

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

**CITY COUNCIL WORK SESSION**

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THURSDAY, MAY 3, 2007

6:00 PM

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**CITY COUNCIL**  
John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor  
Scott Anderson  
Jim Chmiel

Gary Hruska  
Sheila Lairson  
John D. Parise

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**CITY STAFF**  
Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager

Alan Schaeffer, Law Director  
Lori Martin, Clerk of Council

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- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Work Session to order at approximately 6:00 PM in Council Chambers.
- ITEM 2. ATTENDANCE.** No absences.
- ITEM 3. PRESENTATIONS.** – Library Presentation “State of the Library” and Future Plans – Mary Novak, Executive Director of Franklin-Springboro Public Library.

Ms. Mary Novak, Library Executive Director, introduced Library Board President Janese Griffin.

Ms. Griffin addressed City Council as follows: Ms. Griffin stated that the City is the largest stakeholder in the Library, and they are asking for ideas and support for the Library’s current and future operations and funding. Ms. Griffin presented the history of the Springboro Library and the level of products and services being provided today based on the community’s growth and demand for library services. Ms. Griffin provided statistics based on the Library’s circulation and visitors, and computer usage, programming, and community meeting room usage. Ms. Griffin explained that the demand for all of these areas of service has increased significantly in the last seven years. Ms. Griffin also listed a number of other services the Library offers beyond their core services such as delivering materials to homebound citizens, maintaining local newspaper archives, and supporting the Warren County New Readers Literacy Program. Ms. Griffin discussed the Library’s sources of revenue. The Library’s main source of funding is the State at approximately 89%. Ms. Griffin also explained how the State funding for libraries has changed through restructuring, and reductions and freezes over the last two decades, and the future impact of state funding on library revenue. Ms. Griffin stated that the reduction in state revenue over the years along with the increase in demand for services has resulted in an operating deficit of \$50,748. With respect to forecasting, Ms. Griffin stated that the Library has been setting aside money to be used for an expansion. The building fund reached \$1.1M, but they are now using those funds to make up for the deficit, and the Library space is no longer adequate for Springboro. The Library is nearing capacity for materials, there is not enough space for study areas and computers, and patrons complain that they have to use the Dayton or Centerville libraries to obtain materials or use other resources. Mr. Griffin concluded her comments by summarizing the importance of the Library to this community and the current state of the Springboro Library with respect to the citizens’ expectations regarding levels of service, shrinking revenue, and how the Library compares to libraries in comparable communities. (For reference, Ms. Griffin’s comments are outlined in detail in the attached slide presentation for the record.)

Ms. Griffin opened her presentation to questions, and again asked for City Council’s ideas and suggestions with respect to the

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*Library's future in Springboro.*

*Mr. Anderson asked if the Library is able to determine how many Springboro residents versus how many Clearcreek residents use the Library? Ms. Novak replied no, but stated that when patrons are issued cards they are registered as Clearcreek residents if they live in the Township. Ms. Novak added that the Library is very supportive of everyone using the Library, and they have a lot of Township residents that use the library and the children's programs. Mr. Anderson asked if the Library has approached the Township for funding? Ms. Novak replied no. She explained that the Library's legal service area goes to Bunnell Hill Road, and beyond Bunnell Hill Road, the legal service area belongs to the Waynesville Library. The legal service areas for libraries are determined by the State. Mr. Anderson commented that he would like the library to be open to everyone and hopes that the other communities that use the Library would help to support those services.*

*Ms. Belpulsi asked if there were any restrictions with regard to fundraising or could the Library levy a one-time tax to increase revenue? Ms. Novak explained that the Library could place a levy on the ballot for building bonds or operations, but people all the way to Bunnell Hill Road would be asked to vote on it. And, the revenue would be levied through the Franklin School District and appear on the ballot as the Franklin School District Library Levy. Ms. Griffin added that the timing of a levy is critical.*

*Ms. Belpulsi asked if the Library has pursued private donations or donations from Springboro businesses or corporations? Ms. Griffin stated that they could earmark funds they receive from donations. Ms. Belpulsi commented that there are great businesses in town, and so many citizens think the Library is funded by the City. Ms. Griffin stated that operating costs is a real issue, not just the capital building fund.*

*Mr. Chmiel asked if the Library has considered re-evaluating their user fees? Ms. Griffin explained that they have tried very hard to be inexpensive for their patrons. Mr. Chmiel suggested that maybe there are sources of fees revenue that the Library is not tapping into to make up for the shortfall.*

*Mr. Hruska suggested charging fees for Library programs.*

*Mayor Agenbroad asked how many and how often meetings are scheduled in the community meeting room? Ms. Griffin answered that in 1999, 419 events were held in the meeting room and in 2006 435 events were held in the meeting room. Mayor Agenbroad suggested charging a modest fee for the use of the meeting room. Ms. Griffin asked City Council to consider that the meeting room is used for all types of community events and services such as swim lesson sign-ups and boy scout troops when suggesting room fees.*

*Mr. Chmiel suggested that an educational piece might help the Library to inform and educate the public with respect to the level of service they are providing and sources of revenue.*

*Mr. Anderson asked what is the Library's budget shortfall? Ms. Griffin replied that the Library's budget shortfall in 2006 was approximately \$50,000.*

*Mayor Agenbroad commented that the Library must have something in the back of their minds to generate revenue to cover the shortfall. Ms. Griffin suggested that the Library could tie into the plans for the new city building such as sharing meeting room space, which would allow for their meeting room to become additional library space.*

*Ms. Thompson asked if the Library is receiving revenue from the voluntary donation of \$1.00 on the water bills? Ms. Griffin replied yes, it has amounted to approximately \$9,700 since 2006.*

*Ms. Thompson provided some background information for the benefit of the newer Council Members who might not be aware of the history of the City's role with respect to the Library. Ms. Thompson commented that the money used for the Library from Springboro and Clearcreek Township came from the park leisure fund. The City received a notice from the Township that the agreement was being altered to reduce the amount the Township contributes. The City is finished with the financing of the Library, but is receiving significantly less money from the Clearcreek Township park leisure fund, and the City still pays for maintenance of the Library. Ms. Thompson also commented that a pledge card drive was conducted when the Library was new, but the pledges were never collected. Ms. Thompson suggested hitting the library district with pledge cards again, and offered the City's help with a pledge card campaign. Ms. Thompson stated that she believes that a lot of people would like to see the Library stay in Springboro.*

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A member of the audience and Springboro resident, Mike Hemmert, suggested conducting a public relations effort through the City newsletter, newspapers, and friends of the library or possibly hiring a Public Relations Director to communicate with the public regarding the Library.

Mr. Parise referred to the \$1.1M the Library had set aside for a capital expansion project, and asked if the Library is invested? Ms. Griffin commented that they are invested in Star Ohio, which is about the best they can do for the return. Mr. Parise asked if the Library's \$50,000 operating deficit is above and beyond their interest earnings? Ms. Griffin replied yes. Mr. Parise confirmed that the Library is losing interest in addition to the \$50,000 deficit. Ms. Griffin answered yes.

Mayor Agenbrood suggested that the Library get back with the City in the near future regarding revenue ideas. Mayor Agenbrood commented that the City is aware that the library is an amenity that not every community has, and is also aware of the money constraints impacting libraries.

Ms. Lairson suggested that the Library contact the Springboro Chamber of Commerce and speak with the Executive Director, Anne Stremanos. Ms. Lairson explained that the Springboro Chamber hosts a breakfast meeting for the Chamber Board of Directors each month and the Library might have an opportunity to present information to business leaders at that event.

Ms. Novak asked what City Council thinks of levies or how difficult they think it would be for the Library to pass a levy? Mayor Agenbrood commented that communication is key in a levy campaign.

Ms. Belpulsi asked if the Library knew what millage it would need to operate, would it be 0.5Mill to 1.0Mill? Ms. Novak answered that 1.0Mill would double their revenue. Ms. Belpulsi stated that she believes that 0.5Mill to 1.0Mill is not a lot compared to the millage proposed by other levies. Ms. Novak explained that the revenue would funnel through the Franklin City School District along with the appointment of the Library Board of Trustees. She added that the entity that disperses the revenue depends upon how the library is classified.

Ms. Thompson stated that the City would be happy to help the Library with a pledge campaign, etc.

Ms. Griffin thanked City Council for their attention.

Mayor Agenbrood thanked Ms. Griffin, Ms. Novak, and the other Library staff in attendance for bringing this information to City Council.

**ITEM 4. LEGISLATIVE AGENDA. –City Council considered 5 legislative agenda items slated for the May 3, 2007 City Council Regular Meeting.**

- 1) **ORDINANCE: THIRD READING.** AN ORDINANCE AMENDING SECTION 244.29(g)(3), TRAVEL AND MISCELLANEOUS EXPENSES, CHAPTER 244, EMPLOYEES GENERALLY, TITLE SIX – ADMINISTRATION, OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, OHIO.

No discussion.

- 2) **ORDINANCE: SECOND READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING 78.1 ACRES OF LAND AT 6821 RED LION-FIVE POINTS ROAD FROM TR-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE ZONE, TO PUD-R, PLANNED UNIT DEVELOPMENT-RESIDENTIAL.

Mr. Chmiel commented that City Council was not able to discuss this rezoning in detail at the last Council Work Session and would not have another opportunity, as the third reading will take place at the next City Council meeting on May 17. Mr. Chmiel commented that a number of citizens opposed this rezoning at the Public Hearing on April 19; however, the Planning Commission's recommendation is legitimate for this property.

Ms. Belpulsi proposed spending some time at every Work Session to specifically discuss these rezoning issues and to go over the Planning Commission thought process and what took place at the planning level in order to understand the basis for the Planning Commission's actions with regard to a rezoning recommendation. Ms. Belpulsi also commented that it is important to understand the City boundary lines when considering zoning issues. Finally, Ms. Belpulsi stated that she

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appreciated Mr. Schaeffer's advice that traffic should not be taken into sole consideration when making a zoning decision.

Ms. Thompson commented that some, but not all of the City Council Members have had the opportunity serve on the Planning Commission or other boards and do not have the advantage of coming through the system and understanding the process. Ms. Thompson suggested conducting a discussion on the night of the Public Hearing following the meeting to reflect on the public's comments while it is still fresh in everyone's minds. Ms. Thompson also stated that there is a big distinction between zoning and site plan review, and the applicant cannot submit a site plan unless they have a zoning designation.

Mr. Chmiel commented that an opportunity to discuss the rezoning in detail would give Council Members a chance to ask questions and gather information regarding the recommended zoning and density issues.

Mr. Schaeffer reminded City Council that citizens who attend the work session discussion speak at City Council's pleasure, and are not permitted to speak otherwise. Mr. Schaeffer suggested that City Council announce that they will discuss the issue, but it will not be an open forum for discussion with the general public; it will be for City Council to gather additional information for the purposes of deliberation.

- 3) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE DECLARING THE NECESSITY OF PROVIDING CERTAIN MAINTENANCE IN THE MCCRAY FARMS SECTION NINE SUBDIVISION OF THE CITY OF SPRINGBORO, OHIO AND DECLARING AN EMERGENCY.

No discussion.

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DRYDEN BUILDERS, INC. TO EXPAND THE EXISTING HEATHERWOODE GOLF COURSE MAINTENANCE BUILDING BY 4000 S.F.

Mr. Chmiel asked what amount was budgeted for this project? Ms. Thompson answered that \$250,000 was budgeted for this project, and the engineer's estimate was \$200,000. Ms. Thompson added that the lowest bid was received from Dryden Builders at \$184,107, which is below both the budget and the estimate.

- 5) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND THEREBY RATIFY A PURCHASE AGREEMENT TO SELL CERTAIN PROPERTY OWNED BY THE CITY TO WEST TECH ROAD, LLC.

Ms. Thompson requested that City Council pull this item from the legislative agenda at tonight's Regular Meeting. Ms. Thompson further requested to discuss this issue in Executive Session, as it pertains to the sale of property.

Due to time constraints, City Council will conduct the Executive Session following the Regular Order of Business at tonight's Regular Meeting.

**ITEM 5. CITY MANAGER. -Issues/Reports.**

Ms. Thompson announced that Officer Nick Clark would accept the Proclamation in Recognition of Police Memorial Week at tonight's City Council Regular Meeting under Presentations.

Ms. Thompson also commented that, in reference to House Bill 154, which proposes to abolish all Mayor's Courts by December 31, 2007, the Clerk of Courts Association has engaged a lobbyist to represent their interests in this issue.

**ITEM 6. CLERK OF COUNCIL. -Issues/Reports.**

Ms. Martin made the following announcements:

The Strategic Planning Meeting will be held on Saturday, May 5, 8:00-5:00 PM, at Heatherwoode Golf Course. Strategic Planning Services Consultant Jana Evans will facilitate the meeting.

A consent agenda consisting of 11 ordinances levying assessments for maintenance and street lights will be presented for a

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first reading on the May 17 City Council Regular Meeting Agenda.

Warren County Prosecutor Rachel Hutzel will present the Prosecutor's 2006 Annual Report to Citizens in a Town Hall Meeting format on Wednesday, May 9 at 6:00 PM at Springboro High School.

The Dayton Area Chamber of Commerce is sponsoring Dayton Region's Legislative Day in Columbus on Tuesday, May 22 at Capital Club in Columbus, Ohio. This event provides local officials with an opportunity to interact with State Representatives and Senators representing the Dayton region.

In addition, Ms. Martin proposed having both a group and individual portraits taken of City Council Members. The portraits would be installed in a formal area of the new City building and used on the City's new website. Ms. Martin will arrange for a local provider to set up appointments at the Council Member's convenience and have a group portrait taken prior to a Council Meeting.

Ms. Lairson commented that a group portrait would be sufficient for display in the new City building.

Ms. Belpulsi would like to see portraits of individual Council Members along with their bios posted on the City's new website.

**ITEM 7. CITY COUNCIL. -Issues/Reports.**

**Mr. Parise** – No issues/reports.

**Mr. Chmiel** – No issues/reports.

**Mr. Hruska** – Mr. Hruska announced that he would absent from the May 17 City Council meetings.

**Ms. Lairson** – No issues/reports.

**Mr. Anderson** – No issues/reports.

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

**Mayor Agenbroad** – No issues/reports.

**ITEM 8. ADJOURNMENT.** With no further discussion, Mayor Agenbroad adjourned the City Council Work Session at approximately 6:53 PM.

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

CITY COUNCIL REGULAR MEETING

THURSDAY, MAY 3, 2007

7:00 PM

CITY COUNCIL  
John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor  
Scott Anderson  
Jim Chmiel

Gary Hruska  
Sheila Lairson  
John D. Parise

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CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager

Jeff Kruihoff, Police Chief

Alan Schaeffer, Law Director

Lori Martin, Clerk of Council

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**ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order at 7:00 PM in Council Chambers at the Springboro City Building, 320 W. Central Avenue, 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; Hruska, Present; Lairson, Present; Parise, Present.

**ITEM 4. APPROVAL OF MINUTES:** THE MINUTES OF THE APRIL 19, 2007 CITY COUNCIL WORK SESSION AND REGULAR MEETING.

**Mr. Hruska motioned to approve the Minutes of the April 19, 2007 City Council Work Session and Regular Meeting as submitted by the Clerk of Council. Mr. Chmiel seconded the motion.**

No corrections.

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

**ITEM 5. PRESENTATIONS:** A NEWLY APPOINTED POLICE LIEUTENANT TOOK THE OATH OF OFFICE AND WAS SWORN IN TO SERVE THE CITY OF SPRINGBORO POLICE DEPARTMENT; MAYOR AGENBROAD PRESENTED A PROCLAMATION IN RECOGNITION OF POLICE MEMORIAL WEEK, MAY 13-19, 2007.

Police Chief Jeff Kruihoff announced the promotion of Detective Tim Parker to Police Lieutenant in the Springboro Police Department. Chief Kruihoff commented as follows: Two excellent candidates participated in the promotional process, and the decision was very difficult due to the outstanding qualifications of the two officers, the other candidate being Sergeant Todd Turpin. The selection process included a structured written product by the candidates outlining their backgrounds, skills, and abilities, and a structured written product outlining their visions for the position of Police Lieutenant both in the short term and in the long term. The selection process also included a structured written product outlining the three critical issues the candidates believe faces the department, and their action plans to address those three critical issues. In addition, the selection process included a structured interview with the City Manager and the Police Chief designed to delve into the candidates' management styles followed by an additional one-on-one interview with the Police Chief and with the City Manager. The candidates were also subject to a review of recommendations from other members of the City work force both in the Police Department and in the general municipal offices. Tim Parker is a fourth generation Police Officer who originally attended the Police Academy in Frisco Texas in 1981 and spent a number of years working for the federal government in the Department of Energy as a member of a special weapons and response team. In 1995, Officer Parker worked for the Clearcreek Township Police Department where he became a firearms instructor and canine handler. Officer Parker left the Township Police Department to join the Springboro Policed Department in 1996. Almost immediately, Officer Parker participated in the area of investigation, and in the year 2000 was named Supervisor of investigations in the Springboro Police Department. In this capacity, Officer Parker attended numerous schools, seminars, and classes and worked with numerous federal, state, and local task forces and agencies. Officer Parker is an active agent in the Tactical Crime Suppression Unit of South Dayton, and he has prepared and testified in numerous cases presented for prosecution both in state and federal courts. Officer Parker holds an Associate Degree as a graduate of two years from the Police Executive Leadership College, and he is also a graduate of the National Training Center for Polygraph Science recently obtaining the title of Expert Polygraphist. Officer Parker was a critical part of the cold case team that investigated the homicide of Vicki Barton, and he was presented with a Warren County Law Enforcement Award for outstanding service due to the successful efforts of that team. In 2006, Officer Parker was awarded the Robert B.

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Jacob Award by The Hundred Club of Dayton for his investigation of a person who was responsible for thousands of obscene telephone calls placed in a multi-county area. This award is extremely prestigious and is only given to one or two police officers in the greater Dayton area every two years. Chief Kruihoff concluded his comments by stating that he is very proud of each and every member of the Springboro Police Department, but it gives him great pleasure to ask Officer Tim Parker to come forward and receive the Oath of Office from Mayor Agenbroad. Officer Parker's wife Missy, his daughter Tiffany, his father Jim and mother Betty, his mother-in-law Mable, and his sister, Pam were also in attendance.

At this time, Mayor Agenbroad administered the Oath of Office, and Officer Tim Parker was sworn in as Police Lieutenant to serve the City of Springboro Police Department. Mayor Agenbroad congratulated Lieutenant Parker on his accomplishments. Lieutenant Parker's wife, Missy, pinned his badge onto his uniform, and City Council congratulated Lieutenant Parker with a handshake. Mayor Agenbroad and Chief Kruihoff presented Lieutenant Parker's wife, Missy, with a congratulatory presentation bouquet. (A copy of Lieutenant Tim Parker's signed Oath of Office is attached for the record.)

Following Lieutenant Parker's swearing in ceremony, Mayor Agenbroad presented a Proclamation in Recognition of Police Memorial Week, May 13-19, 2007. Officer Nick Clark received the Proclamation on behalf of the Springboro Police Department. (A copy of the Proclamation is attached for the record.)

On behalf of City Council, Mayor Agenbroad commented on how much they appreciate the City's 28 police officers that serve the Springboro community. Mayor Agenbroad thanked all of the Police Officers and their families for all they do for the City.

**ITEM 6. LEGISLATION:**

City Council held a Work Session at 6:00 PM immediately preceding tonight's City Council Regular Meeting for approximately 53 minutes to discuss the following legislative items as well as other matters before the City.

As requested by the City Manager at tonight's Work Session, Mayor Agenbroad asked for a motion to amend the legislative agenda and withdraw legislative item 5, a resolution.

**Mr. Hruska motioned to amend the legislative agenda and withdraw legislative item 5, a resolution. Ms. Belpulsi seconded the motion.**

No discussion.

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

- 1) **ORDINANCE O-07-14: THIRD READING.** "AN ORDINANCE AMENDING SECTION 244.29(g)(3), TRAVEL AND MISCELLANEOUS EXPENSES, CHAPTER 244, EMPLOYEES GENERALLY, TITLE SIX – ADMINISTRATION, OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, OHIO," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This is the third reading of an ordinance amending Section 244.29(g)(3), Travel and Miscellaneous Expenses, of the City's Codified Ordinances to cap travel expense gratuities to 15% for City of Springboro employees. This amendment to the Travel and Miscellaneous Expenses ordinance will satisfy requirements established by the Auditor of the State of Ohio, which sets the maximum gratuity at 15% of the meal purchase price.

**Mr. Parise motioned to adopt Ordinance O-07-14. Ms. Lairson seconded the motion.**

No discussion.

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

- 2) **ORDINANCE: SECOND READING.** "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING 78.1 ACRES OF LAND AT 6821 RED LION-FIVE POINTS ROAD FROM TR-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE ZONE, TO PUD-R, PLANNED UNIT DEVELOPMENT-RESIDENTIAL," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This is the second reading of an ordinance amending the official zoning map of the City of Springboro rezoning 78.1 acres of land at 6821 Red Lion-Five Points Road from TR-1 to PUD-R. This rezoning was the topic of a Public Hearing held by City Council on April 19, 2007. A pre-annexation agreement was reached with Clearcreek Township in July of 2006; whereby, a density of no more than 130 single-family units was established for the 78.1 acres of land. The agreement also included a 50 ft. buffer along Red Lion-Five Points Road and addressed some other issues as requested by the Township. This rezoning along with a general plan review and approval are the first steps in the three-step PUD process. This ordinance represents only the rezoning of the property and will be followed by a general plan submittal, and ultimately, a final development plan, which must be approved by the Planning Commission. The rezoning itself, represented by this ordinance, was approved for recommendation to the City Council by the Planning Commission on February 28, 2007.

Mayor Agenbroad commented that City Council would reconvene the Work Session following tonight's Regular Meeting to discuss this legislation, which would be followed by an unrelated Executive Session pertaining to the sale of property.

No discussion.

**No action required at this time.**

- 3) **EMERGENCY ORDINANCE: FIRST READING.** "AN ORDINANCE DECLARING THE NECESSITY OF PROVIDING CERTAIN MAINTENANCE IN THE MCCRAY FARMS SECTION NINE SUBDIVISION OF THE CITY OF SPRINGBORO, OHIO AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This is the first reading of an ordinance declaring the necessity of providing certain maintenance in the McCray Farms Section Nine Subdivision. The City has agreed to administer the maintenance and assessments for the McCray Farms Subdivision. On a ten-year basis, this assessment is passed on to the residents of Section Nine of the McCray Farms Subdivision for the maintenance of their common areas and various other maintenance related issues as requested by the HOA. This legislation is written as an emergency because the assessments must be certified to the Warren County Auditor by September 10 of this year.

No discussion.

**No action required at this time.**

- 4) **RESOLUTION R-07-15:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DRYDEN BUILDERS, INC. TO EXPAND THE EXISTING HEATHERWOODE GOLF COURSE MAINTENANCE BUILDING BY 4000 S.F.," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution authorizes the City Manager to enter into a contract with Dryden Builders, Inc. to expand the existing Heatherwoode Golf Course maintenance building by 4,000 sq. ft. This project was discussed at the City's budget hearing last year. This contract will provide for a 4,000 sq. ft. addition to the golf course maintenance building that will help to house and protect a number of pieces of equipment and will help to extend the life of the equipment. The original amount budgeted for this project was \$250,000, and the engineer's estimate was \$200,000. The low bid for this project was from Dryden Builders at \$184,107; therefore, the bid came in under both the estimate and the budget for this project.

**Mr. Chmiel motioned to adopt Resolution R-07-15. Ms. Belpulsi seconded the motion.**

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No discussion.

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

- 5) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND THEREBY RATIFY A PURCHASE AGREEMENT TO SELL CERTAIN PROPERTY OWNED BY THE CITY TO WEST TECH ROAD, LLC.

This resolution was withdrawn from the legislative agenda as stated above.

**ITEM 7.**

**REPORTS:**

**Mayor's Report** – A Strategic Planning Meeting will be held on Saturday, May 5 from 8:00AM-5:00PM at Heatherwoode Golf Course Clubhouse. Emerald Ash Borer Information Night will be held on Tuesday, May 8 at 7:00PM at Heatherwoode. Memorial Day will be observed on Monday, May 28; whereby, the City offices will be closed. The Memorial Day Parade will take place on Monday, May 28 on S. Main Street beginning at 2:00PM and will proceed to Wade Field, followed by refreshments at the elementary school cafeteria. The next City Council Work Session will be held on Thursday, May 17, 2007 at 6:00 PM in Council Chambers, as scheduled. The next City Council Regular Meeting will be held on Thursday, May 17, 2007 at 7:00 PM in Council Chambers, as scheduled. In addition, the Finance Committee Meeting will be held on Thursday, May 17 at 5:30 PM in Council Chambers, as scheduled.

**City Manager's Report** – No reports.

**Committee Reports** –

**Mr. Parise** – No reports.

**Mr. Chmiel** – No reports.

**Mr. Hruska** – No reports.

**Ms. Lairson** – No reports.

**Mr. Anderson** – No reports.

**Ms. Belpulsi – Planning Commission** – The Planning Commission held their Regular Meeting on Wednesday, April 25, 2007 at 7:00 PM in Council Chambers and acted on the following items: **Action Agenda Items:** Revision to Approved Final Development Plan – 732 Gardner Road, Village Park Planned Unit Development-Mixed Use, change to approved site plan for retail building [APPROVED]; Site Plan Review – 245 Hiawatha Trail, addition to manufacturing facility (Machined Glass Specialists) [APPROVED]; **Non-Action Agenda Items:** Discussed Site Plan Review – west end of West Tech Drive, new manufacturing facility (Crucible Materials). The next Planning Commission Work Session will be held on Wednesday, May 9 at 7:00 PM in Council Chambers.

**ITEM 8.**

**OTHER BUSINESS.** Mayor Agenbroad congratulated the 2007 ROTC Class. Mayor Agenbroad and his wife, Patti, attended the banquet last night, and 67 Cadets participated in the event.

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**ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS.** Ms. Thompson requested an Executive Session, following the Regular Order of Business, to discuss the sale of property.

**Mr. Hruska motioned to enter Executive Session under R.C.121.22(G), following the Regular Order of Business, to discuss the sale of property. Ms. Lairson seconded the motion.**

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

Mayor Agenbroad reminded the general public that no votes are taken during Executive Session.

**ITEM 10. GUEST COMMENTS. 1) Joseph Koussa, 1537 Beaver Creek Lane, Kettering** – Mr. Koussa asked God to protect the armed forces serving overseas and to bring them home safely. Also, Mr. Koussa read a short anecdote about a man named Joe Smith who is unable to find a job in America while everything he uses in his daily routine such as an alarm clock, coffee pot, and automobile are made in another country. Mr. Koussa asked everyone to share his idea of coming together and making enough noise to bring back manufacturing to the United States in order to provide jobs for Americans. Mr. Koussa reminded everyone that the month of May is Police Memorial Month. Mr. Koussa stated that a Police Officer's job is difficult and they often risk their lives for the public's safety. Mr. Koussa encouraged everyone to teach their children to respect and support the police.

Mayor Agenbroad thanked Mr. Koussa for his comments.

**2) Mike Hemmert, 115 Heatherwoode Boulevard, Springboro** – Mr. Hemmert complimented City Council on its recent decision to change management companies at Heatherwoode Golf Course. Mr. Hemmert is a resident of Heatherwoode. Mr. Hemmert commented that the course is in the best shape he has ever seen it and has heard a lot of positive things regarding the golf course from his neighbors. Mr. Hemmert also stated that some of the neighbors in Heatherwoode had given up their membership at the golf course, but he has heard that some residents are considering returning to the course. Mr. Hemmert further stated that he attended the Council Work Session two weeks ago and heard the management company make their presentation, and he was very impressed by their professionalism. Mr. Hemmert added that he hopes that Council continues to work very closely with the management company.

Mayor Agenbroad thanked Mr. Hemmert for his comments.

**ITEM 11. EXECUTIVE SESSION.** City Council entered Executive Session, following the Regular Order of Business, to discuss the sale of property; whereby, no votes were taken.

**ITEM 12. ADJOURNMENT.** Mayor Agenbroad thanked the MVCC for tonight's telecast and eventual rebroadcast of this Springboro City Council Meeting.

Mayor Agenbroad reiterated that City Council would continue discussions held earlier this evening during the Work Session following the televised portion of this meeting. Following discussion, City Council will enter Executive Session to discuss the sale of property, and will adjourn the Regular Meeting following the Executive Session.

**At approximately 7:25 PM, Ms. Lairson motioned to adjourn; whereby, the televised portion of the Thursday, May 3, 2007 Regular Meeting was adjourned to conduct further discussion prior to Executive Session. Mr. Hruska seconded the motion.**

No discussion.

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

Mayor Agenbroad commented that, as discussed during tonight's Work Session, City Council would conduct a discussion regarding legislative agenda item 2 regarding the rezoning of 78.1 acres at 6821 Red Lion-Five Points

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Road to PUD-R.

At this time, Ms. Belpulsi referred to legislative agenda item 2 on tonight's agenda, the second reading of, "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING 78.1 ACRES OF LAND AT 6821 RED LION-FIVE POINTS ROAD FROM TR-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE ZONE, TO PUD-R, PLANNED UNIT DEVELOPMENT-RESIDENTIAL." Ms. Belpulsi explained that this proposed rezoning ordinance would be slated for Council action at the third reading on May 17. This parcel of land is now annexed to the City and needs to be rezoned to a City zoning district. The proposed PUD-R zoning is the Planning Commission's best recommendation for this parcel because it gives the City more control during the planning process over the development of the property. Ms. Belpulsi also commented that certain statements made by the citizen participants during the public hearing for this rezoning on April 19 were incorrect. Ms. Belpulsi further commented that she appreciated Mr. Schaeffer's guidance with respect to traffic issues and their impact on zoning decisions. Specifically, traffic should not be the sole basis for a decision regarding a rezoning request. Ms. Belpulsi asked Ms. Thompson to comment on this rezoning as well.

Ms. Thompson commented as follows: According to the code, a rezoning is a rezoning, it is not a plan, but part of the process, unlike straight zoning, which does not require a plan. The 78.1-acre parcel at 6821 Red Lion-Five Points Road, is currently zoned TR-1. TR-1 zoning would allow two units per acre with sewer and one unit per acre without sewer, which would provide for approximately 160 units on this property in the Township, but because of the pre-annexation agreement between the City and the Township, a maximum density of 130 units was agreed to for this parcel. The Creekside Subdivision, which is adjacent to this property in the City, is 1.6-units per acre. Ms. Thompson stated that the City received one question regarding this rezoning from a resident of Creekside, who inquired regarding the type of housing and density permitted. No other Creekside residents have commented on this rezoning. Ms. Thompson explained that this annexation allows for the City to complete a water loop, which increases the safety and efficiency of water service in that area of the City. For example, if there is an obstruction in the water line and there is a fire, the water can flow around the other way. This annexation also squares up the City's boundaries. For these reasons, this annexation made sense to both entities, the City and the Township, and the pre-annexation agreement was approved. Ms. Thompson further explained that the PUD is the most frequently used zoning because it provides excellent control for the Planning Commission and the City, provides more open green space, and does not destroy, but encourages preservation of the natural integrity of the acreage.

Mr. Chmiel commented that the natural integrity of the land was taken into consideration with the Swope PUD and several other PUDs developed in the City. Mr. Chmiel also stated that the PUD allows the City to control how the density is arranged on the property.

Ms. Thompson explained that the general plan is a bubble plan or concept, the final development would show what kind of homes would be built and where the streets connect, which is where the traffic plan would be considered and the need for lights and signals. Ms. Thompson commented that a lot of time was spent on the plan for the Swope Property in order to figure out the site distance. Ms. Thompson further explained that within a straight R-2 zoning district, the placement of the streets and houses on either side is predetermined, and a plan is not required to be submitted to Planning Commission as long as the density requirement is met.

Mr. Chmiel added that the developer could use whatever materials they want in an R-2 zoning district with not input from the City.

Ms. Thompson also commented that the City has expanded the sewer plant to handle the sewer capacity of the City at build out projections. The average usage for the City is 2.5 MGD (Millions Gallons per Day). The sewer plant is equipped to handle 4 MGD with the potential for an additional 4 MGD. The City's sewer system will not be influenced by 130 residential units. Ms. Thompson further commented that capacity problems would be generated mostly by the City's industrial users. The water plant is capable of supplying 7 MGD. The City averages 2.6 MGD on a hot summer day when usage is high; therefore, the water system does not have capacity issues either. Ms. Thompson explained that the sewer and water master plan show the potential for the City to extend service out to Red Lion-Five Points Road and Bunnell Hill Road. Ms. Thompson stated that the City spent \$17M to expand the wastewater treatment plant, and City utilities are not an issue, as improvements have been made to both the water and sewer systems to accommodate anticipated growth.

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Mr. Parise confirmed that if the rezoning were approved, the property would be rezoned from Township zoning to City zoning. Mr. Parise asked, if City Council does not vote to rezone the property to a PUD-R, where does the property stand? Ms. Thompson stated that if City Council does not vote to rezone the property to PUD-R, the City would be in violation of the pre-annexation agreement.

Mr. Parise asked if the requested density for this property is for the entire acreage or just the buildable area? Ms. Thompson explained that the City calculates the density based on the entire acreage; therefore, the maximum density of 130 units would be divided by the entire 78.1 acres. She further explained that the Township removes the right-of-way, floodplains, etc before they calculate density.

Mr. Parise asked if there is the option to reduce the 130-unit density for this property? Ms. Thompson replied no, it would have to be proven that 130 units would not fit. She added that the 130 units is a target number that the City agreed to under the pre-annexation agreement, but depending upon the plan, the number could be less. Ms. Thompson also stated that under a normal PUD a maximum or minimum density would not be agreed upon in advance, but in this case, the density was agreed to under the pre-annexation agreement, which was truly a negotiation.

Mr. Chmiel commented that the PUDs have been resulting in 40-50% green space.

Ms. Thompson referred back to Mr. Parise's question stating that if the developer could fit 140 units on the property, the Planning Commission would have to allow the maximum 130 units agreed upon.

Mr. Anderson commented that he read in the paper that the City might extend utilities to the southeast. Ms. Thompson explained that the reporter asked one of the City staff questions about utilities with respect to this rezoning. Ms. Thompson further explained that the staff member was asked if it was possible for the City to extend service to that area and they told the reporter yes, it is possible, but he should speak with the City Manager regarding those issues. Ms. Thompson also explained that the City has had a lot of pressure to extend the system southeast, but the City has no plans to extend pipe to that area. Ms. Thompson added that the City receives 12 to 25 requests per year for water in that area, but City Council has not desired to extend water to the southeast and the Master Plan reflects that policy.

Mr. Hruska stated that if it were not for the benefits provided by the water loop, the City would not have annexed this property. Ms. Thompson added to Mr. Hruska's comment by stating that this annexation also squares up the City boundaries and relieves some issues with regard to street maintenance such as snowplowing.

Ms. Lairson asked if the City has followed up with the resident who expressed concern regarding the impact the Bailey Property development might have on his well? Ms. Thompson explained that the resident's property is currently so far away from the existing water line that it would cost \$19,000 to get the water to his property, but once the subdivision is developed, then his property will be within a reasonable distance to connect to the system.

Mr. Anderson stated that he understands that the Planning Commission spends a lot of time with the applicants and that the applicants spend a lot of time and money during the planning process, and to be able to hear this information and understand the process involved is very valuable.

Ms. Thompson noted that a number of the residents that attended the Public Hearing did not attend the Planning Commission meetings, but they were notified of the Public Hearing. She added that the Planning Commission is not required to hold a Public Hearing, but Planning Commission agendas are posted and signs advertising the rezoning are also posted on the property.

**At approximately 7:50 PM, City Council entered Executive Session to discuss the sale of property.**

**With no objections, City Council exited Executive Session at approximately 8:20 PM; whereby, no votes were taken. And, with no further business, Mayor Agenbroad adjourned the City Council Regular Meeting at approximately 8:20 PM.**

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John Agenbroad, Mayor

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Presiding Officer

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Lori A. Martin, Clerk of Council