

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

CITY COUNCIL WORK SESSION

THURSDAY, OCTOBER 15, 2009

6:00 PM

COUNCIL

John Agenbroad, Mayor

Jim Chmiel, Deputy Mayor
Marie Belpulsi
Sheila Lairson

Scott Anderson
Tom LaDu
John D. Parise

CITY STAFF

Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager
Jeff Kruihoff, Police Chief

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, October 15, 2009 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Ave., Springboro, Ohio.

ITEM 2. ATTENDANCE. City Council: All present. Staff: Assistant City Manager Chris Pozzuto was absent. Clerk of Council Lori Martin was also absent. Deputy Clerk Kelly Sizemore served in Ms. Martin's absence.

ITEM 3. LEGISLATIVE AGENDA. – **Eight legislative agenda items were reviewed for the October 15, 2009 City Council Regular Meeting.**

- 1) 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.

- 2) RESOLUTION:** A RESOLUTION ENDORSING THE EXISTING CONDITION ASSESSMENT PHASE OF GOING PLACES – AN INTEGRATED LAND USE VISION FOR THE MIAMI VALLEY REGION.

No discussion.

- 3) RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO DONATE OLDER AUDIO EQUIPMENT NO LONGER IN USE BY THE CITY OF SPRINGBORO TO THE MIAMI VALLEY COMMUNICATIONS COUNCIL.

No discussion.

- 4) RESOLUTION:** A RESOLUTION ENTERING INTO A CONTRACT WITH THE DIRECTOR, OHIO DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CONTRACT FOR THE PID No. 86227, WAR SR 73/741 – 4.11/13.95 PROJECT.

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No discussion.

- 5) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DIGGIT EXCAVATING, INC. TO COMPLETE THE EDWARDS DRIVE ROADWAY IMPROVEMENT PROJECT, PHASE 2.

Mr. Anderson inquired as to whether or not this property was a public road. Ms. Thompson stated that yes, it is owned by the City. Ms. Thompson commented that the road was never built to City standards in regards to curbs, sidewalk, etc.

AMENDMENTS:

- 6) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL APPROPRIATION OF MONIES; THEREBY AMENDING ANNUAL APPROPRIATION ORDINANCE NO. O-09-01 OF THE CITY OF SPRINGBORO, OHIO PASSED BY THE CITY COUNCIL ON DECEMBER 18, 2008 FOR THE YEAR 2009; AND DECLARING AN EMERGENCY.

Ms. Thompson explained to Council that this supplemental is in regards to the Austin Interchange Project and that funds must be transferred into the Bond Retirement fund before being expended. It is essentially a matter of money going in and going out; \$10 million will be transferred in and \$5 million will go out.

- 7) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$3,943,000 ROAD IMPROVEMENT BOND ANTICIPATION RENEWAL NOTES, (AUSTIN INTERCHANGE PROJECT), BY THE CITY OF SPRINGBORO, OHIO IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COSTS IN COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION, MIAMI TOWNSHIP, MONTGOMERY COUNTY, OHIO, THE CITY OF MIAMISBURG, OHIO AND THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT OF CONSTRUCTING AN INTERCHANGE ON INTERSTATE 75 AT THE INTERSECTION WITH SPRINGBORO ROAD/AUSTIN PIKE, AND CONSTRUCTING RELATED SURFACE STREET PROJECTS, INCLUDING BYERS ROAD, AUSTIN PIKE AND SPRINGBORO ROAD, BY CONSTRUCTING, RECONSTRUCTING, IMPROVING, WIDENING, GRADING, DRAINING, LANDSCAPING, CURBING, PAVING, LIGHTING, RELOCATING AND INSTALLING UTILITIES, CONSTRUCTING SIDEWALKS AND BIKEWAYS, INSTALLING TRAFFIC SIGNALIZATION, AND ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; AUTHORIZING A SECOND TO THE COOPERATIVE AGREEMENT AND DECLARING AN EMERGENCY.

Ms. Thompson stated this is a new note that will replace a previous piece of legislation, which approved a note for \$5.188 million. The necessary amount has been reduced by the TID to \$3.943 million.

- 8) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE PURCHASE AGREEMENT BETWEEN THE CITY OF SPRINGBORO AND MILLS DEVELOPMENT, LTD. FOR THE PURCHASE OF FIVE ACRES (+/-) OF PROPERTY AT SOUTH TECH INDUSTRIAL PARK AND THE RIGHT OF FIRST REFUSAL FOR AN ADDITIONAL 31.875 ACRES (+/-) OF PROPERTY AT SOUTH TECH INDUSTRIAL PARK.

Ms. Thompson stated that there are a number of factors that still need to be completed and Mills Development Company has asked for a 120-day extension. The staff sees no reason not to grant this extension and the work that has been completed so far has been excellent. Mills Development is a quality development company and this is a big project for them.

Mr. Anderson asked if there would be a rate increase if the property was not purchased by a certain date? Ms. Thompson stated that the price will remain the same.

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Mr. Chmiel inquired as to whether or not it was an issue that the contract appeared to expire on the 14th and the extension was not being granted until the 15th. Ms. Thompson and Law Director Alan Schaeffer both stated they had looked into this issue and have essentially given Mills a temporary 24-hour grace period pending a vote from Council.

ITEM 4. CITY MANAGER. – Issues/Reports.

FOP Contract: Ms. Thompson stated that staff and the Police Department personnel had a successful negotiation and she will be asking Council to ratify the FOP Contract. Sergeant Wilson has also requested that Council allow DARE students to do a ten-minute presentation during a Council meeting in November. Ms. Thompson stated she has heard this is very powerful presentation and suggested Council allow them to attend. Council is in favor of the presentation.

TID: Ms. Thompson distributed information regarding Montgomery County Transportation Improvement District bond anticipation notes. Based on favorable ratings, the City has been given a rate of 1% on loans, which is fantastic. The City will also look into refinancing any other current loans.

City Building: Ms. Thompson stated there is currently a 29-page punch list for projects concerning the new City Building. Staff will be meeting with the contractor on Friday to discuss these items. A proximity reader will be installed on the other building entrance. Ms. Thompson also informed Council that there is now cardio equipment in the fitness room that they are free to use. Ms. Thompson commented to Council that she has been fascinated with the efficiencies of the new building. Ms. Thompson, Mr. Pozzuto, and Ms. Martin will be holding a meeting next week regarding use of the Community Room and putting policies in place. Information has been gathered from other communities and will be used to create the policies for the Community Room.

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

At this time, Ms. Belpulsi motioned to enter Executive Session under R.C.121.22(G), following the Work Session discussion, to discuss the sale of property. Mr. LaDu seconded the motion.

No discussion.

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

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

No issues/reports.

ITEM 6. CITY COUNCIL. – Issues/Reports.

Mr. LaDu – No issues/reports.

Mr. Parise – No issues/reports.

Ms. Lairson – No issues/reports..

Mr. Anderson – No issues/reports.

Ms. Belpulsi – Ms. Belpulsi will present a notice of a liquor license application at tonight's Regular Meeting under Other Business. She also informed Council that she would abstain from a vote on Legislative Agenda Item 3, concerning a donation to the MVCC, due to a conflict of interest.

Mr. Chmiel – Mc. Chmiel stated he has a planning commission report.

Mayor Agenbroad – No issues/reports.

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Executive Session: At approximately 6:18 PM, Council entered Executive Session to discuss the sale of property.

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 October 15, 2009 City Council Work Session at approximately 6:55 PM.*

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

CITY COUNCIL REGULAR MEETING

THURSDAY, OCTOBER 15, 2009

7:00 PM

COUNCIL

John Agenbroad, Mayor

Jim Chmiel, Deputy Mayor
Marie Belpulsi
Sheila Lairson

Scott Anderson
Tom LaDu
John D. Parise

CITY STAFF

Chris Thompson, City Manager

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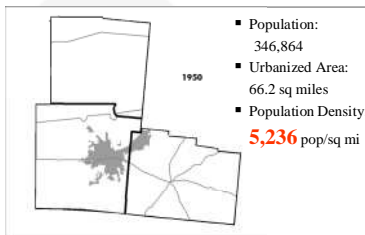
Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

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- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, October 15, 2009 at 7:00 PM in Council Chambers at the Springboro Municipal Building located at 320 West 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; LaDu, Present; Lairson, Present; Parise, Present. Staff: Assistant City Manager Chris Pozzuto was absent. Clerk of Council Lori Martin was also absent. Deputy Clerk Kelly Sizemore served in Ms. Martin's absence.
- ITEM 4. APPROVAL OF MINUTES:** No Minutes were submitted for approval.
- ITEM 5. PRESENTATIONS:** "GOING PLACES" An Integrated Land Use Vision for the Miami Valley Region, PHASE I, EXISTING CONDITION ASSESSMENT –MARTIN KIM, DIRECTOR OF REGIONAL PLANNING, MVRPC.

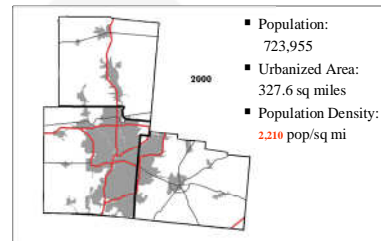
At this time, Mayor Agenbroad welcomed Martin Kim, Director of Regional Planning, MVRPC. Mr. Kim approached the podium to present the findings of Phase I of Going Places, the MVRPC's initiative to create a regional land use vision for future land development in the Miami Valley Region, with a PowerPoint presentation as follows:



Urbanization Trends



Urbanization Trends



Past Land Use Pattern Trends – What’s the Implication?

- “Thinner” tax base that could result in higher infrastructure and service delivery cost
- Longer police, EMT and fire runs
- Fewer open space and farmland
- Longer commutes, spending more money for gas, and spending more time in your vehicle to get to your destination
- Hard to provide cost-effective and convenient public transit services, especially for the elderly and disabled in the suburbs, and the reverse work commute of low income and minority workers in the urban core to the suburbs

How might the Region look in 30 years?

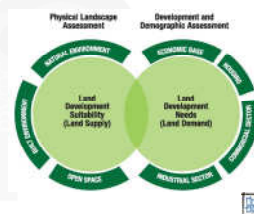


Going Places – An Integrated Land Use Vision for the Miami Valley Region is a 4-year region-based land use planning initiative designed to bring people living and working in the Region TOGETHER to BUILD A CLEAR AND SHARED FUTURE LAND USE FRAMEWORK that will guide us to make this Region a BETTER PLACE to live, work, and play

Planning Process and Scope

- 3 Phase process with an estimated timeline of 4 years
 - Phase I – Existing Condition Assessment: Physical and Non-Physical Condition Evaluation
 - Phase II – Future Landscape Exploration: Future Land Use Scenario Development and Assessment
 - Phase III – Building a Clear and Shared Regional Growth Framework
- Study Area
 - Greene, Miami, and Montgomery counties
 - Cities of Carlisle, Franklin, and Springboro in Warren County

Phase I Existing Condition Assessment

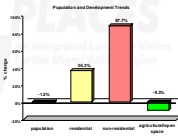


The Region is in the process of a demographic and economic shift

- Population is aging and household size has been decreasing
- The Region is shifting from a production-based economy to a service-based economy
- Household income has remained stagnant
- Number of households who pay more than 30% of their income on housing-related cost has been increasing

Land development *not* tied to population change

- Population in the Region remained relatively stable between 1970 and 2000
- Between 1975 and 2000, total developed land (res/com/ind) in the Region increased by 44.6%

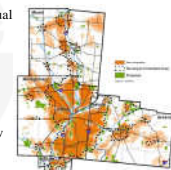


Geographically, development has been uneven and Development has been shifting among land use types

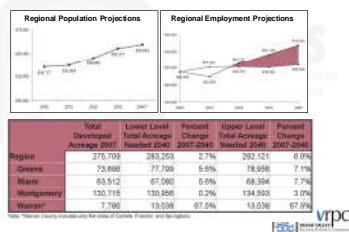
Region	Land Use Percentage Change: 1975 - 2000			
	Residential	Commercial	Industrial	Agricultural/Open Space
Region	36.3%	148.1%	22.0%	-9.3%
- Greene	30.2%	85.9%	-10.7%	-4.4%
- Miami	123.8%	183.3%	81.7%	-5.9%
- Montgomery	25.6%	161.1%	20.3%	-17.9%

The Region contains varying degrees of potential for future land development

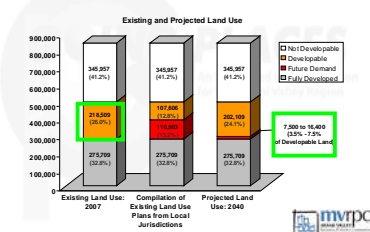
- Not all of our land is equal in terms of development potential
- Assessment of Region’s landscape from natural and built environment perspectives provided a comprehensive overview of where developmental constraints and/or opportunities exist



If current development trends continue, a moderate amount of additional developed land will be required



The Region has enough developable land to accommodate future needs



The entire Region will benefit if..

- Development is planned and executed in a manner that takes advantage of existing infrastructure before paying for new construction
- Development takes advantage of the Region’s natural resources without threatening their quality

Endorsement of Phase I

- For your consideration is a Resolution endorsing the existing condition assessment phase of the Going Places
- Endorsement received from the Going Places Steering Committee and Planning Advisory Committee
- Endorsement received from the MVRPC Technical Advisory Committee and Board of Directors
- A sample resolution is provided for your information



Next Step – Phase II

- 3 Phase process with an estimated timeline of 4 years
 - Phase I – Existing Condition Assessment: Physical and Non-Physical Condition Evaluation
 - Phase II – Future Landscape Exploration: Future Land Use Scenario Development and Assessment
 - Phase III – Building a Clear and Shared Regional Growth Framework



How do YOU envision the Region in 2040?

How and Where should the Region develop?



Got Vision? Share Your Vision!

- Be an active participants!
 - Come and join one of the 17 community-based workshops throughout the Region (October 2009 – May 2010) to share YOUR Vision
- Be a spoke person!
 - Help us to reach out to the 850,000 citizens in the Miami Valley Region



Community Workshops in Your Area to Share YOUR Vision!

- Franklin, Carlisle and Springboro Area
 - 6:00 – 7:30 pm on Tuesday, October 20, 2010
 - Franklin Fire Department Training Room, 45 E. 4th St., Franklin, OH 45005



For More Information

Visit Going Places website at www.mvrpc.org/rlu

Contact
Martin Kim, Director of Regional Planning at mkim@mvrpc.org



Upon conclusion of his presentation, Mr. Kim asked if there were any questions from Council.

Ms. Belpulsi commented that the year 2040 was a lofty vision and wished Mr. Kim luck in achieving the organizations goals and complimented him on what they have been able to achieve up to this point.

Mayor Agenbroad thanked Mr. Kim for his time and advised that Council would deliberate and let him know about their decision regarding an endorsement.

ITEM 6. LEGISLATION:

City Council held a Work Session at 6:00 PM tonight for approximately 18 minutes to discuss the following legislation as well as other City matters followed by a 40-minute Executive Session to discuss the sale of property, whereby no votes were taken.

- RESOLUTION R-09-57:** "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 Deputy Clerk of Council. Ms. Thompson's comments are summarized as follows:

Ms. Thompson stated to Council they have already done the Warren County portion of this formality. The amounts and rates are approved by the Budget Commission of Montgomery County from real estate property taxes and are verified each year to ensure the amounts are returned to the City. This year the amount from Montgomery County is \$53,004.

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

Mr. Chmiel motioned to adopt Resolution R-09-57. Ms. Lairson seconded the motion.

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

- 2) **RESOLUTION R-09-58:** "A RESOLUTION ENDORSING THE EXISTING CONDITION ASSESSMENT PHASE OF GOING PLACES – AN INTEGRATED LAND USE VISION FOR THE MIAMI VALLEY REGION," was read by the Deputy Clerk of Council. Ms. Thompson's comments are summarized as follows:

Ms. Thompson stated that this is the presentation that was just given by Mr. Kim and will endorse this program. The MVRPC has been leading this project and will begin Phase II with a series of workshops as discussed by Mr. Kim.

Mr. Chmiel motioned to adopt Resolution R-09-58. Ms. Lairson seconded the motion.

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

- 3) **RESOLUTION R-09-59:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO DONATE OLDER AUDIO EQUIPMENT NO LONGER IN USE BY THE CITY OF SPRINGBORO TO THE MIAMI VALLEY COMMUNICATIONS COUNCIL," was read by the Deputy Clerk of Council. Ms. Thompson's comments are summarized as follows:

Ms. Thompson stated that the City purchased audio equipment when moving to the temporary facility on Pioneer Blvd. The new City building is equipped with a new and better audio system. The City does not want to dispose of the old audio system and has decided to donate it to the MVRPC to use in training facilities and loan to other cities as necessary.

Mr. Parise motioned to adopt Resolution R-09-59. Ms. Lairson seconded the motion.

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Abstain; Anderson, Yes; Lairson, Yes. (6-0-1)

- 4) **RESOLUTION R-09-60:** "A RESOLUTION ENTERING INTO A CONTRACT WITH THE DIRECTOR, OHIO DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CONTRACT FOR THE PID No. 86227, WAR SR 73/741 – 4.11/13.95 PROJECT," was read by the Deputy Clerk of Council. Ms. Thompson's comments are summarized as follows:

Ms. Thompson stated that this is part of the stimulus money that the City applied for and will allow for the placement of LED modules into signal heads on SR73 and SR741 and also allow for battery backup. ODOT will provide 100% of the eligible costs up to \$198,000. It is estimated the City will spend \$19,100 of City funds; however, this will leave \$178,900 of ODOT funds.

Mr. Parise motioned to adopt Resolution R-09-60. Mr. Anderson seconded the motion.

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

- 5) **RESOLUTION R-09-61:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DIGGIT EXCAVATING, INC. TO COMPLETE THE EDWARDS DRIVE ROADWAY

IMPROVEMENT PROJECT, PHASE 2," was read by the Deputy Clerk of Council. Ms. Thompson's comments are summarized as follows:

Ms. Thompson stated this will improve Edwards Drive by adding curb, gutters, pavements, and storm sewers. Improvements are important due to businesses in the area and the economic development opportunities in the area. This is Phase II which is the final phase of the project. The engineer's estimate was \$140,000; Diggitt Excavating's bid was \$112,332.

Ms. Belpulsi motioned to adopt Resolution R-09-61. Mr. Anderson seconded the motion.

No Discussion

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

AMENDMENTS:

AMENDMENTS: Mayor Agenbroad asked for a motion to amend the Legislative Agenda to add items 6, 7, and 8 as discussed during the Work Session.

Ms. Belpulsi motioned to accept the amendments. Mr. Parise seconded the motion.

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

- 6) ORDINANCE O-09-28: FIRST READING.** "AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL APPROPRIATION OF MONIES; THEREBY AMENDING ANNUAL APPROPRIATION ORDINANCE NO. O-09-01 OF THE CITY OF SPRINGBORO, OHIO PASSED BY THE CITY COUNCIL ON DECEMBER 18, 2008 FOR THE YEAR 2009; AND DECLARING AN EMERGENCY," was read by the Deputy Clerk of Council. Ms. Thompson's comments are summarized as follows:

Ms. Thompson stated that this legislation has to do with the Austin Interchange Project. The legislation will allow the Finance Director to put note funds into the Bond Retirement fund and then expend the money for notes that are currently expiring and make payment. This is actually a \$5.3 million expenditure, but because of the transfer of funds the supplemental is for \$10 million. New notes will be issued in future legislation this evening as the construction project did come in at a lesser amount than anticipated.

A REQUEST FOR A MOTION TO WAIVE THE 2ND AND 3RD READINGS WAS MADE.

Mr. Parise motioned to accept the waiving of the 2nd and 3rd readings. Mr. LaDu seconded the motion.

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

Mr. Chmiel motioned to adopt Ordinance O-09-28. Mr. LaDu seconded the motion.

No Discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

- 7) **ORDINANCE O-09-29: FIRST READING.** "AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$3,943,000 ROAD IMPROVEMENT BOND ANTICIPATION RENEWAL NOTES, (AUSTIN INTERCHANGE PROJECT), BY THE CITY OF SPRINGBORO, OHIO IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COSTS IN COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION, MIAMI TOWNSHIP, MONTGOMERY COUNTY, OHIO, THE CITY OF MIAMISBURG, OHIO AND THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT OF CONSTRUCTING AN INTERCHANGE ON INTERSTATE 75 AT THE INTERSECTION WITH SPRINGBORO ROAD/AUSTIN PIKE, AND CONSTRUCTING RELATED SURFACE STREET PROJECTS, INCLUDING BYERS ROAD, AUSTIN PIKE AND SPRINGBORO ROAD, BY CONSTRUCTING, RECONSTRUCTING, IMPROVING, WIDENING, GRADING, DRAINING, LANDSCAPING, CURBING, PAVING, LIGHTING, RELOCATING AND INSTALLING UTILITIES, CONSTRUCTING SIDEWALKS AND BIKEWAYS, INSTALLING TRAFFIC SIGNALIZATION, AND ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; AUTHORIZING A SECOND TO THE COOPERATIVE AGREEMENT AND DECLARING AN EMERGENCY," was read by the Deputy Clerk of Council. Ms. Thompson's comments are summarized as follows:

Ms. Thompson stated that this legislation is to allow the City to renew the Austin Interchange Project notes. The notes were in the amount of \$5.18 million. The City will be paying \$1.245 million on the principal with bonds refunded from ODOT to reduce the note to be renewed at \$3.943 million. Ms. Thompson stated this is essentially the same issue that has previously been voted on and will most likely be the last time the bonds are renewed before seeking permanent financing. The other issues mentioned in the legislation mainly affect other cities and will not be paid for using City of Springboro funds.

A REQUEST FOR A MOTION TO WAIVE THE 2ND AND 3RD READINGS WAS MADE.

Ms. Belpulsi motioned to accept the waiving of the 2nd and 3rd reading. Mr. Chmiel seconded the motion.

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

Mr. Chmiel motioned to adopt Ordinance O-09-29. Mr. Anderson seconded the motion.

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

- 8) **RESOLUTION R-09-62:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE PURCHASE AGREEMENT BETWEEN THE CITY OF SPRINGBORO AND MILLS DEVELOPMENT, LTD. FOR THE PURCHASE OF FIVE ACRES (+/-) OF PROPERTY AT SOUTH TECH INDUSTRIAL PARK AND THE RIGHT OF FIRST REFUSAL FOR AN ADDITIONAL 31.875 ACRES (+/-) OF PROPERTY AT SOUTH TECH INDUSTRIAL PARK," was read by the Deputy Clerk of Council. Ms. Thompson's comments are summarized as follows:

Ms. Thompson stated Mills Development Co. has been performing due diligence on this property and have asked for an extension on the contract to allow for more time to do testing and other necessary measures. Staff sees no reason not to go forward with the request for an extension. This will be prior to any thresholds in the previous agreement concerning land pricing and is simply to allow or extra time for Mills Development to do their due diligence.

Mr. LaDu motioned to adopt Ordinance O-09-62. Mr. Anderson seconded the motion.

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

ITEM 7. REPORTS: Mayor's Report – The 3rd US District office hours will be held on Friday, October 23 from 1:00-2:00PM in Council Chambers, which will be the last office hours of the year. Beggar's Night will be Saturday, October 31 from 6:00-8:00PM. Election Day is November 3 from 6:30AM-7:30PM. If you have any questions about voting, please call the Board of Elections at (937) 425-1358. The next City Council Work Session will be held on November 5 at 6:00PM followed by the City Council regular Meeting at 7:00PM in Council Chambers.

City Manager's Report – Ms. Thompson thanked the golf course, Council, and Billy Casper Golf for a successful Springboro Day at Heatherwoode. There were over 200 golfers who played 9 holes of golf. Ms. Thompson reported that staff went to New York to seek a rating from Moody's, and for the first time ever the City received an AA3 rating, which the City was very proud to receive. Due to the issuing of notes and refinancing, the City had to reinstate their rating and received an A1 rating on notes, which is the highest attainable, and maintained an AA3 rating on bonds. Ms. Thompson congratulated Council, Finance Director Robyn Brown, and staff for the excellent ratings. In projecting the loss of revenue during the recession and awareness of the conditions were key factors in receiving such favorable ratings. Ms. Thompson thanked Council and the Finance Director for such prudent watch of the funds and stated that is the reason we are able to sit in our new municipal building today. She stated that Council would not go ahead with construction of the new facility until \$3.5 million had been saved, and as a result the City saved the funds and will be able to pay for the building in full in only 15 years.

Committee Reports –

Mr. LaDu – No reports.

Mr. Parise – No reports.

Ms. Lairson – No reports.

Mr. Anderson – No reports.

Ms. Belpulsi – No reports.

Mr. Chmiel – Mr. Chmiel stated that a Planning Commission Work Session was held on October 14 to review the following agenda item: to rezone the general plan for the Lytle Five Points Road office/residential to PUD - Business. About an hour and a half was spent with the applicant and traffic studies, and uses for the rezoning were reviewed. The Commission is nearing a consensus on the uses and plans in order to take a vote when the applicant returns. The next Planning Commission meeting is scheduled for October 28 at 7:00PM in Council Chambers.

ITEM 8. OTHER BUSINESS:

Mayor Agenbroad stated that staff has reached an agreement with the FOP for a 3-year contract which, will ratify the existing contract and needs Council approval.

Ms. Belpulsi motioned to ratify the negotiated FOP Union contract for a 3-year term. Mr. Parise seconded the motion

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

Ms. Belpulsi presented a notice of an application for a Liquor License as follows:

A notice of an application for a Liquor License transfer from Ohio CVS Stores LLC DBA CVS Pharmacy 6139, 710 N. Main Street, Springboro, Ohio 45066 to Hook Superx LLC DBA CVS Pharmacy 6139, 710 N. Main Street, Springboro, Ohio bearing the number 65172420305. The Liquor License is for Permits C-1, C-2, D-6 – Carry out of Beer, Wine, mixed beverages until 1:00 a.m., and also the on-premises sale and carry out of same on Sunday from 1:00 p.m. until Midnight. The Springboro Police Division 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 application. Mr. LaDu seconded the motion.

No discussion.

VOTE: LaDu, Yes; Parise, Yes; Chmiel, Yes; Agenbroad, Yes; Belpulsi, Yes; Anderson, Yes; Lairson, Yes (7-0)

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

ITEM 10. GUEST COMMENTS.

1.) Jerry Salyers, National Amateur Baseball Federation, Springboro – Mr. Salyers introduced himself and thanked the City and City Council for their support and trust in allowing him to continue to bring the National Amateur Baseball Federation Tournament to Springboro. Mr. Salyers commented on how magnificent the new City Building is and stated how wonderful the City of Springboro is, and he appreciates the City Council and everything they do. Mr. Salyers commented that there was great weather for the tournament and in place of opening night they had a Saturday evening get acquainted celebration with a skills competitions and things of that nature. Mr. Salyers presented tournament T-shirts to Council and staff and asked that he please be contacted if he can help the City in any way.

Mayor Agenbroad thanked Mr. Salyers for his kind gesture and comments. Mayor Agenbroad commented that the tournament would not be possible without Mr. Salyers and Council appreciates everything he does as well.

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. LaDu motioned to adjourn the meeting; whereby, the Thursday, October 15, 2009 Springboro City Council Regular Meeting was adjourned at approximately 7:55 PM. Mr. Parise seconded the motion.

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

—MEETING ADJOURNED—

John H. Agenbroad

John H. Agenbroad, Mayor

Presiding Officer

Kelly Sizemore, Deputy Clerk of Council