

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

CITY COUNCIL WORK SESSION

THURSDAY, JANUARY 8, 2009

6:00 PM

COUNCIL

John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor
Scott Anderson
Sheila Lairson

Jim Chmiel
Tom LaDu
John D. Parise

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager
Jeff Kruthoff, 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, January 8, 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. LEGISLATIVE AGENDA. –Three legislative agenda items were reviewed for the January 8, 2009 City Council Regular Meeting.

- 1) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE APPROVING THE RIGHT-OF-WAY DEDICATION PLAT AND MAINTENANCE GUARANTY, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUBDIVIDER'S CONTRACT FOR "GARDNER ROAD, VILLAGE PARK BOULEVARD, ANNA DRIVE, PART OF STATE ROUTE 741, AND EASEMENTS", AND DECLARING AN EMERGENCY.

The developer has submitted a written request that Council waive the second and third readings of this ordinance in order to record the plat as soon as possible and allow the various parcel owners to continue with development activities. Ms. Thompson explained that the developer is trying to sell one lot in particular to begin construction on a 49,000 sq. ft. office building, and approval of this ordinance would allow the right-of-way dedication to occur, but would not affect any other issues the City is working on with the developer with regard to recording the plats. This legislation simply represents the right-of-way dedication. The Planning Commission will review some of the more complicated record plan issues pertaining to this development next week.

Mayor Agenbroad clarified that the final site plan for the development is separate from the right-of-way dedication. Ms. Thompson replied yes, and explained that the associated record plans for Village Park will be presented for Council's consideration in the future.

There were no objections of Council to waive the second and third readings of this ordinance at tonight's Regular Meeting under Legislation.

- 2) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PICKREL, SCHAEFFER & EBELING CO., L.P.A. TO PROVIDE LEGAL COUNSEL TO PROVIDE LEGAL SERVICES FOR THE CITY OF SPRINGBORO AND DESIGNATING ALAN B. SCHAEFFER AS LAW DIRECTOR FOR THE CITY.

As a member of the Legal Committee, Mr. Chmiel commented that the contract represented by this resolution, is the same as the previous two-year contract. The one-year renewal option has been exercised, and the terms require the City to formally renew the contract this year. Mr. Chmiel further commented that the hourly rate has not changed, and billable hours for legal services have been consistently under budget for the past several years. Mr. Chmiel stated that the Legal Committee discussed and agreed unanimously to recommend continuing legal services with Pickrel, Schaeffer, and Ebeling.

Ms. Thompson will address this item at tonight's Regular Meeting under Legislation.

- 3) **RESOLUTION:** A RESOLUTION ESTABLISHING AN AUTHORIZED LIST OF ADMINISTRATIVE PERSONNEL WHO ARE AUTHORIZED TO SIGN DOCUMENTS PERTAINING TO AN EMERGENCY MANAGEMENT ASSISTANCE COMPACT (EMAC) DEPLOYMENT ON BEHALF OF THE CITY OF SPRINGBORO.

Chief Kruithoff commented that there are two types of requests for emergency assistance from other communities, an IMAC or intra-state request for assistance, which occurs between communities within the same state, which has been resolved by state law and an EMAC or inter-state request for assistance, which occurs when there is a request to send resources out of state under a federally declared emergency such as when Springboro officers were sent Louisiana to assist during Hurricane Katrina. Chief Kruithoff explained that there is some paperwork that needs to be signed to make sure that the City receives reimbursement. Chief Kruithoff explained that when the City receives a request to send resources out of state, it is a time sensitive process requiring an immediate response. For example, the request to assist during Katrina occurred over a weekend. The City would like to ensure that in the event that Ms. Thompson and/or Mr. Pozzuto are out of town, there is someone at the City to sign the required authorization to avoid any reimbursement issues. Simply put, this resolution authorizes certain City personnel to authorize paperwork to ensure the City is properly reimbursed for EMAC assistance.

Ms. Belpulsi asked who would reimburse the City, would it be FEMA? Chief Kruithoff answered that the City would be reimbursed through the state EMA office. Ms. Belpulsi confirmed that if the City were to send personnel out of state to assist, it would be a federal reimbursement? Chief Kruithoff answered that it would be a federal reimbursement through the state EMA office.

Ms. Thompson commented that the City was reimbursed for the assistance provided during Hurricane Katrina through FEMA.

Chief Kruithoff added that the City would still make the decision whether or not to send the resources out of state further mentioning that even City Council was consulted when officers were sent to "Katrina." Chief Kruithoff emphasized that this legislation does not change the decision making process; it simply allows the City to react to a request for assistance very quickly and eliminates communities from self-dispatching personnel to emergencies around the country, which is a bad practice because the community in need of assistance does not know what to do with the personnel and the community that is assisting thinks they are doing a good thing. Chief Kruithoff stated that if a community is going to assist another community in crisis the request should go through the proper channels, and this legislation encourages communities to go through the proper channels.

Mr. LaDu asked why Chief Kruithoff is not on the list of authorized personnel to sign the required paperwork? Chief Kruithoff answered that he is one of the 30 members of the State Incident Management Team; therefore, he would very likely be one of the people deployed in the event a request for assistance comes specifically to the City of Springboro.

Chief Kruithoff will address this item at tonight's Regular Meeting under Legislation.

ITEM 4. CITY MANAGER.

-Issues/Reports.

Annual Goals Retreat for 2009: First, Ms. Thompson thanked Council for their patience during her illness, which prevented her from attending the last Council meeting. Ms. Thompson proposed Saturday, January 24 or January 31 to discuss and establish City goals for 2009. Ms. Thompson suggested holding the meeting at Heatherwoode using the same format as last year. After determining the availability of Council Members on the proposed dates, it was determined that the Annual Goals Retreat for 2009 would be held on Saturday, January 31 at 8:30 AM at Heatherwoode Golf Course Clubhouse.

OCMA Conference: Ms. Thompson requested authorization to attend the OCMA Conference and to continue with the ICMA University credentialing program, which requires 40 hours of continuing education annually. Also, Mr. Pozzuto usually attends one day of the conference each year. Ms. Thompson added that she has submitted her annual credentials update, and should be informed in January if she has met the required credentials for 2008.

Executive Session: Ms. Thompson requested an Executive Session, following the Work Session discussion, to discuss the purchase of property.

At this time, Mr. LaDu motioned to enter Executive Session under R.C.121.22(G), following the Work Session discussion, to discuss the purchase of property. 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]

Austin Interchange Update: Ms. Thompson reported that the notes to finance the City's share of the Austin Interchange Project were sold today at a 2.78% interest rate. Moody's Financial Services rated the notes MIG-1, which is outstanding and the highest rating. The City's "Aa3" bond rating had a very positive impact on the note rating combined with the other two jurisdictions' "A" ratings (Miamisburg and Miami Township). Ms. Thompson commented that the City's "Aa3" rating helped the project and the group, and she is proud that the City had that higher rating. Ms. Thompson also commented that there were some challenges concerning the note language with regard to the cross guarantees that are in the cooperative agreement to be maintained. Ms. Thompson explained that the Township was concerned that those agreements were being abandoned in some way, but it was all sorted out and tomorrow morning she is meeting with all of the parties to review the notes again to make sure everything is in order and signed. The \$5.188M has to be in ODOT's hands by January 24 in order to sell the project on February 11. The notes that were sold are 12-month notes, which gives the jurisdictions involved time to consider options for permanent bond financing and to seek approval for permanent financing for the local share of the project next year.

New City Building Update: Ms. Thompson reported that Mr. Pozzuto has been attending construction meetings every Tuesday, and now they will begin scheduling a follow up meeting with the Architect, John Fabelo, to discuss furnishings and equipment, which require a lead-time of 14-16 weeks, to coordinate with the construction schedule. Various staff members will be involved in selecting furnishings such as police lockers, file cabinets, etc, and Council will be involved in furnishing the Council Chambers, Conference Room, and Mayor's Office. The building construction is still on schedule for the end of August. As the completion date gets closer, staff will be making arrangements for an open house, dedication ceremony, etc. Ms. Thompson and Ms. Martin will be sharing some ideas with Council in the next few months regarding a token for Council to give to the appropriate people to memorialize the building's dedication. Ms. Thompson assured that Council would have plenty of notice regarding building issues.

ITEM 5. CLERK OF COUNCIL.

-Issues/Reports.

Calendar Update: The City offices will be closed on Monday, January 19 to observe Martin Luther King Day. The 3rd U. S. District Office Hours will resume on January 23 from 1:00-2:00 PM in Council Chambers.

Council Meeting Schedule: The next City Council Meeting will be held on January 22, 2009 beginning with the Work Session at 6:00 PM followed by the Regular Meeting at 7:00 PM.

Citizen and Council Committee Appointments for 2009: Ms. Martin reminded Council that any action concerning committee appointments for 2009 is scheduled to take place at tonight's Regular Meeting under Other Business.

The National League of Cities 2009 Annual Congressional City Conference: The NLC Congressional Conference will take place March 14-18 in Washington, D.C. at the Marriott Wardman Park Hotel. The Opening Session is scheduled for Monday, March 16. This conference is an opportunity for Council Members to network with other elected officials from communities around the country and meet and lobby with congressional representatives.

Ms. Thompson mentioned that for those Council Members with a tighter schedule, they could attend the conference on Monday and Tuesday only.

Ms. Belpulsi commented that she would like to contact Congressman Mike Turner to let him know if Council Members do decide to attend the conference in Washington. Ms. Belpulsi further commented that she might be interested in attending the conference in light of the current economy, the new administration, and the opportunity with the stimulus package to bring a spotlight on Ohio and perhaps have some kind of impact for the state and the region.

Operation Santa: Chief Kruithoff commented that Operation Santa has been billed a police program, but it is the City staff that makes the program so successful. Chief Kruithoff referred to some notes from Officer Lisa Walsh, who did most of the program coordination. City employees donated over \$600 dollars this year, which is important because the program did not have a corporate sponsor. The program sponsored six families / nineteen children with abuse issues. The families were truly needy and very appreciative. Twenty-five students from the Springboro High School National Honor Society helped by wrapping all of the gifts in about an hour. Officer Bob Marchiny delivered the gifts to the families dressed as Santa Claus. Chief Kruithoff reiterated that this program is employee driven, and there is no pressure by the City administration to participate or contribute. Chief Kruithoff finally commented that staff deserves a lot of kudos for their efforts.

Mayor Agenbroad commented that he has helped with the program in the past, but he did not get a phone call this year. Chief Kruithoff apologized commenting that Officer Walsh was very busy with the program and work this year. Mayor Agenbroad further commented that he could help to raise money for this program in the future. Ms. Thompson responded by stating that the Mayor's help would be appreciated. Ms. Thompson added that the Springboro Friends and Family Event is scheduled for July 10 at Heatherwoode.

ITEM 6. CITY COUNCIL. -Issues/Reports.

There were no issues or reports from Council Members.

At this time, Mayor Agenbroad began the nominations for Council Committee Appointments for 2009 as follows:

Deputy Mayor: Ms. Belpulsi nominated Mr. Chmiel to serve as Deputy Mayor in 2009.

There were no other nominations for Deputy Mayor.

Mr. Chmiel was nominated to serve as Deputy Mayor in 2009.

Finance Committee: Mayor Agenbroad, Mr. Anderson, and Ms. Lairson were currently serving.

Mayor Agenbroad and Ms. Lairson commented that they would like to continue serving on the Finance Committee.

Mr. Anderson offered to step down, if there were any other Council Members that wished to serve on the Finance Committee.

Mr. LaDu commented that he would like the opportunity to serve on the Finance Committee.

There were no other nominations for the Finance Committee.

Mayor Agenbroad, Mr. LaDu, and Ms. Lairson were nominated to serve on the Finance Committee in 2009.

Legal Committee: Ms. Belpulsi, Mr. Chmiel, and Mr. LaDu were currently serving.

Ms. Belpulsi and Mr. Chmiel commented that they would like to continue serving on the Legal Committee.

Mr. Parise commented that he would like the opportunity to serve on the Legal Committee. Mr. LaDu was willing to step down from the committee.

There were no other nominations for the Legal Committee.

Ms. Belpulsi, Mr. Chmiel, and Mr. Parise were nominated to serve on the Legal Committee in 2009.

Utilities, Safety and Street Committee: Mayor Agenbroad, Mr. LaDu, and Mr. Parise were nominated without debate to continue serving on the Utilities, Safety and Street Committee in 2009.

Sanitary Claims Committee: Mr. Parise and Mr. Pozzuto, Assistant City Manager, were nominated without debate to continue serving on the Sanitary Claims Committee in 2009.

Tax Incentive Review Committee: **This committee was deactivated.** It was determined that this committee was established "ad hoc" to review tax incentives such as tax abatements for new developments. The committee has not convened a meeting in approximately 10 years.

Architectural Review Board: Mr. Parise was nominated without debate to continue serving on the Architectural Review Board in 2009.

Community Service Board: Ms. Lairson was nominated without debate to continue serving on the Community Service Board in 2009.

Housing Council (Community Reinvestment Committee): Mr. Chmiel was nominated without debate to continue serving on the Housing Council (Community Reinvestment Committee) in 2009.

Miami Valley Communications Council: Mr. Anderson and Mayor Agenbroad, as the Alternate, were nominated without debate to continue serving on the Miami Valley Communications Council in 2009.

Park Board: Mr. Parise and Ms. Lairson, as the Alternate, were nominated without debate to continue serving on the Park Board in 2009.

Planning Commission: Ms. Belpulsi and Mr. Chmiel were nominated without debate to continue serving on the Planning Commission in 2009.

Tree Authority: Ms. Lairson was nominated without debate to continue serving on the Tree Authority in 2009.

Mr. LaDu offered to replace Mr. Parise as the Alternate to the Tree Authority. There were no other nominations. Mr. LaDu was nominated without debate to serve as the Alternate on the Tree Authority in 2009.

Warren County Board of Health: Phyllis Harover was nominated without debate to continue serving on the Warren County Board of Health in 2009. There were no other nominations or applicants for this appointment, and Ms. Harover wishes to be reappointed to the Board.

Warren County Regional Planning Commission: Ms. Thompson, City Manager, Dan Boron, City Planner, as an Alternate, Barry Conway, Public Works Director; and Mr. Chmiel, as an Alternate, were nominated without debate to continue serving on the WCRPC in 2009.

Miami Valley Regional Planning Commission: Mayor Agenbroad, Barry Conway, Public Works Director, as the Alternate, Barry Conway, Public Works Director, as the TAC Representative, and Mr. Pozzuto, Assistant City Manager, as the TAC Alternate were currently representing the City on the MVRPC.

Ms. Thompson recommended replacing Mr. Pozzuto, who serves as the TAC Alternate, with Elmer Dudas, Assistant City Engineer. There were no objections to this recommendation.

Mayor Agenbroad, Barry Conway, Public Works Director, as the Alternate, and Barry Conway, Public Works Director, as the TAC Representative were nominated without debate to continue serving on the MVRPC in 2009. Elmer Dudas, Assistant City Engineer, was nominated to serve as the TAC Alternate in 2009.

At this time, Mayor Agenbroad began the nominations for Citizen Committee Appointments for 2009:

Architectural Review Board (two-year terms/ three seats): Michael Wolfe, Rebecca Hall, Tim Raberding, William Harn, and Christine Banks were considered.

As the Council Representative to the Board, Mr. Parise recommended retaining all three incumbents on the Board. He explained that the Architectural Review Board is a difficult committee to serve on and these members form a cohesive group along with the other members currently serving.

By unanimous consent, Michael Wolfe, Rebecca Hall, and Tim Raberding were selected to serve on the Architectural Review Board for a two-year term.

Audit Committee (one-year term/ one seat): Sarah Jobe was considered. Ms. Jobe was the only applicant for the vacant seat on the Audit Committee.

By unanimous consent, Sarah Jobe was selected to serve on the Audit Committee for a one-year term.

Board of Review/Taxation (three-year term/ one seat): Melissa Ballweg was considered. Ms. Ballweg was the incumbent, and there were no other applicants for the Board of Review/Taxation.

By unanimous consent, Melissa Ballweg was selected to serve on the Board of Review/Taxation for a three-year term.

Board of Zoning Appeals (four-year terms/ two seats): Scott Oxley, Sondra Marzluff, and Tony DeRosa were considered.

It was determined that this Board meets only once or twice per year, and the Board's work requires some continuity and background knowledge with respect to the quasi-judicial nature of the Board. It was also pointed out that one of the two incumbent members is an attorney and the other is a real estate agent, which is helpful relative to the Board's work.

By unanimous consent, Scott Oxley and Sondra Marzluff were selected to serve on the Board of Zoning Appeals for a four-year term.

Based on the recommendation of the Planning Commission, Barbara Gibson was selected to serve as the Planning Commission Representative to the Board of Zoning Appeals for a one-year term.

Park Board (two-year term/ two seats): Charles Halsey, Suzanne Geisler, and Leslie Marsh were considered.

As the Council Representative to the Board, Mr. Parise commented that he would like to retain the two incumbent members of the Board. Mr. Parise further commented that they are dedicated people and very involved in the Board's work; although, he admires anyone willing to apply and give their personal time to serve on the Board. Mr. Parise added that it is a shame the City cannot appoint more people to serve on committees.

Mr. Chmiel agreed with Mr. Parise's comments stating that he has served with both of the incumbents on the Park Board and they continue to do a really nice job. Mr. Chmiel added that Ms. Geisler announces all of the Concerts in the Park.

Mr. Anderson also served on the Park Board with Mr. Halsey and Ms. Geisler, and he agreed with Mr. Chmiel's comments.

By unanimous consent, Charles Halsey and Suzanne Geisler were selected to serve on the Park Board for a two-year term.

Planning Commission (four-year term/ three seats): Barbara Gibson, Becky Hartle, Hans Landefeld, Tony DeRosa, Ed Flohre, Jerry McCarthy, George Schneider, and John Weiler were considered.

Mr. Parise nominated Ed Flohre to serve on the Planning Commission for a four-year term. Mr. Parise commented that City growth is slowing down and Planning Commission activity has really slowed down as well making it an opportune time to appoint new members and get some fresh ideas. Mr. Parise pointed out that Mr. Flohre is a businessman, and he thinks it would be nice to have more business people involved with the Commission.

Mr. Anderson asked for the opinions of the Council Representatives serving on the Planning Commission.

As a Council Representative to the Commission, Ms. Belpulsi agreed that the Planning Commission schedule has been very slow this year, which the economy dictates, and it probably would not be much better next year, but the incumbent Planning Commission members that have requested to be reappointed are very, very good, come from all different perspectives with really good backgrounds, and have done a lot of good work with the City's new Land Use Master Plan that will be introduced to the community in the near future. Ms. Belpulsi commented that there is a lot of interest in the Planning Commission, and she is sure all of the candidates are very well qualified, adding that she has read through their resumes and would be happy to have any of them on board, but would ultimately recommend that Council retain the incumbent members requesting reappointment to the Commission.

As a Council Representative to the Commission, Mr. Chmiel commented that he would agree with Ms. Belpulsi's comments. Mr. Chmiel explained that the Planning Commission has had a light year, but with the amount of additional experience that the current commission members have in the community and the continuing education and background they have in fields related to planning, he thinks the current group of members are quite an asset and would recommend keeping that group together. He added that the current members make a very good team of diversified perspectives and gives the City a well-rounded development opportunity.

Ms. Belpulsi referred to Mr. Parise's earlier comment regarding more opportunities for citizens to serve on boards and commissions. She explained that right now, there are not very many opportunities, but as the year progresses there might be opportunities for citizen review of certain City issues and Council could appoint some of the new applicants to be part of that process, which would give them a little experience to carry forward to other committees.

Mr. Chmiel suggested that Council talk about service opportunities during the upcoming planning session and discuss ways to find more opportunities to involve the community since there is so much interest and so many people who want to be active in city government.

Mr. Schaeffer added that if the City were going to invest time and money in creating opportunities or training, it should be with the Planning Commission. Mr. Schaeffer explained that the Planning Commission is the most difficult committee to serve on, as all of the difficult land use decisions come through the Planning Commission. Mr. Schaeffer suggested that if the City has people who are interested in serving on the Planning Commission and if there is a way that the City could do some training to prepare them to serve, the City also has to have some slots available once in awhile as well. Mr. Schaeffer added that if the City brings people in that have some training behind them when they first come to the table, it eliminates a huge learning curve, which makes the whole process move a lot more smoothly and more professionally.

Ms. Belpulsi agreed with Mr. Chmiel that this might be something to talk about at the Council goals retreat. She referred specifically to other volunteer opportunities and incorporating some special training for people who are interested in City government and developing some programs that would provide a good background to prepare citizens to serve on city committees.

Mayor Agenbroad commented that it would require a Charter amendment to change the composition of the Planning Commission pointing out that the Charter dictates the membership. Ms. Belpulsi clarified that they are not suggesting expanding the Planning Commission membership. Mayor Agenbroad confirmed that they were suggesting creating ad hoc committees or task forces. Ms. Belpulsi replied yes. She explained that what she believed Mr. Schaeffer was saying was that the City could create a citizen training program for people interested specifically in the Planning Commission to learn how the planning process works and to give them some background so that when there is an opening they would be ready to step in, or if the City does create ad hoc committees to review certain issues, they would be prepared for that opportunity as well.

Mayor Agenbroad commented that the nominees for the Planning Commission have been narrowed down to four candidates as follows: Barbara Gibson, Becky Hartle, Hans Landefeld, and Ed Flohre.

Mayor Agenbroad confirmed that Mr. Parise still wished to submit his nomination of Ed Flohre to serve on the Planning Commission. Mr. Parise replied yes, that is his request.

Mayor Agenbroad requested a show of hands in favor of each of the four candidates nominated to serve on the Planning Commission. As a result, Barbara Gibson, Becky Hartle, and Hans Landefeld were nominated by the majority of Council to serve on the Planning Commission for a four-year term.

Tree Authority (three year terms/ two seats): Chris Pearson, Evan Steffens, and Sue Burrey were considered.

As the Council Representative to the Tree Authority, Ms. Lairson commented that both of the members who have requested reappointment contribute greatly to the Tree Authority, and she would like to see them continue to serve on the committee.

By unanimous consent, Chris Pearson and Evan Steffens were selected to serve on the Tree Authority for a three-year term.

Warren County Board of Health (one year term/ one seat): Phyllis Harover was considered. As noted above, there were no other nominations or applicants for this appointment, and Ms. Harover wishes to continue serving on the Board.

By unanimous consent, Phyllis Harover was selected to serve on the Warren County Board of Health for a one-year term.

Mayor Agenbroad confirmed that the applicant Mir M. Pasha did not indicate a committee preference, and there were no other openings. Ms. Martin confirmed that Mr. Pasha did not state a preference. Mayor Agenbroad confirmed that Mr. Pasha's name would be kept on the list of applicants for future reference.

Ms. Martin will notify all of the appointees and send a letter of thanks to the applicants that were not selected for committee service.

Mayor Agenbroad announced that City Council would take formal action on all committee appointments for 2009 at tonight's Regular Meeting under Other Business.

Executive Session: At approximately 6:47 PM, Council entered Executive Session to discuss the purchase of property.

With no objections, City Council exited Executive Session at approximately 7:00 PM; whereby, no votes were taken.

ITEM 7. ADJOURNMENT. *With no further discussion, Mayor Agenbroad adjourned the January 8, 2009 City Council Work Session at approximately 7:00 PM.*

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

CITY COUNCIL REGULAR MEETING

THURSDAY, JANUARY 8, 2009

7:00 PM

COUNCIL

John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor
Scott Anderson
Sheila Lairson

Jim Chmiel
Tom LaDu
John D. Parise

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager
Jeff Kruthoff, Police Chief

Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, January 8, 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 DECEMBER 18, 2008.

Ms. Belpulsi motioned to approve the minutes of the December 18, 2008 City Council Work Session and Regular Meeting as submitted by the Clerk of Council. Ms. Lairson seconded the motion.

No corrections.

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

ITEM 5. PRESENTATIONS: No Presentations.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for 47 minutes to discuss the following legislation as well as other City matters. During the Work Session, Council entered Executive Session for approximately 13 minutes to discuss the purchase of property; whereby, no votes were taken during Executive Session.

- 1) **ORDINANCE O-09-2: FIRST READING.** "AN ORDINANCE APPROVING THE RIGHT-OF-WAY DEDICATION PLAT AND MAINTENANCE GUARANTY, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUBDIVIDER'S CONTRACT FOR "GARDNER ROAD, VILLAGE PARK BOULEVARD,

ANNA DRIVE, PART OF STATE ROUTE 741, AND EASEMENTS", AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the first reading of an ordinance approving the ROW dedication plat for Gardner Road, Village Park Boulevard, Anna Drive, and part of SR741 plus easements. This ordinance combines two prior plans that were submitted for this particular development, which is located across from the Dorothy Lane Market Development. Village Park, Phase I and the right-of-way and easement dedication plans for Pennyroyal Road and SR741 and for the interior parts of Village Park were at one time two separate plans, but now are being combined in order to approve the right-of-way dedication necessary to make public improvements in the Village Park development area. The subdivider's agreement and maintenance bond have been submitted for this development, and it has been requested that the second and third readings of this ordinance be waived to allow the developer to sell property and begin construction projects.

As discussed at tonight's Work Session, Mayor Agenbroad asked for a motion to suspend the rules and waive the second and third readings of Legislative Item 1, an Emergency Ordinance.

Mr. LaDu motioned to suspend the rules and waive the second and third readings of Legislative Item 1, an Emergency Ordinance. 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]

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

Ms. Lairson motioned to adopt Ordinance O-09-2. 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]

- 2) **RESOLUTION R-09-1:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PICKREL, SCHAEFFER & EBELING CO., L.P.A. TO PROVIDE LEGAL COUNSEL TO PROVIDE LEGAL SERVICES FOR THE CITY OF SPRINGBORO AND DESIGNATING ALAN B. SCHAEFFER AS LAW DIRECTOR FOR THE CITY," 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 Pickrel, Schaeffer & Ebeling (PSE) to provide legal counsel and services to the City and to designate Alan Schaeffer as City Law Director. This resolution authorizes a renewal contract with PSE to provide legal services to the City. The Legal Committee reviewed the proposal by PSE and requested that staff prepare legislation to proceed with the contract renewal, which designates Alan Schaeffer as Law Director.

Mr. Chmiel commented that the Legal Committee unanimously recommended that Mr. Schaeffer continue to serve as the City's Law Director. Ms. Thompson added that Mr. Schaeffer as actually brought expenses for legal services under budget for the past few years, which was a significant issue in continuing the contract as well. Ms. Thompson thanked Mr. Schaeffer for his excellent working relationship with the City and for assigning members of his firm when necessary to assist the City with specific issues.

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

Mr. Chmiel motioned to adopt Resolution R-09-1. Mr. Parise seconded the motion.

No discussion.

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

- 3) **RESOLUTION R-09-2:** "A RESOLUTION ESTABLISHING AN AUTHORIZED LIST OF ADMINISTRATIVE PERSONNEL WHO ARE AUTHORIZED TO SIGN DOCUMENTS PERTAINING TO AN EMERGENCY MANAGEMENT ASSISTANCE COMPACT (EMAC) DEPLOYMENT ON BEHALF OF THE CITY OF SPRINGBORO," was read by the Clerk of Council. Ms. Thompson asked Chief Kruithoff to comment on this item. Chief Kruithoff's comments are summarized as follows:

This resolution establishes an authorized list of administrative personnel authorized to sign documents pertaining to an EMAC deployment on behalf of the City. In the last 10 years, there have been a variety of emergencies or incidences around the country where one community has been required to help another whether it was a hurricane, flood, tornado, etc. There has been a lot of work involved in making sure that these deployments are made in a very orderly process rather than one community self-dispatching resources that cannot be used effectively. Out of that work, there are two types of requests that can come to a community. One is an IMAC request, which is another community inside the same state requesting help, and an EMAC request, which is a community from another state requesting help. Although, many times that assistance is public safety, it could also be public works, parks, or even information technology personnel in the event of a major computer system crash. This resolution speaks just to the EMAC request, which is in the event that Springboro would get a request for assistance from a community outside of the State of Ohio. An EMAC request requires that certain documents be signed in order to assure the proper reimbursement process from the moment staff leaves the community to go to another state. This legislation authorizes the City Manager, the Assistant City Manager, and the Finance Director, in that order, to sign the necessary documents. If staff is called to assist with an emergency and it occurs on a Friday night, the City wants to make sure that those documents are processed quickly. Therefore, in the event a decision is made to send resources to Richmond, IN or Covington, KY, for example, it provides a very orderly process and assures that the City is reimbursed for expenses incurred responding to the EMAC request.

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

Mr. Parise motioned to adopt Resolution R-09-2. 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]

- ITEM 7. REPORTS: Mayor's Report** – Martin Luther King, Jr. Birthday Observed Monday, January 19; whereby, the City Offices are closed. The 3rd U.S. District Office Hours will be held on Friday, January 23, 1:00-2:00 PM in Council Chambers. The next City Council Work Session will be held on Thursday, January 22, 2009 at 6:00 PM in Council Chambers. The next City Council Regular Meeting will be held on Thursday, January 22, 2009 at 7:00 PM in Council Chambers. The Finance Committee will meet on January 22, 2009 at 5:30 PM in Council Chambers. 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 – Ms. Thompson announced that the notes to finance the local share of the Austin Interchange Project were sold today at a very beneficial interest rate. The sale date for the interchange project through the Ohio Department of Transportation is set for February 11. Ms. Thompson commented that hopefully, by March 11, equipment will be activated and construction will begin. The interchange will be a significant type of infill project for the southern Montgomery County and northern Warren County area to help spur some economic development growth even in this difficult economy. In addition, Ms. Thompson announced that Council has set a date for their annual goal setting session with staff to set the tone for this year. The Annual Goals Meeting will be held on January 31, 2009 at 8:30 AM at Heatherwoode Golf Course Clubhouse. Ms. Martin will be posting/advertising notification of this Special Meeting, as it is open to the public. Finally, Ms. Thompson stated that Chief Kruithoff briefly commented on Operation Santa at the Work Session earlier this evening. Traditionally, Operation Santa is considered a Police project, but everybody at

the City chipped in. This year there was no corporate sponsor and City employees donated over \$600 of their own money to make sure that the program continues. The program sponsored a number of children who were severely abused, and their families. The City is certainly looking for one or multiple corporate sponsors for Operation Santa for next year. Again, the City employees did a good job of coming up to the plate this year without corporate sponsorship. Office Lisa Walsh did the yeoman's work on this project, as she has for a number of years, some high school students wrapped all of the gifts, and Officer Bob Marchiny delivered the gifts as Santa Claus. Ms. Thompson commented that it was a huge effort on top of everyone's day-to-day duties, and she thanked the employees for making the program a success this year and helping a number of children during the holidays.

Committee Reports – No Committee Reports.

ITEM 8. OTHER BUSINESS. At this time, Mayor Agenbroad presented the nominations for committee appointments for 2009, as determined at tonight's Council Work Session.

The nominations for Deputy Mayor and Council Committee Appointments for 2009: **Deputy Mayor** – Jim Chmiel; **Finance** – John Agenbroad, Tom LaDu, Sheila Lairson; **Legal** – Marie Belpulsi, Jim Chmiel, John Parise; **Utilities, Safety And Street** – John Agenbroad, Tom LaDu, John Parise; **Sanitary Claims** – John Parise, Chris Pozzuto, Assistant City Manager; **Tax Incentive Review** – (This committee was deactivated due to inactivity); **Architectural Review Board** – John Parise; **Community Service Board** – Sheila Lairson; **Housing Council (Community Reinvestment)** – Jim Chmiel; **Miami Valley Communications Council** – Scott Anderson, John Agenbroad (Alternate); **Park Board** – John Parise, Sheila Lairson (Alternate); **Planning Commission** – Marie Belpulsi, Jim Chmiel; **Tree Authority** – Sheila Lairson, Tom LaDu (Alternate); **Warren County Board of Health** – Phyllis Harover; **Warren County Regional Planning Commission** – Chris Thompson, City Manager, Dan Boron, City Planner (Alternate), Barry Conway, Public Works Director, Jim Chmiel (Alternate); **Miami Valley Regional Planning Commission** – John Agenbroad, Barry Conway, Public Works Director (Alternate), Barry Conway, Public Works Director (TAC), Elmer Dudas, Assistant City Engineer (TAC Alternate) .

Ms. Belpulsi motioned to approve the Council Committee Appointments for 2009, as stated above. 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]

The nominations for Citizen Committee Appointments for terms beginning in 2009: **Architectural Review Board** – Michael Wolfe, Rebecca Hall, Tim Raberding (two-year terms); **Audit Committee** – Sarah Jobe (one-year term); **Board of Review/Taxation** – Melissa Ballweg (three-year term); **Board of Zoning Appeals** – Barbara Gibson (one-year term as Planning Commission Representative to the BZA), Scott Oxley, Sondra Marzluff (four-year terms); **Park Board** – Charles Halsey, Suzanne Geisler (two-year terms); **Planning Commission** – Barbara Gibson, Becky Hartle, Hans Landefeld (four year terms); **Tree Authority** – Chris Pearson, Evan Steffens (three-year terms); **Warren County Board of Health** – Phyllis Harover (one-year term).

Ms. Lairson motioned to approve the Citizen Committee Appointments for 2009, as stated above. 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. 1) The Weather Wizards – Springboro Robotics, Springboro – The team of six 7th and 8th grade students from the Springboro Community Schools extracurricular program Springboro Robotics presented information regarding the impact of bike lanes in Springboro. (The Team's recited presentation is attached for the record and reference. The Team's information packet will be filed with the minutes for the record.)

Mayor Agenbroad complimented The Weather Wizards Team on their presentation. Mayor Agenbroad appreciated the Team's comments, and stated that the City has been discussing bike paths for quite some time. Mayor Agenbroad asked Ms. Thompson to respond to the Team's proposal.

Ms. Thompson commented that the team made a very, very good presentation, and she commended all of the team members on a great job. Ms. Thompson further commented that the City could not agree more with the Team's proposal. Ms. Thompson explained that on February 5, City Council will consider a resolution that would declare Springboro a bike friendly community, a program that the City has been working on with the Miami Valley Regional Planning Commission, which will connect the Little Miami and Great Miami Bike Trails referred to in the Team's presentation, and also work on internal bikeways. The City's Planning Commission, which Council Members Belpulsi and Chmiel serve on, also makes sure that any new developments in Springboro has dedicated easements. For example, at Austin Road, there has to be dedicated easements by anyone who purchases property to allow the City to connect a bikeway from the Austin Interchange onto SR741 and into town. Ms. Thompson reiterated that the City has been working with MVRPC for over a year on the bike paths initiative and has received a \$10,000 grant to be part of the bikeway plan. Ms. Thompson again commented that the City and the Team are in agreement that they would like to see this community connected by bike and pedestrian pathways, and young people like the members of this team in the community to help the City get there will really make a difference. Ms. Thompson added that the City Planner is working with MVRPC on the bike plan and one of the Planning Commission Members is also very active in the bikeway plan. Finally, Ms. Thompson repeated that the team did an outstanding job, and if there is something more that the Team needs to please let her know.

Again, Mayor Agenbroad commented that he appreciates the group's presentation and courage to come before City Council.

Council greeted each member of the team with a handshake.

Mayor Agenbroad asked if there were any other guests that wished to be heard, to please come to the podium and state their name and address for the record and make their comments accordingly. No other guests came forward.

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, January 8, 2009 Springboro City Council Regular Meeting was adjourned at approximately 7:30 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]

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council