantities. For example, they figure the amount of concrete streets based on an estimate of \$10/sq. ft. In this particular case, the bids came in about \$300,000 under the estimate, due to the current economy.*

*Mr. Parise referenced the previous estimate of costs per square foot of concrete for sidewalks and commented that this project's estimate comes under budget substantially, yet the cost of the concrete for sidewalks has gone up two dollars per square foot. Mr. Parise asked if the City did any bargaining or window shopping for this project?*

*Ms. Thompson commented that the City is required by law to bid projects. She explained that the sidewalk/driveway apron program versus this project, with respect to quantities, the size of the job itself, the amount of equipment and concrete, is a completely different project. Ms. Thompson further explained that this project entails ripping out hundreds of sq. ft. of streets, hauling away the concrete, and replacing it with full depth asphalt. Whereas, the sidewalk/driveway apron program is simply repairing or replacing a small six or eight ft. apron; therefore, the economy of scale for the vendor is completely different. Ms. Thompson added that this project could have come in \$300,000 over the engineer's estimate and the City could do nothing, but reject all of the bids.*

*Mr. Parise asked who the contractor is for the sidewalk/driveway apron program or is it one of the five bidders for this project? The contractor is John R. Jurgensen. Ms. Thompson explained that this contract includes the sidewalks and driveway aprons for the concrete streets, but for asphalt resurfacing it will be a different contractor. The annual asphalt street resurfacing program is where the costs for sidewalks and driveway aprons were estimated at \$7/sq. ft. and \$8/sq. ft.; it is a different project.*

*Mr. Parise asked who the contractor would be for the annual sidewalk/driveway apron program? Ms. Thompson answered that the bids for the annual asphalt street resurfacing program would be opened on April 14. Ms. Thompson explained that the City cannot combine projects and cannot ask for a better price by virtue of one bidder versus another; the City has to bid these programs as separate and distinct projects.*

*Mayor Agenbroad asked if there was any further discussion regarding this item. There was no further discussion.*

- 5) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE A COPS HIRING RECOVERY PROGRAM GRANT APPLICATION AND TO ENTER INTO AN AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES TO APPLY AND RECEIVE A COPS HIRING RECOVERY PROGRAM GRANT FOR THE YEARS 2009 TO 2013.

*Ms. Thompson stated that Chief Kruthoff will comment on this item at tonight's Regular City Council Meeting.*

*No further discussion.*

**ITEM 5. CITY MANAGER.**

**-Issues/Reports.**

**Tour of new City Building:** *Ms. Thompson confirmed that City Council would take a tour of the new City Building on May 7 at 5:00 PM. Council Members will meet at the site, and hardhats are required. Ms. Thompson commented that the interior of the building is really starting to take shape and they are now able to visualize distinct spaces. The Legal Committee meeting scheduled for May 7 at 5:30 PM was rescheduled to May 21 at 5:30 PM in Council Chambers.*

**Federal Stimulus Monies** – Ms. Thompson thanked Public Works Director Barry Conway and City Engineer Raj Sharma and all of staff on their efforts to submit the stimulus money applications. The City recently received \$185,900 from ODOT District 8 for the resurfacing of Clearcreek Franklin Road, and was the only community in Warren County to receive money from District 8. The City also received \$198,000 from the Miami Valley Regional Planning Commission to replace the traffic lights on SR73 and SR741 with LED lights. In addition, the City submitted 10 drinking water quality projects to the Ohio EPA and are seeking grants from stimulus monies for the Police Department, as well. Ms. Thompson commented that she is pleased to receive the money, as the application process has been difficult.

Mr. Anderson asked how far Clearcreek Franklin Road would be resurfaced? Ms. Thompson answered that the northern most part of the road would be resurfaced; the southern portion of the road was resurfaced a few years ago.

Mr. Anderson asked if the City would pay for the resurfacing of Clearcreek Franklin Road up front, and then be reimbursed for the cost? Ms. Thompson replied no, the City should receive the money and then perform the project. Ms. Thompson further replied that no match is required either; however, if the City is required to pay up front, then staff would file for reimbursement, as is the practice with most of the City's other grants.

**Recycling Program:** Ms. Thompson explained that it has been 20 years since the City started the recycling program and has not changed the recycle bins. Ms. Thompson further explained that a resident actually asked some questions in regard to replacing the recycle bins, and Ms. Thompson has assigned staff to research the City's options. The idea would be to get a better recycle bin, possibly with a lid, as a "green" initiative to avoid trash blowing around in the streets and to encourage people to recycle more, within the City's current budget. The City just renewed its contract with Waste Management for a one-year extension under the renewal clause, which did not cost the City any more money.

Mr. Parise stated that he has several cans of paint he would like to dispose of and went to Montgomery County Solid Waste, but that facility only receives toxic disposables on certain days. From the audience, Suzanne Geisler, the Environmental Educator for the Warren County Solid Waste District, instructed Mr. Parise to open the cans and let the paint dry solid i.e. take the lid off, let it dry out, and put it in the trash can. She added that if there is too much paint left, just add kitty litter or buy a packet that will solidify the paint.

**Bicycle Friendly Plan:** Ms. Thompson commented that she and Mr. Boron have discussed the next steps in the Bicycle Friendly Community Action Plan that was adopted a few months ago. They recommend that the Planning Commission solicit volunteers from the community to serve on the advisory committee, and then make a recommendation for Council's approval regarding the membership of the Bicycle Friendly Committee. Other initial steps in the Action Plan include the installation of bike racks at the City Building, Parks, and Schools, and other policies that are somewhat easy to enforce, which will help to get the committee started on the plan. Ms. Thompson and Mr. Boron believe that SR741 is ready for a marked shared bike lane due to the 12 ft. wide shoulder. The advisory committee will be sent the materials and plans to get started on the Bicycle Friendly Community Action Plan. Ms. Thompson asked Council if this approach to forming the committee and proceeding with the plan is agreeable. It was agreeable to Council.

**Planning and Zoning Code Update/Revision:** Ms. Thompson commented that she and Mr. Boron have also reviewed priority zoning issues such as inoperable vehicles in regard to revising the City's zoning code. The Planning Commission will begin to review the code with those issues which are a priority to Council, as well as the Sign Code, which also needs to be amended. In addition, Zoning Code Enforcement Officer Dan Fitzpatrick is working on the digital sign ordinance. Mr. Fitzpatrick is reviewing digital sign regulations from other communities and working with staff on a recommendation for regulating digital signs in the community.

Mr. Chmiel asked if the Planning and Zoning Code revisions would trickle in or be revised all at once? Ms. Thompson commented that they would begin with Council's initiatives as discussed at the Annual Goals Meeting in January, but those revisions would be part of a larger, comprehensive revision to the code and it would be a lengthy process similar to the Land Use Plan update, which took approximately two years to complete. Again, Council's 2009 priorities will be revised first.

**Executive Session:** Ms. Thompson requested a brief Executive Session, following the Work Session discussion, for the purpose of discussing the employment of a public employee.

At this time, Mayor Agenbroad asked for a motion to enter Executive Session, under R.C.121.22(G), to consider the employment of a public employee.

**Ms. Belpulsi motioned to enter Executive Session, following the Work Session discussion, to consider the employment of public employee. Mr. Anderson seconded the motion.**

No discussion.

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

**Annual Business Appreciation Breakfast:** The City's Annual Business Appreciation Breakfast will be held on Thursday, April 16 at 8:00 AM at Heatherwoode. 112 guests are registered to date. This year's response is on target for last year's 175 guests, which was the best response ever.

**ITEM 6. CLERK OF COUNCIL. -Issues/Reports.**

**Calendar Update:** Good Friday will be observed April 10; whereby, the City offices will be closed. Council Agenda Packets will be delivered Thursday afternoon, April 9.

**WCML Monthly Meeting:** The Warren County Municipal League meeting will be held on Wednesday, April 15, 2009 at Houston Restaurant beginning at 6:00 PM; dinner will be served at 6:45 PM. The featured Speaker is Larry Sims, Warren County Sheriff.

At this time, Chief Kruithoff commented that despite some assertions to the contrary, the Police Department can definitively say, with a lot of certainty, that there are no critters in the City's parks that are not supposed to be in the parks. He added that the Police Department has spent and continues to spend a lot of time on this investigation.

Mayor Agenbroad commented that he received several calls about this issue.

Ms. Lairson expressed her concern that there were intoxicated hunters next to the parks. Ms. Thompson commented that it is private property. Ms. Lairson asked if it was outside the City limits. Ms. Thompson commented that the one property next to the park is not outside the City limits, but it is private property consisting of many, many acres. Chief Kruithoff added that they are not sure of the exact circumstances of the claims.

**ITEM 7. CITY COUNCIL. -Issues/Reports.**

**Mr. LaDu** – No issues/reports.

**Mr. Parise** – No issues/reports.

**Mr. Chmiel** – Mr. Chmiel commented on what a nice job Mr. Pozzuto was doing with the City's quarterly newsletter; the most recent edition contained a lot of good information. Ms. Lairson agreed that the City's most recent newsletter was very good.

**Ms. Lairson** – Ms. Lairson commented that a resident contacted her regarding a culvert in the right-of-way on his property and is concerned about a drainage problem. The resident is Jim Marsh of Foliage Lane. Ms. Thompson commented that the City would have to determine whether the "culvert" is on private property. She explained that, normally, where two side yards meet is private property unless there is an existing catch basin that the City has an easement over; otherwise, it would be private property. Ms. Thompson will follow up with Public Works Director Barry Conway regarding this inquiry.

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Ms. Lairson further reported that the Community Service Board will ask to make a presentation to Council soon regarding the implementation of the Board's new community based volunteer program.

**Mr. Anderson** – Mr. Anderson asked if anything could be done regarding all of the temporary signs in the City on the weekends? He commented that it seems to be getting worse and worse and looks very bad. Mr. Anderson stated that he knows that the signs are not permitted, and he asked if there was something the City could do to address this issue.

Ms. Thompson commented that she was told that a former administration had an arrangement with the real estate companies, which allows them to display signs over the weekend at certain times and places. Ms. Thompson stated that she would ask Zoning Code Enforcement Officer Dan Fitzpatrick to work the weekend to clean it up and to step up enforcement by canvassing the City on Saturday. Ms. Thompson further commented that she would probably ask Mr. Fitzpatrick to leave the real estate signs up because she would like to investigate a little more regarding the City's prior arrangement with them. She added that the City had even asked the realtors to combine the signage and restrict it to certain corners, and the realtors have complied with those stipulations.

Ms. Belpulsi asked how the City would determine which signs to take down? She explained that she does not disagree with taking the signs down, but it might be a legal question with respect to removing signs for roofing companies and not for real estate companies, if the signs are in the public ROW.

Mr. Schaeffer commented that it should be an all or nothing situation.

Ms. Thompson replied that she would not have any signs taken down until she has a chance to find out what the circumstances of the arrangement with the realtors is. She explained that she does not want the whole real estate industry in Springboro to have a surprise like that and courtesy would dictate that she finds out with whom that arrangement was made before signs are taken down. Mayor Agenbrod confirmed that Ms. Thompson would follow up and report her findings to Council.

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

**Mayor Agenbrod** – Mayor Agenbrod followed up on a water main break he reported to the Utilities Supervisor Dee Mullins. Mayor Agenbrod also acknowledged a note of thanks from Mr. Schaeffer for the City's gesture of sympathy in regard to the passing of his mother-in-law. Mayor Agenbrod also reminded Ms. Belpulsi to abstain from the minutes of the March 19 Council meetings due to her absence. In addition, Mayor Agenbrod brought up for discussion the Community Service Board appointment, which was postponed at the last Work Session. The applicants are David Therkelson, Kay von der Embse, and Dave Snyder. At the previous Work Session, Mr. Parise recommended Ms. von der Embse and Ms. Lairson recommended Mr. Therkelson.

Ms. Lairson confirmed that Mayor Agenbrod was asking for comments now rather than at the Regular Meeting during the vote. Mayor Agenbrod replied yes, he would like to discuss the appointment now.

Ms. Lairson commented that her reasoning for recommending David Therkelson for the appointment is that, right now, what the Board is lacking is marketing and the ability to get information out to the public. Based on Mr. Therkelson's background information, she believes he would bring the most to the committee, with respect to marketing experience, when compared with the other applicants.

Mr. Parise reiterated that he recommends Kay von der Embse based on her years of work with Hospice, which is a five star organization taking care of terminally ill people. Mr. Parise commented that Hospice is a tough volunteer environment, and he stands by his recommendation of Ms. von der Embse.

Mayor Agenbrod commented that all three candidates are excellent based on their bios, and no matter who is selected, it will be a good appointment.

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*There were no other recommendations.*

*Mayor Agenbroad asked each Council Member to declare their nomination for the Community Service Board appointment.*

*Ms. Lairson nominated David Therkelson for the appointment.*

*Mr. Anderson asked if Council was voting on the appointment at this time. Mayor Agenbroad recommended that Council discuss the appointment and reach a consensus now rather than during the vote at the Regular Meeting. Mayor Agenbroad asked if Mr. Anderson or other Council Members needed more time to consider the appointment. The consensus was to proceed with the appointment tonight.*

*Mr. Anderson nominated Kay von der Embse for the appointment.*

*Ms. Belpulsi commented that after listening to Mr. Parise's and Ms. Lairson's comments tonight, both applicants sound like really good candidates. She also understands how important it is to the Community Service Board to get their volunteer program off the ground, and she knows Mr. Therkelson and his involvement in the marketing of the schools over the years. Although she appreciates Ms. von der Embse experience with Hospice, she would lean toward nominating Mr. Therkelson to give the Board the punch it needs, as far as marketing goes, to launch the volunteer program.*

*Mr. LaDu nominated Kay von der Embse for the appointment.*

*Mr. Parise nominated Kay von der Embse for the appointment.*

*Mr. Chmiel nominated David Therkelson for the appointment.*

*Mayor Agenbroad nominated David Therkelson for the appointment because he has worked on several committees with Mr. Therkelson. Mayor Agenbroad commented that he does not know Ms. von der Embse very well, but obviously she is an outstanding person working with Hospice, but he would prefer Mr. Therkelson's 22 years of experience in the community and has dealt with Mr. Therkelson on various issues.*

*Mayor Agenbroad will ask for an official motion to appoint David Therkelson to the Community Service Board at tonight's Regular Meeting.*

*Mayor Agenbroad recommended postponing the Executive Session until tonight's Regular Meeting, following the Regular Order of Business.*

**ITEM 8. ADJOURNMENT.** *With no further discussion, Mayor Agenbroad adjourned the April 2, 2009 City Council Work Session at approximately 6:52 PM.*

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

CITY COUNCIL REGULAR MEETING

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THURSDAY, APRIL 2, 2009

7:00 PM

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COUNCIL

John Agenbroad, Mayor

Jim Chmiel, Deputy Mayor  
Marie Belpulsi  
Sheila Lairson

Scott Anderson  
Tom LaDu  
John D. Parise

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CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager  
Jeff Kruihoff, Police Chief  
Dan Boron, City Planner

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 on Thursday, April 2, 2009 at 7:00 PM in Council Chambers at the City's temporary facility in the Dalco Building located at 425 S. Pioneer Boulevard, Springboro, Ohio.

**ITEM 2. PLEDGE OF ALLEGIANCE.** Mayor Agenbroad led the Pledge of Allegiance.

**ITEM 3. ROLL CALL.** Agenbroad, Present; Anderson, Present; Belpulsi, Present; Chmiel, Present; LaDu, Present; Lairson, Present; Parise, Present.

**ITEM 4. APPROVAL OF MINUTES:** THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF MARCH 19, 2009.

Mr. LaDu motioned to approve the minutes of the March 19, 2009 City Council Work Session and Regular Meeting as submitted by the Clerk of Council. Mr. Parise seconded the motion.

No corrections.

**VOTE:** LaDu, Yes; Lairson, Yes; Anderson, Yes; Belpulsi, Abstain; Agenbroad, Yes; Chmiel, Yes; Parise, Yes. [APPROVED 6-0-1]

**ITEM 5. PRESENTATIONS:** SPRINGBORO LAND USE PLAN – PRESENTED BY THE LAND USE PLANNING SUBCOMMITTEE. Ms. Belpulsi made the following introductory comments: In 1997, the City embarked on a major project that would have a significant impact on the current and future Springboro residents and businesses – “The Springboro Land Use Master Plan.” Adopted by Council in 1998, the plan recommended land use planning guidelines for a then growing community. This plan has been an important tool used by Planning Commission and Staff in Springboro’s growth. Fast forward to 2007, and Springboro has almost reached its full capacity both in residential and business development. Looking to the future, City Council saw the need to build upon the framework of the former plan to ensure that Springboro maintains its history, charm and secure the quality of living that our residents and businesses expect. A Land Use Planning Steering Committee was formed to review and update the plan that will guide Springboro’s land use planning

activities for the future. The Committee met on a regular basis for almost two years and held several public input meetings. What is being presented to Council tonight is the result of that long process. As Chair of the Land Use Planning Steering Committee, it is my honor to recognize the Committee Members, Consultants, and City Staff who have made this recommendation possible. Steering Committee Members: Chris Papakirk (Planning Commission Member), Suzanne Geisler (Park Board Member), Terry Dudley (Architectural Review Board), and Mike Lee (Active Committee Member). Mr. Lee was not in attendance, but Ms. Belpulsi congratulated Mr. Lee and his wife on the recent birth of twins. Jacobs Planning Consultant Team: Paul Culter and Della Rucker. City Staff: Dan Boron, City Planning Consultant and Chris Thompson, City Manager. Ms. Belpulsi thanked everyone very much for all of the work they have done on this plan.

**Suzanne Geisler introduced herself as Chair of the Park Board and spoke briefly about the public input and planning process as follows:** There were four public input parts to this plan, the Steering Committee, Key Person Interviews, Focus Groups, and two Public Open Houses. The Committee began by interviewing and submitting a recommendation to hire a planning consultant to help guide the master plan process. The Committee assisted in the design of the process, which included the meeting structure, format, and public input. Once the Committee had a first draft of the plan, they held their first open house, which happened in April of 2008. There were approximately 75 attendees, staff, committee members, and also the consultants were on hand to speak to and listen to the public and their concerns about the plan. They also encouraged written comments as well. Following the first Public Open House, the committee met again to review the comments and make any revisions to the plan, and then held a second open house, which happened in February of 2009. There were about 50 attendees at the second Public Open House. Following that open house, the committee met yet again to review the comments and prepare the final draft of the plan, which is now before Council. The public comments are in the appendix of the plan. In addition to the Public Open Houses, there were two Focus Groups and Individual Interviews. The Focus Groups were conducted in the spring of 2007. The first group was made up of the Planning Commission and the second group was made up of representatives from neighborhoods and Homeowners Associations. There were 10 Key Person Interviews that were conducted during the summer of 2007, and those participants were selected based on their insights, history in the community, and relationships with the community.

**Chris Papakirk introduced himself as a Member of the Planning Commission and made the following comments regarding the Land Use Plan recommendation:** This process began two years ago and what is presented to Council today is the result of many thoughtful meetings and a very critical look at the City's land use patterns. With respect to the Committee's approach, Mr. Papakirk explained that they could have taken a number of approaches. One approach would have been a traditional land use plan approach to identify specific land uses to specific parcels, but they took a slightly different approach based on the City's evolution into what it is today, which is a mostly developed community. Their approach recognized policy areas, and one of the first things they did was to identify 16 specific Policy Areas within the City and define them geographically. Next, the Committee looked at all of the Existing Conditions and the character for each of the policy areas, and then looked at the Preferred Characteristics for each of those areas, i.e. what the City would like to create within those areas. Once they were able to do that, they were able then to actually provide specific land use recommendations for each Policy Area that would give specific types of land uses that could be built or redeveloped within those areas and would also then recommend the density for specific areas for either commercial development, maximum or minimum type of square footage for specific properties, and residential patterns as well. Once the Committee completed that stage of this five part process within the document itself, they had to consider the implementation of each of the Policy Areas, and established specific recommendations on how these Policy Areas can be implemented.

**Dan Boron introduced himself as the City Planner and commented as follows:** Mr. Boron referred to a graphic depiction of the Policy Areas and a compendium of all of the Land Use Recommendations, which are included in the plan that is being proposed for adoption this evening. Mr. Boron spoke very briefly about the implementation of the plan, which has in part already begun. Mr. Boron explained that a plan is great to have as a guidebook for City Council, boards and commissions such as the Planning Commission, Park Board, and the Architectural Review Board, but as long as it is just a policy on a shelf it is not much use. Now, the City is embarking on the process of implementing the plan through changes to the City's Planning and Zoning Code and Official Zoning Map and that process will begin later this month through revisions to the code, parts of which date back to the 1970s. Also, the zoning map and the issue of township zoning within

the City boundaries will be addressed. This plan will provide a better framework for decisions about how to address that area of administrative control in the confines of the City government. Also, they will be implementing some recommendations that are key parts of the Land Use Plan, the idea of Conservation Design, which is the City's residential land use pattern that allows for large open spaces within a residential development. In addition, they will be implementing recommendations for updating the park and recreation master plan and also again will be looking closely at connectivity i.e. tying in residential areas from both a pedestrian and vehicular perspective, which has been a goal of the Planning Commission over the last few years. Mr. Boron thanked the Committee Members Chris Papakirk, Terry Dudley, Mike Lee, and Suzanne Geisler for all of their hard work over the past two years. These volunteers have really put a lot of time and effort in over the last 24 months, and he really appreciates the opportunity to present the results of that work to Council tonight.

On behalf of Council, Mayor Agenbroad thanked the Committee Members for their long hours of hard work. Obviously, the plan would not have been possible without their involvement.

Ms. Thompson also thanked the City's Consultants Paul Culter and Della Rucker, who worked on the project with the committee and staff members; the City very much appreciates their efforts. Paul Culter and Della Rucker are AICPs with the firm of Jacobs Engineering.

**ITEM 6. LEGISLATION:** City Council held a Work Session at 6:00 PM tonight for 52 minutes to discuss the following legislation as well as other City business.

- 1) **ORDINANCE: SECOND READING.** "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING APPROXIMATELY 20.2 ACRES OF LAND AT 2738 PENNYROYAL ROAD FROM (T)R-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE DISTRICT, TO R-1, CITY OF SPRINGBORO ESTATE-TYPE RESIDENTIAL DISTRICT," was read by the Clerk of Council. Ms. Thompson asked Mr. Boron to comment on this item. Mr. Boron commented as follows:

This is the second reading of an ordinance to amend the official zoning map and rezone approximately 20.2 acres at 2738 Pennyroyal Road from (T)R-1 to R-1. This rezoning was the subject of a Public Hearing held on March 19, 2009. This and the next ordinance are recommendations from Planning Commission, at the request of City staff, to rezone property in the vicinity of Pennyroyal Road. This particular property is the site of Clearcreek Chapel on the north side of Pennyroyal Road. During the site plan review for the expansion of the church building, the City approached the property owners in regard to rezoning the property from (T)R-1 Township zoning to R-1 City zoning. Rezoning the property would allow City Council, Planning Commission, and staff to utilize the City Planning and Zoning Code to administer and enforce City land use and zoning recommendations. Mr. Boron offered to answer questions.

Mayor Agenbroad presented the item for questions or comments of Council. No questions or comments.

**No action required at this time.**

- 2) **ORDINANCE: SECOND READING.** "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING APPROXIMATELY 3.0 ACRES OF LAND AT 2748 PENNYROYAL ROAD FROM (T)R-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE DISTRICT, TO R-1, CITY OF SPRINGBORO ESTATE-TYPE RESIDENTIAL DISTRICT," was read by the Clerk of Council. Ms. Thompson asked Mr. Boron to comment on this item. Mr. Boron commented as follows:

This is the second reading of an ordinance to amend the official zoning map and rezone approximately 3.0 acres at 2748 Pennyroyal Road from (T)R-1 to R-1. This site represents an adjoining property, which houses the Kingdom Hall of Jehovah's Witnesses. Again, this request to rezone property from Township zoning to City zoning would allow City officials to better administer the future of Springboro's land use development. Again, this rezoning was at the request of the City, but with the authorization of the property owners, and allows the owners to continue to use the site for a religious facility. Mr. Boron offered to answer questions.

Mayor Agenbroad presented the item for questions or comments of Council. No questions or comments.

**No action required at this time.**

- 3) **RESOLUTION R-09-15:** "A RESOLUTION ADOPTING THE SPRINGBORO LAND USE PLAN," was read by the Clerk of Council. Ms. Thompson asked Mr. Boron to comment on this item. Mr. Boron commented as follows:

This resolution adopts the Springboro Land Use Plan and was the subject of the presentation under Agenda Item 5 and presented at the Work Session earlier this evening. This plan is designed to update the 1998 Comprehensive Plan of the City of Springboro. An update to the plan was needed for the following reasons: the City has increased significantly in population in the last 11 years, the amount of developable land within the City boundaries has decreased significantly, and Springboro is now in a mode where it is transferring from a development pattern focused on residential development to the development of services to support a population of approx. 17,000 people. This updated plan will also be used as a guide to help form utility and infrastructure improvements, roads, and parks and recreation facilities, etc. As indicated earlier, this plan was completed through an extensive meeting process by a committee of citizens, which includes Terry Dudley, Suzanne Geisler, Chris Papakirk, Mike Lee, and City Manager Chris Thompson and Paul Culter and Della Rucker, the Consulting Team from Jacobs Engineering. And, of course, the Chair of the Committee Councilwoman Marie Belpulsi.

Mayor Agenbroad presented the item for questions or comments of Council. No questions or comments.

**Mr. Chmiel motioned to adopt Resolution R-09-15. Mr. LaDu seconded the motion.**

No discussion.

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

- 4) **RESOLUTION R-09-16:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JOHN R. JURGENSEN COMPANY FOR THE "2009 CONCRETE STREET REPLACEMENT PROGRAM PHASE ONE"," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes a contract with John R. Jurgensen Company for the "2009 Concrete Street Replacement Program Phase One." Phase One of this program includes the removal and replacement of concrete streets with full depth asphalt on Queen Anne Court, Wellington Way, and portions of Evergreen Drive and St. James Place, Westminster Way, and Foliage Lane primarily in the Tamarack Subdivision area. Phase Two, which is the next phase of this project, would include all of the other areas in the community where there are still concrete streets. Phase One will include the streets mentioned above and curb and gutter and sidewalk and driveway apron repairs and replacement on those streets. This program consists of a conversion of concrete streets, which are in an extreme state of disrepair, to full depth asphalt. After discussing this program during the City's annual review of the CIP last year, Council approved the funds to perform the entire project this year rather than to extend the concrete replacement project over a ten-year period. The City received five bids, which ranged well under the engineer's estimate. The winning bid is John R. Jurgensen Company at \$746,852.24; the engineer's estimate was \$1,035,000.00, which reflects an approximate \$300,000 cost savings.

Mayor Agenbroad presented the item for questions or comments of Council. No questions or comments.

**Ms. Lairson motioned to adopt Resolution R-09-16. Ms. Belpulsi seconded the motion.**

No discussion.

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

- 5) **RESOLUTION R-09-17:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE A COPS HIRING RECOVERY PROGRAM GRANT APPLICATION AND TO ENTER INTO AN AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES TO APPLY AND RECEIVE A COPS HIRING RECOVERY PROGRAM GRANT FOR THE YEARS 2009 TO 2013," was read by the Clerk of Council. Ms. Thompson asked Chief Kruihoff to comment on this item. Chief Kruihoff commented as follows:

There is a tremendous amount of money in stimulus dollars coming out of Washington, D.C. to help shore up community efforts to provide essential services. Staff began seeking grants to assist the Police Department in its enforcement efforts. The City is a member of two organizations, the Greater Warren County Drug Task Force and the Organized Crime Task Force, which operates the Tactical Crime Suppression Unit funded by fees paid through the Miami Valley Communications Council, and is a very successful organization. The City's Police Department has had a long interest in assigning personnel to those two organizations, as many of the member cities do, but Springboro is one of the few cities that has never assigned a person to either unit because the department was slightly short on staff and was not able to make that kind of commitment. This resolution would allow the Police Department to pursue one of these grants, which would fund a police officer at 100% for three years and save the association fees that the City pays to those organizations, of which both organizations charge one dollar per capita. Thus, depending on what the census shows as the City's population base, would be somewhere in the \$18,000 range now. The City would be saving those fees for all three years of the grant, which would then fund the officer position in the fourth year. It appears that it would be almost a wash with respect to the City's budget, but it would allow the City to have more of a seat at the table in both the Greater Warren County Drug Task Force and the Organized Crime Task Force and the City would be eligible for any distribution of forfeiture funds that comes from those investigations and enable the City to participate and share the responsibilities of those units, as other member cities have been doing for many, many years. Chief Kruihoff commented that the grant is a long shot explaining that when he was in Washington, D.C. last week there were communities that had full-time grant people who had already submitted requests, which numbered in the hundreds. Chief Kruihoff further explained that they are not sure what their success rate will be, but this resolution would give the City authorization to submit the application. Chief Kruihoff offered to answer questions.

Ms. Thompson commented that she has had some questions from Members of Council prior to this evening regarding this grant; the primary question being what happens to this position(s) or officer(s) in the fifth and subsequent years after the grant funds run out?

Chief Kruihoff explained that a change in the police and fire retirement program late this year or early next year will create a large cadre of officers eligible for retirement. The positions being applied for through this grant are designed for officers with a lot of law enforcement experience; it is not the kind of position for a rookie. Chief Kruihoff further explained that he did not want to put the City in the position of hiring someone that they would have to lay off in four years. Chief Kruihoff added that in talking with the directors of the two units, they feel that quite a large job pool is going to be available to the departments, which would allow the City to pick someone from that pool to assign to this unit for the four-year assignment. At which time, the officer would understand that there would be no funding for the position beyond the four years.

Mayor Agenbroad presented the item for questions or comments of Council. No questions or comments.

**Mr. Parise motioned to adopt Resolution R-09-17. Mr. Anderson seconded the motion.**

No discussion.

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

- ITEM 7. REPORTS: Mayor's Report** – Good Friday is observed Friday, April 10; whereby the City Offices will be closed. The City's annual Business Appreciation Breakfast will be held on Thursday, April 16, 8:00-9:30 AM at Heatherwoode. To date, approximately 120 guests have responded to the breakfast invitation. The 3<sup>rd</sup> U.S. District Office Hours will be held on Friday, April 24, 1:00-2:00 PM in Council Chambers. The next City

Council Work Session will be held on Thursday, April 16, 2009 at 6:00 PM in Council Chambers, as scheduled. The next City Council Regular Meeting will be held on Thursday, April 16, 2009 at 7:00 PM in Council Chambers, as scheduled. The Finance Committee will meet at 5:30 PM on April 16. All meetings will be held at the City's temporary facility in the Dalco Building located at 425 S. Pioneer Boulevard in Springboro, unless otherwise posted.

**City Manager's Report – Federal Stimulus Monies:** Ms. Thompson thanked Public Works Director Barry Conway and City Engineer Raj Sharma for assisting in the preparation of applications for stimulus funding. As reported at the last Council meeting, the City received \$198,000 through the Miami Valley Regional Planning Commission that will enable the City to convert the traffic signal lights on SR73 and SR741 to LED lights, which will save the City a great amount of money over the years in maintenance and various costs associated with the traffic signals. The City also received \$186,000 through ODOT District 8 to resurface the northern part of Clearcreek Franklin Road. Springboro was actually the only City in Warren County to receive any District 8 funding, and was very pleased to receive those funds. Springboro's project appeared to be the right amount and was "shovel ready." Ms. Thompson explained that many of the districts did not consider projects that were not completely "shovel ready." The Clearcreek Franklin Road Project was more than eligible because it was a resurfacing project. In addition, Ms. Thompson congratulated Klosterman Bakery who received \$900,000 in stimulus money for economic development purposes to add staff and equipment to their business that is growing here in Springboro, which is very good news for the City's economic development efforts. Finally, Ms. Thompson commented that the City is seeking more stimulus money through the Ohio EPA with 10 applications in the queue for drinking water projects.

**Committee Reports –**

**Mr. LaDu –** No reports.

**Mr. Parise –** No reports.

**Ms. Lairson – Tree Authority –** Ms. Lairson announced the City's Arbor Day Ceremony, which will be observed on Saturday, April 25 at 8:30 AM at E. Milo Beck Park with a memorial tree planting.

**Community Service Board –** The Community Service Board will meet on Monday, April 20 at 7:00 PM in Council Chambers, and the Board would like to invite anyone who is interested in volunteering or who would like more information about the volunteer program. The Board is getting ready to kick-off the program to the public.

**Mr. Anderson –** No reports.

**Ms. Belpulsi – Planning Commission –** The Planning Commission will meet in Work Session on Wednesday, April 8, 2009 at 7:00 PM in Council Chambers. The Commission will begin reviewing the City's Planning and Zoning Code to make it compatible with the new Land Use Plan that Council so graciously adopted tonight.

**Mr. Chmiel –** No reports.

**ITEM 8. OTHER BUSINESS.** As discussed at the Work Session tonight, Mayor Agenbroad asked for a motion to appoint David Therkelson to the Community Service Board to fill an unexpired term ending December 31, 2010.

**Ms. Lairson motioned to appoint David Therkelson to the Community Service Board to fill an unexpired term ending December 31, 2010. Mr. Chmiel seconded the motion.**

No discussion.

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

**ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS.** No final Council or Manager comments.

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

**ITEM 11. EXECUTIVE SESSION.** At this time, Mayor Agenbroad asked for a motion to enter Executive Session, under R.C.121.22(G), to consider the employment of a public employee.

**Mr. Parise motioned to enter Executive Session, following the Regular Order of Business, to consider the employment of a public employee. Mr. LaDu seconded the motion.**

No discussion.

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

**ITEM 12. ADJOURNMENT.** Mayor Agenbroad thanked the MVCC for tonight's telecast and scheduled rebroadcasts of this Springboro City Council Meeting. Mayor Agenbroad wished everyone a Happy Easter!

**Ms. Belpulsi motioned to adjourn the meeting; whereby, the Thursday, April 2, 2009 Springboro City Council Regular Meeting was adjourned to Executive Session at approximately 7:25 PM. Mr. LaDu seconded the motion.**

No discussion.

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

**At approximately 7:30 PM, City Council entered Executive Session to consider the employment of a public employee. No votes occurred during Executive Session.**

**With no objections, City Council exited Executive Session at approximately 7:55 PM.**

**With no further business or objections, Mayor Agenbroad adjourned the April 2, 2009 City Council Regular Meeting at approximately 7:55 PM.**

\_\_\_\_\_  
John H. Agenbroad, Mayor

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Presiding Officer

\_\_\_\_\_  
Lori A. Martin, Clerk of Council