

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

CITY COUNCIL WORK SESSION

THURSDAY, MAY 15, 2008

6:00 PM

CITY 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, Asst. City Manager

Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Work Session to order on Thursday, May 15, 2008 at 6:00 PM in Council Chambers at the City's temporary facility in the Dalco Building located at 425 S. Pioneer Boulevard, Springboro, Ohio.

ITEM 2. ATTENDANCE. No absences.

ITEM 3. LEGISLATIVE AGENDA. –No legislative agenda items were submitted for the May 15, 2008 City Council Regular Meeting.

Mayor Agenbroad noted that City Council has received applications for the Community Service Board and is scheduled to make appointments at tonight's City Council Meeting under Other Business. The City received notification of interest from five applicants, and the Board has exactly five seats. The Board members will serve two-year terms, but initially three residents will serve for three years to establish staggered terms. Three members will be appointed to serve a term ending in 2010, and two members will be appointed to serve a term ending 2009, and have been selected in alphabetical order.

ITEM 4. CITY MANAGER. –Issues/Reports.

Economic Development Summit: Ms. Thompson briefly commented that she and Mr. Pozzuto attended an Economic Development Summit today on behalf of the City.

E. Milo Beck Park Master Plan Project Update: Mr. Pozzuto commented that construction of the overlook and pavement at E. Milo Beck Park has begun. Park visitors will be able to view the entire lower portion of the park from the overlook. This portion of the project should be complete by June 10, and the parking area should be complete by the end of July. The Park Board would like to have a dedication ceremony, and to invite Council.

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

Records Commission Update: The Records Commission held their quarterly meeting today and was informed that there were no findings pertaining to records compliance during the audit. The Commission discussed other issues pertaining to records policies and procedures and scheduled the next meeting on Thursday, August 7, 2008 at 3:00 PM in Council Chambers.

Charter Review Commission 2008 Update: Ms. Martin reported that the 2008 Charter Review Commission scheduled for Tuesday, May 13 was canceled, as certain sections were still under legal review. The Commission will meet next Tuesday, May 20 at 6:00 PM in Council Chambers to make their final recommendations and begin to review the first draft of recommended revisions to the Charter. The Commission is scheduled to meet with City Council on Thursday, June 19 to present a formal report of their recommendations. The Board of Elections deadline to submit issues for the ballot is August 21. All Springboro registered voters will receive a copy of the proposed amendments to the Charter. Ms. Martin asked Council if they would like to begin the June 19 Work Session early to accommodate the Charter Review discussion?

Council briefly reviewed the June meeting schedule and made the following adjustments: The Finance Committee will meet in conjunction with the Audit Committee on Thursday, June 5 at 5:30 PM, the Legal Committee will meet on Thursday, June 19 at 5:00 PM. The Council Work Session will begin early at 5:30 PM on Thursday, June 19 to accommodate the Charter Review discussion.

Memorial Day Observed: Memorial Day will be observed on Monday, May 26; whereby, the City offices will be closed.

Guests: Rachel Montemore has requested to speak under Guest Comments at tonight's Regular Meeting in regard to a proposal to pass anti-tethering legislation in Springboro. Ms. Martin commented that she followed up with Ms. Montemore regarding the City's animal cruelty laws, as they pertain to this issue. Ms. Montemore and her group maintain their request to be heard before Council.

Marti Heide, Congressman Turner's field representative, will attend tonight's Regular Meeting to present an update from the congressional office under Guest Comments. Ms. Heide will conduct district office hours in Springboro on Friday, May 23 from 1:00-2:00 PM in Council Chambers.

ITEM 6. CITY COUNCIL. –Issues/Reports.

Mr. LaDu – No issues/reports.

Mr. Parise – Mr. Parise inquired regarding the details of the upcoming "Relay for Life" event? Ms. Thompson explained that the opening ceremony for the event will take place on Friday, May 30 at 6:00 PM at Wade Field, and Council is encouraged to attend the ceremony.

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

Ms. Lairson – Ms. Lairson reported that the Tree Authority took a tour of newly planted trees in all of the park areas in the City. Also, all of the trees awarded through the City's tree grant program have been planted.

Mr. Anderson – Mr. Anderson asked if the City had been contacted about parking tickets issued at Clearcreek Park?

Mr. Pozzuto explained that last year the City started warning people regarding the parking restrictions at Clearcreek Park, but many people are parking in the grassy areas again this year. However, the Police Department, through a miscommunication, recently issued tickets in an unregulated area of the park. The

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area on the south side where parking is restricted is clearly marked with signage. The unpaved area to the west is not restricted at this time. The City has received letters, phone calls, and e-mails regarding the recently issued parking tickets at Clearcreek Park. The tickets that were issued to cars parked in the unregulated area have been dismissed; however, parking restrictions in the signed areas will be enforced. Mr. Pozzuto added that City Prosecutor Tim Tepe was very cooperative, and again, the people who were ticketed in the unregulated area were either notified or sent letters instructing them not to appear in Mayor's Court because their tickets were dismissed.

On another case, Ms. Lairson asked if there was an update on the vandalism charges. Mr. Pozzuto answered no, just suspects.

Also, Ms. Thompson briefly updated Council on the recent rape charges that resulted from an incident at North Park. The Warren County Prosecutor's office is handling the case and due to extenuating circumstances the prosecutor cannot sustain a charge of rape.

Ms. Belpulsi – Ms. Belpulsi asked if a sign displaying a rendering of the new City Building could be posted at the construction site of the new City building? Ms. Thompson replied yes. She explained that once a general contractor has been named, the City would post a sign with the contractor's name and an elevation of the new building. In addition, Ms. Belpulsi commented that she recently received a communication from John Mahoney at the Ohio Municipal League encouraging elected officials to contact their representatives and senators to express their support of the Governor's economic stimulus plan currently under consideration by the General Assembly. Ms. Martin will send a letter of support to Representative Jones and Senator Schuler on behalf of Council.

Mayor Agenbroad – Mayor Agenbroad commented that he has received compliments on both the City's business and quarterly newsletters.

ITEM 7. ADJOURNMENT. With no further discussion, Mayor Agenbroad adjourned the May 15, 2008 City Council Work Session at approximately 6:33 PM.

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

CITY COUNCIL REGULAR MEETING

THURSDAY, MAY 15, 2008

7:00 PM

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, May 15, 2008 at 7:00 PM in Council Chambers at the City's temporary facility in the Dalco Building located at 425 S. Pioneer Boulevard, Springboro, Ohio.

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

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

ITEM 4. APPROVAL OF MINUTES: THE MINUTES OF THE MAY 1, 2008 CITY COUNCIL WORK SESSION AND REGULAR MEETING.

Ms. Belpulsi motioned to approve the Minutes of the May 1, 2008 City Council Work Session and Regular Meeting as submitted by the Clerk of Council. Mr. LaDu seconded the motion.

No corrections.

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

ITEM 5. PRESENTATIONS: 2008 HISTORIC PRESERVATION AWARDS –PRESENTED BY TIM RABERDING, CHAIR OF THE ARCHITECTURAL REVIEW BOARD.

Architectural Review Board Chair Tim Raberding presented the 2008 Preservation Awards Program as follows: Mr. Raberding commented that on behalf of his colleagues on the Springboro Architectural Review Board, he is honored to present the recipients of the 2008 Springboro Preservation Awards. Mr. Raberding further commented that this year marks the ninth year for the awards program that was initiated by the ARB in 2000 to recognize the achievements in historic preservation by residents and property owners in Springboro and surrounding Clearcreek Township. This program coincides with the National Trust for Historic Preservation's annual Preservation Month that recognizes the country's diverse and irreplaceable heritage by participating in local events throughout the nation.

Two categories of awards were established under the program:

The **Mayors Award for Preservation Leadership** honors those who provide leadership and service in support of historic preservation or supporting projects and activities that have substantially increased public understanding and awareness of historic preservation in the Springboro area. Since May of 2000, nine of the Mayor's awards have been presented.

The **Jonathan Wright Award for Historic Preservation** honors those who have restored, rehabilitated, or preserved an important building, site or artifact representing the history of the Springboro area, or provided

long-term stewardship of such a property. Since 2000, six of the Jonathan Wright Awards have been presented.

One award in each category will be presented for 2008:

Mayor's Award for Preservation Leadership: First United Methodist Church of Springboro

The 2008 Mayor's Award for Preservation Leadership honors First United Methodist Church of Springboro for the congregation's longtime stewardship of the 1874 church building located at the northwest corner of East and North Streets. Originally built by the area's Evangelical United Brethren congregation as their third church building in the Springboro area, that congregation merged with the Methodist Church in the 1960s to create the United Methodist Church. The award recognizes the congregation's recent expansion efforts that have complemented the 1874 church building. In the early part of this decade the congregation completed a major expansion of the classroom facilities at the site, an expansion that was consistent with the Design Standards for the Historic Preservation District. In 2007 an addition to the 1874 church's bell tower that houses a cellular phone antenna in a structure that recreates the original 1874 bell tower design, was completed. This structure not only provides cell phone coverage to this portion of the community but also income to the congregation in a historically sensitive manner.

The building is a contributing structure to the Springboro Historic Preservation District.

Accepting the award on behalf of the congregation is the Reverend Suzanne Allen and church leaders Ron Fogle and Scott Gumser. The award recipients came forward to receive a plaque and book titled, Building Ohio, which is a reference of historical structures in the State of Ohio.

Jonathan Wright Award for Historic Preservation: Robin Combs and Daughters Taylor, Riley and Avery

Mr. Raberding commented that over 30 projects were reviewed this year to determine the proper recipient of this award.

The **2008 Jonathan Wright Award for Historic Preservation** goes to **Robin Combs and Daughters** for the preservation and restoration of the Wright-Doyle House located at 155 West Central Avenue. Built in 1857 by Dr. Aron Wright, son of the City's founder, the home is also named for Mary Doyle who resided in the home for all of her 98 years. The Wright-Doyle House is both a locally- and federally-recognized landmark. Ms. Combs and her Daughters—Taylor, Riley, and Avery—use the property as a residence and an event center. Ms. Combs and her daughters were nominated for the Jonathan Wright Award by the Springboro Chamber of Commerce.

The Wright-Doyle House is a locally recognized landmark.

Accepting the award are Robin Combs and Daughters Taylor, Riley, and Avery. The award recipients came forward to receive a plaque and book titled, Building Ohio, which is a reference of historical structures in the State of Ohio.

Mayor Agenbroad congratulated both 2008 Preservation Awards recipients on behalf of City Council.

ITEM 6. LEGISLATION: NO LEGISLATIVE ITEMS WERE SLATED FOR ACTION.

City Council held a Work Session at 6:00 PM tonight for approximately 33 minutes to discuss various matters before the City. No legislation was submitted for discussion.

ITEM 7. REPORTS:

Mayor's Report – The 3rd U.S. District Representative Office Hours are scheduled for Friday, May 23, 1:00-2:00 PM in Council Chambers. Memorial Day will be observed on Monday, May 26; whereby, the City offices will be closed. The Memorial Day Parade will be held on Monday, May 26 at 2:00 PM on S. Main Street ending at Wade Field. Bill Wimmer, a World War II Navy Veteran, will be the Grand Marshal of this year's Memorial Day Parade. The next City Council Work Session will be held on Thursday, June 5, 2008 at 6:00 PM in Council Chambers, as scheduled. The next City Council Regular Meeting will be held on Thursday, June 5, 2008 at 7:00 PM in Council Chambers, as scheduled. The Finance Committee and the Audit Committee will meet jointly at 5:30 PM on Thursday, June 5, 2008 in Council Chambers, as well. 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 – Architectural Review Board – The Architectural Review Board met on Monday, May 12. The Board took a field trip to the Aron Wright House on W. Central Avenue. Rebecca Hall gave the Board a tour of the barn, which is in very bad shape and in dangerous condition. Following the field trip, the Board gave Ms. Hall permission to have the barn take down for safety reasons.

Mr. Chmiel – Planning Commission – The Planning Commission met on Wednesday, May 14 at 7:00 PM to review the following item: Site Plan Review – 185 Hiawatha Trail, proposed car wash. The site plan was submitted by Rick Brown of Excel Construction. The Planning Commission discussed the site plan and the construction of the car wash. This site plan will return to a formal Planning Commission meeting in June for final approval. The plan is for an automatic car wash, which will have two bays and will be a non-attended, 24-hour car wash located at Hiawatha Trail and Edwards Drive. The next Planning Commission meeting will be held on Wednesday, May 28 at 7:00 PM in Council Chambers, as scheduled.

Ms. Lairson – Tree Authority – The Tree Authority met on Tuesday, May 13 at 5:30 PM at the Public Works Center. The Tree Authority toured the different locations in the City where additional trees have been planted. In addition, a record number of tree grant applications were received this year. All applicants were awarded grants, and all of those trees have been planted.

Finance Committee – The Finance Committee met tonight at 5:30 PM, and all City finances are in order.

Mr. Anderson – No reports.

Ms. Belpulsi – No reports.

ITEM 8. OTHER BUSINESS. Mayor Agenbroad asked Council to proceed with the motions to appointment applicants to the newly established Community Service Board.

Ms. Lairson motioned to appoint Springboro residents Cindi Green, Jim Marsh, and Mike Woodward to the Community Service Board for a term ending December 31, 2010. 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]

Mr. Chmiel motioned to appoint Springboro residents Cathy Herbenick and Mark McKinney to the Community Service Board for a term ending December 31, 2009. Ms. Belpulsi seconded the motion.

No discussion.

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

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

ITEM 10. GUEST COMMENTS. 1) Marty Heide, 7861 Dearpath Court, Springboro – Ms. Heide introduced herself as the Warren County Outreach Coordinator for Congressman Mike Turner representing the 3rd U.S. District. Ms. Heide provided an update from the Congressional Office as follows: Congratulations to Jennifer Lake, a Springboro High School Student, who was the recipient of an Honorable Mention Award in the Congressional Art Competition. This is the first year Springboro has participated in the art competition, which had 380 exhibitors, and they are pleased that Art Teacher Deborah Blend coordinated her students and sent in entries for the competition. Flag Day is June 14. Flags are available at the district office and come with a certificate certifying that they have been flown over the Capital. The flag order form may be obtained from the congressional website, and specific language can be requested for the certificate. The flags come in cotton for indoor use and nylon for outdoor use. The 3x5 nylon flags are \$17.00 each, which includes the certificate. The flags are also available in 4x6 sizes. Also, Congressman Turner does provide staff guided tours of the Capital Building for residents of the 3rd District who are planning a trip to Washington, D.C. Please contact the Dayton District Office to make arrangements. The district office can also assist with tickets to the White House and the Library of Congress. Finally, direct deposits of the Economic Stimulus checks started showing up last week; checks will be mailed this week. If anyone has questions regarding the amount they received, please contact the Dayton District Office at 937-225-2843. Kim Holmes is the IRS caseworker. If Ms. Holmes does not have the answer, the office has liaisons at the IRS. The office is receiving about 10 calls per day in regard to the economic stimulus checks. Those people that did not file because they have never filed or were not required to file a Form 1040A, must file this form to receive the Economic Stimulus check. The deadline to file is October 15. Typically, people on social security, disability, and veterans' benefits are not required to file a Form 1040A, but if they want their Economic Stimulus check they need to file this form. Ms. Heide offered to answer any questions. There were no questions.

Mayor Agenbroad thanked Ms. Heide for her comments.

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.

2) Lindsey Botter and members of a concerned citizens group came forward to present information regarding the implementation of Anti-Tethering Legislation in the City of Springboro. The group distributed a handout regarding Anti-Tethering Legislation. (A copy of the presentation is filed with the minutes for the record.) Ms. Botter's comments are condensed as follows: "Tethering" refers to the chaining of dogs under certain conditions, and tethering must be seen as an unjust act within the realm of animal rights. Ms. Botter presented reasons why Anti-Tethering laws should be adopted and referred to other cities in the area that have put similar standards in place. Ms. Botter listed regulations that could be placed in an ordinance for maintaining the tethering of a dog on a person's property as follows: 1) It should be considered unlawful to tether a dog between the hours of Midnight and 6:00 AM, 2) If a dog must be tethered at all, proper shelter should be provided in case of sudden weather changes or other needs i.e. a plastic dome or doghouse, 3) The tether must be attached to a collar to prevent injuries that could be sustained by direct contact with a chain or other restraining device, and 4) extreme weather conditions should prohibit owners from leaving their animals tethered outside including but not limited to extreme heat, heavy storms, and extreme cold. Ms. Botter explained that these simple regulations are not as stringent as others in the area and are easily enforced with the cooperation of law enforcement and the good citizen. Ms. Botter suggested that the Anti-Tethering ordinance could just be a small extra duty for the local police to enforce when seen, and could not

only prove to be beneficial to the animals, but also to neighbors living next to the tethered dog that might be barking late into the night. Ms. Botter further suggested that along with law enforcement; however, the average neighbor should be called upon to keep an eye out for suspicious activity occurring around them. With both the citizens and law enforcement working together, it should be an easy task to rid the City of heartless tethering of man's best friend. In conclusion, Ms. Botter stated that animal rights are an increasing concern of the everyday citizen, and constituents are beginning to speak up. Ms. Botter asked Council to take heed of what the public is saying and join the dozens of other cities, not only here in Ohio, but around the United States that are making a difference in the lives of animals. Ms. Botter asked the City to begin with Anti-Tethering laws, and soon it will see an overwhelming support for increased animal rights. Finally, Ms. Botter stated that it does not take much to make a difference in the lives of animals, but when it does, the impact can be enormous.

3) Ms. Montemore, another member of the concerned citizens group, currently resides in Lebanon. Ms. Montemore reiterated that animals should not be treated as property. She commented that people create certain bonds with their companion animals that the law does not recognize or consider valid, and that is the point their group is trying to get across. Ms. Montemore further commented that she understands that there are a lot of cost issues attached to enforcement, such as an animal control officer. She explained that the group is not asking for an animal control officer; they are just asking that police officers take a look around to see if these dogs are in danger just like they would if a person was in danger and stop to help them. Ms. Montemore also commented that they understand that some citizens might not have the finances to build a fence, which is why they created the Midnight to 6:00 PM rule to accommodate various work schedules. Ms. Montemore also commented that the group mandates that a collar be used when tethering because when a chain is wrapped and hooked around a dog's neck, the dog can get caught up in the chain if it gets stressed or tries to run. She added that dogs could get dehydrated when they are left outside, and she does not want the dogs to have anything to worry about. Therefore, they ask that people take responsibility for the creatures that they have. Finally, Ms. Montemore stated that the group appreciates Council's time regarding this important issue and Springboro has a huge opportunity to set a precedent in the community. She offered to answer any questions or receive comments.

Mr. Parise commented that he could not speak for Council as a whole, but as an individual, what the group's message strikes home because his dogs are his family. Mr. Parise stated that if there was anything he could personally do to help their cause, they should not hesitate to contact him.

Ms. Montemore thanked Mr. Parise for his comments.

Mayor Agenbrod thanked Ms. Botter, Ms. Montemore, and the group for their presentation and comments.

Mayor Agenbrod 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 Agenbrod thanked the MVCC for tonight's telecast and scheduled rebroadcasts of this Springboro City Council Meeting. In addition, Mayor Agenbrod wished everyone a wonderful, safe, and healthy Memorial Day. Mayor Agenbrod asked everyone to keep those who are defending our freedom and their families in their prayers.

Ms. Lairson motioned to adjourn the meeting; whereby, the Thursday, May 15, 2008 Springboro City Council Regular Meeting was adjourned at approximately 7:24 PM. Ms. Belpulsi seconded the motion.

No discussion.

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

John Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council