

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

CITY COUNCIL WORK SESSION

THURSDAY, AUGUST 20, 2009

6:00 PM

COUNCIL

John Agenbroad, Mayor

Jim Chmiel, Deputy Mayor

Marie Belpulsi

Sheila Lairson

Scott Anderson

Tom LaDu

John D. Parise

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager

Jeff Kruihoff, Police Chief

Alan Schaeffer, Law Director

Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Work Session to order on Thursday, August 20, 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. Mr. Anderson was absent. Mayor Agenbroad noted Mr. Anderson's absence and would ask for a motion to excuse at tonight's Regular Meeting following Roll Call.

ITEM 3. LEGISLATIVE AGENDA. **-Four legislative agenda items were reviewed for the August 20, 2009 City Council Regular Meeting.**

Mayor Agenbroad reminded Council that a public hearing would be held at the beginning of tonight's Regular Meeting in regard to a request to rezone 477-483 N. Main Street from OR to PUD-B.

- 1) **ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, AND REZONING APPROXIMATELY 1.8 ACRES OF LAND AT 477-483 NORTH MAIN STREET FROM O-R, OFFICE-RESIDENTIAL DISTRICT, TO PUD-B, PLANNED UNIT DEVELOPMENT-BUSINESS.

No discussion.

- 2) **ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING CHAPTER 1229, HISTORIC PRESERVATION CODE.

No discussion.

- 3) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BARRETT PAVING MATERIALS, INC. FOR THE CONSTRUCTION OF "EAST MILL STREET ROADWAY IMPROVEMENTS".

No discussion.

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE A DRUG USE

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PREVENTION GRANT (FORMALLY KNOWN AS THE DRUG ABUSE RESISTANCE EDUCATION (DARE) GRANT PROGRAM) APPLICATION, AND TO ENTER INTO AN AGREEMENT WITH OHIO ATTORNEY GENERAL, RICHARD CORDRAY, TO CONTINUE THE "DARE" PROGRAM IN THE SPRINGBORO CITY SCHOOLS FOR THE 2009-2010 SCHOOL YEAR.

No discussion.

ITEM 4. CITY MANAGER.

-Issues/Reports.

Pennyroyal Road (Austin Road Project): Ms. Thompson commented that traffic has increased on Pennyroyal Road as a result of the detention project on the west side of the interchange. Originally, construction traffic was being routed from the Byers Road area to Pennyroyal Road along SR741 and back to the northeast quadrant to dump dirt resulting in a lot of wear and tear on the road and bridge. Following a conversation with TID Executive Director Steve Stanley and a recent pre-construction meeting, they decided to use a different route for construction traffic. The new route uses Byers Road to Lyons Road, which will give trucks a right turn access into the Mead property. This new route will relieve a lot of the construction traffic on Pennyroyal, but Ms. Thompson still plans to have a conversation with the TID regarding the condition of the road. The bridge on Pennyroyal will be rebuilt and repaved as part of an ODOT project because the height of the bridge must meet ODOT's new standard. The bridge project will be funded by ODOT.

New City Building Update: Ms. Thompson reported that the public side of the building seems to be a little behind schedule, but the City has been promised the keys and will assume liability of the building on September 18. Everything is in motion for the open house events on September 27 and 28, and staff is preparing for the opening of the building. The public open house will be held on Sunday, September 27, 1-4 PM. A newsletter will be sent to residents the week of September 11 inviting the public to the open house. An open house for dignitaries i.e. public officials from neighboring communities, etc. will be held on Monday, September 28, 5-7 PM. Ms. Thompson commented on a few of the details in the works for the open house events including complimentary bottled water with the 41st Logo on the label provided by Veolia and 15 cases of soda donated by Pepsi for Monday night's event.

41st Logo Update (Best Small Town Community of the Top 100 Best Places to Live by Money Magazine): Ms. Thompson commented that the following promotional items have been ordered to advertise the 41st designation: Chris Pozzuto is working with Kap Signs to augment the entrance signs with the 41st Logo, and to provide a sign at the golf pro-shop and a program for the digital sign at Heatherwoode. Ms. Thompson is ordering the City logo shirts to be worn by staff and Council at the public open house. 41st Logo seals have been ordered from Printing for Less to be utilized with City letterhead, banners have been ordered through Sign-a-rama, and golf balls featuring the 41st Logo have also been ordered. Several local vendors including DLM, IGA, Kroger, and the Cake Ladies will be providing refreshments for the events.

Open House Events: Invitations to the September 28 open house are scheduled to go out on Friday, September 4 before the Labor Day holiday giving invitees three weeks to plan on attending. Ms. Thompson explained that two invitations were drafted. One invitation would be sent to communities inviting the administrators and elected officials and the other would be sent to individual guests. Ms. Thompson commented that if any Council Members would like to tour the building again before it opens they should please let her know.

Mayor Agenbroad asked when the landscaping at the new City Building would be complete? Ms. Thompson answered that she expects the landscaping to be complete on September 18 barring any unusual weather conditions that would delay it.

Several issues were discussed regarding the guest list for the dignitaries' open house on Monday, September 28 and it was determined that board and commission members would be added to the invitation list and spouses/guests are welcome. Also, any special guests that Council Members would like to add to the invitation list should be forwarded to Ms. Martin. Finally, Springboro businesses will receive a separate invitation letter to the public open house on Sunday, September 27.

ITEM 5. CLERK OF COUNCIL.

-Issues/Reports.

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Ohio Municipal League Annual Conference: The OML Annual Conference will be held September 30-October 2 in Columbus. Ms. Martin asked Council Members to please contact her if they are interested in attending any of the conference workshops.

Calendar Update: 3rd U.S. District Field Representative Marty Heidi will be in Council Chambers holding office hours from 1:00-2:00 PM tomorrow, Friday, August 21 representing Congressman Turner. September office hours have been canceled because the date conflicts with the move to the new City building.

Beggar's Night: Ms. Martin commented that the City has already received inquiries regarding Beggar's Night and she announced that Beggar's Night will be observed on Saturday, October 31 from 6:00 to 8:00 PM in Springboro. Ms. Martin reminded Council that last year they informally approved a 5-year schedule for Beggar's Night in the City. Ms. Martin added that she typically sends a press release and notifies the public regarding Beggar's Night on the last Friday in August, which includes a link on the front page of the City's website. Beggar's Night is posted on the website calendar, as well.

ITEM 6. CITY COUNCIL. -Issues/Reports.

Mr. LaDu – No reports.

Mr. Parise – No reports.

Ms. Lairson – Ms. Lairson will present the following reports at tonight's Regular Meeting under Reports: Finance Committee, Community Service Board, and Tree Authority. In addition, Ms. Lairson requested arrangements for a table at the public open house on Sunday, September 27 to share information and promote the volunteer program. Ms. Lairson commented that it would be a great opportunity to let the community know that a program is available that connects residents in need with community volunteers and to build their volunteer list. Ms. Lairson also requested a table to promote the Tree Authority grant programs and to let residents know grants are available. Ms. Lairson commented that it would give people something to do while they are waiting for a tour of the new building. Ms. Lairson further commented that the open house is a great opportunity to showcase what the City has to offer through these committees to benefit the community. There were no objections to this request.

Ms. Belpulsi – Ms. Belpulsi will present a Planning Commission report at tonight's Regular Meeting under Reports. In addition, Ms. Belpulsi will present a notice of an application for a new liquor license at tonight's Regular Meeting under Other Business.

Mr. Chmiel – No issues/updates.

Mayor Agenbroad – Mayor Agenbroad confirmed that there is still no business pending for the September 3 meeting. Ms. Thompson confirmed that no items have been submitted. It was the consensus of Council to cancel the Work Session and Regular Meeting of September 3 due to a lack of agenda items. Due to the September 3 meeting cancelation, Council will convene two Regular Meetings consecutively on September 17. There were no objections to the meeting schedule changes. Ms. Martin will post the revised schedule accordingly.

In addition, Mayor Agenbroad opened the discussion regarding the open seat on the Board of Zoning Appeals (BZA). Based on the discussion at the August 6 Work Session, two candidates were nominated from the list of applicants as follows: Dave Snider and Sarah Jobe. Mayor Agenbroad pointed out that although Scott Anderson is absent he submitted a letter concerning the appointment. (Letter from Scott Anderson attached for the record.) Mayor Agenbroad asked for comments in order to reach a consensus and take action on the appointment.

Mr. Parise commented that he even more strongly supports the nomination of Dave Snider based on the follow-up letter from Mr. Snider to Council, which restates his strong interest in serving on the BZA. Mr.

Parise commented that Mr. Snider has all of the qualifications and has been in the community for seventeen years. Mr. Parise added that it has been his experience that when Council recommends anyone for a committee or other important position it is based on experience. Mr. Parise further added that, based on the two candidates that applied for this seat, he strongly feels that Dave Snider has more experience than the

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other candidate and continues to support Mr. Snider for the BZA appointment. (Letter from Dave Snider attached for the record.)

Mr. LaDu pointed out that there were actually four applicants for the position. Mr. Parise replied that only two of the four were nominated.

Mr. LaDu commented that he continues to support the nomination of Sarah Jobe for the BZA seat.

Mr. Chmiel commented that he also continues to support the nomination of Sarah Jobe for the BZA seat. Mr. Chmiel explained that Ms. Jobe has served on the Charter Review Commission and the Audit Committee. Also, Ms. Jobe has attended many Council meetings and is aware of what is going on in the City. Mr. Chmiel commented that he does not know Dave Snider. Mr. Chmiel further commented that Mr. Snider has not attended any Council meetings recently and he has never been introduced to Mr. Snider, but Ms. Jobe seems to be enthusiastic about the community and should be given an opportunity to serve on the BZA.

Ms. Lairson commented that she also supports the nomination of Sarah Jobe for the BZA seat. Ms. Lairson commented that Ms. Jobe has consistently attended Council meetings to keep up with Council business and has served on several committees. Ms. Lairson added that Ms. Jobe has been very active in the City and would be the best candidate for the appointment.

Ms. Belpulsi commented that she echoes Ms. Lairson, Mr. LaDu, and Mr. Chmiel. Ms. Belpulsi explained that she thinks both candidates are very qualified. Ms. Belpulsi further commented that Ms. Jobe has been very interested in what goes on in the City and was very active on the Charter Review Commission. Ms. Belpulsi commented that Ms. Jobe really takes an interest and she appreciates that kind of interest shown by members of the City's boards and commissions, especially the BZA.

Mayor Agenbroad confirmed that the consensus of the majority of Council is to appoint Sarah Jobe to the Board of Zoning Appeals. Mayor Agenbroad commented that Council would consider a motion at tonight's Regular Meeting to appoint Sarah Jobe to the Board of Zoning Appeals.

Final Questions/Comments: *Ms. Martin asked Ms. Lairson if board members would be working the tables she had requested for the public open house on September 27? Ms. Lairson answered yes. Ms. Martin confirmed that staff would set up the tables and the board members would bring their own materials. Ms. Lairson answered yes. Ms. Thompson suggested setting up the tables on the porch during the public open house.*

Bicycle and Pedestrian Advisory Committee: *Ms. Belpulsi asked if the Planning Commission would forward its recommendation regarding the appointment of the Bicycle and Pedestrian Advisory Committee (BPAC) to Council on September 17 since the September 3 meeting has been canceled? Ms. Thompson replied yes. Ms. Thompson commented that she, Chris Papakirk (Planning Commission), and Mary Sillies (Park Board) served on a subcommittee to review applicants for the committee and their recommendations have been forwarded to City Planner Dan Boron. Mr. Boron will seek approval of those recommendations from the Planning Commission at their August 26 meeting. Once the Planning Commission approves the subcommittee's recommendations, a formal recommendation will be made to Council for approval on September 17. Eleven people submitted applications to serve on the committee and seven of those applicants have been recommended for appointment.*

Legal Committee: *Mr. Chmiel reminded everyone that the Legal Committee will meet on September 17 at 5:30 PM in the Council Chambers conference room.*

ITEM 7. ADJOURNMENT. *With no further discussion, Mayor Agenbroad adjourned the August 20, 2009 City Council Work Session at approximately 6:27 PM.*

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

CITY COUNCIL REGULAR MEETING

THURSDAY, AUGUST 20, 2009

7:00 PM

COUNCIL

John Agenbroad, Mayor

Jim Chmiel, Deputy Mayor
Marie Belpulsi
Sheila Lairson

Scott Anderson
Tom LaDu
John D. Parise

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager
Jeff Kruihoff, Police Chief

Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

PUBLIC HEARING

A PUBLIC HEARING WAS HELD BEFORE THE CITY COUNCIL OF THE CITY OF SPRINGBORO, OHIO AT 7:00 P.M. ON THURSDAY, AUGUST 20, 2009 TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO. THE PUBLIC HEARING TOOK PLACE IN COUNCIL CHAMBERS AT THE CITY OF SPRINGBORO TEMPORARY CITY BUILDING, 425 SOUTH PIONEER DRIVE, SPRINGBORO, OHIO 45066.

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 1.8 ACRES OF LAND LOCATED AT 477-483 NORTH MAIN STREET (SR 741) FROM O-R, OFFICE-RESIDENTIAL DISTRICT, TO PUD-B, PLANNED UNIT DEVELOPMENT-BUSINESS.

THIS PUBLIC HEARING WAS HELD IN ACCORDANCE WITH CHAPTER 1284 (AMENDMENTS) OF THE CITY'S PLANNING AND ZONING CODE. THIS PUBLIC HEARING WAS LIMITED TO 30 MINUTES; 15 MINUTES RESERVED FOR THE OPPONENTS, AND 15 MINUTES RESERVED FOR THE PROPONENTS.

CITY PLANNING CONSULTANT DAN BORON: MR. BORON PROVIDED BACKGROUND INFORMATION REGARDING THE PUBLIC HEARING FOR A REZONING REQUEST AT 477-483 NORTH MAIN STREET AS FOLLOWS: (MR. BORON'S PRESENTATION IS ATTACHED FOR THE RECORD AND REFERENCE.) THE SUBJECT OF THE PUBLIC HEARING IS A 1.8-ACRE PARCEL LOCATED SOUTHWEST OF THE INTERSECTION OF NORTH MAIN STREET AND TAMARACK TRAIL, FORMERLY THE SITE OF L & L PLUMBING, WHICH WAS IN BUSINESS FOR MANY YEARS. THE PROPERTY HAS DIRECT FRONTAGE ON NORTH MAIN STREET AND IS PRESENTLY ZONED O-R, OFFICE-RESIDENTIAL DISTRICT. THE APPLICANT HAS REQUESTED THAT THE PROPERTY BE REZONED TO PUB-B, PLANNED UNIT DEVELOPMENT-BUSINESS. THIS REZONING IS USING B-2 DISTRICT ZONING AS A BASIS, WHICH IS THE LOCAL BUSINESS DISTRICT ZONING AND INCLUDES APPROXIMATELY 29 PERMITTED USES. ALL OF THE IDENTIFIED USES WOULD BE PERMITTED IN THIS PROPOSED PUD-B WITH THE EXCEPTION OF SHOPPING CENTERS. IN ADDITION, THE PROPOSED REZONING IS CONSISTENT WITH THE SPRINGBORO LAND USE PLAN POLICY AREA A, CENTRAL STATE ROUTE 741 CORRIDOR. THIS IS THE FIRST REZONING, WHICH REFLECTS THE

NEWLY ADOPTED LAND USE PLAN AS A BASIS. A GENERAL PLAN, WHICH IS A COMPANION TO PHASE ONE OF THE PUD REZONING PROCESS IS PENDING AT THIS TIME THROUGH THE PLANNING COMMISSION. THE GENERAL PLAN WILL IDENTIFY SOME EXTERIOR DEVELOPMENT ON THE SITE, OUTDOOR STORAGE, FENCING, AND SCREENING, WHICH WILL BE SUBJECT TO APPROVAL AT THE AUGUST 26 PLANNING COMMISSION MEETING. MAPS HAVE BEEN PROVIDED USING AERIAL PHOTOGRAPHY TO SHOW THE SIGHT AND ADJOINING PROPERTY INCLUDING THE RENWOOD CONDOMINIUMS TO THE WEST AND NORTH AS WELL AS THE VICINITY AT THE INTERSECTION OF TAMARACK TRAIL AND SR741 AND TO SHOW THE SUBJECT PROPERTY WITH ADJACENT ZONING IN THE VICINITY. MR. BORON OFFERED TO ANSWER ANY QUESTIONS OF COUNCIL.

MR. LADU ASKED MR. BORON HOW MANY CURB CUTS THERE WERE FOR THE PROPERTY? MR. BORON REPLIED THAT PRESENTLY THERE ARE TWO CURB CUTS FOR THAT PROPERTY, ONE OF WHICH IS SHARED WITH THE ADJOINING PROPERTY.

MAYOR AGENBROAD OPENED THE HEARING TO PROPONENTS AND ASKED ANY PROPONENTS TO PLEASE STEP FORWARD AND STATE THEIR NAME AND ADDRESS FOR THE RECORD. NO PROPONENTS CAME FORWARD.

OPONENTS:

MAYOR AGENBROAD OPENED THE HEARING TO OPPONENTS AND ASKED ANY OPPONENTS TO PLEASE STEP FORWARD AND STATE THEIR NAME AND ADDRESS FOR THE RECORD. NO OPPONENTS CAME FORWARD.

MAYOR AGENBROAD ASKED IF ANYONE HAD ANY QUESTIONS REGARDING THE PROPOSED REZONING. THERE WERE NO QUESTIONS FOR THE CITY PLANNER OR COUNCIL.

MAYOR AGENBROAD CLOSED THE PUBLIC HEARING AT APPROXIMATELY 7:09 PM.

REGULAR MEETING

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, August 20, 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, Absent; Belpulsi, Present; Chmiel, Present; LaDu, Present; Lairson, Present; Parise, Present.

Mayor Agenbroad commented that Mr. Anderson was on vacation, and asked for a motion to excuse Mr. Anderson.

Mr. Parise motioned to excuse Mr. Anderson. Mr. LaDu seconded the motion.

No discussion.

VOTE: Lairson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes; LaDu, Yes. (6-0)

ITEM 4. APPROVAL OF MINUTES: THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF AUGUST 6, 2009.

Mr. Chmiel motioned to approve the minutes of the August 6, 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; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes. [6-0]

ITEM 5. PRESENTATIONS: No presentations.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for approximately 26 minutes to discuss the following legislation as well as other City matters.

- 1) **ORDINANCE: FIRST READING.** "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, AND REZONING APPROXIMATELY 1.8 ACRES OF LAND AT 477-483 NORTH MAIN STREET FROM O-R, OFFICE-RESIDENTIAL DISTRICT, TO PUD-B, PLANNED UNIT DEVELOPMENT-BUSINESS," was read by the Clerk of Council. Mr. Boron commented on this item as follows:

This is the first reading of an ordinance to amend the official zoning map of the City of Springboro and rezone approximately 1.8 acres of land at 477-483 North Main Street from O-R to PUD-B. This ordinance was the subject of the Public Hearing at the beginning of tonight's meeting. This ordinance represents a rezoning application, which was subject to Planning Commission approval, for a 1.8 acre-site that formerly housed L & L Plumbing located at 477-483 North Main Street. The property would be rezoned to PUD-B, which would allow an array of uses found in the City's B-2 Local Business District Zone. The application to rezone is accompanied by a General Plan, which is now pending through the Planning Commission and would allow the Planning Commission and ultimately the City Council control over the development of the property that would not normally be found under conventional zoning. The property is presently zoned O-R. In addition, this is the first rezoning consistent with the City's new Land Use Plan, which was adopted in April of this year.

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

No action required at this time.

- 2) **ORDINANCE: FIRST READING.** "AN ORDINANCE AMENDING CHAPTER 1229, HISTORIC PRESERVATION CODE," was read by the Clerk of Council. Mr. Boron commented on this item as follows:

This is the first reading of an ordinance to amend Chapter 1229, Historic Preservation Code, of the Codified Ordinances of the City of Springboro. This ordinance is intended to make a number of revisions and improvements to Chapter 1229 of the Historic Preservation Code, which is in the Planning and Zoning Code' therefore, there are two recommendations supporting these proposed amendments, one from the Architectural Review Board approved on July 13 and one from the Planning Commission approved on July 29. There are two main focuses of this revision. First, to incorporate a number of necessary changes, which came to light based on the storm events of last summer and fall, one in June and Hurricane Ike in the fall, whereas as a result of damage to historic property in the historic district and also other protected properties there were situations in which continued wind and water damage to properties that were in disrepair were in a state of limbo while they awaited Architectural Review Board approval. These revisions would allow the Planning Commission to delegate some authority to staff and establish rules and procedures in keeping with Chapter 1229 to provide a process. Property owners would still go through the same Certificate of Appropriateness process for all other changes to protected property in the historic district and other stand alone landmarks. Second, to address an error or deletion to the ordinance that was found in the course of a discussion between members of staff relative to the situation of Certificates of Appropriateness, which are appealed to Council for non-demolition cases, i.e. alterations, where a property owner chooses to change the roof color, material, or other or a window or door change. At one time, the ordinance provided for an appeal to Council when a Certificate of Appropriateness was denied, which was the case through April of 2000. In the course of responding to an application for an appeal to Council, staff noticed that as part of an omnibus series of changes to Chapter 1229 that provision was deleted. In consulting with the State Historic Preservation Office and Members of the Architectural Review Board at the time, staff felt it was appropriate to reinsert this provision, as it is also an underpinning collectively with some of the other appeals processes

contained in the ordinance and the constitutionality of historic preservation ordinances in general. For the record, the ordinance currently provides for an appeal to Council regarding the demolition of structures in the historic district, which has been exercised at least once in the last five years. Again, these amendments would among other things reintroduce the appeals process for alterations in Chapter 1229. Mr. Boron offered to answer any questions.

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

No action required at this time.

- 3) **RESOLUTION R-09-50:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BARRETT PAVING MATERIALS, INC. FOR THE CONSTRUCTION OF "EAST MILL STREET ROADWAY IMPROVEMENTS"," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a contract with Barrett Paving Materials, Inc. for the construction of the "East Mill Street Roadway Improvements." This project has been on the books for many, many years and will allow the City in conjunction with Issue II funding from the Ohio Department of Transportation to pay for 49% of the project costs. This project will allow the City to widen and reprofile East Mill Street from east of South Main Street to Richards Run/Eyler Drive. This rebuilt section of the road will allow for three lanes of traffic, two lanes and a turn lane with 2.5 f. of curb and gutter on both sides of the road. In addition, this project will accommodate sidewalk on both sides of the road, which will enable the Fieldstone and Creekside Subdivision residents to walk to the Main Street area of the community. The City has been trying to secure Issue II funds for a very long time for this important and significant project, and is happy that the project will finally be accomplished. The engineer's estimate for the project, as submitted to the Ohio Public Works Commission, was \$1.538M; the City's share of the total cost will be \$759,565. The winning bid for the project was from Barrett Paving at \$1,429,790, which was approximately \$300,000 under the engineer's estimate for the project. The City is pleased with the bid and very happy to provide the residents from the east side of the community pedestrian access to the Main Street area.

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

Ms. Belpulsi motioned to adopt Resolution R-09-50. Ms. Lairson seconded the motion.

No discussion.

VOTE: Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes; LaDu, Yes; Lairson, Yes. (6-0)

- 4) **RESOLUTION R-09-51:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE A DRUG USE PREVENTION GRANT (FORMALLY KNOWN AS THE DRUG ABUSE RESISTANCE EDUCATION (DARE) GRANT PROGRAM) APPLICATION, AND TO ENTER INTO AN AGREEMENT WITH OHIO ATTORNEY GENERAL, RICHARD CORDRAY, TO CONTINUE THE "DARE" PROGRAM IN THE SPRINGBORO CITY SCHOOLS FOR THE 2009-2010 SCHOOL YEAR," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes the City Manager to file a Drug Use Prevention Grant (formally known as the Drug Abuse Resistance Education Grant Program or DARE) application. The City has been participating in this program for a number of years. The amount requested from the State for this year's program is \$16,660.80. Staff recommends approval of this resolution to allow the City to continue the DARE Program in the Springboro School District.

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

Mr. Chmiel motioned to adopt Resolution R-09-51. Mr. LaDu seconded the motion.

No discussion.

VOTE: Lairson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Yes; LaDu, Yes. (6-0)

ITEM 7. REPORTS: **Mayor's Report** – The 3rd US District Office Hours will be held on Friday, August 21 from 1-2 PM in Council Chambers. Labor Day will be observed on Monday, September 7; whereby, the City Offices will be closed. The City Council Work Session and Regular Meeting of September 3 has been canceled and rescheduled to September 17, due to a lack of agenda items. Council will hold two Council Meetings on September 17 according to the following schedule: Work Session at 6:00 PM, Regular Meeting of September 3 at 7:00 PM, followed by the Regular Meeting of September 17 in Council Chambers. Also, the Finance Committee and the Legal Committee will meet on September 17 at 5:30 PM in Council Chambers and Conference Room. 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 – No report.

Committee Reports –

Mr. LaDu – No reports.

Mr. Parise – No reports.

Ms. Lairson – Finance Committee – The Finance Committee met tonight at 5:30 PM in Council Chambers, and all of the City's finances are in order and the State Audit was clean with no findings regarding the City's finances.

Community Service Board – The Community Service Board met on Monday, August 17 and welcomed new Board Member Jeanne Porter. The Board has received no requests for assistance as of yet, but has been advertising that volunteers are available to help residents in need of assistance. The Board does have a list of volunteers ready to help residents with any small tasks. **Tree Authority** – The Tree Authority met on Tuesday, August 18 and discussed receiving federal money to develop bio-swales at North Park and Clearcreek Park; the project will begin in 2010. Also, a Monarch Tree fell at Community Park last year and the wood from that tree is being used to make some benches. Bill Riegel, a Springboro resident and charter Member of the Tree Authority offered to build the benches from his wood shop. One bench has been completed and it is beautiful; there are two more benches in production.

Ms. Thompson added that the one bench Mr. Riegel has built so far actually sets three people and is very heavy. Mr. Riegel is donating the first bench to the new City Building for the lobby area. The City has asked Mr. Riegel to make two more benches for the front porch of the new City building. The benches are absolutely beautiful; Mr. Riegel has done a phenomenal job. The first bench that Mr. Riegel donating to the City will feature a plaque recognizing Mr. Riegel for his gift. Mr. Riegel has been a volunteer of the Tree Authority close to 20 years.

Ms. Lairson commented that the Tree Authority was glad to see that the wood from the fallen Monarch Tree did not go to waste.

Ms. Belpulsi – Planning Commission – The Planning Commission met on Wednesday, August 12 to review the following items: Site Plan Review – North Main Street, proposed office building, a new development in Springboro located just north of the Kenwood Mortgage Company; Rezoning & General Plan – Lytle-Five Points Road, O-R, Office-Residential District to PUD-B, Planned Unit Development-Business, discussion is ongoing with the developer; General Plan – 477-483 North Main Street, proposed PUD-B, Planned Unit Development-Business including discussion with the owners and developers to clarify some issues regarding the plan. This rezoning was the topic of the Public Hearing held at the beginning of tonight's Council Meeting. All items on the agenda will come back to the Planning Commission for formal discussion and approval at the end of the month. The next Planning Commission Work Session will be held on Wednesday, August 26 at 7:00 PM in Council Chambers, as scheduled.

Mr. Chmiel – No reports.

ITEM 8. OTHER BUSINESS. Ms. Belpulsi presented a notice of an application for a Liquor License as follows:

A notice of an application for a new Liquor License for Viking Group Inc. dba Donatos Pizza, 764 Gardner Rd., Springboro, Ohio 45066 bearing the number 92720050040. The Liquor License is for Permits D-1 – On premises consumption and carry out of beer until 1:00 a.m., five and one-sixth gallons maximum size. The Springboro Police Division 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 application. Mr. LaDu seconded the motion.

No discussion.

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

Based on the consensus reached at the Work Session, Mayor Agenbroad asked for a motion to appoint Sarah Jobe to the Board of Zoning Appeals for a term that expires on December 31, 2012.

Mr. Chmiel motioned to appoint Sarah Jobe to the Board of Zoning Appeals to serve an unexpired term ending December 31, 2012. Mr. LaDu seconded the motion.

No discussion.

VOTE: Lairson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, No; LaDu, Yes. [5-1]

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Ms. Thompson commented that the community would soon receive the latest newsletter during the week of September 11, which among other items includes an invitation to the public for an Open House at the new City Building on Sunday, September 27 from 1:00-4:00 PM. The community also will be receiving information in that newsletter concerning Springboro Day at Heatherwoode on Sunday, October 11. This is the eighth year that the City has hosted this event and Council has graciously agreed to cook hamburgers and hotdogs and offer nine holes of golf at Heatherwoode for residents of the community. City board and commission members will be receiving information regarding the event prior to the general public, as they do volunteer throughout the year and are offered advance sign-up. Following the advance sign-up, the general public will receive the dates during which they can call Heatherwoode to book a tee time. Please look for your newsletter to get all of the information in an appropriate time frame.

ITEM 10. GUEST COMMENTS. No guest comments. Mayor Agenbroad thanked the guests for taking the time to attend tonight's Public hearing and meeting.

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 wished everyone a great Labor Day Weekend.

Ms. Belpulsi motioned to adjourn the meeting; whereby, the Thursday, August 20, 2009 Springboro City Council Regular Meeting was adjourned at approximately 7:26 PM. Ms. Lairson seconded the motion.

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

—MEETING ADJOURNED—

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council