

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

**CITY COUNCIL WORK SESSION**

**THURSDAY, DECEMBER 1, 2011**

**6:00 PM**

**COUNCIL**

**John Agenbroad, Mayor**

**Tom LaDu, Deputy Mayor      Marie Belpulsi**

**Jim Chmiel                              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.** Mayor Agenbroad called the Springboro, Ohio City Council Work Session to order on Thursday, December 1, 2011 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

**ITEM 2. ATTENDANCE. Council:** All present. **Staff:** Ms. Thompson, Mr. Pozzuto, and Ms. Martin were present. Mr. Schaeffer was absent. David Montgomery served as Acting Law Director.

**ITEM 3. LEGISLATIVE AGENDA. –Six legislative agenda items were reviewed for December 1.**

1) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING SECTION 1271.02, EXTERIOR LIGHTING, OF THE PLANNING AND ZONING CODE; AND DECLARING AN EMERGENCY.

No discussion.

2) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH PICKREL, SCHAEFFER & EBELING CO., L.P.A. TO PROVIDE LEGAL COUNSEL TO PROVIDE LEGAL SERVICES FOR THE CITY OF SPRINGBORO AND DESIGNATING ALAN B. SCHAEFFER AS LAW DIRECTOR FOR THE CITY FROM JANUARY 15, 2012 THROUGH JANUARY 14, 2014.

No discussion.

3) **RESOLUTION:** A RESOLUTION APPROVING THE CITY OF SPRINGBORO EMPLOYEE PAY RANGES AND ANNUAL WAGE SCALE INDEX ADJUSTMENT FOR THE YEAR 2012.

Mr. Vomacka asked about the increase of 5% in the Employee Pay Ranges and Annual Wage Scale Index for 2012. He pointed out that the Pay Ranges and Annual Wage Scale Index was increased 2% in 2011. Mr. Vomacka stated that he contacted other local communities and none of them are doing anything with wage scales although most are in the process of giving raises to their staff. Mr. Vomacka further stated that he is aware that the wage scale index increase is separate from raises, but is unsure why the wage scale needs to be increased when employee pay is not being increased. Mr. Vomacka stated that most other communities do not have pay ranges and he does not see where the comparables, indicating the need to raise the scale, are coming from.

*Ms. Thompson stated that there are about 25 communities that Springboro surveys for information regarding wages. Ms. Thompson further stated that most of the communities that the City talks to do have a range of salaries though they may not structure them in the same format as Springboro does with an entry, base, and a maximum salary. The communities have pay ranges in order to ensure they remain competitive compared to surrounding areas. Ms. Thompson explained that the City is not giving a COLA (cost of living adjustment) or merit increases to employees in 2012. Ms. Thompson further explained that if other communities are giving increases to employees they will eventually have to increase their pay scales as well or their pay scale will be out of line like Springboro's scale is. Ms. Thompson further stated that if Council agrees that the 5% is too much, this number can certainly be adjusted. Ms. Thompson stated that if the entry level salaries for Springboro remain as low as they are the City will have a serious problem recruiting employees. Ms. Thompson also stated that the City recently lost a Tax Clerk due to the fact that she was offered \$3 more per hour to work for another community.*

*Mr. Vomacka commented that the Tax Clerk example pertains to an individual and this is a merit increase type of situation, not a problem with the pay ranges.*

*Ms. Thompson stated that starting salaries for the City are based on the wage scale.*

*Mr. Vomacka asked if the City lost an employee or was unable to hire an employee.*

*Ms. Thompson answered that the City lost an employee because she was admittedly able to get a job closer to home, but also for \$3 more per hour. Ms. Thompson reiterated that employee entry pay is based on the scale and nobody with experience was able to be hired to fill the position due to the fact that pay in other surrounding communities is higher. Ms. Thompson stated that the City is not trying to give employees increases, they are primarily trying to increase the entry and mid-level pay in order to remain competitive when hiring new people to work here.*

*Mr. Vomacka stated that if the City keeps increasing the entry and the mid-level wages there will be congestion at the high end of the pay scale.*

*Ms. Thompson stated that the whole scale is increased when the adjustment is applied.*

*Mr. Vomacka commented that he understands that, but if the higher scale is used to bring people in at a higher salary the entry level will be competing with the mid and high levels.*

*Ms. Thompson explained that most people with any experience are not started at the very bottom of the entry level pay scale. Ms. Thompson added that the City will not allow an individual with five years experience to be paid less than an entry level employee. The scales allow the City to have some flexibility within the ranges. Ms. Thompson further explained that the ordinance does state that no employee in the City may be paid above the maximum pay rate for their position. Ms. Thompson commented that she would be happy to share the numbers she received from the survey of pay ranges from surrounding communities. Springboro traditionally is very low on the entry level rate and if they do not change the whole scale it does cause an uneven shift. Ms. Thompson agreed that they cannot adjust the bottom of the scale without adjusting the middle and the top ranges of the scale. Ms. Thompson finally stated that the City is not giving any increases of anywhere near 5% to employees.*

*Mr. Vomacka stated that he understands and appreciates that this pay scale adjustment is not a pay increase for current employees. Mr. Vomacka also stated that he would like to see the comparison survey data results that the City received from other communities.*

*Mr. Moore commented that he has done research as well on the cost to a company when they lose an employee. Mr. Moore explained that when a company loses an employee they have to double-up to make sure that the job duties and responsibilities are covered by other employees and the hours spent on the hiring process to replace the employee add up quickly. Mr. Moore further commented*

*that it is a significant amount of money and research has shown that it can cost some companies up to \$20,000 to replace an employee. Mr. Moore stated that he believes this research needs to be taken into consideration as well with respect to the pay scale issue.*

*Ms. Thompson stated that when she started with the City in 1989, when Springboro was a Village, it had just reached a population of 5,000 people and had 68 full-time employees. Springboro was the third fastest growing City in the state for 15 years running and now has 72 full-time employees. Ms. Thompson further stated that she does feel Springboro employees do a lot of work. She explained that if you compare Springboro with some other communities with a population of 6,000 or 8,000, they have more employees than Springboro does. Ms. Thompson further explained that this pay scale adjustment has nothing to do with employees receiving more money for more effort. The purpose of the pay scale increase is to enable the City of Springboro to maintain a competitive edge in securing people in positions. Ms. Thompson commented that the City is going through a situation right now with the Tax Clerk position; it is very difficult to hire someone with experience right now from another municipality unless you are paying them more. Staff is now reassessing to determine if there are any tools available to test applicants just to get a feel for their ability and then mold and train them for the position. Ms. Thompson further commented that this will involve a lot of time and work, but at this point it appears that the City is not able to recruit someone from another community.*

*Mr. Moore commented that it takes people's salary time and hourly time in order to accomplish all of that, which is an expense to the community. Mr. Moore further commented that he would like to be at a place where the City can keep good employees for the sake of our citizens and not lose them to other communities. He added that losing employees frustrates the whole system and the office environment employees are working in and also hurts employee morale.*

*Mr. Vomacka stated that he agrees with everything Mr. Moore is saying, but he would like to point out that the argument for the increase is not for retention it is for hiring new people.*

*Ms. Thompson stated that there is a retention component when looking at other communities and the issue becomes retention as much as recruitment. Ms. Thompson also stated that every ad she has ever seen for a municipal position posts a salary range; hence, she does believe ranges are utilized by other communities. Ms. Thompson commented that a lot of communities only use the low and high scales, but Springboro chose to have a mid-range as well to review competency levels at the time when an employee reaches a five-year employment mark. Ms. Thompson added that the City does not use this mid-point pay rate to automatically give an employee a raise if they reach that benchmark. The City does use the mid-salary range to gauge if an employee is in line with the theory that they should be around that figure after five years. Ms. Thompson stated, for informational purposes, that when an employee reaches the top of their range they are not eligible for any increase by ordinance unless the range is changed or a COLA is approved. Finally, Ms. Thompson stated that the Employee Pay Ranges Scale has been a great management tool as it sets a limitation on what employees can earn at the City. Ms. Thompson reconfirmed that she would provide Mr. Vomacka the information he requested regarding the City's survey of pay ranges in other communities.*

*There was no further discussion regarding this item.*

**4) RESOLUTION: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AMERICA'S DECORATIVE CONCRETE, LLC TO COMPLETE THE CLEAR CREEK BANK RESTORATION PROJECT.**

*Ms. Thompson stated that this resolution represents the second bid on this project. Ms. Thompson explained that the first bid came in significantly over estimate and was rejected by the City.*

*Mr. Chmiel asked when the work is expected to begin on this project.*

*Ms. Thompson answered that the contractor would begin as soon as possible.  
Mr. LaDu asked if the tees would be disturbed.*

Ms. Thompson answered that the trees would not be disturbed, but the cart path would need to be moved to the other side of the tree box.

- 5) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO RATIFY AN AGREEMENT TO PURCHASE CERTAIN PROPERTY ON LOWER SPRINGBORO ROAD FROM THE ESTATE OF THOMAS STOLZ.

Mr. Vomacka asked where the property proposed to be purchased is located on the map that was attached to the legislation.

Ms. Thompson explained that if you enter Clearcreek Park and drive straight back, there is a house, a barn and a nursery area located on the 47 acres that the City will be purchasing. Ms. Thompson added that the home is included with the property and there has been some discussion in regard to Warren County SWAT using the property for some training exercises, as the house is in very poor condition. Ms. Thompson further added that the Fire Department is also checking the barns for asbestos in preparation to possibly do a fire training as well. Ms. Thompson finally commented that the City will be receiving a percentage of the sale back in a separate transaction because the City is a named beneficiary of the Stolz's estate.

**ITEM 4. CITY MANAGER. –Issues/Reports.**

**I-75/SR73 (northbound ramp) Project:** Ms. Thompson stated that the City has been meeting with ODOT (Ohio Department of Transportation) and the Warren County Transportation Improvement District (TID) to review the TID projects. Through the applications that the TID made on behalf of the City with the help of LJB, the City's engineering firm, and staff, \$200,000 in grant funding was received from the federal government for the project. Ms. Thompson commented that this is very good news. All three Warren County TID projects received funding in some form. Hamilton County, which is partnering with Warren County on the Fields Ertel project, received money as well. Ms. Thompson stated that the I-75/SR73 ramp project is moving along well and an appraiser has been identified that the City feels comfortable with to perform the appraisal of the BP gas station property. The appraisal process will begin in January. Ms. Thompson further stated that the City will be contacting the owner to inquire about a "for sale" sign that is currently posted on the property.

**Volunteer Appreciation Event:** Ms. Thompson stated that the details have been finalized for the Volunteer Appreciation Event that will be held on December 9 at Heatherwoode Golf Club and the City will be ready for the event and to show volunteers their appreciation.

**Board and Commission Volunteer Orientation:** Ms. Thompson stated that she would speak to Mr. Schaeffer in regard to setting a date to conduct an orientation for new volunteers to coincide with the new volunteer handbook created this year. Ms. Thompson also invited Council Members Elect Mr. Hruska and Ms. Iverson to set up a time to meet with her for a brief orientation, a tour of the building, and to meet all of the department heads.

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

**Calendar Update:** Ms. Martin reported that the Volunteer Appreciation Event will be held on December 9, 6:00-10:00 PM at Heatherwoode and invitations have been mailed. Also, the Warren County Municipal League will host their annual holiday dinner at Heatherwoode on Wednesday, December 14, beginning with social period at 6:00 PM followed by dinner at 6:45 PM. Ms. Martin informed Council that the Planning Commission meetings have been condensed for December. The Planning Commission will conduct a Work Session on Tuesday, December 13 at 6:00 PM followed by a Regular Meeting at 7:00 PM. The Finance Committee meeting scheduled for December 15 has been canceled.

Ms. Martin stated she has provided Council with the budget meeting notes if Council would like to consider approval at tonight's Regular Meeting along with the minutes of the November 3 Council Meetings.

Ms. Martin referred to the information she distributed to Council regarding Council and Citizen Committee Appointments to review in preparation for appointments in the beginning of 2012. Also, Ms. Martin informed Council that Melissa Goffinet has resigned from the Community Service Board. Ms. Martin explained that due to Ms. Goffinet's current personal and professional commitments, she is unable to continue to serve on the Board.

**ITEM 6. CITY COUNCIL. –Issues/Reports.**

**Mr. Moore** – No issues/reports.

**Mr. Chmiel** – No issues/reports.

**Ms. Belpulsi** – Ms. Belpulsi will present a notice for a liquor license at tonight's Regular Meeting under Other Business.

**Mr. Vomacka** – Mr. Vomacka will present an Architectural Review Board report at tonight's Regular Meeting under Committee Reports.

**Ms. Lairson** – No issues/reports.

**Mr. LaDu** – No issues/reports.

**Mayor Agenbroad** – Mayor Agenbroad reminded Council that there will be a Public Hearing regarding Chapter 1271.02, Exterior Lighting, at tonight's Regular Meeting. He also reminded Council that a motion would be in order at tonight's Regular Meeting to accept Melissa Goffinet's resignation from the Community Service Board.

In addition, Ms. Thompson announced that per the recommendation of Chief Kruithoff and with her approval, Sergeant Dan Bentley will be sworn in as the new Police Lieutenant for the Springboro Police Department at the January 5 Regular Council Meeting.

**ITEM 7. ADJOURNMENT.** With no further discussion, Mayor Agenbroad adjourned the December 1, 2011 City Council Work Session at approximately 6:30 PM.

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

**CITY COUNCIL REGULAR MEETING**

THURSDAY, DECEMBER 1, 2011

7:00 PM

**COUNCIL**

John Agenbroad, Mayor  
Tom LaDu, Deputy Mayor      Marie Belpulsi  
Jim Chmiel                              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

**PUBLIC HEARING**

IN ACCORDANCE WITH OHIO REVISED CODE SECTION 713.12, A PUBLIC HEARING WAS HELD BEFORE THE CITY COUNCIL OF THE CITY OF SPRINGBORO, OHIO AT 7:00 P.M. ON THURSDAY, DECEMBER 1, 2011 TO AMEND THE TEXT OF THE PLANNING AND ZONING CODE, PART XII OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, OHIO. THE PUBLIC HEARING TOOK PLACE IN COUNCIL CHAMBERS AT THE SPRINGBORO MUNICIPAL BUILDING, 320 WEST CENTRAL AVENUE (SR 73), SPRINGBORO, OHIO 45066.

**PUBLIC HEARING:** THIS PUBLIC HEARING WAS IN REGARDS TO A RECOMMENDATION FROM THE SPRINGBORO PLANNING COMMISSION TO CITY COUNCIL TO REVISE SECTION 1271.02, EXTERIOR LIGHTING, OF THE PLANNING AND ZONING CODE THAT WOULD AFFORD GREATER FLEXIBILITY TO BUSINESS AND PROPERTY OWNERS BY STRIKING THE CURRENT HIGH-PRESSURE SODIUM (HPS) REQUIREMENT AND REPLACING IT WITH A MAXIMUM "COLOR TEMPERATURE" OF 3500 DEGREES KELVIN. THIS STANDARD IS SIMILAR TO HPS AND WOULD REQUIRE A CONSISTENT COLOR TEMPERATURE FOR BUILDINGS, SITES AND DEVELOPMENTS.

THIS PUBLIC HEARING WAS BEING HELD IN ACCORDANCE WITH CHAPTER 1284, AMENDMENTS, OF THE PLANNING AND ZONING CODE. THE PROPOSED PLANNING AND ZONING CODE TEXT AMENDMENT DOES NOT RESULT IN ANY AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO. THE PUBLIC HEARING WAS LIMITED TO 30 MINUTES; 15 MINUTES RESERVED FOR OPPONENTS, AND 15 MINUTES RESERVED FOR PROPONENTS.

MAYOR AGENBROAD STATED THAT IN KEEPING WITH PROTOCOL, COUNCIL WILL BEGIN BY HEARING PROPONENTS FOLLOWED BY OPPONENTS. MAYOR AGENBROAD INVITED ANY PROPONENTS 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.

BEFORE PROPONENTS WERE HEARD, CITY PLANNING CONSULTANT DAN BORON PROVIDED BACKGROUND INFORMATION REGARDING THE PUBLIC HEARING AS FOLLOWS: (A COPY OF THE PRESENTATION HANDOUT IS FILED WITH THE MINUTES FOR THE RECORD AND IS ATTACHED.) THIS PROPOSED REVISION TO THE PLANNING AND ZONING CODE WAS RECOMMENDED BY THE PLANNING COMMISSION TO CITY COUNCIL WITH THE SUPPORT OF STAFF. FIVE YEARS AGO, COUNCIL ADOPTED AN ORDINANCE, WHICH ESTABLISHED A STANDARD FOR EXTERIOR LIGHTING IN THE COMMUNITY WITH THE GOAL OF REDUCING GLARE AND LIGHT TRESPASS ON RESIDENTIAL

PROPERTY AND ALSO A CONSISTENT LIGHT INTENSITY IN TERMS OF FOOT CANDLES FOR COMMERCIAL PROPERTY. THAT POLICY FORMALIZED A STANDARD THAT REQUIRED HIGH PRESSURE SODIUM (HPS) LIGHTING, WHICH HAD BEEN THE POLICY INFORMALLY FOR YEARS AND YEARS. MORE RECENTLY, ADVANCEMENTS IN LIGHTING TECHNOLOGIES HAVE PROGRESSED TO THE POINT WHERE OTHER LIGHT FORMATS OR TECHNOLOGIES APPROACHING THE LIGHT TEMPERATURE OF HPS INCLUDING LED LIGHTING, WHICH IS BECOMING MORE AND MORE PREVALENT AND IS BEING SEEN IN MORE DEVELOPMENT PROPOSALS BY DEVELOPERS, BUSINESS OWNERS AND OTHERS. HPS HAS A LOW COLOR TEMPERATURE, WHICH REFLECTS A WARMER LIGHT TONE AND IS WHAT IS SEEN IN MOST AREAS OF THE COMMUNITY IN PARK AREAS AND STREETS. METAL HALIDE, FOR EXAMPLE, HAS A MUCH HIGHER COLOR TEMPERATURE AND HAS A COOLER TEMPERATURE AND A MORE INTENSE PRESENTATION OF LIGHT OR IS BRIGHT. ON OCTOBER 26, THE PLANNING COMMISSION MADE A RECOMMENDATION, AFTER A LENGTHY STUDY OVER THE SUMMER, THAT PROPOSES TO AMEND SECTION 1271.02, EXTERIOR LIGHTING, TO REMOVE THE HPS REQUIREMENT AND REPLACE IT WITH A STANDARD THAT IS BASED ON THE 3500 DEGREE KELVIN LIGHT TEMPERATURE MAXIMUM I.E. ALL LIGHTING HAS TO MEET AND CANNOT EXCEED THAT STANDARD AND THE CITY WILL BE ASKING FOR THAT INFORMATION TO BE ADDED TO SUBMISSIONS FOR THE SITE PLAN REVIEW PROCESS THROUGH PLANNING COMMISSION. OTHER ITEMS IN THE ORDINANCE WILL NOT BE AMENDED, FOR EXAMPLE, LIGHT INTENSITY, GLARE AND THE OTHER RESTRICTIONS MENTIONED PREVIOUSLY AND THE NEW STANDARDS WILL BE WOVEN INTO THOSE REGULATIONS ALREADY IN PLACE. MR. BORON OFFERED TO ANSWER ANY QUESTIONS.

MAYOR AGENBROAD PRESENTED THE PROPOSAL FOR QUESTIONS OF COUNCIL. NO QUESTIONS.

AT THIS TIME, MAYOR AGENBROAD INVITED PROPONENTS TO COME FORWARD AND STATE THEIR NAME FOR THE RECORD AND MAKE THEIR COMMENTS ACCORDINGLY.

**PROponents:**

NO PROPONENTS CAME FORWARD.

AT THIS TIME, MAYOR AGENBROAD INVITED OPPONENTS TO COME FORWARD AND STATE THEIR NAME FOR THE RECORD AND MAKE THEIR COMMENTS ACCORDINGLY.

**OPponents:**

NO OPPONENTS CAME FORWARD.

MAYOR AGENBROAD CLOSED THE PUBLIC HEARING AT APPROXIMATELY 7:04 PM.

**ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, December 1, 2011 at 7:00 PM in Council Chambers at the Springboro Municipal 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; Belpulsi, Present; Chmiel, Present; LaDu, Present; Lairson, Present; Moore, Present; Vomacka, Present. Staff: Ms. Thompson, Mr. Pozzuto, Acting Law Director David Montgomery, and Ms. Martin were present.

**ITEM 4. APPROVAL OF MINUTES:** THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF NOVEMBER 3, 2011 AND RESCHEDULED CITY COUNCIL REGULAR MEETING OF NOVEMBER 17, 2011 AND CITY COUNCIL SPECIAL MEETING OF NOVEMBER 10, 2010.

Mr. LaDu motioned to approve the Minutes of the City Council Work Session and Regular Meeting of November 3, 2011 and rescheduled City Council Regular Meeting of November 17, 2011 and City Council Special Meeting of November 10, 2011. Ms. Lairson seconded the motion.

No corrections.

**VOTE: LaDu, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes. [7-0]**

**ITEM 5. PRESENTATIONS:** No Presentations.

**ITEM 6. LEGISLATION:** City Council held a Work Session at 6:00 PM tonight for approximately 30 minutes to discuss the following legislation as well as other City business.

**MOTION:** TO APPROVE THE 2012 BUDGET OF THE CITY OF SPRINGBORO, OHIO.

Mayor Agenbroad presented the motion to approve the 2010 Budget for questions/comments of Council. No questions/comments.

Mr. LaDu motioned to approve the 2012 Budget of the City of Springboro, Ohio. Mr. Chmiel seconded the motion.

No discussion.

**VOTE: Moore, Yes; Vomacka, Yes; Lairson, Yes; LaDu, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes. [7-0]**

- 1) **EMERGENCY ORDINANCE: FIRST READING.** "AN ORDINANCE AMENDING SECTION 1271.02, EXTERIOR LIGHTING, OF THE PLANNING AND ZONING CODE; AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Mr. Boron's comments are summarized as follows:

This is the first reading of an ordinance amending section 1271.02, Exterior Lighting, of the Planning and Zoning Code and was the subject of the Public Hearing held at the beginning of tonight's meeting. Staff requests that this ordinance be declared an emergency in order for it to be implemented as soon as possible for developers and businesses in the community.

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

No discussion.

**NO ACTION REQUIRED AS THIS TIME.**

- 2) **RESOLUTION R-11-47:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH PICKREL, SCHAEFFER & EBELING CO., L.P.A. TO PROVIDE LEGAL COUNSEL TO PROVIDE LEGAL SERVICES FOR THE CITY OF SPRINGBORO AND DESIGNATING ALAN B. SCHAEFFER AS LAW DIRECTOR FOR THE CITY FROM JANUARY 15, 2012 THROUGH JANUARY 14, 2014," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a professional services agreement with Pickrel, Schaeffer & Ebeling to provide legal services for the City and to designate Alan Schaeffer as Law Director for a two-year term (January 15, 2012 – January 14, 2014.) This proposed agreement has been reviewed and approved by the Legal Committee under the Committee's Chair Councilman Chmiel. The hourly rate is \$160 for 2012 and under the terms of the contract fees will not exceed \$125,000 over the annual period.

Mayor Agenbroad presented the item for questions/comments of Council.

Mr. Chmiel commented that the Legal Committee did discuss the contract at length and unanimously recommended to reappoint Mr. Schaeffer.

**Mr. Vomacka motioned to adopt Resolution R-11-47. Mr. Moore seconded the motion.**

No discussion.

**VOTE: Vomacka, Yes; Lairson, Yes; LaDu, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes. [7-0]**

- 3) **RESOLUTION R-11-48:** "A RESOLUTION APPROVING THE CITY OF SPRINGBORO EMPLOYEE PAY RANGES AND ANNUAL WAGE SCALE INDEX ADJUSTMENT FOR THE YEAR 2012," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution approves the City's employee pay range and annual wage scale index adjustment for the year 2012. Essentially, the index adjustment for 2012 would raise the wage scale by 5% at both the bottom and the top of the ranges; however, employees will not receive a cost of living or a merit raise in 2012. The purpose of the annual pay range adjustment is to remain competitive with surrounding communities when hiring new employees. No new positions have been created for 2012 and the City will remain frozen at 72 full-time employees.

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

**Mr. Chmiel motioned to adopt Resolution R-11-48. Mr. LaDu seconded the motion.**

No discussion.

**VOTE: Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes; LaDu, Yes. [7-0]**

- 4) **RESOLUTION R-11-49:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AMERICA'S DECORATIVE CONCRETE, LLC TO COMPLETE THE CLEAR CREEK BANK RESTORATION PROJECT," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a contract with America's Decorative Concrete to complete the Clear Creek Bank Restoration Project. The 15<sup>th</sup> tee at Heatherwoode Golf Course has lost a great deal of bank that runs along Clear Creek and created a relatively dangerous situation in staff's opinion. Fencing was installed, but the bank on the creek kept eroding. The City initially bid this project and received a bid in excess of \$195,000, which was unacceptable. The project consists of a bank restoration system that is a high, block retaining wall and there are only so many contractors that are familiar with this system in the area. The City rebid the project in October and received bids that were more in line with the City's estimate to perform the work at a reasonable cost. America's Decorative Concrete bid was \$152,132.75, which is under the Engineer's estimate for the project. Staff researched the company's references extensively and found that they are primarily an excavating company, but the subcontractor that is listed in their proposal will be installing the high, block retaining wall and were proven through references to be very reliable and very experienced with this type of work.

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

**Ms. Belpulsi motioned to adopt Resolution R-11-49. Mr. Moore seconded the motion.**

No discussion.

**VOTE: Vomacka, Yes; Lairson, Yes; LaDu, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes. [7-0]**

- 5) **RESOLUTION R-11-50:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO RATIFY AN AGREEMENT TO PURCHASE CERTAIN PROPERTY ON LOWER SPRINGBORO ROAD FROM THE ESTATE OF THOMAS STOLZ," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes the City Manager to ratify an agreement to purchase certain property on Lower Springboro Road from the Thomas Stolz Estate consisting of a 47-acre tract of land directly north of Clearcreek Park for \$175,000. This land purchase will allow the City to increase park and green space at Clearcreek Park to approx. 150 acres. Once the transaction is complete, there will be a 60-day inspection period during which a Phase I (Environmental Site) Assessment will be performed. The City will also be asking the Fire Department to inspect the house located on the property to see if they would like to do any fire training. The SWAT Team of Warren County has asked if they could look at the house for training, as well. Again, there is a 60-day due diligence period and if this contract is ratified, the City hopes to close by January 31, 2012.

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

**Mr. Chmiel motioned to adopt Resolution R-11-50. Mr. Vomacka seconded the motion.**

No discussion.

**VOTE: Lairson, Yes; LaDu, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes. [7-0]**

- ITEM 7. REPORTS: Mayor's Report** – No calendar updates. The next City Council Work Session will be held on Thursday, December 15, 2011 at 6:00 PM followed by the City Council Regular Meeting at 7:00 PM in Council Chambers. The Finance Committee meeting scheduled for December 15 at 5:30 PM has been canceled.

In addition, Mayor Agenbroad reported that he attended a ribbon cutting ceremony for Corbitt Contracting at 545 S. Main Street and he welcomed them to the Springboro business community.

**City Manager's Report** – Ms. Thompson reported that the City, through the efforts of the newly formed Warren County TID (Transportation Improvement District), submitted an application through the MVRPC (Miami Valley Regional Planning Commission) and was very fortunate, as were the other projects that were adopted by the Warren County TID, to receive funding for the I-75/SR73 (northbound) ramp project in the amount of \$200,000. They are meeting with ODOT tomorrow at the District Office to review that particular funding and are also going to review the other projects approved by the TID and funded including Hamilton County, which is sharing in the cost of the Fields Ertel project with Warren County. Ms. Thompson commented that, to date, the process of obtaining funding for the I-75/SR73 ramp project has been pretty successful and she is more encouraged than she has ever been that the City will actually have the northbound ramp to I-75 constructed within the next 10 years. Also, Ms. Thompson reported that there were numerous vehicles being parked on the future Thornton's site by I-75, which was very unsightly. Through the efforts of Zoning Inspector Dan Fitzpatrick and the Zoning Department, they reached the owners of Asplundh Tree Company regarding their company trucks being parked at the site and the owners of other vehicles that were parked at the site asking them to remove the vehicles and hoping that word has been filtered down to the responsible parties. Ms. Thompson explained that apparently the closing on that property has not occurred yet; therefore, Thornton's does not officially own it and the City could not go through them to accomplish anything with respect to the parked vehicles, but feel that staff has made contact with some of the right people to correct and diminish that situation. Ms. Thompson added that it is private property and there should be no parking on the site, but the police department is restricted with respect to enforcement because it is private property. Ms. Thompson further commented that in a different situation there was a vehicle parked on Gardner Drive and Village Park Drive and staff was

also able to contact the owner and that situation, through the efforts of Officer Anderkin, was resolved and the car carrier vehicle has not been parked at that site since. Ms. Thompson emphasized that the City is making progress on some of these unsightly issues. In addition, Ms. Thompson reported that she and Mr. Pozzuto will be meeting with ODOT at District 7 on Monday to review plans for the West Tech Road traffic signal. Ms. Thompson explained that when Children's Medical Center came to Springboro one of the stipulations of the contract was that eventually, along with the Austin Interchange project, there would be signalization at West Tech Road. The project has been warranted and the City is able to move forward with another traffic signal on SR741. Lastly, Ms. Thompson announced that there is an Austin JEDD (Joint Economic Development District) Annual Board of Directors meeting scheduled on Tuesday at the Miami Township Government Center. One of the meeting topics is the contract for landscaping, which will provide landscaping not only at the interchange, but along the boulevard. Also, the JEDD is potentially going to begin with Kohl's and one of the office facilities and include any new retail and hospitality. Ms. Thompson commented that when there are signatures on the JEDD petitions, it will start the process of generating some JEDD revenues into the district, which are sorely needed at this point to again continue to do landscaping at the interchange and maintain that landscaping after it is installed. Ms. Thompson explained that they initially incorporated the landscaping costs into the borrowings for the interchange, but the maintenance is ongoing and will be an annual cost. JEDD revenues were intended to pay for the landscape maintenance costs, but until more than the right-of-way is in the JEDD there will be no revenues. Ms. Thompson finally commented that they are hopeful the JEDD petitions will be signed and they were informed at the JEDD meeting that it would occur and as soon as she knows more she will certainly advise Council.

**Committee Reports –**

**Mr. Moore** – No reports.

**Mr. Chmiel** – No reports.

**Ms. Belpulsi** – **Planning Commission** – The Planning Commission will meet on December 13 beginning with the Work Session at 6:00 PM following by the Formal Meeting at 7:00 PM in Council Chambers. This meeting will be the only Planning Commission meeting held in December.

**Mr. Vomacka** – **Architectural Review Board** – The Architectural Review Board met on November 14 to address several items of business as follows: The Board asked the applicant for a sign at 40 E. Central Avenue to return at a later date with a sign proposal that would fit within the City's sign code because the applicant was requesting a special dispensation that the Board could not grant. The Board asked the applicant for a sign at 355 S. Main Street, who was not at the meeting, to attend the next meeting to explain what they are looking for because the Board could not figure it out based on the application they provided. Also, the Board approved an application for a sign at 545 S. Main Street for Corbitt USA, a roofing and home repairs business, Mr. Vomacka commented that the board was happy to approve the sign for this new business; the applicant submitted a proposal which was nicely compliant with what the Board is trying to do. The next Architectural Review Board meeting will be held on Monday, December 12 at 6:00 PM in Council Chambers, as scheduled.

**Ms. Lairson** – No reports.

**Mr. LaDu** – No reports.

**ITEM 8. OTHER BUSINESS.** At this time, Ms. Belpulsi presented a notice of an application for a Liquor License as follows: A notice of an application for a new Liquor License from Whiskey Barrel LLC DBA Whiskey Barrel Bar & Billards, 855-857 W. Central Avenue, Springboro, Ohio 45066 bearing the number 9556189. The Liquor License is for Permit D-5 – Night Club permit. Spirituous liquor for on-premises consumption; beer, wine and mixed beverages for on-premises consumption or carry-out until 2:30 a.m. As always, the Springboro Police Division has completed a records check on the applicant and can find no cause for objection to this application, and recommends that City Council

and the City of Springboro not express any objections and not request a hearing from the Ohio Division of Liquor Control.

**Ms. Belpulsi motioned that the City Council and the City of Springboro not express any objections and not request a hearing from the Ohio Division of Liquor Control regarding this Liquor License application. Ms. Lairson seconded the motion.**

Mayor Agenbroad presented the motion for questions/comments.

Mr. Vomacka asked where this business is located.

Ms. Thompson replied that the business is located on the south side of SR73 behind Long John Silver's in the building separate from the shopping center.

**VOTE: LaDu, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes. [7-0]**

In addition, Mayor Agenbroad commented that Melissa Goffinet has resigned from the Community Service Board. Due to other commitments, she no longer has time to serve. Mayor Agenbroad asked for a motion to accept Ms. Goffinet's resignation with a vote of thanks.

**Mr. LaDu motioned to accept the resignation of Melissa Goffinet from the Community Service Board with a vote of thanks. Ms. Lairson seconded the motion.**

No discussion.

**VOTE: LaDu, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes. [7-0]**

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

**ITEM 10. GUEST COMMENTS.** No Guest Comments.

**ITEM 11. EXECUTIVE SESSION.** No Executive Session.

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

**Mr. Vomacka motioned to adjourn the meeting; whereby, the Thursday, December 1, 2011 Springboro City Council Regular Meeting was adjourned at approximately 7:26 PM. Ms. Lairson seconded the motion.**

**VOTE: LaDu, Yes; Agenbroad, Yes; Belpulsi, Yes; Chmiel, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes. [7-0]**

—MEETING ADJOURNED—

John H. Agenbroad

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John H. Agenbroad, Mayor

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Presiding Officer

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Lori A. Martin, Clerk of Council