

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

CITY COUNCIL WORK SESSION

THURSDAY, MARCH 4, 2010

6:00 PM

COUNCIL

John Agenbroad, Mayor

Jim Chmiel, Deputy Mayor

Marie Belpulsi

Tom LaDu

Sheila Lairson

Bruce Moore

David Vomacka

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager

Alan Schaeffer, Law Director

Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Deputy Mayor Chmiel called the Springboro, Ohio City Council Work Session to order on Thursday, March 4, 2010 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. ATTENDANCE. Council: Mayor Agenbroad and Mr. LaDu were absent. **Staff:** Ms. Thompson, Mr. Pozzuto, Mr. Schaeffer, Ms. Martin, and Police Chief Kruithoff were present.

Deputy Mayor Chmiel commented that due to an unavoidable travel delay, Mayor Agenbroad would not be able to attend tonight's meetings. Mr. LaDu was absent from the Work Session, but will attend tonight's Regular Meeting.

ITEM 3. LEGISLATIVE AGENDA. Seven legislative agenda items were reviewed for the March 4 Regular Meeting as follows:

- 1) **ORDINANCE: THIRD READING.** AN ORDINANCE AMENDING TITLE EIGHT, CHAPTER 287, COMMUNITY SERVICE BOARD, SECTION 287.01 (A), CREATION; MEMBERS OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, OHIO.

No discussion.

- 2) **EMERGENCY ORDINANCE: SECOND READING.** AN ORDINANCE APPROVING THE RECORD PLAN FOR SOUTH TECH SECTION EIGHTEEN, AND DECLARING AN EMERGENCY.

No discussion.

- 3) **EMERGENCY ORDINANCE: SECOND READING.** AN ORDINANCE APPROVING THE RECORD PLAN BEING A RIGHT OF WAY DEDICATION OF EDWARDS DRIVE AND DECLARING AN EMERGENCY.

No discussion.

- 4) **EMERGENCY ORDINANCE: SECOND READING.** AN ORDINANCE APPROVING THE RECORD PLAN FOR THE SPRINGBORO MUNICIPAL BUILDING AND DECLARING AN EMERGENCY.

No discussion.

- 5) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF CONSTRUCTING OR REPAIRING CERTAIN SIDEWALKS AND DRIVEWAY APRONS IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO AS DESCRIBED IN RESOLUTION NO. R-09-5. (2009 SIDEWALK/DRIVEWAY APRON PROGRAM-ASPHALT RESURFACING)

Ms. Martin commented that Legislative Items 5 and 6 represent the final assessments for the 2009 sidewalk/drive apron programs for asphalt resurfacing and concrete replacement respectively. No request has been made to suspend the rules and waive the second and third readings of these ordinances.

- 6) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF CONSTRUCTING OR REPAIRING CERTAIN SIDEWALKS AND DRIVEWAY APRONS IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO AS DESCRIBED IN RESOLUTION NO. R-09-6. (2009 SIDEWALK/DRIVEWAY APRON PROGRAM-CONCRETE REPLACEMENT)

Please refer to comments under Legislative Item 5.

- 7) **RESOLUTION:** A RESOLUTION APPOINTING THE DESIGNEE FOR THE MEMBERS OF THE CITY COUNCIL OF SPRINGBORO, OHIO UNDER OHIO REVISED CODE SECTIONS 149.43 AND 109.43.

Ms. Martin will comment on Legislative Item 7 at tonight's Regular Meeting.

ITEM 3. CITY MANAGER. – Issues/Reports.

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

Council Notebook Computers: Ms. Thompson commented that IT Director Matt Lang has recommended 10-inch notebooks (2.5 lbs.) with wireless internet and basic windows applications. The notebooks will not have a compact disc drive. It is also recommended that all Council Members have the same computer. The notebooks will cost \$346 each compared to over \$500 for a larger laptop with an internal compact disc drive.

Bike Race: Ms. Thompson commented that the Springboro Criterium Bike Race being proposed on Saturday, June 12, 2010 by Mark D'Urso of the YMCA is an all day event, which require approval by ODOT to close SR741 from Mill Street to SR73 for up to 12 hours. The event will require the City to provide police and service personnel at a minimum of \$3,500. Ms. Thompson commented that the event will be a long day with an extensive race route and this type of expense would be significant in this year's budget. Ms. Thompson added that this race would occur in conjunction with races on the state routes that the Sheriff is involved in.

There were no other staff reports or comments.

ITEM 4. CLERK OF COUNCIL. – Issues/Reports.

Calendar Update: The Bicycle & Pedestrian Advisory Committee will take place on Monday, March 8 at 5:30 PM in Council Chambers; the Springboro Area Chamber of Commerce 10th Annual Business Expo, "That Spring Thing," will be held on Saturday, March 13, 10:00 AM-4:00 PM, at Springboro High School. The 3rd U.S. District Office Hours will be held on Friday, March 26, 1:00-2:00 PM, in the Community Room. In addition, the Legal Committee will meet on Thursday, March 18 at 5:30 PM in Council Chambers to review and discuss the draft of the Board and Commission Handbook. The Finance Committee will meet on Thursday, March 18 at 5:30 PM in Council Chambers, as well.

Electronic Nameplates: Ms. Martin reported that as of the next Council Meeting on March 18, electronic nameplates will appear below each Council Member as the meeting is being broadcast by the Miami Valley Communications Council (MVCC). The viewing audience will be able to see the electronic nameplates on their television screens during the meeting. The nameplate will not appear during close ups.

ITEM 5. CITY COUNCIL. – Issues/Reports.

Mr. Moore – No issues/reports.

Mr. LaDu – Absent.

Mr. Vomacka – No issues/reports.

Ms. Lairson – No issues/reports.

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

Deputy Mayor Chmiel – No issues/reports.

At approximately 6:20 PM, Deputy Mayor Chmiel asked for a motion to enter Executive Session, under RC121.22(G), to discuss imminent litigation and to discuss the sale and purchase of property; whereby, no votes will be taken.

Ms. Belpulsi motioned to enter Executive Session, under R.C.121.22(G), to discuss imminent litigation and to discuss the sale and purchase of property. Mr. Moore seconded the motion.

No discussion.

VOTE: Vomacka, Yes; Lairson, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes. [5-0]

With no objections, City Council exited Executive Session at approximately 6:40 PM; whereby, no votes were taken.

ITEM 7. ADJOURNMENT. With no further discussion, Deputy Mayor Chmiel adjourned the March 4, 2010 City Council Work Session at approximately 6:40 PM.

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

CITY COUNCIL REGULAR MEETING

THURSDAY, MARCH 4, 2010

7:00 PM

COUNCIL

John Agenbroad, Mayor

Jim Chmiel, Deputy Mayor

Tom LaDu

Bruce Moore

Marie Belpulsi

Sheila Lairson

David Vomacka

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager

Alan Schaeffer, Law Director

Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Deputy Mayor Chmiel called the Springboro, Ohio City Council Regular Meeting to order on Thursday, March 4, 2010 at 7:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

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

ITEM 3. ROLL CALL. Agenbroad, Absent; Belpulsi, Present; Chmiel, Present; LaDu, Present; Lairson, Present; Moore, Present; Vomacka, Present.

Deputy Mayor Chmiel asked for a motion to excuse Mayor Agenbroad due to an unavoidable travel delay.

Ms. Belpulsi motioned to excuse Mayor Agenbroad from the meeting. Mr. LaDu seconded the motion.

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

ITEM 4. APPROVAL OF MINUTES: THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF FEBRUARY 18, 2010.

Mr. LaDu motioned to approve the minutes of the City Council Work Session and Regular Meeting of February 18, 2010, as submitted by the Deputy Clerk of Council. Mr. Vomacka seconded the motion.

No corrections.

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

ITEM 5. PRESENTATIONS: No presentations.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for approximately 20 minutes to discuss the following legislation as well as other City matters. During Work Session, Council entered Executive Session for approximately 20 minutes to discuss imminent litigation and the sale and purchase of property; whereby, no votes were taken.

1) ORDINANCE O-10-4: THIRD READING. "AN ORDINANCE AMENDING TITLE EIGHT, CHAPTER 287,

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COMMUNITY SERVICE BOARD, SECTION 287.01 (A), CREATION; MEMBERS OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, OHIO," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the third reading of an ordinance amending Title Eight, Chapter 287, Community Service Board, to expand the membership of the board from five to seven members.

Ms. Lairson commented that quite a few residents applied to serve on the Community Service Board, even more so that other boards and commissions in the City, and Council agreed that it would be beneficial to increase the opportunities for people to serve on the board. Ms. Lairson added that the additional volunteers would be a great help to the board.

Deputy Mayor Chmiel presented the item for questions/comments. No questions/comments.

Ms. Belpulsi motioned to adopt Ordinance O-10-4. Mr. Vomacka seconded the motion.

No discussion.

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

- 2) **EMERGENCY ORDINANCE: SECOND READING.** "AN ORDINANCE APPROVING THE RECORD PLAN FOR SOUTH TECH SECTION EIGHTEEN, AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the second reading of an ordinance approving the record plan for South Tech Section Eighteen (extension of West Tech Drive in South Tech Business Park). The record plan consists of approximately 0.7 acres of right-of-way created by the West Tech Road extension project that was constructed by the City in 2009, which will allow for the development of the most southern and western sections of the South Tech Business Park.

Deputy Mayor Chmiel presented the item for questions/comments. No questions/comments.

No action required.

- 3) **EMERGENCY ORDINANCE: SECOND READING.** "AN ORDINANCE APPROVING THE RECORD PLAN BEING A RIGHT OF WAY DEDICATION OF EDWARDS DRIVE AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the second reading of an ordinance approving the record plan being a right-of-way dedication of Edwards Drive. The City made improvements to Edwards Drive and this ordinance would fulfill the requirement to dedicate the portions of Edwards Drive that were improved in 2009. The record plan consists of approximately 259 s.f. of right-of-way.

Deputy Mayor Chmiel presented the item for questions/comments. No questions/comments.

No action required.

- 4) **EMERGENCY ORDINANCE: SECOND READING.** "AN ORDINANCE APPROVING THE RECORD PLAN FOR THE SPRINGBORO MUNICIPAL BUILDING AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the second reading of a record plan for the Springboro Municipal Building. This record plan represents the new City Building site. In previous years, the City purchased the properties located to the east and to the west of the City Building, which were the Four Seasons Car Wash and Jack Sharts' Law Office. When those properties were combined with the existing City property, it resulted in a lot of approximately 3.2 acres and 0.6 acres of right-of-way along SR73. This ordinance would dedicate the right-of-way along SR73 resulting from the combination of the three lots for the new building.

Deputy Mayor Chmiel presented the item for questions/comments. No questions/comments.

No action required.

- 5) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF CONSTRUCTING OR REPAIRING CERTAIN SIDEWALKS AND DRIVEWAY APRONS IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO AS DESCRIBED IN RESOLUTION NO. R-09-5. (2009 SIDEWALK/DRIVEWAY APRON PROGRAM- ASPHALT RESURFACING)," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the first reading of an ordinance levying special assessments for the purpose of constructing or repairing certain sidewalks and driveway aprons pursuant to Resolution No. R-09-5 (2009 Sidewalk/Driveway Apron Program-Asphalt Resurfacing). This ordinance would levy final assessments for the annual sidewalk/driveway apron program in the City. The assessments will be included in the 2011 Budget as revenue in the Street Capital Improvement Fund as is standard procedure and will not exceed \$14,311.10 for the asphalt resurfacing portion of the project. Ms. Thompson noted that Legislative Item 6 addresses the concrete replacement portion of the project. The property owners have 30 days after the first publication of this ordinance to pay their assessments; otherwise, the assessments will be certified to the Warren County Auditor and placed on the owners' property tax bills.

Deputy Mayor Chmiel presented the item for questions/comments. No questions/comments.

No action required.

- 6) **ORDINANCE: FIRST READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF CONSTRUCTING OR REPAIRING CERTAIN SIDEWALKS AND DRIVEWAY APRONS IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO AS DESCRIBED IN RESOLUTION NO. R-09-6. (2009 SIDEWALK/DRIVEWAY APRON PROGRAM- CONCRETE REPLACEMENT)," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the first reading of an ordinance levying special assessments for the purpose of constructing or repairing certain sidewalks and driveway aprons pursuant to Resolution No. R-09-6 (2009 Sidewalk/Driveway Apron Program-Concrete Replacement). The total assessments for the concrete replacement program will not exceed \$18,271.69. Again, the property owners will have 30 days from the date of publication of this ordinance to pay for their portion of the assessments before being certified to the Warren County Auditor to be placed on their property tax bills.

Deputy Mayor Chmiel presented the item for questions/comments. No questions/comments.

No action required.

- 7) **RESOLUTION R-10-3:** "A RESOLUTION APPOINTING THE DESIGNEE FOR THE MEMBERS OF THE CITY COUNCIL OF SPRINGBORO, OHIO UNDER OHIO REVISED CODE SECTIONS 149.43 AND 109.43," was read by the Clerk of Council. Ms. Martin's comments are summarized as follows:

This resolution appoints the designee for the members of the City Council of Springboro to receive the state required public records training pursuant to sections 149.42 and 109.43 on each Council Member's behalf. The purpose of this legislation is to appoint a designee to receive the state required public records training on behalf of City Council. House Bill 9, passed in 2007, revised Ohio's public records law, which now requires all elected officials to receive 3 hours of certified public records certified per term of office. The law also provides for elected officials to appoint a designee to receive this training on their behalf, and by virtue of this resolution City Council appoints the Clerk of Council to act as their designee in meeting this legal requirement. It has been advised by the City Law Director that soon after each election, City Council Members take official action to renew the appointment of a designee in order to properly document that all newly elected and re-elected officials have appointed a designee to represent them for the current term of office, not only auditing purposes, but to also make Council Members aware of their obligations with respect to public records. Once this legislation is approved, as the Clerk of Council, Ms. Martin will complete the required training on April 9, and properly file all documentation.

Mr. Schaeffer added to Ms. Martin's comments as follows: In addition to the appointment of a designee, which the Ohio Revised Code allows, individual Council Members are encouraged to attend the required public records training as their schedules allow. Training sessions are scheduled throughout the year, every year for convenience. Public records law is very important and there are some significant liabilities that the City, by being vigilant, is able to protect itself against and be knowledgeable about the law, and Ms. Martin attending as your designee will bring that information back to Council for review.

Deputy Mayor Chmiel thanked Mr. Schaeffer for his comments.

Deputy Mayor Chmiel presented the item for questions/comments. No questions/comments.

Mr. LaDu motioned to adopt Resolution R-10-3. Mr. Vomacka seconded the motion.

No discussion.

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

Deputy Mayor Chmiel also thanked Ms. Martin for representing Council in meeting this requirement.

ITEM 7. REPORTS: Mayor's Report – The Springboro Area Chamber of Commerce 10th Annual Business Expo, "That Spring Thing," will be held on Saturday, March 13, 10:00 AM-4:00 PM, at Springboro High School. The 3rd U.S. District Office Hours will be held on Friday, March 26 from 1:00-2:00 PM in the Community Room. The next City Council Work Session and Regular Meeting will be held on Thursday, March 18, 2010 beginning with the Work Session at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers. In addition, the Legal Committee and the Finance Committee will also meet on March 18 at 5:30 PM in Council Chambers.

City Manager's Report – Ms. Thompson reported that the Public Works Department personnel are very appreciative of the thank you Council was kind enough to send them concerning how hard they have worked over the winter months and especially in the last few months with snow removal. Last Saturday, while Council was conducting a Special Meeting, the crews were out in the morning and then responded to a water main break; the City crews worked really hard that day as well. Again, the Public Works Department did appreciate the note and wanted to pass along their thanks. Ms. Thompson further reported that the salt bins were refilled, and the City is prepared and ready to go if another snow event occurs, but they do hope March goes by without incident.

Deputy Mayor Chmiel commented that Council appreciates all of the hardworking Service Department employees.

Committee Reports –

Mr. Moore – No reports.

Mr. LaDu – No reports.

Mr. Vomacka – No reports.

Ms. Lairson – No reports.

Ms. Belpulsi – Planning Commission – The Planning Commission held a Regular Meeting on Wednesday, February 24, 2010 to consider the following requests: Rezoning – Eyler Drive, (T)R-1 (Clearcreek Township Rural Residence District) to City zoning R-2 (Low-Density Residential District). The Planning Commission recommends that Council proceed with a public hearing in regard to this request to rezone 1.9 acres of land located at 1755 Sandy Court, off Eyler Drive, from (T)R-1 to PUD-R. The Commission also considered an Extension of Approval on a Final Development Plan – Twin Creek PUD-R (Planned Unit Development-Residential), located on West Factory Drive, conservation-type residential subdivision. Due to the economy, building has been sluggish and the Commission has granted the developer a six-month extension for this project. The next Planning Commission Work Session will be held on March 10, 2010 at 7:00 PM in Council Chambers, as scheduled.

ITEM 8. OTHER BUSINESS. Deputy Mayor Chmiel asked for a motion to schedule a public hearing for a rezoning request as follows: Based on the Planning Commission's recommendation, Council will proceed with a Public Hearing on Thursday, April 15, 2010 beginning at 7:00 PM in Council Chambers for the following:

A REQUEST TO REZONE APPROXIMATELY 1.9 ACRES OF LAND LOCATED AT 1755 SANDY COURT FROM (T)R-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE DISTRICT, TO R-2, CITY OF SPRINGBORO LOW-DENSITY RESIDENTIAL DISTRICT.

Ms. Belpulsi motioned to set a Public Hearing on Thursday, April 15 at 7:00 PM in Council Chambers for the above stated rezoning request. Ms. Lairson seconded the motion.

No discussion.

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

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Ms. Martin commented regarding the 2010 Census as follows: U.S. Census Forms are due April 1, which is the officially designated Census Day in the United States. Information regarding census participation will be mailed to households on the following dates: Beginning next week, March 8-10, residents will receive an advance letter / March 15-17, residents will receive the actual census form / March 22, a postcard will be sent to residents reminding them to complete and return their census forms by April 1. The current census form is one of the shortest forms in census history consisting of only 10 questions and should only take 10 minutes to complete. The City encourages every resident to participate in the 2010 census. A lot of federal money is at stake for communities across the nation and what Springboro does not receive due to an undercount will be allocated to other communities. Census counts not only determine the distribution of federal funds, but also determine each state's representation in the U.S. congress. Please make sure that Springboro gets its fair share of the money and power in congress by being diligent when you receive the census form. If you complete and return the form as soon as you receive it, you should not receive a visit from a census taker. Census takers only follow up if the resident has not submitted a form or if a form is turned in after the initial response deadline, which is usually mid-April. You can find more information about the U.S. Census in the City's most recent newsletter and census information is posted on the City's website at www.ci.springboro.oh.us. In addition, a representative from the census bureau regional office graciously agreed to appear on the most recent edition of the "Springboro 45066 Show," which will air on local cable Channel 6 numerous times throughout the month of March and April. Your response to the 2010 Census is vital to our community and required by law. If you have any questions about the census, please contact the U.S. Census Bureau Regional Office at 1-800-432-1495 or visit 2010census.gov.

ITEM 10. GUEST COMMENTS. 1) **Marti Heide – Warren County Outreach Coordinator, 3rd U.S. District Congressional Office, Dayton, Ohio** – Ms. Heide introduced herself as the Warren County Outreach Coordinator for Congressman Mike Turner, who represents the 3rd U.S. Congressional District. Ms. Heide provided an update from the Congressional Office as follows: Service Academy Day: Every year, Congressman Turner hosts a Service Academy Day for young men and women in junior high and high school. Representatives from all five service academies will be present. Springboro High School was chosen for the event because it is centrally located in the district. Service Academy day gives students a chance to talk with representatives about what academy life is like and what the requirements are to attend. The five representatives will be from the Naval Academy, Annapolis, U.S. Military Academy, West Point, Coast Guard Academy, New London, Merchant Marine Academy, Kings Point, and the Air Force Academy, Colorado Springs. The day begins at 9:00 AM with an hour session and a 20-minute presentation followed by meet and greet time with the academy representatives. If anyone in the Springboro community is interested in details regarding this event, please contact Ms. Heidi at the Dayton Office at 937-225-2843. Congressional Art Competition: Congressman Turner sponsors and hosts the Congressional Art Competition every year. It is open to all high school students in the district and is a really wonderful event. The awards are first, second, and third place with six honorable mentions. Any art class or any student of any school in the district can participate. The artwork is dropped off at the Dayton Art Institute and hung in a gallery for a month, and a panel of judges selects the winners. The winning artwork goes to Washington, D.C. and the winner goes to Washington as well for a ceremony. Ultimately, the artwork is hung in the hallway of the Capital with other artwork from across the country and hundreds of people walk by it every day. The winners also appear on WHIO radio or television. The office will send out packets with letters to art teachers regarding the competition. Ms. Heide commented that Springboro did not participate last year, but they did the year before and received an honorable mention. Ms. Heidi brought two examples from the art competition, last year's first place winner, which is a charcoal that is currently hanging in the Capital Building in Washington, D.C. and last year's third place winner, which was rendered with Sharpie pens. Ms. Heidi encouraged Council to talk to teachers, students, parents, or anybody who might be eligible and want to participate in the competition to get the community involved in this program. For details, please contact the Congressional Office in Dayton at 937-225-2843. Ms. Heidi offered to answer any questions.

Deputy Mayor Chmiel thanked Ms. Heide for her comments and information, and for her time.

At this time, Deputy Mayor Chmiel invited any guests that wished to comment to please approach the podium, state their name and address for the record, and comment accordingly.

2) Jennifer Mershad, Michael Mershad's Taekwondo Academy, Springboro Pointe Plaza, 261 W. Central Avenue, Springboro, Ohio – Ms. Mershad's comments are quoted as follows: "Thank you, Council Members, for allowing me to speak. Again, my name is Jennifer Mershad. My husband and I own Michael Mershad's Ty Kwan Dao Academy. We've been in Springboro for 11 years. Monday night at around 7:00 o'clock, we had several of our patrons that were ticketed for picking up their children from our academy. It happened also with several other businesses in our shopping center. I think about, at least four tickets were given out that I am aware of, possibly more. I spent a good part of my day on Tuesday speaking with very irate parents directing a lot of their anger at me even though I wasn't the one in the car and directing their anger at the City of Springboro or the police or whoever called the police and so I am here today to kind of see if we can clarify what the parking lane and zone is and where they can drive to drop their child off if that's available or not and kind of get that clarified; so I just wanted to go over some of that. The fine attached to the ticket was \$118.00. My students' main concern is the safety of their children and the convenience of being allowed to drop their child off and pick them up from an after school activity. Which by the way is allowed at most activities for convenience sake and that helps the business for parents to feel like they can do that. I would have to say that it was hard for me to be objective because I felt like a ticket was given a little bit unfairly only because I has sat in the Five Points parking lot to pick up her children before and it is in a fire lane and I've never seen a cop out there giving a ticket so I somewhat felt like some of my patrons were being targeted. If we're going to uphold a fire lane, I feel like we should do it in all instances and not just in a few and that's a place that you can find people parked every single day, every afternoon until school is dismissed. I think we all agree that the safety of our customers and employees and business owners is the foremost important issue at hand. Within the Pointe Plaza, we have two restaurants, three activities that children attend more than once a week and many other businesses that require hauling large and heavy items from a parking space to a store front. I do believe in upholding the law so I'm saying that at all. What I also want to say though is that I believe in common sense and reason. My customers never left their car, one of their cars was never turned off, both of them had there been an emergency would have moved their car immediately never being in danger of having our building burn to the ground. Today, I did call the Springboro Fire Department because in the front of our shopping center there is a fire lane and in the back of our shopping center there is a fire lane, as well. I wanted some clarification; is it necessary to have both. He told me it was because of the structure of our building, where the water is located; where our power is located it's important to have both as fire lanes. He also told me that he thought that the chances of a child getting hit by a car in coming out and having to deal with that was greater than having to be concerned about coming out for a fire. And so, I found that a little bit disheartening to think about them trying to keep the safety of my children and the other businesses that are in that shopping center safe. We've held a business in this community for eleven years; it's has never been an issue before. I had one parent ask if they could be issued a warning and they were told they could not be. If we are going to uphold this I would ask that we definitely give some warnings first so I can let my parents who have been customers of mine for years know that it's definitely something that is changing and we're not going to allow them to do that anymore that way I can save my customers some grief and some problems along with the other businesses in my shopping center. Unfortunately, the fact is most parents do run from one business to the next dropping one child off and picking another child up and I would be remiss if I didn't mention the fact that convenience is important. I am a mom of four and I want convenience when I drop my child off somewhere. In our parking lot right now, we have very few spaces and with snow removal what we have is a mountain of snow taking up a few of those spaces also a mountain of snow taking up the walkway between our parking spaces and our store fronts. So, what this basically means is one of my parents has to park their car probably in the far side of the parking lot because all of our businesses have been blessed and they are busy, which means they are then getting their child out plus siblings walking them across the parking lot and bringing them into my business, and unfortunately, what I know is this is going to be considered a hardship on one of my parents who remembers dropping their child off and picking their child up so when it comes time to renew next year with me they may choose to do something different which might hurt my business and I'm a realistic person to know that I have to make a certain amount to pay my bills so I've got to keep people coming into my business. I feel like we can work together between the City Council, the Springboro Police Department, and the Fire Department to come up with a reasonable solution for this where we can have some sort of reasonable action of maybe a drop off point or a reasonable time period in which we can drop off or pick someone up. I definitely didn't want there ever to be an injury due to cars parked when a fire happens and someone needs to get in, but I don't want to lose a child because someone was walking across the street and got hit by a car."

Deputy Mayor Chmiel commented that Council does appreciate and feel concern for the situation, and Ms. Mershad's final comments echo Council's feelings, as well. Mr. Chmiel explained that Council would normally not conduct any type of business like this during the Guest Comments portion of the meeting as it is a time for guests to be heard, but

not a time for Council to take action. Mr. Chmiel further explained that the staff, the Police Department, and the Fire Department have all been made aware of the situation and this is really one of the first situations at the Springboro Pointe Shopping Center that the City has really had any disagreements or any situations to deal with that were not positive. Deputy Mayor Chmiel stated that Council would like to make the staff available to the merchants whether it be a representative or as a group. Mr. Chmiel further stated that he knows that City Manager Chris Thompson would be more than happy to set up a time when staff could more clearly define how a drop off zone works and see if staff could give Ms. Mershad and the other merchants at the shopping center some information they can share with their customers.

Ms. Mershad stated that she would really, greatly appreciate that, thank you very much.

Deputy Mayor Chmiel asked if there were any other guests that wished to be heard. No other guests came forward.

ITEM 11. EXECUTIVE SESSION. No Executive Session.

ITEM 12. ADJOURNMENT. Deputy Mayor Chmiel thanked the MVCC for tonight's telecast and scheduled rebroadcasts of this Springboro City Council Meeting.

Ms. Belpulsi motioned to adjourn the meeting; whereby, the Thursday, March 4, 2010 Springboro City Council Regular Meeting was adjourned at approximately 7:30 PM. Mr. Vomacka seconded the motion.

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

—MEETING ADJOURNED—

Jim Chmiel, Deputy Mayor

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council