

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

CITY COUNCIL WORK SESSION

THURSDAY, SEPTEMBER 16, 2010

6:00 PM

COUNCIL

John Agenbroad, Mayor

**Jim Chmiel, Deputy Mayor Marie Belpulsi
Tom LaDu Sheila Lairson
Bruce Moore David Vomacka**

CITY STAFF

**Chris Thompson, City Manager
Chris Pozzuto, Assistant City Manager
Alan Schaeffer, Law Director
Lori Martin, Clerk of Council**

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Work Session to order on Thursday, September 16, 2010 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. Schaeffer, and Ms. Martin were present. Mr. Pozzuto was absent.

ITEM 3. LEGISLATIVE AGENDA. –Six legislative agenda items were slated for the September 16 Regular Meeting.

1) EMERGENCY ORDINANCE: FIRST READING. AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,605,000 OF REVENUE RENEWAL NOTES BY THE CITY OF SPRINGBORO, OHIO FOR THE PURPOSE OF ACQUIRING REAL PROPERTY FOR MUNICIPAL PURPOSES IN THE CITY; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH NOTES; AUTHORIZING NECESSARY AND APPROPRIATE DOCUMENTS; AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH NOTES; AND DECLARING AN EMERGENCY.

The Finance Director has requested that Council waive the second and third readings of this ordinance in order to sell the notes in mid-October.

2) RESOLUTION: A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (WARREN COUNTY)

No discussion.

3) RESOLUTION: A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (MONTGOMERY COUNTY)

No discussion.

4) RESOLUTION: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RHULE EXCAVATING, INC. TO COMPLETE A STREET REPAIR TO THE

SOUTH CURB LANE OF WEST CENTRAL AVENUE FROM FAIRWAY DRIVE TO 250 FEET EAST OF PARK LANE.

Mr. Chmiel commented that he would abstain from the vote on this resolution at tonight's Regular Meeting.

- 5) RESOLUTION: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SONSHINE COMMERCIAL CLEANING FOR JANITORIAL AND CLEANING SERVICES FOR THE CITY BUILDING.**

Ms. Belpulsi asked if this resolution represented a contract with a new company and if so what happened to the old cleaning company. Ms. Thompson explained that service was not being met to the satisfaction of staff. Staff decided to rebid the contract and the existing cleaning company did submit a bid as well. Ms. Thompson also pointed out a correction in the Legislative Cover Memorandum for this resolution. The memorandum notes that the responses to the bid range from a per employee hourly cost of \$73.30 to \$138.89. Ms. Thompson clarified that the hourly cost is not a per employee cost; it is actually a total employee per hour cost. Ms. Thompson further explained that this company will provide the City with three people each and every hour of the 10-hour commitment every week; whereas, all of the other companies that bid only committed two people. Over the last year, Staff's experience has been that two people cannot appropriately clean the building.

Mr. Vomacka confirmed that the hourly rate mentioned in the memo is for the entire cleaning crew. Ms. Thompson replied yes; it is the total employee cost per hour, per week. Ms. Thompson reiterated that this company is offering three employees rather than two.

- 6) RESOLUTION: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH SYNERGY AUSTIN PLACE, LLC.**

Ms. Thompson commented that she would respond to the media coverage of this legislation at tonight's Regular Meeting. The reporter for the Dayton Daily News explained to Ms. Thompson that the Austin Interchange is a hot button no matter what happens there. Ms. Thompson further commented that she explained to the reporter that the City passed legislation to sell this property in March of 2009. Ms. Thompson explained that the purpose of this service agreement is to not only minimize the risk for the developer, who knows that the City will in turn commit to creating a TIF district (Tax Increment Financing) by August 2011, but it minimizes the City's risk by requesting the construction schedule outlining how the property will develop over 10 years. The City did discuss the TIF with the School District Superintendent and Treasurer, and the School Board met Tuesday night and approved of the proposal, but asked that when the TIF was initiated that the City present the information to the Board at a meeting. Ms. Thompson further explained that the City has no obligation to the School District and the 75/10 does not require the School Board's approval, but the City wants to present the TIF information to School Board because it is truly a benefit to them. Ms. Thompson also commented that the property is valued at zero right now, but, at the end of the 10 years, the benefit will be over \$900,000 to the School District in property taxes assuming the development schedule is adhered to. The City is also protected in the agreement by including a clause, which states that any failure on the part of the developer to make a minimum payment will result in a 10% penalty. Ms. Thompson also explained that the service agreement allows the City to close on the initial land purchase of 3.83 acres based on the agreement passed in 2009, which allows the developer the right of first refusal on each piece of land that is still available. Ms. Thompson noted that the development entity's name has changed to Synergy Austin Place since the 2009 agreement was formed. Ms. Thompson summarized by stating that this service agreement refers to that original purchase agreement made in 2009 and minimizes everyone's risk with respect to this development. The agreement gives the developer some assurance that the City will build a road with TIF funds and pilot payments and gives the City the comfort level that the valuation on this development plan is over \$38M and provides a schedule the developer intends to pursue. Ms. Thompson reiterated that the City has not closed

on the first piece of property, but hopes to close by the end of the month. Ms. Thompson also reiterated that this agreement represents the developer's commitment to develop the property under the proposed scenario and the City's commitment to create a TIF district before August of 2011. Ms. Thompson added that the City's bond counsel has been involved in this process every step of the way and found it to be allowable, permissible, and legal in all respects. Furthermore, it will simply be a customary TIF that the City will eventually achieve by virtue of this agreement. Ms. Thompson also added that if the City does close on the property by the end of the month, the interest payment referred to in the Cover Memorandum for Legislative Item 1 will not occur because it will be paid by the proceeds of the sale.

Mr. Schaeffer commented that the proceeds from the sale per acre are about +/- \$20,000 per acre above the price the City paid for it, which turned out to be a nice investment and has accomplished the original purpose of providing the City with some control over what is developed on the land in that quadrant of the interchange.

ITEM 4. CITY MANAGER. –Issues/Reports.

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

Town Hall Meeting: Ms. Thompson commented that she and Ms. Martin drafted an Agenda for the Town Hall Meeting on October 5 and she would like to share and discuss talking points for the meeting. Ms. Thompson suggested six topics that Council Members could review for presentation at the Town Hall Meeting with Mayor Agenbrood serving as the master moderator of the meeting. Ms. Thompson asked that Council take some time to review the topics and provide input. These topics would give each Council Member an opportunity to actively participate in the Town Hall Meeting. Again, six topics were chosen, which would allow Mayor Agenbrood to act as the facilitator of the meeting. The six topics are as follows: Leaf Collection Program, Recycling Program, Solar Project, Economic Development Update, Budget and Capital Improvement Program, and Road Improvement Projects. Ms. Thompson pointed out that with respect to the road projects, while the City has a customary resurfacing program, the City did not do a resurfacing program in 2010 in order to save money. In 2011, the City proposes to pave 15 streets, but also on the horizon are some very significant road projects. In 2012, State Route 741 will be resurfaced by ODOT and the City's portion of that project is \$814,000. In 2015, a State Route 73 ODOT related project is scheduled for construction, which will cost the City \$930,000. Ms. Thompson further pointed out that it is easy to see the impact street resurfacing has on the Income Tax Capital Fund, Street Fund, and any General Fund monies needed to subsidize the projects. Projections for street resurfacing in the 5-year CIP are as follows: 10 streets in 2013 budgeted at \$548,000 and 14 streets in 2014 budgeted at \$725,000. Ms. Thompson commented that the City has a lot of streets, a lot of pavement, and a lot of people who use them, and the cost to resurface the streets really is becoming a significant number. Ms. Thompson further commented that the overall CIP for five years is approximately \$14M, but about \$9.5M of the budget is for street resurfacing and street capital improvements, which is a significant portion of the CIP.

Mr. Chmiel commented that it might be worth mentioning, under that topic, that over the last two or three years the City has spent a significant amount of money, \$2M, replacing the concrete streets in the City.

Ms. Thompson also commented that if all of Council has something that can be added to these topics to please let her know; she can adjust them via e-mail based on Council's suggestions or ideas. Ms. Thompson suggested that each Council Member could participate in the Town Hall Meeting by choosing a topic to present and staff would be present to answer any questions that might be asked regarding those topics. Ms. Thompson added that Ms. Martin has prepared an agenda that she can adjust to reflect the topics that Council will be presenting at the meeting. Again, Ms. Thompson asked Council to look over the topics and communicate with her via e-mail over the next week because Council will not meet again before the Town Hall Meeting on October 5.

Mr. Vomacka confirmed that ODOT will participate in the cost of the projects on SR741 and SR73, mentioned previously by Ms. Thompson, and the CIP reflects only the City's share of the cost. Ms. Thompson replied yes.

Mr. Vomacka confirmed that the other street improvement numbers in the CIP, such as street resurfacing, is entirely the City's cost. Ms. Thompson replied yes, but some of the \$9.5M for street projects is Issue II money.

Ms. Belpulsi asked how Council would determine who would present which topic. Ms. Thompson answered that it did not matter to her who presented a particular topic; she just wanted to know if Council Members had any additional comments they wanted to add to the prepared talking points.

Ms. Belpulsi commented that Council would have to determine who would present each topic before the meeting.

Mayor Agenbrood suggested that Council choose topics now. Mayor Agenbrood commented that Ms. Martin could base the meeting agenda on the list of topics and the Council Member presenting them.

Mr. Chmiel commented that he represents the Park Board and would like to volunteer to present information regarding the Solar Project.

Mr. LaDu commented that he serves on the Finance Committee and would present the Budget and 5-Year CIP information.

Mr. Vomacka offered to present Road Improvement Projects.

Ms. Lairson offered to present Economic Development News.

Mr. Moore opted to present information about the New Leaf Collection Program.

Ms. Belpulsi will present information about the new Recycling Program.

Mr. Moore commented that he would like to make some additional comments regarding the progress and projects of the Miami Valley Communications Council and the Tree Authority.

Ms. Martin will finalize the Town Hall Meeting Agenda for October 5 based on this discussion.

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

Thaler Machine Tour: The owners of Thaler Machine, at 216 Tahlequah Trail, have offered to host City Council for a tour of their new facility at 5:00 PM on Tuesday, November 4.

Mayor Agenbrood suggested that Council Members meet at Thaler Machine at 5:00 PM on November 4 for the tour.

Ms. Martin asked that if a Council Member could not attend to please let her know; otherwise, she would RSVP for all Council Members. Ms. Martin will send an e-mail as a reminder with any details needed prior to the tour.

2011 Council Budget: Ms. Martin commented that Finance Director Robyn Brown has distributed the Departmental Budgets to Department Directors and Staff. Ms. Martin further commented that budgets are due October 4. If Council Members have any input regarding the department's budget, please send an e-mail to Ms. Martin with any budget revisions.

ITEM 6. CITY COUNCIL. –Issues/Reports.

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

Ms. Lairson – No issues/reports.

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

Mr. Moore – Mr. Moore commented that he would like to make some comments regarding the death of soldier James Richardson, who was buried last Thursday in Springboro Cemetery, at tonight's Regular Meeting under Final Comments.

Mayor Agenbroad agreed that Mr. Moore should comment on this topic and the City's response to the funeral procession.

Mr. LaDu – Mr. LaDu will present a Finance Committee Report at tonight's Regular Meeting under Reports.

Mr. Chmiel – No issues/reports.

Mayor Agenbroad – Mayor Agenbroad reminded Ms. Lairson that she was absent from the last Council Meeting and should abstain from the vote on the Minutes of September 2 at tonight's Regular Meeting.

At this time, Mayor Agenbroad asked for a motion, under R.C.121.22(G), to enter Executive Session to discuss the purchase of property.

Mr. LaDu motioned to enter Executive Session under RC121.22(G), following the Work Session discussion, to discuss the purchase of property. Mr. Vomacka seconded the motion.

No discussion.

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

With no further Work Session discussion, City Council entered Executive Session to discuss the purchase of property at approximately 6:25 PM.

With no objections, City Council exited Executive Session at approximately 6:55 PM; whereby, no votes were taken.

ITEM 7. ADJOURNMENT. With no further discussion, Mayor Agenbroad adjourned the September 16, 2010 City Council Work Session at approximately 6:55 PM.

and Illinois participated in the event, and more people spent the night in town than ever before. Mr. Salyers added that the comment he heard most was that Springboro is a neat community. Although it rained during the tournament, the players had a good time. It was a 15 and under tournament. In appreciation, Mr. Salyers presented each Council Member, Ms. Thompson, and Ms. Martin with tournament t-shirt.

Council congratulated and thanked Mr. Salyers with a handshake.

Mayor Agenbroad announced that Mr. Salyers is the President of the Amateur Baseball Association in Springboro. Mayor Agenbroad commented that Mr. Salyers does a heck of a job, and Council appreciates all he does for the program and community.

In addition, Mr. Salyers presented a t-shirt to Mrs. Betty Bray, who was seated in the audience. Mr. Salyers commented that Mrs. Bray always attends City Council Meetings and is a neat lady.

At this time, Mayor Agenbroad read the Proclamation in observance of Constitution Week September 17-23. Mayor Agenbroad commented that he would have his photo taken with the Members of the Jonathan Wright Chapter of the Daughters of the American Revolution following the meeting.

Mayor Agenbroad also recognized and commended a military officer, who was seated in the audience.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for approximately 25 minutes to discuss the following legislation as well as other City business. During the Work Session, City Council entered Executive Session for approximately 30 minutes to discuss the purchase of property; whereby, no votes were taken.

- 1) **ORDINANCE O-10-35:** "AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,605,000 OF REVENUE RENEWAL NOTES BY THE CITY OF SPRINGBORO, OHIO FOR THE PURPOSE OF ACQUIRING REAL PROPERTY FOR MUNICIPAL PURPOSES IN THE CITY; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH NOTES; AUTHORIZING NECESSARY AND APPROPRIATE DOCUMENTS; AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH NOTES; AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the first reading of an ordinance providing for the issuance of not to exceed \$2,605,000 revenue renewal notes for property acquisition at South Tech Business Park. The original note on this property, which is 89 acres purchased at South Tech Industrial Park in 2004, was in the amount of \$4.36M. The City has paid down \$1.66M of the note through the sale of land at South Tech. This legislation will allow the City to renew that note for one year in the amount of \$2.7M. The City anticipates a land sale within the remainder of the month, which will enable the City to further reduce this note by approximately \$278,000. The land sales are going well; the City is receiving an average value that is approximately \$20-25,000 above what the City paid for the land in 2004. The risk the City took by purchasing this land at South Tech in anticipation of the construction of Austin Interchange certainly seems to be paying off. As state previously, the City will be able to pay down more of this note in the near future.

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

Mr. LaDu motioned to suspend the rules and waive the second and third readings of Ordinance O-10-35. Mr. Vomacka seconded the motion.

No discussion.

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

Ms. Lairson motioned to adopt Ordinance O-10-35. Mr. Vomacka seconded the motion.

No discussion.

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

- 2) **RESOLUTION R-10-23:** "A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (WARREN COUNTY)," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

Legislative Items 2 & 3 are identical except the first resolution is issued by Warren County and the second is issued by Montgomery County, as a portion of Springboro is in Montgomery County. This resolution accepts the amounts and rates as determined by the Budget Commission of Warren County and authorizes the necessary tax levies. This legislation is a formality each year to verify for the City the revenue projections for property taxes from each county, which includes real estate taxes and the homestead and rollback amounts calculated by the Counties. The information is provided to the City; the City then verifies and accepts the amounts and rates through this legislative action of City Council, which confirms the Warren and Montgomery County projections.

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

Ms. Belpulsi motioned to adopt Resolution R-10-23. Mr. LaDu seconded the motion.

No discussion.

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

- 3) **RESOLUTION R-10-24:** "A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (MONTGOMERY COUNTY)," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution accepts the amounts and rates as determined by the Budget Commission of Montgomery County and authorizes the necessary tax levies. (Please refer to comments under Legislative Item 2.)

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

Mr. LaDu motioned to adopt Resolution R-10-24. Mr. Moore seconded the motion.

No discussion.

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

- 4) **RESOLUTION R-10-25:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RHULE EXCAVATING, INC. TO COMPLETE A STREET REPAIR TO THE SOUTH CURB LANE OF WEST CENTRAL AVENUE FROM FAIRWAY DRIVE TO 250 FEET EAST OF PARK LANE," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes an agreement with Rhule Excavating to complete a street repair to the south curb lane of West Central Avenue from Fairway Drive to 250 feet east of Park Lane. This contract is for an emergency repair that the City has elected to conduct. A failure in the existing base was discovered during some work at this location and in order to repair that base and restore the street to its proper condition the City Public Works Director is requesting \$31,500 for

Rhule Excavating to do the repair work.

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

Mr. Vomacka motioned to adopt Resolution R-10-25. Ms. Belpulsi seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Chmiel, Abstain; LaDu, Yes; Moore, Yes; Vomacka, Yes; Lairson, Yes; Belpulsi, Yes. [6-0-1]

- 5) **RESOLUTION R-10-26:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SONSHINE COMMERCIAL CLEANING FOR JANITORIAL AND CLEANING SERVICES FOR THE CITY BUILDING," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes an agreement with Sonshine Commercial Cleaning for janitorial and cleaning services for the City Building. The City is approaching its one-year anniversary in the new Municipal Building and staff has had an opportunity to learn what is appropriate in cleaning levels including a number of windows, glass, and flooring. The City received Request for Proposal (RFP) qualifications from five respondents and Sonshine Commercial Cleaning was selected as the best rate for the number of employees being offered in the contract. The contractual amount per month is \$3,448, which includes window cleaning and various needs that are not performed on a daily or weekly basis, as outlined in the contract.

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

Mr. Moore motioned to adopt Resolution R-10-26. Mr. Vomacka seconded the motion.

No discussion.

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

- 6) **RESOLUTION R-10-27:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH SYNERGY AUSTIN PLACE, LLC," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes a service agreement with Synergy Austin Place, LLC. This legislation was the cause of a great deal of publicity in the Dayton Daily News this morning. The news coverage gave people the impression that a building would be built within 12-18 months to house office development. Actually, this legislation is a service agreement that would allow the City to sell 3.83 acres of property at South Tech Industrial Park to Synergy Austin Place, LLC. The legislation that authorized the sale of the property occurred in March of 2009; therefore, the actual land sale has been on the City books for a long time. This service agreement allows the City to make some commitments to Synergy Austin Place and vice versa in order for the City to have a development schedule and know exactly when the developer intends to purchase certain acres of property. The schedule establishes how much square footage the developer intends to build within a particular time period and projects that at the end of the 10 years the development will be fully realized and all of the structures will be in place. In response to that commitment by the developer, the City, in this agreement, is saying that it is willing to do a 10-year TIF (Tax Increment Financing) project to build a road and install landscaping and lighting, etc. i.e. in lieu of property taxes being paid, that money would be used to fund the street construction and all of the associated items. The City negotiated with Synergy Austin Place and included penalty clauses in the agreement in case the developer was to default on anything. The City's Law Director has reviewed the agreement and the City's Bond Counsel has been involved in the negotiations from the beginning. It is a great project and a very positive undertaking for the City of Springboro; staff is very happy to be able to present this to Council. Again, this legislation does not mean that dirt

will be turned tomorrow, which was a false impression given in some of the reporting on this particular piece of legislation. It is an exciting project and the City is very pleased to be working with Synergy Austin Place and trusts that Council is comfortable with the arrangement that was made through this service agreement. Staff does believe the developer can fulfill their commitments based on reviews of the project by other people who know the development world much better than Ms. Thompson or Mr. Pozzuto, and they hope that Council has the confidence to agree to this agreement.

Mayor Agenbroad presented the item for questions/comments.

Ms. Belpulsi commented that Tax Increment Financing is payment in lieu of property taxes, which the schools receive. Ms. Belpulsi asked if this development proceeds as planned over the next 10 years, what would be the benefit to the schools in property tax.

Ms. Thompson explained that currently the land is valued at zero; there is no development on it and the schools are not receiving any benefit from the land. Ms. Thompson continued to explain that the City was not given an option to offer Springboro Schools this benefit when South Tech Business Park was developed and the Austin Interchange was constructed because all of the land at South Tech, except the 30 acres, is in Montgomery County in the Miamisburg School District. Furthermore, the City has been waiting and hoping for someone to show an interest in the 30 acres, which is the total amount of acreage that remains. Even though the first piece that the City will sell is the 3.83 acres, it gave the City an opportunity to talk to the schools to let them know the City really wants to create a TIF for the school district because at the end of the 10 years the benefit to the Springboro School District is approximately \$962,000. The City has not been able to offer that kind of benefit to the Springboro School District because the City has had to do what the school district lines have required, which has been to give all of the TIF money from the Austin Center development projects to the Miamisburg Schools. Ms. Thompson explained that school district boundary lines are not determined by the City; the district lines are determined by the state. Staff has spoken to the current superintendent and treasurer of the Springboro Schools and the School Board, who recently reviewed the proposal and has simply asked that when the City proceeds with the TIF that City officials attend the Board meeting and review the information with the members. City staff is more than happy to present the information and would have been willing to present the information this past Tuesday night when the Board reviewed the proposal. Finally, Ms. Thompson commented that it is a great cooperative effort between the School District and the City.

Mr. Vomacka commented that based on everything he knows about this project, this has to be the single most exciting development opportunity he has seen in the City in so long he cannot remember; it is just a spectacular package. Mr. Vomacka thanked Ms. Thompson, Mr. Pozzuto, and Mr. Schaeffer for the work all of them have put into this project; it is outstanding. Thank you.

Ms. Thompson thanked Mr. Vomacka for his comments stating that staff is excited about the project. She added that they are very comfortable with the people they are working with and hope to produce a product that Springboro will be very proud of and hope it progresses quickly.

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

Ms. Belpulsi motioned to adopt Resolution R-10-27. Mr. Vomacka seconded the motion.

No discussion.

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

ITEM 7. REPORTS: Mayor's Report –The 3rd U.S. District Representative Office Hours will be held on Friday, September 24, 1:00-2:00 PM in the Community Room. A Town Hall Meeting will be held on Tuesday, October 5 at 7:00 PM in the Community Room. The next City Council Work Session and Regular Meeting will be held on Thursday, October 7, 2010 beginning with the Work Session

at 5:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers. The Work Session will begin at 5:00 PM to accommodate the 5-Year Capital Improvement Program presentation.

City Manager's Report – No reports.

Committee Reports –

Mr. Vomacka – Architectural Review Board – The ARB met on September 13 to address the following item: Certificate of Appropriateness – demolition of the building at 330 S. Main Street. Mr. Vomacka explained that this building is a contributing structure in the Historic District, which was built between 1830-1850. The building is old even though it does not appear to have old construction due to the vinyl siding, but inside the structure there are a lot of hand hewn beams in the roof. With respect to the current condition of the structure, all of the plumbing and wiring have been removed, there are holes in the walls, and the exterior walls appear to be deteriorating or unstable. The building needs to come down, but the ARB had some real concerns. It is a historic building and once a historic building is demolished; it is gone forever. The Board is proud of the historic district and wants to do what it can to preserve and maintain it. The Board asked for a post demolition plan. Rumors were that the building would be torn down and the property abandoned or it would be turned into a park or parking lot. The Board feels that if the property is cleaned up and left as grass that would be fine, but a parking lot would not be an appropriate use of a property that faces Main Street in the historic district. The Board placed that one condition on the property, that a parking lot would not be an appropriate use, but because time is of the essence they have turned it over to the City Planner to make the final decision in regard to what is being proposed being consistent with the Board's recommendations. It is an unusual package, but the Board thought it was worthwhile in this case. The Board also asked that some of the wood be salvaged for use at the Null Log House. It is old wood, which would be better than some of the sawn wood currently at the Null Log House. The City also volunteered to salvage as much of the vinyl siding as possible to recycle, which is in keeping with the "green" mode that the City is moving towards more and more all the time. At that point, the Board conditionally approved the demolition of the building, but asked for one other thing from the City, which was not a condition of approval. Mr. Vomacka further explained that they lost a barn in the historic district just a couple of years ago, now are losing this building, and the building right next door to this one does not look stable from the outside. The Board is concerned that they are losing buildings in the historic district because of maintenance and neglect and is asking the City to step up the enforcement of the maintenance code in that area to be sure the district does not lose additional buildings due to neglect. In addition, the ARB will meet again on October 11 at 7:00 PM in Council Chambers, as scheduled.

Ms. Lairson – Community Service Board – The Community Service Board has been receiving requests from residents for assistance with various small tasks. In October, the Board is holding a Volunteer Informational Meeting and invitation letters have been sent to many of the churches and businesses or organizations in the community requesting that they attend the meeting on the third Monday in October at 7:00 PM in the Community Room. For anyone who is willing to help their neighbor by shoveling snow, raking leaves, removing brush, etc., please attend the meeting for details regarding how the program works and how volunteers can be connected with a neighbor that needs help.

Ms. Belpulsi – Planning Commission – The Planning Commission met Wednesday, September 8 to discuss the following item: Request for a Revision to the General Plan – The Springs, PUD, located off Yankee Road. The requested revision is for a major change. Ms. Belpulsi explained that when the development was proposed, an assisted living or nursing care center was planned, but never came to fruition. Ms. Belpulsi further explained that there is interest from St. Mary's Catholic Church in Franklin, who is looking at that property and would like to possibly move their church to that location. The Commission has been in preliminary discussions with the church to help them through the process and dialogue. Whatever the result will be, the Commission's recommendation will be presented to Council for final approval of the change to the General Plan. In addition, the next Planning Commission meeting will be held on Wednesday, September 29 at 6:00 PM in Council Chambers, as scheduled.

Mr. Moore – No reports.

Mr. LaDu – Finance Committee – The Finance Committee met this evening at 5:30 PM to review the July fund balances and financial statement and again were pleased with the efforts of the Finance Department and staff to keep the City's major funds in balance. The Committee also discussed the first three items on Council's legislative agenda tonight. In addition, the next Finance Committee meeting will be held on October 21 at 5:30 PM in Council Chambers, as scheduled.

Mr. Chmiel – No reports.

ITEM 8. OTHER BUSINESS. No Other Business.

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Mr. Moore commented that several years ago a member of the community, Travis Griffin, was killed on active duty in Iraq. Travis Griffin's mother was Mr. Moore's secretary and he officiated Mr. Griffin's funeral service. Mr. Moore further commented that this past Thursday the community buried another soldier, James Richardson, in the Springboro Cemetery, whose funeral took place in Monroe. Mr. Moore was honored to be a part of the Patriot Guard, being former veterans that ride their Harley Davidson motorcycles leading the way for the funeral procession in honor of the deceased soldier. Mr. Moore continued by commenting that they passed through several communities including Monroe, Middletown, and Franklin, and it was an incredible experience going from emotion to emotion. He further commented that he was glad he had his riding glasses on because his eyes filled with tears so many times, as he is sure hundreds of others did as well. The Patriot Guard led the motorcade through those other communities, but when they entered Springboro under the I-75 overpass Mr. Moore stated that he was so very proud of the community. Each and every one of the City's police officers was dressed in their best uniforms in honor of James Richardson and his family. All of the officers in attendance stood at attention and were saluting; he was so proud of the way the Springboro community responded. Even when they passed the City Building, the City officials were standing outside of the building in honor of this fallen soldier. Mr. Moore further stated that now the community has two fallen soldiers in the Springboro Cemetery, Travis Griffin and James Richardson. These soldiers are to be honored and their families to be revered. Mr. Moore encouraged people to please stop by the cemetery, find their gravesites, and give them respect and due honor. Again, Mr. Moore is very proud of the way Springboro responded, along with all of the communities involved, with flags waving and people saluting, but he was extremely moved, pleased, and proud of the Springboro Police and community. Mr. Moore commented that prayers are with the Richardson Family, as they grieve the loss of their son in the battles in Afghanistan.

Mayor Agenbrood commented that he appreciated Mr. Moore's comments and he too could not be more proud of Springboro or more honored to serve such great people and fellow Americans.

ITEM 10. GUEST COMMENTS. 1) Fran Davis, 282 Elmwood, Springboro, Ohio – Ms. Davis' comments are recorded as follows: "In January 1986, my newlywed daughter and son-in-law moved to Springboro for him to work for NCR. In March, I came from Tennessee for a visit and I fell in love with this quaint little Quaker town. In 1989, my first grandchild was born in Springboro, in 1990 my younger, college age daughter met and married a Springboro native. Four more of my grandchildren are Springboro natives. In 2006, I retired from teaching school for 36 years in Tennessee; I sold my beloved home place to the local university and moved to Springboro so I could be more involved in my grandchildren's' lives. Never looking back nor regretting a single day that I chose to make Springboro, Ohio my home. The moment I saw the Overlook Condominiums at Heatherwoode nestled at the end of Elmwood, I knew this is where I wanted to invest my money and put down my roots. When I walked into 282 Elmwood on a bright, sunshiny day in 2007 and looked through the living room window at the gorgeous 13th hole on the Heatherwoode Golf Course; it literally took my breath. The manicured fairways and the sparkling fountains were a sight to behold. What peace and joy and contentment I found in my new home.

How I enjoyed sitting on the patio listening to the fountains watching the cranes, the doves, and the geese; I even loved hearing the frustration over a bad shot or the joy and laughter with a good game. Last year, I began to notice that undergrowth and scrub trees were diminishing my view. I approached Mayor Agenbrod with my concerns and he assured me it would be no trouble at all to clear this section of land. He gave me Chris Pozzuto's name and phone number and said if they did not take of the problem to get back with him. That was nearly a year ago when the DAR had come to have the Proclamation for Constitution Week signed. If you recall, one year ago, you all were getting ready to move into your new facilities and I decided that it was not the time for me to request anything extra of you. I did call Mr. Pozzuto's office and stated there was a problem. I spoke with his secretary and acknowledged that this could be addressed later; fall was upon us at that time. I waited until spring. At that time, I realized we had a huge overgrowth problem. This time, I made a trip to City hall and spoke again with Mr. Pozzuto's secretary. I reminded her of our telephone conversation; she remembered and thanked me for not pushing the matter at such a busy time. A neighbor had also sent an e-mail expressing concern over this problem and received a reply telling us that the site had been cleared in 1998 due to a sewer problem and that Heatherwoode had never taken care of that portion of the golf course; it was termed a natural area. I cannot tell you how sick at heart I am over the fact that this beautiful view is gone and in its place is a snake infested, weedy, unkempt, unsightly portion of land that no one is tending; I am embarrassed when I have company. I have walked the golf course and have not seen another unkempt area on the course. The condos and patio homes adjacent to Overlook are manicured. I am asking that our area be given the same rights as others whose property adjoins the golf course. If this were property that belonged to a Springboro citizen and complaints were made by neighbors; I am sure the City would give the owner a reasonable length of time to make the property presentable or at the end of that time the City would clean up the property and bill the owner. I invite you to come and look yourself. If it were your property, what would you want? The gorgeous view that once belonged to Overlook or the uncared for property that affects not only the aesthetics of our property, but it is also devaluating our resale value. This summer, I have had two snakes on my property that have been over 5 feet long. I reported it to the Board of Trustees that the association needs to change the name, Overlook at Heatherwoode, for there no longer is any overlook at Heatherwoode. I am asking that the City clean up the property or give the association the right to clean that strip. Please show me that you care. May I be able to say with pride; I live in Springboro, the 41st best place to live in America. Incidentally, I am the only one in my family left living in Springboro. My daughters and their families no longer live here just my little dog Jack Frost and me, and when my family and friends ask me why I am still here; I simply reply I am still in love with Springboro. Thank you very much."

At this time, Ms. Davis presented a display of pictures of the property's view in 2007 looking from her patio and the views today from her patio plus property that adjoins Overlook. Ms. Davis pointed out that although it is terribly dry, the adjoining properties are very manicured and are located right next door to her property. Ms. Davis thanked City Council for their time.

Mayor Agenbrod thanked Ms. Davis for her time and comments.

Mayor Agenbrod asked if there were any other guests that wished to be heard to please come forward and state their name 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. Mayor Agenbrod also recognized a Captain in the United States Air Force, who was seated in the audience and has just moved to Springboro. Mayor Agenbrod welcomed the Air Force Captain to his new home stating that he appreciated his attendance this evening.

Ms. Belpulsi motioned to adjourn the meeting; whereby, the Thursday, September 16, 2010 Springboro City Council Regular Meeting was adjourned at approximately 7:40 PM. Mr. Vomacka seconded the motion.

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

—MEETING ADJOURNED—

John H. Agenbroad

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council

Office of the Mayor
City of Springboro, Ohio

Proclamation

~CONSTITUTION WEEK~
September 17-23, 2010

WHEREAS, We the People did ordain and establish a Constitution for the United States to secure the blessings of liberty for ourselves and all future generations; and

WHEREAS, Constitution Week commemorates the signing of the Constitution of the United States of America on September 17, 1787, and is a celebration of the birth of our Nation's government; and

WHEREAS, In 1956, the President and the Congress of the United States officially designated September 17-23 as "Constitution Week" and September 17th as "Citizenship Day" in our great Nation; and

WHEREAS, We encourage all Americans to observe this important day in our Nation's history and to celebrate Constitution Week by demonstrating our love for our Country and for the blessings of freedom our Founding Fathers secured for us all; and

WHEREAS, The tradition of celebrating the Constitution was instituted by the Daughters of the American Revolution to emphasize our responsibilities as Americans to protect, defend, and preserve the Constitution, to inform our citizens that the Constitution is the basis for America's great heritage and the foundation of our way of life, and to encourage the study of the historical events that led to the framing of the Constitution; and

WHEREAS, It is important that all citizens fully understand the provisions, principles, and meaning of the Constitution in order to support and defend it against infringement;

NOW, THEREFORE, I, John Agenbroad, Mayor of the City of Springboro, do hereby proclaim September 17-23, 2010 as Constitution Week in our community. I urge our citizens to celebrate our Constitution and be inspired to rededicate ourselves to our Country and to the support and defense of our Constitution and to responsible citizenship. Furthermore, I ask our citizens to remember the ideals of the Framers of the Constitution by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and Official Seal as Mayor of Springboro on this 16th day of September, 2010.



John H. Agenbroad, Mayor


SPRINGBORO