

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

CITY COUNCIL WORK SESSION

THURSDAY, APRIL 19, 2007

6:00 PM

CITY COUNCIL
John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor
Scott Anderson
Jim Chmiel

Gary Hruska
Sheila Lairson
John D. Parise

CITY STAFF
Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager
Robyn Brown, Director of Finance
Beth Eaton, Assistant Director of Finance

Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Work Session to order at approximately 6:00 PM in Council Chambers.

ITEM 2. ATTENDANCE. No absences.

ITEM 3. PRESENTATIONS. – Heatherwoode Golf Course Update – Tom Barnhart, General Manager.

Ms. Thompson introduced Tom Barnhart as Heatherwoode Golf Course General Manager, Steve Pacella as Billy Casper Golf Regional Manager, and Mike Eaton as Heatherwoode Golf Course Superintendent.

Mr. Barnhart commented that he was the former Assistant Manager at Heatherwoode Golf Course, and thanked the City Council for the opportunity to return to Heatherwoode as the General Manager. He explained that their goal is to treat people to a fun and enjoyable experience to ensure their clients will return. Mr. Barnhart stated that the Heatherwoode staff has participated in the Billy Casper Golf Ace Training Program. The objective of the program is to train staff to create fun experiences for the client. Mr. Barnhart also commented that the transition from AGC to Billy Casper Golf has gone smoothly. Mr. Barnhart thanked Golf Course Superintendent Mike Eaton for keeping the course in excellent condition; Mr. Eaton is great to work with. Mr. Barnhart commented that the season is starting out well, and there has been a smooth transition with respect to accounting practices between Billy Casper Golf and the Springboro Finance Department, and a good relationship has been formed between the Billy Casper employees and the Springboro employees (golf course maintenance employees). Mr. Barnhart presented an outline of Programs at Heatherwoode Golf Club including Advertising/Marketing, including the Player's Card rewards program, which uses a data collection system to track each golfer's playing history and purchases at the facility enabling the golf course to market specific offers to those players based on their preferences. Other programs include Events/Tournaments, Merchandise in Pro Shop, Other Offerings at Heatherwoode, such as new mats on the driving range, faster service in the bar and grill, and an enforced pace of play program, and Clubhouse Improvements, such as functional locker rooms/showers and a new upstairs bar cooler, which was secured free of charge through Billy Casper's relationship with Coco Cola. (For the record, a copy of the detailed outline of Programs at Heatherwoode Golf Club is attached for reference.)

Mr. Pacella commented that he is impressed with Mr. Barnhart's passion for Heatherwoode Golf Course, which is why they chose Mr. Barnhart as a candidate for the General Manager's position.

The CITY of SPRINGBORO Ohio CITY COUNCIL MINUTES · SEPTEMBER 21, 2006

Mr. Eaton presented information regarding the status of the golf course as follows: There was no winter damage or flooding to the course. There are new cart paths, new aerators, and new pond management. Mr. Eaton commented that the weather is the only thing holding them back, as they are prepared and hopefully will take a good chunk of the market this season. Mr. Eaton commented that it is good to work with a management group that demonstrates follow through. He explained that when he has talked with the operations management regarding an issue; it is addressed or fixed right away. Mr. Eaton also commented that the Ace Training Program is a positive program, and the maintenance staff has completed this program for customer service training. Mr. Easton added that there is less separation between the maintenance and operations staff, and that Billy Casper Golf holds staff to a high level, which he experienced when he played golf at another Billy Casper course. Mr. Eaton further added that he is really optimistic and looking forward to the season.

Mr. Anderson asked for an explanation of the sounds coming from the golf course this week that sounded like gunshots? Mr. Eaton explained that they were using noise-making devices to prevent the geese from nesting on the golf course. The noise sounded like gunshots, causing teachers on recess duty at the elementary school to notify the police. The police responded, but the school was in lock down mode for a period of time. Mr. Anderson asked if this reaction might have been due to sensitivity to the shooting that occurred on Monday at Virginia Tech? Ms. Thompson replied yes. She added that staff was utilizing the noise making devices as is standard practice on an annual basis. Ms. Thompson further added that she spoke with Schools Superintendent Dr. Baker, and also assured Dr. Baker that it would be no problem for the City to perform this routine maintenance activity after school hours in the future.

Ms. Belpulsi commented that she is very glad Mr. Barnhart is on board as General Manager at Heatherwoode. She also commented that they have improved the quality of food and are doing a great job. Ms. Belpulsi explained that she was approached by a fund raising organization that wanted to use Heatherwoode again for their event, but they did not get a friendly response from the previous management. Ms. Belpulsi further explained that Mr. Barnhart was able to track down the contact person for that organization and booked the group in May. Ms. Belpulsi stated that she was very pleased with the response and outcome of this situation. Ms. Belpulsi asked Mr. Barnhart what his marketing plans were to promote non-golf meetings/banquets? Mr. Barnhart explained that Banquet Sales Manager Dawn Mader goes out into the community seeking events and advertises through weddings that Heatherwoode is also available for meetings and banquets. Ms. Belpulsi inquired regarding the high number of rounds listed for play in January, February, and March? Mr. Pacella explained that they provided a budget based on the information they were given, but they would build one, two, three, four, and five year averages over time once they have calculated an accurate number of rounds.

Mr. Chmiel inquired regarding the status of membership activity? Mr. Barnhart explained that they have sold six corporate memberships and six-seven individual memberships. He further explained that zero corporate memberships were sold as of February, but they sold two this week. Mr. Barnhart stated that their goal is to get people out to the golf course and build the membership back up. Mr. Barnhart further stated that they would focus on repeat play by getting the client to come back to the course.

Ms. Thompson mentioned that the Springboro Day at Heatherwoode event is scheduled for Sunday, October 14.

Mayor Agenbroad thanked Mr. Pacella, Mr. Barnhart, and Mr. Eaton for their presentation.

ITEM 4. LEGISLATIVE AGENDA. –City Council reviewed 4 legislative agenda items slated for the April 19, 2007 City Council Regular Meeting.

- 1) **ORDINANCE: THIRD READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING 4.69 ACRES OF LAND NEAR THE SOUTHWEST CORNER OF EAST CENTRAL AVENUE (SR 73) AND RED LION-FIVE POINTS ROAD FROM PUD, PLANNED UNIT DEVELOPMENT, TO PUD-B, PLANNED UNIT DEVELOPMENT-BUSINESS.

Mr. Anderson commented that after reviewing the e-mail received from citizens regarding this legislation, he realized that one of the property owners works for National City Bank, therefore presents a conflict of interest for him. Mr. Anderson will abstain from the vote on this legislation at tonight's City Council Regular Meeting.

Mr. Parise asked Ms. Thompson if she has checked with the State with respect to expediting a traffic survey at the intersection of SR73 and Red Lion-Five Points Road? Ms. Thompson stated that she pledged that the City would do

The CITY of SPRINGBORO Ohio CITY COUNCIL MINUTES · SEPTEMBER 21, 2006

everything it could to install a light. She spoke with the Warren County Administrator who contacted the County Engineer to start a warrant study at that intersection. The City is not accepting the sole burden of the cost, and will wait to see if the light is warranted, which may take a week or more. Ms. Thompson explained that the County would place a counter across the road to collect the data, then they would enter information regarding the peak times into a table and forward the information to the State. The State looks at the data and determines if the numbers warrant signalization. The State has certain standards, which they apply to make this determination. Ms. Thompson further explained that if the numbers were within a certain range, then the data would meet the State's standards for signalization.

Mr. Schaeffer commented that this result would simply mean the State determined that the signalization is warranted, but it does not mean they would pay for it.

Mr. Anderson asked if the State would take the accident rate into consideration? Ms. Thompson replied no, only fatal accidents and volumes of traffic.

Mr. Parise clarified that all of the entities involved could agree that signalization is needed at that intersection, but not pay for it? Ms. Thompson replied yes, but explained that the entities may ask the State to fund the light, but they would need to determine the impacts of the warrant study.

Mr. Parise confirmed that the State would not pay for signalization, even if it were warranted? Ms. Thompson explained that there is no guarantee that the State would pay for it, but it would most likely be placed on a funding priority list.

Mr. Schaeffer added that safety issues might bump up the item on the funding priority list, but it would be the difference between five years to three years. Mr. Schaeffer also explained that according to Ohio law, traffic is not a valid reason to turn down a zoning request, but traffic is the number one concern expressed by the public when opposing a rezoning; however, it is not the appropriate way to make that decision.

Ms. Belpulsi explained that the developer did a traffic study and he was told signalization was not warranted at that intersection when the development was originally platted. Ms. Belpulsi also explained that the traffic issue would be taken into consideration at the Planning Commission level during the site plan review process. Ms. Thompson added that there is a list of uses for the commercial site, but they are all neighborhood types of businesses.

Mr. Parise stated that he does not want to vote for this rezoning unless the traffic issue is addressed.

Ms. Belpulsi commented that the City has offered to do a traffic study at that intersection. Ms. Belpulsi also commented that the City would prefer a more ideal situation, and it is frustrating when the Planning Commission spends so much time and effort working with a developer on a plan, then the developer comes back for a change, but this change is two extra acres to the existing, small business area.

Mr. Schaeffer explained that the only action City Council would be taking tonight is to vote on the ordinance to rezone the land to PUD-B, and the traffic issues would be figured into the planning process. Mr. Schaeffer added that the Planning Commission still has the power to make a negative recommendation regarding the site plan for this acreage, or the Planning Commission could make a recommendation regarding the site plan to City Council and City Council could deny the plan.

Ms. Thompson stated that the General Plan would show the overall plan including roadways, uses, access points, and a concept of what the developer will do, and the Planning Commission could decide not to recommend the plan.

Ms. Belpulsi commented that no one wants an unsafe situation, and the traffic issues will be addressed when the details of the plan are reviewed.

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

No discussion.

The CITY of SPRINGBORO Ohio CITY COUNCIL MINUTES · SEPTEMBER 21, 2006

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

No discussion.

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT ENGAGING LORENZ WILLIAMS INCORPORATED TO PROVIDE ARCHITECTURAL DESIGN; ENGINEERING; CONSTRUCTION DOCUMENT PREPARATION AND BID PACKAGES AND ALL OTHER SERVICES ASSOCIATED WITH CONSTRUCTION OF A SPRINGBORO CITY BUILDING FACILITY.

No discussion.

ITEM 5. CITY MANAGER. –Issues/Reports.

Ms. Thompson will present an economic development update at tonight's City Council Regular Meeting under City Manager's Report.

There were no other staff comments.

ITEM 6. CLERK OF COUNCIL. –Issues/Reports.

Ms. Martin confirmed that Mary Novak, Executive Director of the Franklin-Springboro Library, will address Council at the May 3 Work Session regarding the "state of the library" and future plans for the library.

Ms. Martin made the following announcement:

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

ITEM 7. CITY COUNCIL. –Issues/Reports.

Mr. Parise – No issues/reports.

Mr. Chmiel – Mr. Chmiel will present a Planning Commission report at tonight's City Council Regular Meeting under Committee Reports.

Mr. Hruska – No issues/reports.

Ms. Lairson – Ms. Lairson stated that the City received the Tree City USA and Growth Awards again this year. Ms. Lairson will announce the details of the City's Arbor Day Ceremony and memorial tree planting to be held this Saturday, April 21 at tonight's City Council Regular Meeting under Committee Reports.

Mr. Anderson – Mr. Anderson stated that he would abstain from the vote on legislative agenda item 4 at tonight's City Council Regular Meeting due to a conflict of interest. One of Mr. Anderson's immediate family members worked for Lorenz Williams.

Ms. Belpulsi – No issues/reports.

Mayor Agenbroad – No issues/reports.

- ITEM 8. ADJOURNMENT.** With no further discussion, Mayor Agenbroad adjourned the City Council Work Session at approximately 6:51 PM.

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

CITY COUNCIL REGULAR MEETING

THURSDAY, APRIL 19, 2007

7:00 PM

CITY COUNCIL
John Agenbroad, Mayor

Marie Belpulsi, Deputy Mayor
Scott Anderson
Jim Chmiel

Gary Hruska
Sheila Lairson
John D. Parise

CITY STAFF
Chris Thompson, City Manager

Chris Pozzuto, Assistant City Manager

Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

PUBLIC HEARING

IN ACCORDANCE WITH OHIO REVISED CODE SECTION 713.12, A PUBLIC HEARING WAS HELD BEFORE THE CITY COUNCIL OF THE CITY OF SPRINGBORO, OHIO AT 7:00 P.M. ON THURSDAY, APRIL 19, 2007 TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO. THE PUBLIC HEARING TOOK PLACE IN COUNCIL CHAMBERS AT THE SPRINGBORO MUNICIPAL BUILDING, 320 WEST CENTRAL AVENUE (SR 73), SPRINGBORO, OHIO 45066.

PUBLIC HEARING: THIS PUBLIC HEARING WAS IN REGARDS TO A RECOMMENDATION FOR APPROVAL FROM THE SPRINGBORO PLANNING COMMISSION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO AND REZONE 78.1 ACRES OF LAND AT 6821 RED LION-FIVE POINTS ROAD, LOCATED NEAR THE SOUTHWEST CORNER OF EAST MILL STREET (ALSO KNOWN AS EAST LOWER SPRINGBORO ROAD) AND RED LION-FIVE POINTS ROAD, FROM TR-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE DISTRICT, TO PUD-R, PLANNED UNIT DEVELOPMENT-RESIDENTIAL. THE PROPOSED REZONING AREA IS COMPRISED OF TWO SEPARATE PARCELS AND INCLUDES A PORTION (61.1 ACRES) OF THE PROPERTY BEARING SIDWELL NO. 08122010020 AND A PORTION (17.0 ACRES) OF THE PROPERTY BEARING SIDWELL NO. 08122260030.

THIS PUBLIC HEARING WAS HELD IN ACCORDANCE WITH CHAPTER 1284 (AMENDMENTS) OF THE CITY'S PLANNING AND ZONING CODE. THIS PUBLIC HEARING WAS LIMITED TO 30 MINUTES; 15 MINUTES RESERVED FOR THE OPPONENTS, AND 15 MINUTES RESERVED FOR THE PROPONENTS.

MAYOR AGENBROAD ASKED IF THERE WERE ANY PROPONENTS THAT WISHED TO BE HEARD.

PROPONENTS: 1) JEFF BAILEY, 6821 RED LION-FIVE POINTS ROAD, SPRINGBORO – MR. BAILEY'S COMMENTS ARE CONDENSED AS FOLLOWS: MR. BAILEY AND HIS FAMILY ARE THE OWNERS OF THE PROPERTY TO BE REZONED. THEY HAVE PLAN TO PROCEED WITH THE PROPERTY AS THEY DISCUSSED WITH THE CITY OF SPRINGFBORO BY CONTINUING THE TYPE OF DEVELOPMENT THAT HAS OCCURRED AROUND THEIR PROPERTY, AND IS NICE FOR THE COMMUNITY. THE BAILEYS HAD REQUESTS FROM BUILDERS TO DEVELOP THE PROPERTY, AND THEY HAVE BEEN WORKING THROUGH THIS PLAN WITH THE CITY OF SPRINGBORO FOR THE PAST FEW YEARS, AND THIS IS THE NEXT PARCEL. THEY WOULD LIKE TO TRY TO CONTINUE ON THE BASIS OF THE EXISTING DEVELOPMENT WITHIN THE COMMUNITY.

AT THIS TIME, MS. THOMPSON COMMENTED THAT IN THE ABSENCE OF THE CITY PLANNING CONSULTANT, SHE WOULD READ THE INFORMATION HE PREPARED REGARDING THIS REZONING INCLUDING THE BACKGROUND, ANNEXATION AGREEMENT, PLANNING FRAMEWORK, PUD APPROVAL PROCESS, AND PLANNING COMMISSION RECOMMENDATION. (A

COPY OF THE DETAILED PRESENTATION, AS READ BY MS. THOMPSON, IS ATTACHED FOR THE RECORD.)

MAYOR AGENBROAD THANKED MS. THOMPSON FOR THE INFORMATION.

MAYOR AGENBROAD ASKED IF THERE WERE ANY OTHER PROPONENTS THAT WISHED TO BE HEARD. NO OTHER PROPONENTS CAME FORWARD.

MAYOR AGENBROAD ASKED IF THERE WERE ANY OPPONENTS THAT WISHED TO BE HEARD.

OPPONENTS: 1) JAMES BREMAR, 1129 LOWER SPRINGBORO ROAD AT THE CORNER OF RED LION-FIVE POINTS ROAD, SPRINGBORO – MR. BREMAR'S COMMENTS ARE CONDENSED AS FOLLOWS: MR. BREMAR LIVES ADJACEMENT TO THE 17 ACRES PROPOSED TO BE DEVELOPED BY THE BAILEY FAMILY. MR. BREMAR IS CONCERNED ABOUT HIS WELL. HE WAS ANNEXED TO THE CITY OF SPRINGBORO APPROXIMATELY TWELVE YEARS AGO WHEN HE BOUGHT HIS HOUSE, AND HE STILL LIVES ON A WELL AND SEPTIC SYSTEM. THERE IS A NATURAL SPRING APPROXIMATELY 15 FEET FROM MR. BREMAR'S PROPERTY, AND HE IS VERY CONCERNED THAT ONCE EXCAVATION AND DEVELOPMENT BEGIN ON THE BAILEY PROPERTY, IT WILL RUIN HIS WELL. MR. BREMAR ASKED FOR THE CITY'S SUPPORT OR HELP TO OBTAIN CITY WATER IF NEEDED.

MS. THOMPSON WAS NOT AWARE THAT MR. BREMAR IS OPERATING ON A WELL AND SEPTIC SYSTEM. MS. THOMPSON STATED THAT THE CITY COULD CERTAINLY WORK WITH MR. BREMAR REGARDING THIS ISSUE. MS. THOMPSON ESTABLISHED THAT MR. BREMAR LIVED ON THE CORNER OF RED LION-FIVE POINTS ROAD AND LOWER SPRINGBORO ROAD.

MR. BREMAR COMMENTED THAT HE SPOKE WITH RAJ SHARMA (CITY ENGINEER), WHO WAS NOT VERY HELPFUL AND WHO TOLD MR. BREMAR IT WAS UP TO HIM TO OBTAIN CITY WATER. MS. THOMPSON STATED THAT SHE WOULD BE HAPPY TO TALK TO HIM ABOUT WATER SERVICE AND THAT IT WOULD BE A NON-ISSUE TO HELP MR. BREMAR WITH WATER BECAUSE ONE OF THE REASONS, AS EXPLAINED TO CITY COUNCIL AND TO PLANNING COMMISSION, THAT THIS PROJECT WOULD BE BENEFICIAL IS THAT IT WOULD ENABLE THE CITY TO COMPLETE A WATER LOOP. A WATER LOOP IS SIGNIFICANT TO INFRASTRUCTURE IN ORDER FOR IT TO WORK PROPERLY. ALSO, FOR FIRE SUPPRESSION REASONS, WATER LOOPS WITHIN CERTAIN AREAS ARE FAIRLY SIGNIFICANT. MS. THOMPSON EXPLAINED THAT THERE WOULD BE UTILITY SERVICES BEHIND MR. BREMAR'S PROPERTY, AND CITY WATER SERVICE TO HIS PROPERTY SHOULD NOT BE A PROBLEM. MR. BREMAR PROVIDED A SATELITE MAP TO MS. THOMPSON SHOWING THE NATURAL SPRING. MR. BREMAR STATED THAT HE HAD OTHER CONCERNS REGARDING THIS REZONING, BUT WOULD LET HIS NEIGHBORS SPEAK TO THOSE.

2) KIMRA SOLOMON, 1234 W. LOWER SPRINGBORO ROAD, SPRINGBORO – MS. SOLOMAN'S COMMENTS ARE CONDENSED AS FOLLOWS: MS. SOLOMAN LIVES ACROSS THE ROAD FROM THE BAILEY FARM. MS. SOLOMON HAS OWNED THE PROPERTY SINCE 1999, AND SHE BUILT HER HOUSE THREE YEARS AGO. MS. SOLOMAN'S CONCERN IS NOT IN DIRECT OPPOSITION TO THE PUD-R ZONING, BUT CONCERNS WHAT THE FUTURE COMMUNITY WILL BE OR WHAT TYPE OF NEIGHBORHOOD WILL BE DEVELOPED ON THE BAILEY PROPERTY. MS. SOLOMON SPOKE WITH CITY ENGINEER RAJ SHARMA, AND MR. SHARMA EXPLAINED TO HER THE DISTINCTION OF THE PUD-R DESIGNATION. MS. SOLOMON STATED THAT THE PROPERTIES ADJACENT TO HER PROPERTY, THE FIELDSTONE DEVELOPMENT, AS WELL AS THE CREESIDE DEVELOPMENT, ARE ALSO PUD-R, AND THERE ARE DIFFERENT REQUIREMENTS AND LOT SIZES, ETC FOR THOSE DEVELOPMENTS. MS. SOLOMON'S CONCERN IS IF THERE WILL BE A CONTINUATION OF THE TYPE OF NEIGHBORHOODS THAT ALREADY EXIST OR IS THERE A RISK THAT THE PROPERTY WILL BE DEVELOPED AS A MORE DENSE NEIGHBORHOOD SUCH AS SMALLER PATIO HOMES AND SMALLER LOTS THAT WOULD NOT BE CONSISTENT WITH ALL OF THE OTHER NEIGHBORS AND THE RURAL SETTING THAT THE PROPERTY IS ADJACENT TO. ALL OF THE NEIGHBORS THAT ABUT THIS PROPERTY HAVE LARGER LOTS. MS. SOLOMON HAD QUESTIONS ABOUT WHEN THIS PROPERTY WAS ANNEXED FROM THE TOWNSHIP TO THE CITY, AND SHE REFERRED TO THE LAND USE PLAN THAT WARREN COUNTY PROPOSED, WHICH WAS THE COUNTY'S 15 YEAR PLAN AT THE TIME OF THE PLAN AND WAS SUPPOSED TO BE IN EFFECT THROUGH 2020. THE BAILEY FARM HAD A DESIGNATED PROTECTED GREEN SPACE AREA ABUTTING THE CLEARCREEK CREEK TO THE SOUTHSIDE OF THE PROPERTY AS WELL AS THE PONDS; THEREFORE, A LOT OF WATER WOULD BE IMPACTED BY THIS DEVELOPMENT SPECIFICALLY ON THE LAND WITHIN THE 61 ACRES. THE OTHER PART OF THE PARCEL, THE 17 ACRES, WAS DESIGNATED RURAL RESIDENTIAL IN THE COUNTY'S 2020 LAND USE PLAN. MS. SOLOMON'S CONCERN IS THAT SOME OF THE FEATURES OF THIS LAND WOULD FORCE THE AGREED UPON 130 UNITS TO BE DEVELOPED ON A MUCH SMALLER LAND USE QUADRANT. MS. SOLOMON UNDERSTANDS THE DENSITY

IS 1.66 ACRES OF OVERALL AVERAGE USAGE, BUT IF MUCH OF THAT LAND TO THE SOUTH IS ACTUALLY PROTECTED DUE TO ITS NATURAL GEOGRAPHY OR IT IS NOT USABLE FOR BUILDING SITES, CONSEQUENTLY IT WOULD PUSH THE DEVELOPMENT INTO THE NORTH AND NORTHEAST QUADRANT OF THE PROPERTY RESULTING IN A HIGHER DENSITY, WHICH IS CONSEQUENTLY AGAINST HER AND HER NEIGHBORS' HOME SITES. MS. SOLOMAN CIRCULATED A COPY OF THE WARREN COUNTY LAND USE PLAN 2020 TO CITY COUNCIL SHOWING THE AREAS SHE REFERRED TO IN HER COMMENTS. (A COPY OF MS. SOLOMAN'S EXHIBIT IS ATTACHED FOR THE RECORD.) MS. SOLOMAN IS NOT OBJECTING TO THE PUD-R OR TO THE DEVELOPMENT OF THE PROPERTY, AS LONG AS IT IS DEVELOPED CONSISTENTLY WITH THE SURROUNDING NEIGHBORHOODS. MS. SOLOMAN STATED THAT THE BEAZER PROPERTY AVERAGE LOT SIZE IS 0.1171 ACRES, WHICH IS NINE HOMES PER ACRE ON THE NORTH SIDE OF THE PARK. THE FIELDSTONE SUBDIVISION IS 0.28 ACRES, WHICH IS WITHIN THE FOUR HOMES PER ACRE DESIGNATION. MS. SOLOMAN'S CONCERN IS THAT THE EXISTING NEIGHBORHOOD WILL END UP WITH MUCH SMALLER HOMES UP AGAINST THEIR ACRE-PLUS HOMES, WHICH WOULD HAVE A SIGNIFICANT VALUE IMPACT TO THEIR COMMUNITY.

MS. THOMPSON COMMENTED THAT CLEARCREEK TOWNSHIP HAS HOME RULE AND THEY HAVE THEIR OWN COMPREHENSIVE PLAN; THEREFORE, THE WARREN COUNTY LAND USE PLAN WOULD NOT APPLY TO THE TOWNSHIP OR TO THE CITY, WHICH ALSO HAS ITS OWN LAND USE PLAN. MS. THOMPSON EXPLAINED THAT THE TOWNSHIP DENSITY THAT IS PERMITTED IN SEWERED AREAS IS TWO PER ACRE; THEREFORE, THE 78 ACRES COULD HAVE 156 HOMES IN CLEARCREEK TOWNSHIP. IN THE CITY OF SPRINGBORO, THE DEVELOPER IS ASKING FOR 130 UNITS, WHICH IS 1.66 UNITS PER ACRE. ALSO, THE CITY OF SPRINGBORO HAS A DIFFERENT FLOOD PLAIN REQUIREMENT THAN CLEARCREEK TOWNSHIP. IN CLEARCREEK TOWNSHIP, THE BUILDABLE ACREAGE IS REDUCED BY SLOPES, FLOOD PLAINS, AND FLOODWAYS. IN SPRINGBORO'S CODE, A DEVELOPER CAN BUILD IN A FLOODPLAIN IF THEY RAISE THE LAND THREE FEET OR ONE AND ONE HALF FEET ABOVE THE LEVEL. THE CITY IS WELL AWARE OF THE CREEK AREA AND FLOOD AREAS ON THE PROPERTY AND ALL OF THOSE THINGS ARE TAKEN INTO CONSIDERATION BY THE ENGINEERING DEPARTMENT AND THE PLANNING COMMISSION DURING THE SITE PLAN REVIEW PROCESS. THE PLANNING COMMISSION DOES NOT HAVE TO ACCEPT HOMES THEY ARE NOT HAPPY WITH; THEY DO NOT HAVE TO ACCEPT CERTAIN MATERIALS, BUT THAT TYPE OF DETAILED REVIEW OF THE PLAN TAKES PLACE LATER IN THE PROCESS. MS. THOMPSON FINALLY STATED THAT THIS LEGISLATION IS STRICTLY TO REZONE THE PROPERTY TO PUD-R WITH A LIMIT ON THE DENSITY.

MS. SOLOMAN ASKED IF THERE IS A SUBSEQUENT OPPORTUNITY FOR THIS LAND TO BE CHANGED TO A PUD-R2? MS. THOMPSON REPLIED NO, THIS REQUEST FOR PUD-R, UNDER THE ANNEXATION AGREEMENT WITH CLEARCREEK TOWNSHIP, IS THE DESIGNATED ZONING. MS. THOMPSON EXPLAINED THAT IF THERE WOULD BE A ZONING ALTERATION, THE DEVELOPER WOULD HAVE TO BEGIN AN ENTIRELY NEW PROCESS WITH ANOTHER PUBLIC HEARING AND MORE OPPORTUNITIES FOR INPUT, BUT THE CITY DOES NOT ANTICIPATE THAT OCCURRING. THE PROPOSED ZONING AND DENSITY WERE AGREED UPON WITH THE CLEARCREEK TOWNSHIP TRUSTEES AND ADMINISTRATOR. THE PRE-ANNEXATION AGREEMENT WAS PRESENTED TO AND APPROVED BY BOTH THE CITY AND THE TOWNSHIP, AND THAT IS WHAT THE PUBLIC HEARING IS FOR TONIGHT, TO REZONE THE PROPERTY TO PUD-R WITH A MAXIMUM OF 130 UNITS FOR THE ENTIRE 78.1 ACRES.

2) MIKE SOLOMAN, 1234 LOWER SPRINGBORO ROAD - MR. SOLOMAN'S COMMENTS ARE CONDENSED AS FOLLOWS: MS. SOLOMAN LIVES ACROSS THE ROAD FROM THE BAILEY FARM. MR. SOLOMAN COMMENTED ON THE EFFORTS TO PRESERVE KESSLING PARK A FEW YEARS AGO, AND HIS LAND IS ADJACENT TO THAT PARK. HE IS CONCERNED PRESENTLY WITH THE CREEKSIDE SUBDIVISION AND WITH THE PROPOSED ADDITIONAL HOMES THAT PARK FACILITIES ARE PROVIDED FOR THOSE PEOPLE ON THE PROPERTY PERHAPS BY USING SOME OF THE GREEN SPACE, BUT THE GREENSPACE APPEARS TO BE MOSTLY WET LAND THAT NEEDS TO BE PRESERVED AND NOT A PLACE WHERE CHILDREN COULD PLAY. AS A RESULT, THE CHILDREN ARE INHERENTLY GOING TO GO TO KESSLING PARK. MR. SOLOMAN FORESEES A DANGEROUS SITUATION BECAUSE THE CHILDREN DO NOT HAVE A CLEAR PASSAGE WAY TO GET TO KESSLING PARK ON BIKE, ETC., UNLESS SOMEONE DRIVES THEM THERE, BECAUSE IT IS NOT DEVELOPED. MR. SOLOMAN STATED THAT IT IS A BREACH OF SECURITY BECAUSE HE FINDS HIS LAND AND ADJACENT LAND BECOMING A PASSAGE WAY TO KESSLING PARK. MR. SOLOMAN IS CONCERNED THAT IF MORE HOUSES ARE BUILT ON THE NORTHERN REGION OF THAT PROPERTY EVEN MORE PEOPLE WILL USE THE UNDEVELOPED PATHWAY TO ACCESS KESSLING PARK OR WOULD INHERENTLY GO TO THE UNDEVELOPED GREEN SPACE. MR. SOLOMAN ASKED IF SIDEWALK SYSTEMS OR ROADWAYS COULD BE TAKEN INTO CONSIDERATION IN THE PLAN FOR THE PROPERTY ALONG WITH THE DANGEROUS INTERSECTION AT RED LION-FIVE POINTS ROAD AND LOWER SPRINGBORO ROAD THAT ALREADY EXISTS.

3) DOUG AMBACH, 7473 OLD WOODS COURT, STONE RIDGE, CLEARCREEK TOWNSHIP – MR. AMBACH’S COMMENTS ARE CONDENSED AS FOLLOWS: MR. AMBACH COMMENTED THAT RELATIVE TO THIS PROPERTY BEING REZONED, THE HAZARDOUS INTERSECTION AT RED LION-FIVE POINTS ROAD AND SR73 WOULD ALSO BE IMPACTED BY THE NUMBER OF HOMES BUILT ON THE BAILEY PROPERTY CREATING TRAFFIC THAT WOULD ALSO FUNNEL THROUGH THAT INTERSECTION. MR. AMBACH ASKED CITY COUNCIL TO CONSIDER THE DANGER AND ADDITIONAL INFLUX RESULTING FROM THAT PROPOSED DEVELOPMENT OF 78-PLUS ACRES GOING THROUGH THE INTERSECTION AT SR73 AND RED LION-FIVE POINTS ROAD.

4) HELEN SPROAT, 6772 RED LION FIVE POINTS ROAD, CLEARCREEK TOWNSHIP – MS. SPROAT’S COMMENTS ARE CONDENSED AS FOLLOWS: MS. SPROAT LIVES DIRECTLY OPPOSITE OF THE BAILEY PROPERTY. MS. SPROAT WOULD LIKE THE CITY TO DO A TRAFFIC STUDY ON RED LION-FIVE POINTS ROAD. MS. SPROAT EXPLAINED THAT PRESENTLY, WITH NO FURTHER DEVELOPMENT, THE ROAD IS EXTREMELY HAZARDOUS IN THE MORNING (8:00-9:00AM) AND IN THE AFTERNOON. SHE FURTHER EXPLAINED THAT SCHOOL TRAFFIC GOES DOWN THAT ROAD AT A HIGH RATE OF SPEED, AND IT IS A FREEWAY TO SPRINGBORO HIGH SCHOOL. MS. SPROAT WOULD LIKE TO SEE A SERIOUS STUDY DONE OF THE TRAFFIC PATTERN ON THAT ROAD BEFORE THE CITY CONSIDERS ANY MORE HOUSES IN THAT AREA. MS. SPROAT COMMENTED THAT IN REGARDS TO THE FLOODPLAIN ON THE DEVELOPMENT, SHE HAS LIVED THROUGH QUITE A FEW FLOODS AND HER LAND IS LOW AND HER HOUSE IS ON A HILL, BUT THREE FEET IS NOT ENOUGH ABOVE THE FLOODPLAIN. MS. SPROAT HAS A THREE FEET SIX INCH POST AND RAIL FENCE, WHICH HAS BEEN COMPLETELY SUBMERGED, AND SHE HAS WATCHED THE FENCE POSTS POP OUT OF THE GROUND BECAUSE OF THE FORCE OF THE WATER TRAVELING DOWN THROUGH THERE. MS. SPROAT STATED THAT IT IS A SERIOUS FLOODPLAIN, AND SHE WOULD LIKE THE CITY TO TAKE IT INTO CONSIDERATION WITH RESPECT TO THIS PROPOSED DEVELOPMENT.

5) THOMAS SPROAT, 6772 RED LION FIVE POINTS ROAD, CLEARCREEK TOWNSHIP – MR. SPROAT’S COMMENTS ARE CONDENSED AS FOLLOWS: MR. SPROAT GREW UP AT 6772 RED LION FIVE POINTS ROAD DIRECTLY OPPOSITE OF THE BAILEY PROPERTY, AND HE HAS SEVERAL CONCERNS ABOUT THE REZONING. MR. SPROAT STATED THAT ACCORDING TO THE SPRINGBORO ZONING MAP IT APPEARS THAT THE PUD ZONING DESIGNATION HAS BEEN USED IN THE LAST 10 TO 15 YEARS ALMOST AS OFTEN AS THE R-1 ZONING DESIGNATION. MR. SPROAT QUESTIONED WHY A PUD IS CONSIDERED AN EXCEPTION TO THE RULE IF IT IS USED ALMOST AS OFTEN AS THE RULE. MR. SPROAT’S SECOND CONCERN IS THE INCREASED DENSITY THAT THE PUD ALLOWS, WHICH ADDS TO URBAN SPRAWL. THE PROPOSED DENSITY OF HOMES WILL BE A STARK CONTRAST BETWEEN THE CITY AND THE TOWNSHIP AND WILL FEED UPON ITSELF BECAUSE ADDITIONAL PROPERTIES THAT ARE ANNEXED WILL CONTINUE TO POINT TO THEIR NEIGHBORING PARCELS FOR DENSITY AND WILL WANT THE SAME DENSITY. MR. SPROAT ALSO QUESTIONED HOW THIS DEVELOPMENT WOULD BENEFIT THE CITY OF SPRINGBORO, AS CITY COUNCIL AND THE ZONING COMMISSION HAVE THE RESPONSIBILITY TO ACT IN THE BEST INTEREST OF THE CITY, NOT THE TOWNSHIP. MR. SPROAT COMMENTED ON THE DEVELOPMENT’S IMPACT ON THE WATERSHED, WHICH WILL IMPACT SPRINGBORO, MOST NOTABLY HEATHERWOODE GOLF COURSE THAT IS DOWNSTREAM FROM ANY EROSION PROBLEMS AS WELL AS LAWN TREATMENT THAT MAY WASH INTO THAT WATERSHED AS WELL. THE INCREASED DENSITY ON THE PROPERTY WILL ALSO IMPACT THE SPRINGBORO SEWAGE DISPOSAL SYSTEM. MR. SPROAT STATED THAT FOR THE LAST 10 TO 15 YEARS SPRINGBORO HAS CONSTANTLY HAD ISSUES WITH THE SIZE OF ITS SEWAGE TREATMENT PLANT AND BEING ABLE TO KEEP UP WITH THE URBAN GROWTH, AND THIS ADDITIONAL HOUSING WILL CREATE ADDITIONAL DEMANDS ON THE SEWAGE DISPOSAL SYSTEM AS WELL AS THE AMOUNT OF WATER THAT WILL BE AVAILABLE TO THOSE RESIDENTS FROM THE CITY OF SPRINGBORO. MR. SPROAT ALSO STATED THAT ABOUT 15 YEARS AGO THERE WAS A STRATEGIC MANAGEMENT PLAN CONDUCTED BY THE CITY OF SPRINGBORO. THE PLAN WAS CREATED BY RESIDENTS OF SPRINGBORO AS WELL AS RESIDENTS OF THE TOWNSHIP AND INITIATED BY THE CITY MANAGER AT THAT TIME IN ORDER TO PLAN FOR THE EFFECTIVE GROWTH OF SPRINGBORO SO IT WOULD NOT DRAMATICALLY IMPACT THE SURROUNDING TOWNSHIP. MR. SPROAT WOULD LIKE THE CITY COUNCIL TO CONSIDER HOW THIS DEVELOPMENT FITS THAT STRATEGIC PLAN, WHICH WAS DEVELOPED WITH THE INPUT OF THE RESIDENTS OF SPRINGBORO AS WELL AS THE RESIDENTS OF THE TOWNSHIP.

MAYOR AGENBROAD COMMENTED THAT, WITH RESPECT TO THE PUD ZONING DESIGNATION, THE PLANNING COMMISSION AND THE CITY COUNCIL PREFER PUD ZONING BECAUSE IT GIVES THE CITY MORE CONTROL OVER THE PLANS FOR THE DEVELOPMENT; WHEREAS, STRAIGHT ZONING DICTATES WHAT THE DEVELOPMENT WILL BE. MAYOR AGENBROAD FURTHER COMMENTED THAT IN A PUD, THE CITY HAS THE ABILITY TO GET SOME THINGS IT WOULD NOT NORMALLY GET UNDER OTHER ZONING DESIGNATIONS SUCH AS R-1 OR R-2, AND AGAIN, THAT IS WHY THE PUD IS PREFERRED.

6) DOUG AMBACH, 7473 OLD WOODS COURT, STONE RIDGE, CLEARCREEK TOWNSHIP – MR. AMBACH’S COMMENTS ARE CONDENSED AS FOLLOWS: MR. AMBACH STATED THAT, FOR DATA PURPOSES, HE CONTACTED CLEARCREEK TOWNSHIP POLICE DEPARTMENT, AND IN 2004 AND 2006 THERE WERE A TOTAL OF 18 ACCIDENTS AT THAT INTERSECTION. MR. AMBACH TRIED TO CONTRACT THE SPRINGBORO POLICE DEPARTMENT FOR INFORMATION AND HE DID NOT GET ANY CALL BACKS OR RESPONSE.

MS. THOMPSON ASKED TO WHICH INTERSECTION MR. AMBACH WAS REFERRING, RED LION-FIVE POINTS ROAD AND LOWER SPRINGBORO ROAD OR RED LION-FIVE PIONTS ROAD AND SR73?

MR. AMBACH CONFIRMED THAT HE WAS REFERRING TO THE RED LION-FIVE POINTS ROAD INTERSECTION.

MS. THOMPSON STATED THAT SHE WAS NOT SURE WHAT RELATIONSHIP THAT INTERSECTION HAD TO THIS REZONING CASE?

MR. AMBACH INFERRED THAT THE DEVELOPMENT ON THE BAILEY PROPERTY WOULD FUNNEL ADDITIONAL TRAFFICE THROUGH THE RED LION-FIVE POINTS ROAD INTERSECTION. ADDITIONALLY, MR. AMBACH STATED THAT CLEARCREEK’S RECORDS SHOWED 18 ACCIDENTS DURING THAT PERIOD OF TIME, WHICH IS SLIGHTLY FEWER THAN ONE PER MONTH. MR. AMBACH FURTHER STATED THAT HE DOES NOT KNOW IF SPRINGBORO HAS ANY DATA ON THE ACCIDENT RATE AT THAT INTERSECTION, AS HE DID NOT GET ANY RESPONSE BACK FROM THE CITY.

MS. THOMPSON STATED THAT THE INTERSECTION OF RED LION-FIVE PIONTS ROAD AND SR73 IS NOT THE CITY’S INTERSECTION; THUS, THE CITY WOULD ABSOLUTELY NOT HAVE ANY DATA BECAUSE THE SPRINGORO POLICE DEPARTMENT DOES NOT HAVE PATROL AUTHORITY AT THAT INTERSECTION. MS. THOMPSON STATED THAT THE CITY WORKS WITH CLEARCREEK TOWNSHIP, BUT THE CITY WOULD NOT HAVE DATA BECAUSE IT WOULD NOT KEEP ANY RECORDS ON THAT INTERSECTION.

MR. AMBACH COMMENTED THAT THE CITY OF SPRINGBORO POLICE DO RESPOND TO TRAFFIC ACCIDENTS AT THAT INTERSECTION.

MS. THOMPSON STATED THAT THEY ONLY RESPOND TO ACCIDENTS AT THAT INTERSECTION WHEN THEY ARE ASKED BY CLEARCREEK FOR BACKUP.

MR. AMBACH STATED THAT IF SPRINGBORO POLICE RESPONDED AS BACKUP, THEN THEY WOULD HAVE DATA BASED ON THOSE BACK UP CALLS.

MS. THOMPSON REPLIED NO, THE CITY POLICE DEPARTMENT WOULD NOT KEEP DATA ON THE BACK UP INFORMATION OTHER THAN THAT THEY RESPONDED TO A CALL, BUT AN ACCIDENT REPORT WOULD BE GENERATED BY CLEARCREEK TOWNSHIP. MS. THOMPSON REITERATED THAT THE CITY DOES NOT KEEP RECORDS FOR THE TOWNSHIP, THE CITY AND THE TOWNSHIP ARE COMPLETELY SEPARATE DEPARTMENTS. MS. THOMPSON EXPLAINED THAT BOTH ENTITIES ARE DISPATCHED FROM WARREN COUNTY. MS. THOMPSON FURTHER EXPLAINED THAT THE CITY USED TO DISPATCH FOR CLEARCREEK TOWNSHIP, BUT THAT SERVICE ENDED ABOUT FIVE YEARS AGO, BUT THE CITY DOES NOT KEEP STATISTICS ON ACCIDENTS IN TOWNSHIP’S JURISDICTION.

MR. AMBACH STATED THAT, THAT MIGHT BE WHY HE DID NOT GET A RESPONSE OR A CALL BACK FROM THE CITY.

MAYOR AGENBROAD COMMENTED THAT HE TOOK THE LIBERTY OF EXTENDING THE PUBLIC HEARING BY APPROXIMATELY NINE MINUTES, BECAUSE HE BELIEVED THERE WERE SOME GOOD QUESTIONS AND IT WAS IMPORTANT FOR THE OPPONENTS TO HAVE THAT EXTRA TIME TO COMMENT. MAYOR AGENBROAD THANKED THE PARTICIPANTS IN THE PUBLIC HEARING AND OTHERS IN ATTENDANCE. CITY COUNCIL WILL TAKE THEIR COMMENTS INTO CONSIDERATION.

MAYOR AGENBROAD ADJOURNED THE PUBLIC HEARING AT APPROXIMATELY 7:30PM.

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order at 7:00 PM

The CITY of SPRINGBORO Ohio CITY COUNCIL MINUTES · SEPTEMBER 21, 2006

in Council Chambers at the Springboro City Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. PLEDGE OF ALLEGIANCE. Mayor Agenbroad led the Pledge of Allegiance.

ITEM 3. ROLL CALL. Agenbroad, Present; Anderson, Present; Belpulsi, Present; Chmiel, Present; Hruska, Present; Lairson, Present; Parise, Present.

ITEM 4. APPROVAL OF MINUTES: THE MINUTES OF THE APRIL 5, 2007 CITY COUNCIL WORK SESSION AND REGULAR MEETING.

Mayor Agenbroad presented the Minutes for any additions/corrections.

Mr. Chmiel stated that the header of the Work Session and Regular Meeting Minutes incorrectly lists Mr. Hruska as Deputy Mayor, as Ms. Belpulsi is Deputy Mayor.

Ms. Martin will correct the Minutes accordingly.

Mr. Chmiel motioned to adopt the Minutes of the April 5, 2007 City Council Work Session and Regular Meeting with the stated correction. Ms. Belpulsi seconded the motion.

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

ITEM 5. PRESENTATIONS: MAYOR AGENBROAD PRESENTED A PROCLAMATION IN CELEBRATION OF ARBOR DAY IN SPRINGBORO. Mayor Agenbroad deferred to Ms. Lairson to present the Arbor Day Proclamation. (A copy of the Proclamation is attached for the record.)

ITEM 6. LEGISLATION:

City Council held a Work Session at 6:00 PM immediately preceding tonight's City Council Regular Meeting for approximately 51 minutes to discuss the following legislative items as well as other matters before the City.

- 1) ORDINANCE O-07-13: THIRD READING.** "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, REZONING 4.69 ACRES OF LAND NEAR THE SOUTHWEST CORNER OF EAST CENTRAL AVENUE (SR 73) AND RED LION-FIVE POINTS ROAD FROM PUD, PLANNED UNIT DEVELOPMENT, TO PUD-B, PLANNED UNIT DEVELOPMENT-BUSINESS," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This is the third reading of an ordinance to rezone 4.69-acres of land located at the southwest corner of SR73 and Red Lion-Five Points Road from PUD to PUD-B. This rezoning was the subject of a Public Hearing held on March 15, 2007. Currently, the existing acreage in this particular development on the corner of SR73 and Red Lion-Five Points Road has a business designation. This rezoning would add 4.69 acres to that existing area zoned business. A revised general plan for this site was approved by the Planning Commission on January 31, 2007 representing the additional 4.69 acres, and any future legislation pertaining to this rezoning will reflect this alteration to the plan.

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

Ms. Belpulsi motioned to adopt Ordinance O-07-13. Mr. Hruska seconded the motion.

Mayor Agenbroad presented the motion for discussion.

Mr. Anderson thanked all of the residents he spoke with during the past week about this rezoning, but it has just come to light that there is a property owner in the area of the rezoning that works for the same company he works for, which presents a conflict of interest. Mr. Anderson will abstain from the vote on this legislation.

No other discussion.

VOTE: Chmiel, Yes; Parise, No; Lairson, Yes; Anderson, Abstain; Belpulsi, Yes; Agenbrood, Yes; Hruska, Yes. [APPROVED 5-1-1]

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

This is the second reading of an ordinance amending Section 244.29(g)(3), Travel and Miscellaneous Expenses, of the City's Codified Ordinances to cap travel expense gratuities to 15% for City of Springboro employees. This amendment has been requested by the Auditor of State in all communities to restrict gratuity payments of 15% or less when city employees are on city business and utilizing taxpayer dollars. This legislation will simply alter the permitted gratuity to a maximum of 15%.

No discussion.

No action required at this time.

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

This is the first reading of an ordinance amending the official zoning map of the City of Springboro rezoning 78.1 acres of land at 6821 Red Lion-Five Points Road from TR-1 to PUD-R. This rezoning was the topic of the Public Hearing held at the beginning of tonight's City Council Regular Meeting. This rezoning would change the property at 6821 Red Lion-Five Points Road from a township zoning designation to a City zoning designation, and is the first step in any possible review of this property for any future site plans.

No discussion.

No action required at this time.

- 4) **RESOLUTION R-07-14:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT ENGAGING LORENZ WILLIAMS INCORPORATED TO PROVIDE ARCHITECTURAL DESIGN; ENGINEERING; CONSTRUCTION DOCUMENT PREPARATION AND BID PACKAGES AND ALL OTHER SERVICES ASSOCIATED WITH CONSTRUCTION OF A SPRINGBORO CITY BUILDING FACILITY," was read by the Clerk of Council. Ms. Thompson commented on this item as follows:

This resolution authorizes the City Manager to enter into an agreement engaging Lorenz Williams Incorporated to provide architectural design and related services associated with construction of a new Springboro city building. A new city building has been a topic for many years in the City of Springboro in an attempt to build facilities that would house the administration and make it easier for City residents to have a one-stop shopping experience where they could come to one location for a fence permit or building permit while at the same time speak to the water clerk or come to a City Council Meeting, and also offer the potential for a community room where residents might be able to gather with friends on a Wednesday afternoon to play cards or have a boy scout troop meeting. City Council permitted the City send out a Request for Proposals in December of 2006, and the City received 11 proposals in response to that request. Of those 11 proposals, four firms were selected for further scrutiny and of those four; two firms were asked to make presentations to City Council. As a result of the selection process, City Council instructed staff to prepare this legislation to employ Lorenz Williams from Dayton, Ohio as the architectural design firm for consideration for the design and engineering of a new city building.

The CITY of SPRINGBORO Ohio CITY COUNCIL MINUTES · SEPTEMBER 21, 2006

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

Ms. Belpulsi motioned to adopt Resolution R-07-14. Mr. Chmiel seconded the motion.

Mayor Agenbroad presented the item for discussion.

Mr. Anderson stated, for the record, that he has a family member who worked for Lorenz Williams, and although they have been retired over five years from the firm, it is in best interests that he abstains from the vote on this legislation.

No other discussion.

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

ITEM 7.

REPORTS:

Mayor's Report – Arbor Day Ceremony will be held on Saturday, April 21 at 9:00AM at North Park. Deputy Mayor Belpulsi and Council Member Lairson will preside at the ceremony. A Strategic Planning Meeting will be held on Saturday, May 5 from 8:00AM-5:00PM at Heatherwoode Golf Course Clubhouse. The next City Council Work Session will be held on Thursday, May 3, 2007 at 6:00 PM in Council Chambers, as scheduled. The next City Council Regular Meeting will be held on Thursday, May 3, 2007 at 7:00 PM in Council Chambers, as scheduled.

In addition, Mayor Agenbroad commented that approximately one week ago a tragedy occurred in the community involving the Pons Family, and he requested a moment of silence. After a moment of silence, Mayor Agenbroad continued by commenting that in less than one day, the Springboro area raised \$25,000 for the Pons Family and by Friday had raised \$37,000. Mayor Agenbroad stated that he is so proud of the community, and he is honored to be the Mayor of such a great community. Mayor Agenbroad thanked KMC Network Credit Union and National City Bank for their efforts in processing those monies.

Mayor Agenbroad chaired the Finance Committee meeting held at 5:30PM prior to tonight's City Council Work Session. Mayor Agenbroad reported that the Finance Committee found the City's finances to be in order and under the budget for the month of February 2007.

City Manager's Report – Ms. Thompson reported that the City has made continual efforts to bring jobs into Springboro and by virtue of those efforts have been able to increase the tax base. Ms. Thompson further reported that in South Tech Business Park at the Austin Road location, the City recently signed an agreement with Crucible Steel, which will be employing about 35 people initially and hopes to grow in Springboro. Also, a company called Renegade or Maverick, which is a composite company that is working currently in Blue Ash, has requested to purchase four acres at South Tech Business Park to move their operations to Springboro. And, the City has been negotiating for a very long time with Children's Medical Center to bring an urgent care facility and some offices to Springboro at South Tech Business Park. City Council will most likely see an amended contract with Children's Medical Center by the next Council meeting to finalize that agreement. Finally, Woodhull Company has closed on the City's property at the end of Commercial Way fronting I-75. Ms. Thompson mentioned that Assistant City Manager Chris Pozzuto puts a great deal of effort into retaining and working with these companies to bring them to Springboro, and she and Mr. Pozzuto both try to accommodate them in any way possible. They also try to make sure the City does not ignore the existing businesses. To that end, the City held a Business Appreciation Breakfast for the City's businesses, and would like to reiterate how much the City appreciates their business as well.

Committee Reports –

Mr. Parise – No reports.

Mr. Chmiel – Planning Commission – The Planning Commission met in Work Session on Wednesday, April 11,

The CITY of SPRINGBORO Ohio CITY COUNCIL MINUTES · SEPTEMBER 21, 2006

2007 at 7:00 PM in Council Chambers and the following items were reviewed: Final Development Plan – Village Park Planned Unit Development-Mixed Use, new 3,500 s.f. retail building (Park National Bank); Site Plan Review – west end of West Tech Drive, new 66,000 s.f. manufacturing facility (Crucible Materials); Final Development Plan – 250 Advance Drive, new 71,000 s.f. manufacturing facility (Advanced Engineering); Site Plan Review, 245 Hiawatha Trail, 3,000 s. f. addition to manufacturing facility (Machined Glass Specialists). The next Planning Commission Meeting will be held on Wednesday, April 25 at 7:00 PM in Council Chambers.

Mr. Hruska – No reports.

Ms. Lairson – Ms. Lairson invited the public to attend the Arbor Day Ceremony at North Park on Saturday, April 21 at 9:00 AM. In addition, Ms. Lairson announced that there are two tree-grant programs available through the City. One, a memorial tree-grant for those who would like to memorialize or honor a family member, friend, or citizen of the community, and two, a tree-grant available to the public and to businesses, which provides trees to plant to beautify the community. Information regarding both tree-grants is available on the City's website.

Mr. Anderson – No reports.

Ms. Belpulsi – No reports.

ITEM 8. OTHER BUSINESS. Mayor Agenbroad welcomed Vanguard Imaging located on State Route 741 to the Springboro business community, which will be a nice addition.

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Ms. Belpulsi commented that she attended the WCML meeting last night with Mr. Hruska and Ms. Lairson. The guest speaker was Warren County Prosecutor Rachel Hutzel. Ms. Hutzel presented some of the things the prosecutor's office has done during the year, but also informed the League of the proactive stance they are taking on internet cyber-crime. The prosecutor's office has established their own cyber-sex sting operation, which is similar to those seen on television, and it has been very successful in a very short period of time, as they have apprehended several individuals. The prosecutor's office is very concerned about the families in our communities and they are taking many precautions to keep us safe including providing tips on identity theft and prevention.

Mr. Anderson added to Mayor Agenbroad's comments regarding the tragedy involving the Pons Family by thanking Schools Superintendent Dr. David Baker and Public Information Officer Linda Oda of the Springboro Schools who spearheaded the donation effort. They contacted Mr. Anderson at National City Bank to set up a donation account, which he was more than glad to do, and beginning last Thursday night, within five minutes of the e-mail being sent out to the community, people were at National City Bank making donations. Mr. Anderson was very moved by what the citizens of Springboro did for the Pons Family. The next day, Friday, was very overwhelming for everyone at the bank from the minute they opened until the minute they closed people were making donations. Abigail Pons' soccer team came into the bank to make a donation, and the bank received calls from Hawaii, Columbus, and from all over the country, and needless to say there was not a dry eye in the place. Mr. Anderson commented that it was amazing that he could witness this effort and that the community could come together for this family. Mr. Anderson further commented that, as Mayor Agenbroad stated earlier, this is a great community to live in and it made him so proud. Mr. Anderson added that the donation account is still open and even today they received substantial donations. The account will remain open for a while until the family closes it down. Mr. Anderson also added that the little boy is still in the hospital and is doing much better, but there will be a lot of expenses for this family. Finally, Mr. Anderson stated that the number of people in this community and surrounding communities that came forward to help is very overwhelming and emotional, and he would like to say thank you to the community and to everybody for helping this family.

ITEM 10. GUEST COMMENTS. 1) Linda Butcher, Springboro – Ms. Butcher's comments are condensed as follows: Ms. Butcher has lived in Springboro since she was three years old, and she is overwhelmed and happy to see the community support for the Pons Family. Ms. Butcher does not want the Pons Family deaths to be in vain, and she believes that the intersection where the accident occurred (SR741 and Pennyroyal Road) could still be hazardous. Ms. Butcher would like to see the City or the appropriate entity evaluate that intersection and make it safer.

Mayor Agenbroad thanked Ms. Butcher for her comments and for bringing her concerns to the City's attention, which

will be duly noted for the record.

2) Donna Mayforth, 7489 Old Woods Court, Clearcreek Township, Clearcreek Township – Ms. Mayforth's comments are condensed as follows: Ms. Mayforth is disappointed in Council's decision to approve the rezoning at SR73 and Red Lion-Five Points Road. (Legislative Agenda Item 1). Ms. Mayforth is concerned about the safety of the intersection and the potential for increased traffic accidents at the intersection with the development of businesses. Ms. Mayforth stated that the developer, Bob Abernathy, does not represent their community, and they had a lot of problems with him when the subdivision was turned over to the Homeowners Association. Ms. Mayforth asked City Council to please pay attention to what is developed at that site and to traffic concerns.

3) Irwin Kahn, 7721 Woodbridge Court, Stone Ridge, Clearcreek Township – Mr. Kahn's comments are condensed as follows: Mr. Kahn's concerns are the same as Ms. Mayforth's, the hazard of the intersection at SR73 and Red Lion-Five Points Road. Mr. Kahn commented that, based on his experience, that intersection is dangerous without commercial development there. Mr. Kahn is also concerned about the potential for a 24-hour gas station that would sell alcohol and the effects it would have on the surrounding residential subdivisions and the potential for crime. Mr. Kahn added that there will be homes directly facing or adjacent to the commercial development, which will impact the value of their homes and the rural atmosphere. Mr. Kahn also commented that Springboro is a wonderful community and believed the City Council to be quite professional based on his experience. Finally, Mr. Kahn understands that ODOT has been contacted and realizes that there are no plans to install a traffic light at that intersection for at least five years or longer, and again, he is concerned about the traffic issues at the intersection.

Ms. Thompson stated that, the timeframe Mr. Kahn referred to is accurate if the State is asked to pay for the traffic light. Ms. Thompson explained that the City has asked the County to get involved by doing a warrant study, and they have informed her that they have begun the study. Ms. Thompson further explained that there are other ways to pay for the signalization that does not involve the State, and as the Law Director stated at the Work Session earlier this evening, there are 150 other cities requesting traffic signals as well. Ms. Thompson stated that it would probably take five years before ODOT would pay for the signalization, but local dollars could be used, but that would have to be an effort between Warren County, the City of Springboro, and Clearcreek Township. Ms. Thompson further stated that the City has pledged their effort toward signalization at that intersection, but it is not in the City's jurisdiction or in its authority make that decision.

Mr. Kahn reiterated that he is concerned with the potential for traffic accidents at that intersection and the stigma of having commercial development that close to an intersection that already has a traffic problem. Mr. Kahn is also concerned with the ingress/egress issues associated with a business like a gas station.

4) Brian Mayforth, 7489 Old Woods Court, Clearcreek Township – Mr. Mayforth's comments are condensed as follows: Mr. Mayforth is concerned with the distance between a traffic light and the entrance to the subdivisions at the intersection of SR73 and Red Lion-Five Points Road, which would cause the traffic to line up to the point of entrance. Mr. Mayforth stated that when he bought his home he checked the surrounding zoning and found one very small tract of land zoned for business and assumed he would be in a mainly residential neighborhood. Mr. Mayforth is concerned about the potential uses for the business site, such as a dry cleaner, next to the residents, and does not know how it would benefit the residents of Springboro. Mr. Mayforth does not want to see east SR73 develop in the same way that west SR73 developed, as it would cause the same traffic congestion and back ups experience along the current business route on west SR73. Mr. Mayforth thanked Council Member Parise for his vote of "No" on the rezoning of the 4.69 acres at SR73 and Red Lion-Five Points Road (Legislative Agenda Item 1), because he believes it is a mistake.

5) Doug Ambach, 7473 Old Woods Court, Stone Ridge, Clearcreek Township – Mr. Ambach's comments are condensed as follows: Mr. Ambach is very disappointed in Council's decision to approve the rezoning at SR73 and Red Lion-Five Points Road (Legislative Agenda Item 1). Mr. Ambach stated that it was not just the issue of a traffic light being installed at that intersection; the whole road will have to be lowered because there is not enough distance for traffic to stop to meet that intersection with a traffic light. Mr. Ambach further stated that all of the infrastructure underneath the road would have to be moved in addition to installing the light involving major road construction. Mr. Ambach added that, that intersection is very dangerous, and it will be much more costly and involved than simply installing a traffic light to address the safety issues. Mr. Ambach also agrees with the other speakers regarding the safety issues associated with bringing businesses to the site, such as the potential for crime. Mr. Ambach was astonished that the City Council approved this rezoning without facts or data or without revisiting this

rezoning once a traffic light is installed or funding has been made to reconstruct the road and install a traffic light. Mr. Ambach stated that he has enjoyed the last three City Council meetings, and it has been enjoyable talking to several of the City Council Members one-on-one. Mr. Ambach finally stated that City Council does a nice job, and they are very professional.

6) Dave Schmiesing, 818 Valley View Point, Clearcreek Township – Mr. Schmiesing comments are condensed as follows: Mr. Schmiesing stated that he will be able to see what is built on the commercial site at SR73 and Red Lion-Five Points Road from his patio. Mr. Schmiesing further stated that he would appreciate it, if City Council and everyone involved would look carefully at what is developed at that site. Mr. Schmiesing commented that everyone will capitalize from this development, except the homeowners, and there is no doubt that the homeowners will lose value on their property if the wrong type of businesses is developed at that site, and it will be significant value loss. Mr. Schmiesing again asked City Council to please consider what types of businesses are developed at that site.

7) Sandra Cherry, 7496 Stoneridge Drive, Clearcreek Township – Ms. Cherry's comments are condensed as follows: Ms. Cherry travels SR73 through the Red Lion-Five Points Road intersection everyday, multiple times. Ms. Cherry explained that last winter she observed traffic going east on SR73 was stopped because they could not get up the hill. There were trucks and cars off the road, and it was very dangerous. The cars traveling from the opposite direction had nowhere to go. Ms. Cherry concurs with the past speakers that, it is a very dangerous intersection and any business developed there will create more traffic problems. Ms. Cherry is more concerned about the plan for SR 73 once the business is developed at that site. Ms. Cherry questioned whether that whole strip fronting SR73 would become a business area, and if the property owners adjacent to the commercial site would request that their property be rezoned to business. Ms. Cherry stated that most people attending this meeting either moved to Springboro or stayed in Springboro because of the atmosphere here, and they did not build their homes in this area to have businesses built on top of them.

8) Susie Mikaloff, 7472 Stoneridge Drive, Clearcreek Township – Ms. Mikaloff's comments are condensed as follows: Ms. Mikaloff asked if each of the City Council Members who voted "Yes" to the rezoning at SR73 and Red Lion-Five Points Road (Legislative Agenda Item 1) would have placed themselves living in the Stoneridge Subdivision, would they have voted "Yes." Would those City Council Members have voted "Yes" if their house were in that area and they would be directly affected by the rezoning?

9) John Cole, 812 Valley View Point, Clearcreek Township – Mr. Cole's comments are condensed as follows: Mr. Cole stated that he believes that developing a commercial site surrounded by residential will hurt the developer because no one will want to look out onto a gas station or other commercial development, and the developer has other new homes and lots on the opposite side of the road to sell. Also, Mr. Cole stated that if one is traveling on SR73 in the morning when the sun is at the horizon, they could not see anything because that sun is directly in their eyes. Mr. Cole added that those houses across the street by the ponds will be buffered by residential lots, but once those vacant lots are sold those residents will have to look at the commercial development.

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. Hruska motioned to adjourn the meeting; whereby, the Thursday, April 19, 2007 Springboro City Council Regular Meeting was adjourned at approximately 8:10 PM. Ms. Lairson seconded the motion.

No discussion.

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

The CITY of SPRINGBORO Ohio CITY COUNCIL MINUTES · SEPTEMBER 21, 2006

John Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council