

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

CITY COUNCIL WORK SESSION

THURSDAY, FEBRUARY 21, 2008

6:00 PM

CITY COUNCIL
John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor
Scott Anderson
Jim Chmiel

Sheila Lairson
John D. Parise

CITY STAFF
Chris Thompson, City Manager

Alan Schaeffer, Law Director

Lois Boytim, Acting Clerk of Council

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

ITEM 2. ATTENDANCE. No absences.

ITEM 3. LEGISLATIVE AGENDA. – City Council will consider 5 legislative agenda items slated for the February 21, 2008 City Council Regular Meeting.

- 1) **ORDINANCE: SECOND READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF CONSTRUCTING OR REPAIRING CERTAIN SIDEWALKS AND DRIVEWAY APRONS IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO AS DESCRIBED IN RESOLUTION NO. R-07-5. (2007 SIDEWALK/DRIVEWAY APRON PROGRAM)

No discussion.

- 2) **ORDINANCE: SECOND READING.** AN ORDINANCE CREATING A COMMUNITY SERVICE BOARD THAT SHALL SERVE AS A REFERRAL SOURCE FOR INDIVIDUALS AND ORGANIZATIONS WITHIN THE COMMUNITY WHO PROVIDE VOLUNTEER SERVICES TO RESIDENTS IN NEED.

No discussion.

- 3) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SIMPSON FENCE COMPANY TO FURNISH AND INSTALL A FENCE ALONG THE NORTHERN PROPERTY LINE OF THE HEATHERWOODE GOLF COURSE.

Mr. Anderson asked whether the City had given up any land to complete the fence. Ms. Thompson explained that the property line has simply been straightened out for esthetic value. The fence would be completed under the City's parameters without giving up very much land.

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Mayor Agenbroad asked whether this was the property developed by Chuck Dickerson. Ms. Thompson answered that yes, it was. She added that the initial discussion was for a chain link fence, but a compromise was negotiated.

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT FOR A PERIOD OF FIVE (5) YEARS FOR 84 CLUB CARS WITH NATIONAL CITY COMMERCIAL CAPITAL COMPANY, LLC.

No discussion.

- 5) **RESOLUTION:** A RESOLUTION APPOINTING THE CLERK OF COUNCIL AS THE RECORDS MANAGER FOR THE CITY OF SPRINGBORO, OHIO PURSUANT TO OHIO REVISED CODE SECTION 149.39.

Mr. Schaeffer explained that this item is in preparation for the City audit. The auditors will not look at specific record requests but will review for specific obligations such as that a Public Records policy and Records Commission has been established, the Record Commission has met and that the Public Records policy has been posted. Identifying a named representative will fulfill another of these obligations.

ITEM 4. CITY MANAGER. –Issues/Reports.

Ms. Thompson reminded the council that she had provided them with a spreadsheet of goals and objectives for the City in anticipation of a goal-setting meeting.

Ms. Thompson informed Council that she would be out of town for the OCMA conference Tuesday February 26th through Thursday February 28th.

Ms. Thompson informed Council that Mr. Pozzuto has been excused from tonight's meeting due to family obligations.

Ms. Thompson asked Council to retire to executive session following the work session to discuss purchase of property.

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

Ms. Boytim pointed out to the Council members that the yearly financial statements were in their packets and asked that they be completed and returned to the auditors.

ITEM 6. CITY COUNCIL. –Issues/Reports.

Mr. Parise - No issues/reports.

Mr. Chmiel – Mr. Chmiel reported that the Planning Commission worksession had been canceled due to no agenda items and therefore would have no report.

Ms. Lairson – No issues/reports.

Mr. Anderson – Mr. Anderson congratulated Mr. Schaeffer on being named a “super lawyer”.

Ms. Belpulsi - No issues/reports.

Mayor Agenbroad – Mr. Agenbroad informed Council of the death of Dave Grollmus, a 10 year City employee and asked that a moment of silence be observed at the regular meeting in his honor.

Mayor Agenbroad opened the discussion about the procedure to fill the current Council vacancy. He reminded Council that at a special Council meeting held Sunday February 17th, the resignation of Mike Hemmert, Councilmember, had been accepted. A further discussion of the procedure to fill the vacancy had been postponed in order that Mr. Parise could be in attendance.

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Mayor Agenbroad explained that for previous vacancies the Council clerk had placed an ad in the local paper asking for resumes and scheduled a date for Council to hold interviews and make a selection.

Mr. Parise asked whether the opening would be announced. Mr. Agenbroad answered yes; the vacancy would be posted in all the same locations that meeting notices are posted in addition to notices in the papers. He asked whether Council had any other suggestions.

Ms. Thompson proposed a potential schedule for the selection process. She suggested that should Council receive a great number of resumes, the Council should schedule a meeting to review the applications and select a list of candidates to interview. She reminded Council that the appointment must be made within 30 days from Mr. Hemmert's resignation so the appointment must be made by March 17th. She suggested that a special meeting be held on March 13th to review all applications and select those individuals who should be interviewed and a second special meeting on March 15th for interviews and to make the final selection.

Mayor Agenbroad explained that he would be out of town the week of March 10th through the 16th and asked whether the notice could be posted so that the resumes could be reviewed at the Council meeting March 6th.

Ms. Thompson explained that the notice could not be placed in the newspaper quickly enough due to their deadlines.

Mr. Parise asked whether it was possible to extend the 30 days for the selection process.

Mr. Schaeffer explained that there is no provision for extending the deadline within the City Charter.

Ms. Thompson added that the Charter states that should the 30-day requirement not be met, it falls to the Mayor to make a selection immediately without explaining what immediately means.

The dates of possible entries into the newspaper and publication dates were discussed.

Ms. Belpulsi asked if there were any legal requirements for posting the notices. Ms. Thompson answered that there were none.

Ms. Belpulsi commented that Mr. Budd from the local paper would probably be writing an article for his newspaper, which would appear soon.

Ms. Thompson answered that there is no guarantee that an article would appear within the next week. Mr. Budd confirmed her statement.

Ms. Thompson commented that there is no legal requirement for notification of the vacancy or receiving resumes only a time frame for the appointment.

Mr. Chmiel asked if it is possible to place an ad in next Thursday's neighborhood section of the Dayton Daily News. Ms. Thompson answered that yes, it was possible but the ad would still not appear until March 28th.

Mr. Anderson commented that residents who are truly interested in the City's government would be aware of the vacancy.

Ms. Lairson commented that time would still need to be allowed for the resumes to be mailed in to the Clerk of Council.

Ms. Thompson asked the Mayor for his exact travel days. He replied that he would be flying out on the 10th and returning on the 17th. Ms. Thompson commented that that would mean making a selection on the 9th before the Mayor left on his trip.

Mayor Agenbroad commented that the notice could be posted by tomorrow around the City, that it was the newspaper notices that would take longer.

Mr. Parise asked if there were a minimum number of Council members needed to vote. Ms. Thompson answered that a simple majority was needed.

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Mr. Parise asked if the process could proceed without the Mayors' presence.

Mr. Chmiel commented that he felt that the entire Council should be present to give input in the selection.

Mr. Parise commented that he does not want the time frame to be cut short, that people should be given the opportunity to apply.

Ms. Thompson added that in addition to the notice being out to the media, it would be published to the e-newsletter for the City. Normally there is a two-week lag time between placing an ad and that ad's appearance in the newspaper.

Ms. Thompson asked if the Mayor would be available for a conference call on March 13th to review the applicants. Mayor Agenbroad answered that yes, he could be available. Ms. Thompson explained that no decisions would be made; it would simply be a discussion of and consensus about who the top applicants would be.

Mayor Agenbroad reviewed his travel schedule; he will be returning Sunday morning March 16th. The interviews and the special meeting could be scheduled that afternoon.

Ms. Thompson asked that the meeting be held on March 13th to review the applications, with the Mayor on conference call, and the interviews be held March 16th in the afternoon.

Mr. Anderson asked how many resumes they felt that they would receive. Mayor Agenbroad answered possibly half a dozen.

Ms. Thompson explained that the meeting on the 13th would be used to review the resumes and decide who should be interviewed. On Sunday March 16th, Council would meet for the interviews; have a short break and the meeting to discuss and appoint the new Councilmember.

Mayor Agenbroad commented that depending on the number of submittals, all of the applicants could be interviewed.

Mayor Agenbroad asked for the deadline for submittal of resumes. Ms. Thompson answered that they would still be due March 10th.

Ms. Belpulsi asked about the possibility of using the Code Red System to notify residents. Ms. Thompson answered that she would have to check with the Code Red coordinator to discuss that possibility; that is not the intent of the Code Red system.

Mayor Agenbroad asked about putting an insert in the City newsletter. Ms. Thompson answered that the newsletter had already been mailed.

Ms. Lairson asked about putting a note on the water bills. Ms. Thompson answered that there is not room in the comment portion of the water bill for any notice.

Ms. Thompson commented that the best effort would be made to get the information out.

Mr. Parise asked whether the 30-day time limit was part of the City Charter. Ms. Thompson answered that yes it was. Mr. Parise asked that the time limit be reviewed as part of the Charter review process.

Ms. Thompson commented that other items in the charter would be reviewed; including the requirement that Planning Commission members be registered elector in the City for two years before being eligible to serve on the Commission when there is no such requirement for serving on Council.

Ms. Thompson concluded that discussion by confirming that letters of interest or resumes must be received by March 10th, on March 13th at 6 pm a meeting, with the Mayor on conference call, would be held to review the resumes and select the pool for interviews and on March 16th the interviews would be held from noon to 2 pm with the time being adjusted for the number of applicants. A special meeting to choose a new Councilmember would be held immediately following.

Ms. Belpulsi asked for Mr. Schaefer's opinion on allowing Mayor Agenbroad to participate in the discussion on March 13th by conference call.

Mr. Schaeffer answered that it would be fine for him to express his opinion; no action would be taken at that meeting.

Mayor Agenbroad asked a motion to adjourn to executive session to discuss purchase of property.

At approximately 6:34 pm, Mr. Anderson motioned to adjourn to executive session under RC 121.22(G) to discuss the purchase of property. Mr. Parise seconded the motion.

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

Council exited executive session at approximately 6:48 pm. whereby no votes were taken.

ITEM 7. ADJOURNMENT. *With no further discussion, Mayor Agenbroad adjourned the City Council Work Session at approximately 6:48 pm.*

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

CITY COUNCIL REGULAR MEETING

THURSDAY, FEBRUARY 21, 2008

7:00 PM

CITY COUNCIL

John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor

Scott Anderson

Jim Chmiel

Sheila Lairson

John D. Parise

CITY STAFF

Chris Thompson, City Manager

Alan Schaeffer, Law Director

Lois Boytim, Acting Clerk of Council

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- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order at 7:00 PM in Council Chambers at the City's temporary facility in the Dalco Building located at 425 S. Pioneer Boulevard, Springboro, Ohio.
- ITEM 2. PLEDGE OF ALLEGIANCE.** Mayor Agenbroad led the Pledge of Allegiance.
- ITEM 3. ROLL CALL.** Agenbroad, Present; Anderson, Present; Belpulsi, Present; Chmiel, Present; Lairson, Present; Parise, Present.
- ITEM 4. APPROVAL OF MINUTES:** NO MINUTES WERE SUBMITTED FOR APPROVAL
- ITEM 5. PRESENTATIONS:** NO PRESENTATIONS ARE SCHEDULED.
- ITEM 6. LEGISLATION:**

City Council held a Work Session at 6:00 PM tonight for approximately 34 minutes to discuss the following legislative items as well as other matters before the City in addition to meeting for 14 minutes in executive session to discuss purchase of property.

- 1) **ORDINANCE: SECOND READING.** "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF CONSTRUCTING OR REPAIRING CERTAIN SIDEWALKS AND DRIVEWAY APRONS IN THE CITY OF SPRINGBORO, COUNTY OF WARREN, OHIO AS DESCRIBED IN RESOLUTION NO. R-07-5. (2007 SIDEWALK/DRIVEWAY APRON PROGRAM)" was read by the Acting Clerk of Council. Ms. Thompson commented on this item as follows:

This ordinance will levy the final assessments for the 2007 sidewalk program in an amount not to exceed \$4,522.50. The assessment revenues will be included in the 2009 budget as part of the Street Capital Improvement Fund revenue.

No action required at this time.

- 2) **ORDINANCE: SECOND READING.** “AN ORDINANCE CREATING A COMMUNITY SERVICE BOARD THAT SHALL SERVE AS A REFERRAL SOURCE FOR INDIVIDUALS AND ORGANIZATIONS WITHIN THE COMMUNITY WHO PROVIDE VOLUNTEER SERVICES TO RESIDENTS IN NEED” was read by the Acting Clerk of Council. Ms. Thompson commented on this item as follows:

This ordinance was introduced by Councilmember Sheila Lairson. This board will facilitate a referral service for volunteer services for City of Springboro residents. The service would allow referrals to City residents for such services as volunteer snow removal.

No action required at this time.

- 3) **RESOLUTION R-08-18:** “A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SIMPSON FENCE COMPANY TO FURNISH AND INSTALL A FENCE ALONG THE NORTHERN PROPERTY LINE OF THE HEATHERWOODE GOLF COURSE.” was read by the Acting Clerk of Council. Ms. Thompson commented on this item as follows:

At the time of sewer construction, a chain link fence was removed. This resolution allows for the replacement of that fence with a more decorative fence along the Heatherwoode property. The total shared cost of the project would be \$53,530 with the cost to the City of \$26,764. The Public Works Director, Assistant Public Works Director and Golf Course Superintendent assisted in the selection of the fence.

Mayor Agenbroad asked for question or comments from Council. There were none.

Ms. Belpulsi motioned to adopt Resolution R-08-18. Ms. Lairson seconded the motion.

No discussion.

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

- 4) **RESOLUTION R-08-19:** “A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT FOR A PERIOD OF FIVE (5) YEARS FOR 84 CLUB CARS WITH NATIONAL CITY COMMERCIAL CAPITAL COMPANY, LLC.” was read by the Acting Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution allows for the lease of the golf carts that are available for customer use at Heatherwoode Golf Course. The previous lease has expired. This lease will allow for a 5-year lease arrangement of 84 club cars with National City Commercial Capital Company, LLC at an annual cost of \$69,922.08.

Mayor Agenbroad asked for question or comments from Council. There were none.

Mr. Chmiel motioned to adopt Resolution R-08-19. Ms. Lairson seconded the motion.

No discussion.

VOTE: Anderson, Abstain; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, Abstain; Lairson, Yes. [APPROVED 4-0-2]

- 5) **RESOLUTION R-08-20:** “A RESOLUTION APPOINTING THE CLERK OF COUNCIL AS THE RECORDS MANAGER FOR THE CITY OF SPRINGBORO, OHIO PURSUANT TO OHIO REVISED CODE SECTION 149.39.” was read by the Acting Clerk of Council. Mr. Schaeffer commented on this item as follows:

This resolution is a housekeeping item. The City is in compliance with the Public Records Law. Having a Records Manager will assist the State Auditors in their annual review of the City’s compliance with the Public Records Law.

Ms. Lairson motioned to adopt Resolution R-08-20. Mr. Anderson seconded the motion.

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

ITEM 7. REPORTS:

Mayor’s Report – The 3rd US District Representative Office Hours will be Friday February 22nd from 1-2 pm in Council Chambers. The next Council meeting will be Thursday March 6th with a worksession at 6 pm and the regular meeting at 7 pm in Council Chambers. The Legal Committee will meet Thursday March 6th at 5:30 pm in Council Chambers.

City Manager’s Report - Ms. Thompson reported that she would be attending the OCMA conference next week in Columbus, enabling her to complete some of the 40 hours of continuing education needed toward her City Manager certification. She was awarded that certification again this year.

Ms. Thompson informed Council that the City would be seeking a bond rating from Moodys of New York. A favorable rating would assist the City in borrowing money. The City could potentially earn a AA rating which would be very good. A copy of that presentation will be included in the next packet for Council’s review. Much of the information that was gathered for that presentation would be of great interest to Council.

Committee Reports -

Mr. Parise – No reports.

Mr. Chmiel – No reports.

Ms. Lairson – The finance committee meeting for tonight was canceled.

Mr. Anderson – No reports.

Ms. Belpulsi – The next Planning Commission meeting will be held Wednesday, February 27th at 7 pm in Council Chambers.

- ITEM 8. OTHER BUSINESS.** Mayor Agenbroad reported that Council had discussed at work session the procedure for filling the vacancy left by Councilman Mike Hemmert’s resignation. Mayor Agenbroad announced the notification of the vacancy would be posted and that applications should be sent to Lori Martin, Clerk of Council and must be received by March 10th.

Mayor Agenbroad led a moment of silence to honor Dave Grollmus, a 10 year City employee who passed away February 16th.

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

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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 eventual rebroadcast of this Springboro City Council Meeting.

Mr. Parise motioned to adjourn the meeting; whereby the Thursday, February 21, 2008 Springboro City Council Regular Meeting was adjourned at approximately 7:12 PM. Ms. Belpulsi seconded the motion.

No discussion.

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

John Agenbroad, Mayor

Presiding Officer

Lois Boytim, Acting Clerk of Council