

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

**CITY COUNCIL WORK SESSION**

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THURSDAY, APRIL 17, 2008

6:00 PM

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CITY COUNCIL  
John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor  
Scott Anderson  
Sheila Lairson

Jim Chmiel  
Tom LaDu  
John D. Parise

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CITY STAFF  
Chris Thompson, City Manager

Chris Pozzuto, Asst. City Manager

David Montgomery, Acting Law Director  
Lori Martin, Clerk of Council

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**ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Work Session to order on Thursday, April 17, 2008 at 6:00 PM in Council Chambers at the City's temporary facility in the Dalco Building located at 425 S. Pioneer Boulevard, Springboro, Ohio.

**ITEM 2. ATTENDANCE.** Mr. Chmiel was absent.

**ITEM 3. LEGISLATIVE AGENDA.** – Four legislative agenda items were reviewed for the April 17, 2008 City Council Regular Meeting.

- 1) **ORDINANCE: THIRD READING.** AN ORDINANCE AMENDING SECTION 1271.04(D)(2), TABLE 2, OFF-STREET PARKING REQUIREMENTS, MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS FOR SPECIFIC LAND USES.

No discussion.

- 2) **EMERGENCY ORDINANCE: THIRD 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-08-6 AND DECLARING AN EMERGENCY. (2008 SIDEWALK/DRIVEWAY APRON PROGRAM)

No discussion.

- 3) **ORDINANCE: SECOND READING.** AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF SPRINGBORO, OHIO. (ANNUAL CODE UPDATE FOR 2007/2008)

No discussion.

- 4) **ORDINANCE: SECOND READING.** AN ORDINANCE ENACTING PART FOURTEEN; TITLE FOUR; CHAPTER 1479 OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, OHIO, TITLED "NOTIFICATION OF FORECLOSURE FILING."

No discussion.

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

**New City Building Project Update:** Ms. Thompson reported that, as discussed at the last Council Work Session, the site-prep work for the new City Building was originally estimated at \$640,000.00 by the Architect's engineers. Ms. Thompson explained that there were some earthwork issues and other items pertaining to this bid such as elevation, detention, and retention negotiated with the contractor. Based on those changes and negotiations, the bid has been reduced to \$596,000.00, \$4,000.00 under the engineer's original estimate of \$600,000.000 resulting in a \$44,000.00 deduct from the original bid. The City's engineers were able to cut six inches of dirt from the original one-foot elevation and address some retention/detention issues on the site for a cost savings to the City.

**25<sup>th</sup> Annual Springboro Chamber of Commerce Golf Outing:** The 25<sup>th</sup> Annual Springboro Chamber of Commerce Golf Outing is scheduled for June 2 at Heatherwoode Golf Course. Council Members interested in participating should respond to Ms. Thompson.

**Bond Rating:** Ms. Thompson referred to Moody's draft report of the City's recent bond rating. The City received an initial bond rating of "Aa3". The scale is as follows: A3, 2, or 1, Aa3, 2, or 1, or Aaa3, 2, or 1 being the highest rating. Ms. Thompson reported that it is very unusual for a city the size of Springboro to receive a double "A" rating. The rating was based in part on the great job Council and Administration have done managing the City over the years. Moody's was very pleased with the City's planning efforts and with its efforts to keep the various plans up-to-date. Staff also presented examples of the quarterly newsletter and e-newsletter to Moody's as examples of City communications.

**Sewer Bond Issue:** Ms. Thompson has asked the City's bond counsel, Paul Stubbins, to attend the May 1 City Council Meeting to talk about refinancing the Sewer Bond to save money for the community. Ms. Thompson intends to ask Mr. Stubbins for an estimated differential in the cost of refinancing the bond based on the new bond rating versus no rating. The newly acquired bond rating will have an immediate effect for the Sewer Bond and City Building Bond. They will look into rolling in the new City Building with the Sewer Bond for a bigger bond at a better rate. With respect to other local entities, Ms. Thompson mentioned that the School District is rated "A2" and Warren County is rated "Aa2". Ms. Thompson commented that a healthy cash reserve balance is also a factor in determining the bond rating, which is why it is important to monitor the General Fund to ensure it meets the recommended reserve balance.

Ms. Belpulsi commented that although there have been concerns regarding the General Fund balance having a healthy reserve does help the bond rating. Ms. Thompson agreed that the City should keep an eye on the General Fund to make sure the City strikes a balance between reserves and expenditures. Ms. Thompson commented that she would like to at least maintain a double "A" rating when reviewed on an annual basis. Ms. Thompson added that staff did a great job presenting their parts of the presentation to Moody's.

Also, Ms. Thompson commented that site work for the new City Building would begin next week. Bids for the construction of the new City Building will be requested in the near future, and a contract proposal will be presented to Council for consideration on June 5.

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

**Charter Review Commission 2008:** Ms. Martin reported that the 2008 Charter Review Commission held their third meeting on Tuesday night, April 15. The Commission reviewed several more Articles of the Charter, but mainly focused on Sections that were tabled at the last meeting for legal review. Law Director Alan Schaeffer

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was present to help resolve some of those issues and answer questions. The next Charter Review Commission meeting is scheduled for Tuesday, April 22 at 6:00PM in Council Chambers. Looking ahead, the Commission is tentatively scheduled to meet with Council on June 19 to present their formal recommendation. (Charter Review Commission 2008 Meeting Three/RECAP attached for reference.)

**Citizen Committee Openings:** Ms. Martin announced that the deadline for applications for the vacancies on the Board of Zoning Appeals and the Board of Review has passed and the applicants' information has been forwarded to Council. There are four potential candidates for the two open seats. In addition, the deadline for the newly established Community Service Board has been extended to May 1, and the City has received three interested applicants for this board.

**Calendar Updates:** The 3<sup>rd</sup> U.S. District Office Hours will be held on Friday, April 25, 1:00-2:00 PM in Council Chambers. The City's Arbor Day Ceremony will be held on Saturday, April 26 at 8:00 AM at the corner of Clearcreek Franklin Road and State Route 73.

There were no other staff comments.

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

**Mr. LaDu** – No issues/reports.

**Mr. Parise** – No issues/reports.

**Ms. Lairson** – Ms. Lairson will present the Arbor Day Proclamation at tonight's City Council Regular Meeting under Presentations. Ms. Lairson will report information regarding Arbor Day and the next Tree Authority meeting at tonight's City Council Regular Meeting under Reports. The Arbor Day ceremony will take place on Saturday, April 26 at 8:00 AM in front of the Remaxx Building on State Route 73. The Tree Authority Meeting scheduled for May 20 has been rescheduled to May 13. The Tree Authority will be taking a tour of sites in the City where trees have been planted to prevent water run off.

**Mr. Anderson** – No issues/reports.

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

**Mayor Agenbrood:** Mayor Agenbrood reported that he met with Springboro resident Martha Adams regarding a Senior Center in Springboro. They discussed various options and spaces for senior activities. Ms. Adams has conducted three meetings with the attendance at 3, 8, and 60 respectively. The church and YMCA have offered their community rooms for senior activities in addition to the community room in the new City Building. Mayor Agenbrood commented the group was considering a levy; however, the community is not prepared for a levy for a Senior Center at this time. Mayor Agenbrood reiterated that there were 60 people at today's meeting. In addition, Mayor Agenbrood referred to the open seats on the Board of Zoning Appeals (BZA) and the Board of Review/Taxation, citing that Springboro resident Scott Oxley has expressed interest in the BZA and Michael Stull, Mark McKinney, and Gary Hruska have expressed interest in either seat. After a brief discussion, Scott Oxley was nominated to serve the unexpired term on the BZA and Gary Hruska was nominated to serve the unexpired term on the Board of Review/Taxation. City Council will take a formal vote with respect to these appointments at tonight's Regular City Council Meeting under Other Business. In addition, Mayor Agenbrood reported that Sandy Calmes has agreed to serve on the Charter Review Commission to replace John Chambers, who has been unable to serve on the Commission due to extenuating circumstances. Mayor Agenbrood stated that Council would need to appoint Sandy Calmes to the Charter Review Commission at tonight's City Council Regular Meeting under Other Business along with the other committee appointments, as discussed.

Ms. Belpulsi commented that the medians along State Route 73 look great. Ms. Thompson explained that it took a crew of seven people three days to complete the work. She added that they trimmed the medians along State Route 741 recently as well.

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*Finally, Mayor Agenbroad commented that he was very proud of the community showing of support and patriotism at the recent funeral of a soldier, who died serving in Iraq.*

**ITEM 7. ADJOURNMENT.** *With no further discussion, Mayor Agenbroad adjourned the April 17, 2008 City Council Work Session at approximately 6:23 PM.*

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

CITY COUNCIL REGULAR MEETING

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THURSDAY, APRIL 17, 2008

7:00 PM

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CITY COUNCIL  
John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor  
Scott Anderson  
Sheila Lairson

Jim Chmiel  
Tom LaDu  
John D. Parise

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CITY STAFF  
Chris Thompson, City Manager

Chris Pozzuto, Asst. City Manager  
Jeff Kruithoff, Chief of Police

David Montgomery, Acting 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 17, 2008 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 APRIL 3, 2008 CITY COUNCIL WORK SESSION AND REGULAR MEETING.

**Mr. Parise motioned to approve the Minutes of the April 3, 2008 City Council Work Session and Regular Meeting as submitted by the Clerk of Council. Mr. Anderson seconded the motion.**

No corrections.

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

**ITEM 5. PRESENTATIONS:** MAYOR AGENBROAD PRESENTED A PROCLAMATION IN CELEBRATION OF ARBOR DAY IN SPRINGBORO. Mayor Agenbroad deferred to Ms. Lairson to read the Arbor Day Proclamation, as the Council representative to the Tree Authority. (A copy of the Proclamation is attached for the record.) In addition, Ms. Lairson announced that the City would celebrate Arbor Day with a tree planting ceremony on Saturday, April 26 at 8:00AM at 536 W. Central Avenue at the Remaxx Building across from Tractor Supply. Ms. Lairson encouraged everyone to attend.

**ITEM 6. LEGISLATION:**

City Council held a Work Session at 6:00 PM tonight for approximately 23 minutes to discuss the following legislative items as well as other matters before the City.

- 1) **ORDINANCE O-08-6: THIRD READING.** "AN ORDINANCE AMENDING SECTION 1271.04(D)(2), TABLE 2, OFF-STREET PARKING REQUIREMENTS, MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS FOR SPECIFIC LAND USES," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This is the third reading of an ordinance amending Section 1271.04, Off-Street Parking Requirements, which was the subject of a public hearing on March 20, 2008. This legislation would establish a new standard for parking requirements for drive in/fast food and neighborhood/sit-down restaurants type restaurants by relaxing the current standard, which has been relatively strict when compared to nearby communities. The new parking standard will offer the owners of these types of restaurants additional parking space for their patrons. This legislation was recommended by the Planning Commission on January 30, 2008, and was presented by City Planning Consultant Dan Boron at the public hearing on March 20, 2008.

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

**Ms. Belpulsi motioned to adopt Ordinance O-08-6. 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]**

- 2) **ORDINANCE O-08-7: THIRD 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-08-6 AND DECLARING AN EMERGENCY. (2008 SIDEWALK/DRIVEWAY APRON PROGRAM)," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This is the third reading of an ordinance determining to proceed with the 2008 Sidewalk/Driveway Apron Repair Program. This ordinance permits the City to ask property owners to construct, repair, and reconstruct the sidewalks and driveways in front of their homes. Property owners are asked to complete this work by Friday, April 25, 2008. This ordinance will provide for the City to proceed with those improvements should the property owners not complete the work themselves, and assess the properties for the cost of the improvements.

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

**Mr. Parise motioned to adopt Ordinance O-08-7. Ms. Lairson seconded the motion.**

No discussion

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

- 3) **ORDINANCE: SECOND READING.** "AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF SPRINGBORO, OHIO. (ANNUAL CODE UPDATE FOR 2007/2008)," was read by the Clerk of Council. Ms. Thompson deferred to Ms. Martin to comment on this item.

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As stated at the first reading of this ordinance, the purpose of this legislation is to incorporate all of the ordinances Council has adopted over the last year into the City's codebook. This would encompass the time period from May 2007 to February 2008. This ordinance also approves and adopts amendments to the Traffic and General Offenses Codes in accordance with enactments of the Ohio General Assembly. When this legislation is approved, all versions of the code will be officially updated through February 20th of this year, and distributed as the 2008 Replacement Pages in both printed and electronic forms.

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

**No action required at this time.**

- 4) **ORDINANCE: SECOND READING.** "AN ORDINANCE ENACTING PART FOURTEEN; TITLE FOUR; CHAPTER 1479 OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, OHIO, TITLED "NOTIFICATION OF FORECLOSURE FILING"," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This is the second reading of an ordinance enacting Part Fourteen, Title Four; Chapter 1479 of the Codified Ordinances of the City titled, "Notification of Foreclosure Filing." The purpose of this legislation is to preempt to any degree possible the property maintenance issues and challenges that are becoming evident when foreclosures occur due to the housing crisis facing the nation today. This legislation will allow the City to help protect neighborhoods and identify the responsible party in a foreclosure situation.

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

**No action required at this time.**

### ITEM 7. REPORTS:

**Mayor's Report** – The 3<sup>rd</sup> U.S. District Rep. Office Hours are scheduled for Friday, April 25, 1:00-2:00 PM in Council Chambers. The next City Council Work Session will be held on Thursday, May 1, 2008 at 6:00 PM in Council Chambers, as scheduled. The next City Council Regular Meeting will be held on Thursday, May 1, 2008 at 7:00 PM in Council Chambers, as scheduled. 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** – Ms. Thompson reported to Council at the last Regular Meeting that the bid from Miller Brothers Excavating approved by Council to complete the site work for the new City Building came in at \$640,000, \$40,000 over the engineer's estimate. Ms. Thompson shared with Council at the last Work Session that staff was working toward a deduct on that bid because there were some earth moving issues she thought that the City would be able to negotiate with the vendor. Yesterday, Ms. Thompson was pleased to receive information that staff has actually been able to reduce the bid by \$44,000. The bid is now under the engineer's estimate, which is a good start to the project. Ms. Thompson wanted to let residents know that the contractor should be mobilizing at the site next week to begin work. There are posters around town and elevations of the new building posted on the City's website. Council will be talking more about the construction of the building in the next month and finalizing plans for the facility, and asked to award a bid for the actual construction of the new building at the June 5 meeting.

Ms. Thompson also reported that the City has obtained a bond rating from Moody's Investors Services. Administrative staff traveled to New York for a presentation to Moody's on April 7. Initially, staff did not think that Moody's would release the City's rating so soon, but Ms. Thompson has already informed Council this evening that she is extremely proud that the City was able to receive an "Aa3" rating. According to Moody's, the "Aa" is not customary for a City the size of Springboro, and the City is thrilled to receive a "Aa" rating, especially in the current economic environment. Ms. Thompson commended Council for their guidance and policies and thanked

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staff for their hard work, the Finance Department in particular, because if everyone did not hold the line, the City would not have succeeded in obtaining such a good rating.

**Committee Reports –**

**Mr. LaDu** – No reports.

**Mr. Parise** – No reports.

**Mr. Chmiel** – No reports.

**Ms. Lairson** – **Tree Authority** – Ms. Lairson reported that the Tree Authority's Tuesday, May 20 meeting has been rescheduled to Tuesday, May 13 at 5:30 PM in Council Chambers.

**Finance Committee** – The Finance Committee met tonight at 5:30 PM to discuss the City's finances and all funds are in order. Additionally, Ms. Lairson congratulated staff on receiving the "Aa3" bond rating from Moody's Financial Services.

**Mr. Anderson** – No reports.

**Ms. Belpulsi** – **Planning Commission** – Ms. Belpulsi reported that the Planning Commission met in Work Session on April 9 to discuss the City's Master Land Use Plan update that has just been completed for the community's review and also discussed setting planning goals for this year. The next Planning Commission meeting will be held on Wednesday, April 30 at 7:00 PM in Council Chambers at the City's temporary facility in the Dalco Building, 425 S. Pioneer Blvd.

**ITEM 8. OTHER BUSINESS.** Mayor Agenbroad stated that there were several citizen committee appointments to approve at tonight's meeting.

**Ms. Belpulsi** motioned to appoint Sandy Calmes to the 2008 Charter Review Commission due to the unexpected vacancy left by John Chambers. **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]

**Mr. Parise** motioned to appoint Scott Oxley to the Board of Zoning Appeals to fill an unexpired term ending December 31, 2008. **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]

**Ms. Belpulsi** motioned to appoint Gary Hruska to the Board of Review/Taxation to fill an unexpired term ending December 31, 2010. **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 9. FINAL COUNCIL AND MANAGER COMMENTS.** No final Council or Manager comments.

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**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.

**Mr. Parise motioned to adjourn the meeting; whereby, the Thursday, April 17, 2008 Springboro City Council Regular Meeting was adjourned at approximately 7:13 PM. Ms. Lairson seconded the motion.**

No discussion.

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

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**John Agenbroad, Mayor**

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**Presiding Officer**

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**Lori A. Martin, Clerk of Council**