

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

CITY COUNCIL WORK SESSION

THURSDAY, DECEMBER 17, 2009

6:00 PM

COUNCIL

John Agenbroad, Mayor

Jim Chmiel, Deputy Mayor

Scott Anderson

Marie Belpulsi

Tom LaDu

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

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Work Session to order on Thursday, December 17, 2009 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Ave., Springboro, Ohio.

ITEM 2. ATTENDANCE. All present.

ITEM 3. LEGISLATIVE AGENDA. – Seven legislative agenda items were reviewed for the December 17 City Council Regular Meeting as follows:

- 1) ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, AND REZONING 6.29 ACRES OF LAND ON LYTLE-FIVE POINTS ROAD, BEARING SIDWELL NO. 04181010060, FROM O-R, OFFICE-RESIDENTIAL DISTRICT, TO PUD-B, PLANNED UNIT DEVELOPMENT-BUSINESS.

This ordinance to rezone certain property on Lytle-Five Points Road is the topic of the public hearing to be held at the beginning of tonight's Regular Meeting.

- 2) 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. (YEAR END)

The Finance Director has requested that Council waive the second and third readings of legislative items 2 and 3 in order to properly appropriate funds for expenditure. There were no objections to this request.

- 3) ORDINANCE: FIRST READING.** AN ORDINANCE MAKING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SPRINGBORO FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2010, AND DECLARING AN EMERGENCY.

No discussion.

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MUNICIPAL & CONTRACTORS SEALING PRODUCTS TO COMPLETE THE RE-SEALING OF THE WATER TREATMENT PLANT CLEAR WELL ROOF.

Mr. LaDu inquired regarding the significant range of bids received for this contract. Ms. Thompson explained that the bids ranged from \$58,500 to \$132,355. Ms. Thompson further explained that staff has thoroughly checked the references for the low bidder, and of course, the work will be bonded.

Ms. Lairson asked if there is a difference in the bidders' warranties for the work. Ms. Thompson replied no, all specifications are the same.

- 5) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RHULE EXCAVATING INC. FOR THE CONSTRUCTION OF "SOUTH MAIN STREET SIDEWALK IMPROVEMENTS, PHASE 1."

Ms. Thompson reminded Council that this project is part of the coordinated effort to extend the sidewalk on the east side of SR741 all the way south. This contract represents the first phase of the project.

- 6) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CDA CONSTRUCTION GROUP, INC. TO COMPLETE THE COUNTRYSIDE LANE IMPROVEMENT PROJECT

No discussion.

- 7) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH J. K. MEURER CORP. TO COMPLETE THE WEST FACTORY ROAD IMPROVEMENT PROJECT, PHASE 1.

No discussion.

ITEM 4. CITY MANAGER.

- Issues/Reports.

Austin Interchange Update: Ms. Thompson referred to the memo she distributed from the Ohio Department of Transportation (ODOT) concerning the status of the Austin Interchange Project. (ODOT memo attached for reference.) Ms. Thompson commented that the project has gone well for the contractor and they are now projecting that the ramps and interchange will be open two months earlier than anticipated in June of 2010. As of December 14, all of the truck traffic on Pennyroyal Road has been routed over the Austin Bridge, which is complete enough for construction traffic. Ms. Thompson further commented that all of the jurisdictions involved elected not to open the Austin Bridge to the public because there is no signalization on SR741, but they did feel it would be appropriate to use the bridge for the dump truck activity serving the northeast quadrant of the interchange development. Ms. Thompson explained that the trucks were taking dirt from the southwest quadrant where they are working on retention for that side of the highway and hauling it to the northeast quadrant for the RG Properties development, which was damaging Pennyroyal Road and bridge. Ms. Thompson pointed out that the memo references repairs to the pavement, potholes, and deterioration on Pennyroyal Road Bridge, which is encouraging because it appears that ODOT is conscious of the local conditions and well aware of the City's issues concerning the use of Pennyroyal Road and bridge for truck traffic and plans to address them.

Council "Meet and Greet" with Department Heads: Ms. Thompson suggested that Department Heads have a brief "meet and greet" with Council at the second Work Session in January for an opportunity to introduce the new City Council Members to the Department Heads. Council will plan on a "meet and greet" with Department Heads at the beginning of the January 21 Work Session.

In addition, Ms. Thompson wished everyone a happy holiday and the best of luck to the departing Council Members commenting that she has enjoyed working with them over the past four years.

Mr. Pozzuto also wished everyone a Merry Christmas and Happy New Year.

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

Calendar Update: The Christmas Holiday will be observed Thursday, December 24 and Friday, December 25; whereby, the City Offices will be closed. Also, the City Offices will be closed on Friday, January 1 to observe New Year's Day.

Committee Appointments for 2010: Ms. Martin referred to the packet of information that Council received regarding committee appointments for 2010 commenting that appointments are typically discussed followed by action sometime in January.

Community Room Policy: (Policy and Reservation Form attached for reference.) Ms. Martin asked Council for any input or comments regarding the Community Room Policy and Reservation Form before finalizing the documents for distribution. Ms. Martin commented that there are a number of groups interested in reserving the room in January and February, and she would like to be able to send them the information as soon as possible.

Ms. Belpulsi asked what the thought process was behind scheduling groups in the Community Room on the same nights that the City's boards and commissions meet in the Council Chambers. Ms. Thompson explained that the reasoning behind that decision was to make the room as available as possible to the community. Ms. Thompson further explained that she, Mr. Pozzuto, and Ms. Martin looked at a number of policies used by local governments in the region and tried to incorporate the best practices into the City's policy. Ms. Thompson explained that disruptions to City activities and operations are addressed in the policy; however, staff does control the schedule. If, for example, a group requests the room on a Wednesday at 7:00 PM, which is the same time that Planning Commission meets in Council Chambers, staff would then make a determination based on the group use and size whether or not the group could be accommodated on that night.

Ms. Belpulsi commented that the policy was very well done and staff should address issues concerning the use of the Community Room as they arise.

Ms. Thompson stated that staff was very conscious of the potential for disruptions during monthly committee meetings and will keep that in mind when scheduling the room.

Mr. LaDu suggested some type of freestanding temporary signage directing groups to the Community Room or Council Chambers respectively.

Ms. Thompson explained that signs have been ordered, which will define the Community Room and Council Chambers. The signs will have an 8.5X11 opening that staff can use to slide a sign in place, which would identify groups that have reserved the Community Room, e.g. BSA Troop 50.

Ms. Martin also commented that all Community Room reservations will be handled through the Customer Service Desk. Customer Service Manager Lois Boytim will handle Community Room inquiries and track scheduling for the room.

Census 2010: Ms. Martin commented that Marty Heide will present a report from the Congressional Office at tonight's Regular Meeting. Ms. Heide will comment on the upcoming census during her report. In regard to the 2010 Census, Ms. Martin commented that she attended the Complete Count Committee for Warren County two weeks ago and they discussed ways to communicate with residents regarding the importance of completing the 2010 census form, for example, through information posted on the City's website and in the City's newsletter. There are also opportunities for the City to provide space for certain census operations between now and April. Ms. Martin also mentioned that Ohio is predicted to lose two U.S. Congressional seats in this census; however, Ms. Heide would touch on a lot of this information during her presentation.

ITEM 6. CITY COUNCIL. – Issues/Reports.

Mr. LaDu – Mr. LaDu wished everyone a Merry Christmas and a Happy New Year.

Mr. Parise – Mr. Parise reminded Council that he has prepared a closing statement, which he will make at the end of tonight's Regular Meeting. Also, Mr. Parise addressed Mr. Pozzuto regarding the major tree planting along the area at the park where people drive over the grass during soccer season and run the road down. Mr. Parise stated that his suggestion was to fence it off to keep cars from driving on the grass, but the way it is laid out now with the trees is really nice; staff did a good job. Mr. Parise's comments will be passed on to Assistant Public Works Director Vince Murphy.

Ms. Lairson – No issues/reports.

Mr. Anderson – Mr. Anderson commented that he has enjoyed being on Council for the last four years and, although everyone did not see eye-to-eye, overall Council has done some great things for the City including the new city building, improving efficiency at Heatherwoode, and adding parks among many other things. Mr. Anderson further commented that he has grown a lot in the last four years and learned a lot and he really appreciates sitting on Council. Mr. Anderson added that he looks forward to his future endeavors and hopefully will still be communicating with Council. Finally, Mr. Anderson commented that he had some great memories on Council and he wanted to say thank you to everybody.

Ms. Belpulsi – No issues/reports.

Mr. Chmiel – Mr. Chmiel will present a Planning Commission report at tonight's Regular Meeting under Committee Reports. Mr. Chmiel also wished everyone a Merry Christmas.

Mayor Agenbroad – No issues/reports.

At this time, Mayor Agenbroad requested an Executive Session to consider the compensation of a public employee.

Ms. Belpulsi motioned to enter Executive Session under R.C.121.22(G) to consider the compensation of a public employee. Mr. Anderson seconded the motion.

No discussion.

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

Executive Session: At approximately 6:21 PM, City Council entered Executive Session to consider the compensation of a public employee.

With no objections, City Council exited Executive Session at approximately 6:56 PM, whereby no votes were taken.

ITEM 7. ADJOURNMENT. With no further discussion, Mayor Agenbroad adjourned the December 17, 2009 City Council Work Session at approximately 6:56 PM.

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

CITY COUNCIL REGULAR MEETING

THURSDAY, DECEMBER 17, 2009
(RESCHEDULED FROM DECEMBER 3)

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

Alan Schaeffer, Law Director

Lori Martin, Clerk of Council

- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, December 17, 2009 (RESCHEDULED FROM DECEMBER 3) at 7:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.
- ITEM 2. PLEDGE OF ALLEGIANCE.** Mayor Agenbroad led the Pledge of Allegiance.
- ITEM 3. ROLL CALL.** Agenbroad, Present; Anderson, Present; Belpulsi, Present; Chmiel, Present; LaDu, Present; Lairson, Present; Parise, Present.
- ITEM 4. APPROVAL OF MINUTES:** No minutes were submitted for approval.
- ITEM 5. PRESENTATIONS:** No presentations were made.
- ITEM 6. LEGISLATION:** No legislation was submitted for consideration.
- ITEM 7. REPORTS:** **Mayor's Report.** No report.
 City Manager's Report. No report.
 Committee Reports. No reports.
- ITEM 8. OTHER BUSINESS.** No other business.
- ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS.** No final Council or Manager comments.
- ITEM 10. GUEST COMMENTS.** At this time, Mayor Agenbroad invited guests to comment. No guest comments.
- ITEM 11. EXECUTIVE SESSION.** No Executive Session.

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

Ms. Belpulsi motioned to adjourn the meeting; whereby, the Thursday, December 17, 2009 (RESCHEDULED FROM DECEMBER 3) Springboro City Council Regular Meeting was adjourned at approximately 7:02 PM. Mr. Chmiel seconded the motion.

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

—MEETING ADJOURNED—

John H. Agenbroad

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council

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

CITY COUNCIL REGULAR MEETING

THURSDAY, DECEMBER 17, 2009

7:00 PM

PUBLIC HEARING

A PUBLIC HEARING WAS HELD BEFORE THE CITY COUNCIL OF THE CITY OF SPRINGBORO, OHIO AT 7:00 P.M. ON THURSDAY, DECEMBER 17, 2009 TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO. THE PUBLIC HEARING WILL TAKE PLACE IN COUNCIL CHAMBERS AT THE CITY OF SPRINGBORO MUNICIPAL BUILDING, 320 WEST CENTRAL AVENUE (SR 73), SPRINGBORO, OH.

PUBLIC HEARING: THIS PUBLIC HEARING WAS IN REGARDS TO A RECOMMENDATION FROM THE SPRINGBORO PLANNING COMMISSION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO AND REZONE APPROXIMATELY 6.29 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF LYTLE-FIVE POINTS ROAD, SITUATED APPROXIMATELY 500 FEET EAST OF THE INTERSECTION OF NORTH MAIN STREET (SR 741) AND LYTLE-FIVE POINTS ROAD AND BEARING SIDWELL NO. 04081010060, FROM O-R, OFFICE-RESIDENTIAL DISTRICT, TO PUD-B, PLANNED UNIT DEVELOPMENT-BUSINESS.

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

CITY PLANNING CONSULTANT DAN BORON PROVIDED BACKGROUND INFORMATION REGARDING THE PUBLIC HEARING AS FOLLOWS: THIS REQUEST TO REZONE CERTAIN LAND LOCATED ON LYTLE FIVE POINTS ROAD IS THE TOPIC OF THIS PUBLIC HEARING AND THE FIRST READING OF AN ORDINANCE TO REZONE THE PROPERTY ON TONIGHT'S REGULAR AGENDA. THE PROPERTY IS A 6.29-ACRE SITE, WHICH IS LOCATED ON THE SOUTH SIDE OF LYTLE-FIVE POINTS ROAD 500 FEET EAST OF THE INTERSECTION OF LYTLE-FIVE POINTS ROAD AND THE INTERSECTION OF NORTH MAIN STREET (SR741). THIS PROPERTY HAS DIRECT FRONTAGE ONTO LYTLE-FIVE POINTS ROAD. PRESENTLY, THE PROPERTY IS VACANT; KEY BANK AND OTHER PROPERTIES ARE LOCATED JUST TO THE WEST OF IT. THE PROPERTY IS CURRENTLY ZONED O-R, OFFICE RESIDENTIAL; THE REQUESTED REZONING IS PUD-B, PLANNED UNIT DEVELOPMENT BUSINESS. AS PART OF THE APPLICATION FOR REZONING THE APPLICANT HAS REQUESTED FIVE USES IDENTIFIED IN THE B-2 BUSINESS DISTRICT, WHICH INCLUDE BUSINESS AND PROFESSIONAL OFFICE, BANKS AND INSTITUTIONS, GREENHOUSE GARDEN CENTERS AND FARM MARKETS, MEDICAL CARE FACILITIES AND OFFICES, ANIMAL HOSPITALS, SCHOOLS, AND DAYCARE CENTERS. THE PROPOSED REZONING IS CONSISTENT WITH THE LAND USE PLAN FOR THE CITY OF SPRINGBORO ADOPTED EARLIER THIS YEAR. SPECIFICALLY, POLICY AREA #3, WHICH COVERS A LARGE AREA OUTSIDE OF THIS SITE ENCOMPASSING SETTLERS WALK AND PROPERTY TO THE NORTH AND WEST. THE GENERAL PLAN WAS ALSO REVIEWED AT THE DECEMBER 16 PLANNING COMMISSION MEETING, WHICH IS THE SECOND PART OF PHASE ONE OF THE THREE-PHASE PLANNED UNIT DEVELOPMENT PROCESS. TOGETHER THOSE TWO STEPS ARE THE FIRST STEP IN THE THREE PHASE PUD PROCESS. IT IS ANTICIPATED THAT THE GENERAL PLAN FOR THIS SITE WILL BE CONSIDERED BY THE PLANNING COMMISSION AT THE JANUARY 27 PLANNING COMMISSION MEETING FOR A FORMAL RECOMMENDATION. THE FINAL DEVELOPMENT PLAN AND RECORD PLAN WILL FOLLOW THE APPROVAL OF THE RESOLUTION FOR THE GENERAL PLAN, AS REQUIRED. THE LAST PAGE OF THE HANDOUT INDICATES THE GENERAL LOCATION OF THE SITE, MARKED IN LIGHT BLUE, AGAIN, LOCATED ON THE SOUTH SIDE OF LYTLE-FIVE POINTS ROAD BETWEEN A RESIDENTIAL AREA THAT IS PARTIALLY IN THE CITY AND ALSO IN THE TOWNSHIP AND COMMERCIAL AREAS TO THE NORTH AND

NORTHWEST. MR. BORON CONCLUDED HIS COMMENTS BY OFFERING TO ANSWER ANY QUESTIONS THAT COUNCIL MAY HAVE. THERE WERE NO QUESTIONS OF COUNCIL.

PROPOSERS:

1) SKIP SHAFER, CSFIVEPOINTS REPRESENTATIVE, DEVELOPER/OWNER OF THE PROPERTY – MR. SHAFER COMMENTED AS FOLLOWS: MR. SHAFER IS SEEKING THE CITY'S PERMISSION TO REZONE THE PROPERTY FROM THE CURRENT O-R ZONING TO PUD-B ZONING. THIS ZONING IS BEING REQUESTED TO ALLOW TWO ADDITIONAL USES THAT ARE NOT CURRENTLY IN THE O-R DISTRICT, A FINANCIAL INSTITUTION AND A DAYCARE. THIS WHOLE PROCESS STARTED A YEAR AGO WHEN THE PROPERTY OWNER HAD AN INTERESTED PARTY WHO WANTED TO DEVELOP A DAYCARE OPERATION. UNDER THE CURRENT O-R ZONING DISTRICT SCHOOLS ARE ALLOWED, BUT THERE IS NOT A CLASSIFICATION FOR DAYCARE CENTERS. IN WORKING WITH STAFF, IT WAS DETERMINED THAT THE BEST COURSE TO FOLLOW TO ALLOW THAT PARTICULAR USE ON THE PROPERTY WOULD BE TO REZONE THE PROPERTY FROM ITS CURRENT ZONING TO PLANNED UNIT DEVELOPMENT-BUSINESS. THEY HAVE ASKED FOR ONE ADDITIONAL USAGE, WHICH WOULD BE THAT FINANCIAL INSTITUTIONS WOULD BE ALLOWED IN THAT CATEGORY. OTHER THAN THOSE PARTICULAR TWO USES, THEY ARE NOT ASKING FOR ANY ADDITIONAL USES FOR THAT CATEGORY, ARE NOT ASKING TO CHANGE ANY OTHER REGULATIONS CURRENTLY INCLUDED IN THE O-R DISTRICT, AND ARE WILLING TO COMPLY WITH ALL OTHER REQUIREMENTS THAT ARE CURRENTLY ALLOWED IN THAT PARTICULAR CATEGORY.

MAYOR AGENBROAD ASKED IF THERE WERE ANY QUESTIONS OR COMMENTS OF COUNCIL. THERE WERE NO QUESTIONS OR COMMENTS OF COUNCIL.

MAYOR AGENBROAD THANKED MR. SHAFER FOR HIS COMMENTS.

OPPOSERS:

1) C. J. "BUD" HUNTER, 1859 W. TAMARRON COURT, CLEARCREEK TOWNSHIP – MR. HUNTER'S COMMENTS ARE AS FOLLOWS: MR. HUNTER STATED THAT HE WAS STRONGLY OPPOSED TO THIS ZONING CHANGE. MR. HUNTER REFERRED TO AND READ A SENTENCE FROM THE LETTER THE CITY MANAGER WROTE IN 1999 WHEN THEY CHANGED THE ZONING FOR THIS PROPERTY AND IF THIS ZONING CHANGE IS MADE IT WOULD BE THE THIRD CHANGE IN RECENT YEARS. ACCORDING TO THE LETTER, THE CITY HAS GONE THROUGH YEARS OF PLANNING AND CONSULTED MANY PLANNING EXPERTS TO GET TO THE CURRENT PROPOSED LEGISLATION. IN THE SAME LETTER IT STATES THAT IT IS THE CITY'S VIEW POINT THAT MANY AREAS ARE SUFFERING FROM RETAIL SPRAWL DUE TO THE LACK OF THE PROPER ZONING. IF YOU LOOK AT SECTION 1264 DESCRIBING THE OFFICE-RESIDENTIAL (O-R) DISTRICT THE PURPOSE OF THE O-R DISTRICT IS TO PROVIDE AN AREA IN WHICH MATURE RESIDENTIAL AREAS CAN COALESCE WITH A TRANSITIONAL AREA FOR BUSINESSES. IN OTHER WORDS, THAT AREA WOULD BE USED TO HAVE PATIO HOMES, CONDOS, OR SMALL NUMBER OF OFFICE BUILDINGS I.E. BUSINESSES THAT DO NOT GENERATE OR CREATE TRAFFIC OR NOISE OR ARE A DETRIMENT TO THE ADJOINING PROPERTIES. A BANK WITH A DRIVE THROUGH OR A CHILDCARE CENTER WITH CLOSE TO 100 TO 125 CHILDREN AT THAT CENTER AT PEAK TRAFFIC TIME WOULD GENERATE 100-200 CARS COMING THROUGH THAT INTERSECTION JUST SOUTH OF SR741 ALMOST ACROSS FROM THE DOROTHY LANE EXIT. PEOPLE LIVING IN SETTLERS WALK OR WOODLAND GREENS KNOW IT IS A CHALLENGE TURNING ONTO LITTLE-FIVE POINTS ROAD DURING RUSH HOUR. IF A BANK OR CHILDCARE CENTER IS DEVELOPED THERE IT WILL BECOME A MAJOR ISSUE OF TRAFFIC IN THAT AREA. MR. HUNTER ASKED WHY THE CITY IS GOING TO CHANGE THE ZONING NOW. CHANGING THE ZONING TO PUD-B IS GOING TO NEGATIVELY IMPACT WOODLAND GREENS, SETTLERS WALK, AND THE CITY IN GENERAL BASED ON HIS PREVIOUS COMMENTS. A FLYER FROM A REAL ESTATE COMPANY PROMOTING THE PROPERTY SOME TIME AGO STATED THAT CITY OF SPRINGBORO HAS AGREED TO MEDIUM DENSITY RESIDENTIAL DEVELOPMENT, PATIO HOMES, CONDOMINIUMS, ETC. AND THAT IS QUITE A CONTRAST FROM WHAT IS BEING REQUESTED THROUGH THE PUD-B ZONING. TO DESCRIBE THE SITE, THE REALTOR STATED THAT IT IS A PRIVATE DEVELOPMENT AREA FOR PATIO HOMES CONDOMINIUMS, ETC. THEY ARE LOOKING FOR A TRANSITION AREA ON THE OTHER SIDE OF THE PROPERTY OR TO THE WEST SIDE OF THAT PROPERTY THERE IS A NATURAL BUFFER. THIS PROPERTY ABUTS A NUMBER OF DRIVEWAYS TO THE ADJACENT DEVELOPMENT OF WOODLAND GREENS. IT IS

TOTALLY INAPPROPRIATE TO HAVE COMMERCIAL PROPERTY ABUT PRIVATE DRIVEWAYS. AND, THE PLAN IS REALLY GOING TO IMPACT THE PROPERTY VALUES OF THAT AREA AND OBVIOUSLY WE DO NOT NEED THAT IS THIS ECONOMY. THE DEVELOPER WHO BOUGHT THE PROPERTY IN 2005 KNEW WHAT THE ZONING WAS AT THAT TIME. HE MADE THE INVESTMENT, WHICH IS SIGNIFICANT INVESTMENT AND OBVIOUSLY HE WANTS A RETURN ON THE INVESTMENT, BUT YOU DO NOT WANT TO NEGATIVELY IMPACT THE PEOPLE THAT HAVE BEEN THERE FOR SOME TIME EXPECTING THE ZONING TO STAY THE SAME AS O-R. NOW THE CITY IS GOING TO CHANGE THE ZONING TO PUD-B FOR ONE INDIVIDUAL OR ONE COMPANY AND MR. HUNTER THINKS THAT IS TOTALLY INAPPROPRIATE. AGAIN, ON BEHALF OF HIMSELF AND OTHERS, MR. HUNTER STRONGLY OPPOSES ANY CHANGES TO THE ZONING.

MAYOR AGENBROAD THANKED MR. HUNTER FOR HIS COMMENTS.

2) PAUL VANMALDEGHEM, 1860 W. TAMARRON COURT, CLEARCREEK TOWNSHIP – MR. VANMALDEGHEM'S COMMENTS ARE AS FOLLOWS: MR. VANMALDEGHEM LIVES NEXT DOOR TO MR. HUNTER THE PREVIOUS OPPONENT. MR. VANMALDEGHEM IS AN ACTIVE DUTY AIR FORCE ATTORNEY AND MOVED TO HIS RESIDENCE IN 2003 A LITTLE BEFORE THE CURRENT DEVELOPER PURCHASED THE PROPERTY. HE LOOKED VERY CAREFULLY AT THAT ADJACENT PROPERTY BEFORE HE BOUGHT HIS HOUSE THERE KNOWING THAT IT COULD POSSIBLY BE DEVELOPED. HE LOOKED AT WHAT THE POTENTIAL USES WERE AS O-R AND THOUGHT IT WAS ACCEPTABLE KNOWING THAT ONLY A CERTAIN SIZE OFFICE PARK COULD BE LOCATED THERE OR RESIDENTIAL PROPERTY ALSO. MR. VANMALDEGHEM, LIKE HIS NEIGHBOR AND OTHERS IN HIS NEIGHBORHOOD, IS OPPOSED TO ANY CHANGE TO THE ZONING. THEY PURCHASED THEIR PROPERTIES BASED ON THE CURRENT ZONING AND HAVE A NUMBER OF CONCERNS WITH THE PLANNED USE. HE IS CERTAINLY AWARE THAT THE DEVELOPER HAS HIS OWN PROPERTY RIGHTS, BUT HE PURCHASED THE PROPERTY UNDER THE CURRENT ZONING LAWS. WE ARE CERTAINLY WILLING TO DISCUSS VARIOUS ALTERNATIVES FOR THAT PROPERTY WITH THE DEVELOPER THAT WOULD BE COMPATIBLE WITH THEIR USES ALSO. WE HAVE CONCERNS WITH DEVALUATION OF OUR PROPERTIES, THE INCREASED TRAFFIC THAT WOULD RESULT THERE. WITH THE PUD-B THAT IS ACROSS THE ROAD FROM LYTTLE-FIVE POINTS ROAD ADJACENT TO SETTLERS WALK, THERE IS A BUFFER AND THERE ARE NO PARKING LOTS OR BUILDINGS TEN FEET FROM RESIDENTIAL PROPERTY LINES. WITH THE PROPOSED PLAN THAT HE HAS SEEN FOR THE PROPERTY UNDER CONSIDERATION HE WOULD HAVE, OUTSIDE OF HIS BEDROOM WINDOW TEN OR FIFTEEN FEET AWAY, EITHER ANOTHER OFFICE BUILDING OR PARKING LOT RIGHT DOWN HIS PROPERTY LINE WITH THE CURRENT TREES GONE AND THERE WOULD BE NO BUFFER WHATSOEVER BETWEEN HIS PROPERTY AND THE DEVELOPMENT. HE HAS A NUMBER OF CONCERNS THAT THERE IS NO BUFFER, INCREASED TRAFFIC, AND THE OTHER POTENTIAL USES. THERE IS ONE PLAN RIGHT NOW, BUT ONCE THE ZONING IS CHANGED WHO KNOWS WHAT WOULD HAPPEN IN THE FUTURE, OTHER RESTAURANTS AND OTHER RETAIL ARE ALLOWED UNDER THE PUD PLAN AND THEY CERTAINLY WOULD BE OPPOSED TO ANYTHING LIKE THAT. THEY ARE CONCERNED ABOUT OTHER POTENTIAL SAFETY AND SECURITY ISSUES THAT MIGHT ARISE AND OTHER NUISANCE ISSUES SUCH AS LARGE HVAC UNITS TEN TO FIFTEEN FEET FROM HIS BEDROOM WINDOW, TRAFFIC NOISE, ETC. ON BEHALF OF HIS FAMILY AND HIS NEIGHBORS, MR. VANMALDEGHEM IS STRONGLY OPPOSED TO THIS REZONING AND REITERATES MANY OF THE COMMENTS MR. HUNTER MADE.

MAYOR AGENBROAD THANKED MR. VANMALDEGHEM FOR HIS COMMENTS.

MAYOR AGENBROAD STATED THAT ONLY THE FIRST READING OF THE ORDINANCE TO REZONE THE PROPERTY WOULD BE ON TONIGHT'S REGULAR MEETING AGENDA; NO ACTION WOULD BE TAKEN TONIGHT. A SECOND READING WILL OCCUR AT THE JANUARY 7 CITY COUNCIL REGULAR MEETING. AND, THE EARLIEST THE ORDINANCE WOULD BE ADOPTED WOULD BE AT THE THIRD READING AT THE JANUARY 21 CITY COUNCIL REGULAR MEETING. COUNCIL, AS WELL AS STAFF, WILL CONSIDER THE COMMENTS MADE AT THE PUBLIC HEARING THIS EVENING, AND AGAIN, THE SECOND READING WILL OCCUR ON JANUARY 7. MAYOR AGENBROAD STATED THAT HE APPRECIATED THE PARTICIPANTS ATTENDING THE MEETING.

MAYOR AGENBROAD CLOSED THE PUBLIC HEARING AT APPROXIMATELY 7:15 PM.

END PUBLIC HEARING

BEGIN REGULAR ORDER OF BUSINESS

- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, December 17, 2009 at 7:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.
- ITEM 2. PLEDGE OF ALLEGIANCE.** The Pledge of Allegiance was previously observed at the first Regular Meeting.
- ITEM 3. ROLL CALL.** Agenbroad, Present; Anderson, Present; Belpulsi, Present; Chmiel, Present; LaDu, Present; Lairson, Present; Parise, Present.
- ITEM 4. APPROVAL OF MINUTES:** THE MINUTES OF THE CITY COUNCIL SPECIAL MEETING OF NOVEMBER 17, 2009 AND THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF NOVEMBER 19, 2009.

Ms. Belpulsi motioned to approve the minutes of the City Council Special Meeting of November 17, 2009 and the City Council Work Session and Regular Meeting of November 19, 2009 as submitted by the Clerk of Council. Mr. Anderson seconded the motion.

No corrections.

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

ITEM 5. PRESENTATIONS: NEWLY APPOINTED POLICE OFFICER JEFF STRADER TOOK THE OATH OF OFFICE AND WAS SWORN IN TO SERVE THE CITY OF SPRINGBORO POLICE DEPARTMENT.

Chief Kruihoff briefly introduced newly appointed Police Officer Jeff Strader and commented on his background and experience. Chief Kruihoff then asked Officer Strader to come forward to take the Oath of Office and be sworn in as a police officer under the provisions of the Ohio Revised Code to serve the City of Springboro Police Department. Mayor Agenbroad administered the Oath of Office and Jeff Strader was sworn in as a City of Springboro Police Officer. Mayor Agenbroad congratulated and welcomed Officer Strader to the City's Police Department. Officer Strader's wife pinned his badge to his uniform. City Council congratulated Officer Strader with a handshake. (A copy of Officer Jeff Strader's Oath of Office will be filed with the minutes for the record.)

CITY COUNCIL MEMBERS ELECT JIM CHMIEL, SHEILA LAIRSON, BRUCE MOORE, AND DAVID VOMACKA TOOK THE OATH OF OFFICE AND WERE SWORN IN TO SERVE THE CITY OF SPRINGBORO FOR NEW TERMS BEGINNING JANUARY 1, 2010.

Alan Schaeffer, City Law Director, administered the Oath of Office to Council Members Elect Jim Chmiel, Ward 3, Sheila Lairson, Ward 4, David Vomacka, Ward 1, and Bruce Moore, Ward 2, respectively; whereby, they were sworn in to serve the City of Springboro as City Council Members for a four-year term beginning on January 1, 2010. (A copy of the Oath of Office for each elected official will be filed with the minutes for the record.) Mrs. Moore, Mrs. Carol Moore, and Mrs. Jan Vomacka received presentation bouquets.

Mayor Agenbroad thanked Mr. Schaeffer for administering the ceremony and congratulated the four Council Members elect.

Also under Presentations, Mayor Agenbroad made a special presentation to City Manager Chris Thompson for 20 years of service. Mayor Agenbroad thanked Ms. Thompson for her dedication and commitment to the City for the past 20 years and presented her with a plaque in recognition and appreciation of her service, which states the following: "Presented to Christine Thompson in appreciation and recognition of 20 years of dedicated

service to the City of Springboro, July 31, 1989-July 31, 2009." Mayor Agenbroad congratulated Ms. Thompson on behalf of the entire City Council.

Finally, Mayor Agenbroad recognized Marty Heide, and invited Ms. Heide to make her comments under Presentations.

Ms. Heide introduced herself as the Warren County Outreach Coordinator for Congressman Mike Turner, who represents the 3rd U.S. Congressional District. Ms. Heide provided an update from the Congressional Office as follows: Ms. Heide commented on the upcoming census. The theme for the 2010 Census is, "It's In Our Hands." The goal is to count everyone once, only once, and in the right place. Census 2010 will directly affect how more than three trillion dollars are allocated to local and state governments over the next 10 years. An undercount in Springboro will mean that tax dollars are being distributed in someone else's community and this means fewer dollars for Springboro's community services; services that use federal and state formulas to determine funding levels. The U.S. Constitution Article 1, Section 1 mandates a head count every ten years of everyone residing in the U.S. The population totals also determine each state's congressional representation. In short, an accurate census count will help Springboro get its fair share of the allocated funding. Coalition members in the State of Ohio have estimated that every person not counted could cost Ohio \$12,000 per person over the next 10-year cycle. Census day is April 1, 2010. The questionnaire responses should represent the household as it exists on that date. Again, it is a short form census that consists of only 10 basic questions. This is the shortest census form in census history and it is estimated to take approximately 10 minutes to complete. The timeline is March 8-10 when all households will receive an advanced letter, March 15-17 the questionnaire will be mailed, March 22 the reminder post card will be sent and April 1 is census day when all census responses should be returned. How can you as Council Members ensure that Springboro will get the money and power you have earned? First of all, establishing a volunteer committee. The Cincinnati Mayor established a volunteer group in the City of Cincinnati because he realized that in the year 2000, because of the undercount, the City of Cincinnati lost out on \$143M. Urge community participation by community service organizations in Springboro and get them involved in a complete count. Conduct target outreach. For example, Waynesville is going to put notices on water and utility bills to inform their residents. Coordinate with the Census Ohio Partnership Specialist Cynthia King, whose phone number and contact information are in the handout. Census needs your help in hard to count populations, which are renters, public assistance users, low income, senior citizens, non-traditional families, and extreme rural areas. Warren County has already held a Complete Count Committee meeting on December 5 and they are actively participating in the census. Also, starting in January there will be public service announcements about the census. As usual, Ms. Heide may be contacted at Congressman Turner's Dayton District Office at 937-225-2843.

Ms. Heide offered to answer any questions. There were no questions of Council.

Mayor Agenbroad thanked Ms. Heidi for her presentation.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for approximately 21 minutes to discuss the following legislation as well as other City matters. During the Work Session, City Council entered Executive Session for approximately 35 minutes to consider the compensation of a public employee, whereby no votes were taken.

- 1) **ORDINANCE: FIRST READING.** "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO, AND REZONING 6.29 ACRES OF LAND ON LYTLE-FIVE POINTS ROAD, BEARING SIDWELL NO. 04181010060, FROM O-R, OFFICE-RESIDENTIAL DISTRICT, TO PUD-B, PLANNED UNIT DEVELOPMENT-BUSINESS," was read by the Clerk of Council. Mr. Boron's comments are summarized as follows:

This ordinance was the subject of the public hearing at the beginning of tonight's meeting. This is the first reading of an ordinance to rezone 6.29 acres of land on Lytle-Five Points Road located southeast of the intersection of Lytle-Five Points Road and N. Main Street (SR741) from O-R, Office Residential District to PUD-B, Planned Unit Development-Business using the B-2 Business District as a basis allowing five uses from the B-

2 district as part of the Planned Unit Development process. Also, there is a concurrent process involving the general plan, which is under review by the Planning Commission.

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

Mayor Agenbroad thanked Mr. Boron for his comments.

No action required at this time.

- 2) **ORDINANCE O-09-32: 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. (YEAR END)," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the first reading of an ordinance to authorize year-end supplemental appropriations for 2009. This year-end supplemental appropriation is actually a decrease in the 2009 annual appropriations in the amount of \$109,344.92. Each year the City reports its resources and revenues to the County and this ordinance represents a reconciliation of the resources and revenues that were reported to Warren County in July. The reconciliation occurs at year-end and the City makes sure that each line item balances with the reconciliation of those amounts of revenues that were reported. The Finance Director has prepared this ordinance for Council's review this evening.

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

Mayor Agenbroad noted that the Finance Director has requested that Council consider a motion to waive the second and third readings of this ordinance.

Ms. Belpulsi motioned to suspend the rules and waive the second and third readings of Ordinance O-09-32. Mr. Chmiel seconded the motion.

No discussion.

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

Mr. Anderson motioned to adopt Ordinance O-09-32. Mr. LaDu seconded the motion.

No discussion.

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

- 3) **ORDINANCE O-10-1: FIRST READING.** "AN ORDINANCE MAKING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SPRINGBORO FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2010, AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the first reading of the appropriations ordinance for 2010. This ordinance regarding the monies budgeted for 2010 is the summation of the discussions during the 2010 budget presentation and the 2010-2014 5-Year Capital Improvement presentation, which were subsequently amended and approved by Council. This appropriation ordinance will allow the City to expend monies in the year 2010 and seek Council's consideration to waive the second and third readings as requested by the Finance Director to properly appropriate funds for expenditure.

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

Mayor Agenbroad noted that the Finance Director has requested that Council consider a motion to waive the second and third readings of this ordinance.

Mr. Chmiel motioned to suspend the rules and waive the second and third readings of Ordinance O-10-1. Ms. Lairson seconded the motion.

No discussion.

VOTE: Anderson, Yes; Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, No; LaDu, Yes; Lairson, Yes. [6-1]

Ms. Belpulsi motioned to adopt Ordinance O-10-1. Mr. Anderson seconded the motion.

No discussion.

VOTE: Belpulsi, Yes; Agenbroad, Yes; Chmiel, Yes; Parise, No; LaDu, Yes; Lairson, Yes; Anderson, Yes. [6-1]

- 4) **RESOLUTION R-09-71:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MUNICIPAL & CONTRACTORS SEALING PRODUCTS TO COMPLETE THE RE-SEALING OF THE WATER TREATMENT PLANT CLEAR WELL ROOF," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a contract with Municipal & Contractors Sealing Products to complete the resealing of the Water Treatment Plant clear well roof. The roof at the Water Treatment Plant has developed some hairline cracks numerous enough to have become a concern and the outer coating has also weathered away, which has significantly affected seepage. The project includes grinding the top 1/8-inch of the surface, cleaning all of the cracks, air blasting the surface, and refilling those cracks with primer and final coating. This repair work will help to protect the roof from further decline. The City received three bids ranging from \$58,500 to \$132,355. The Public Works Director is recommending Municipal and Contractors Sealing Products for the low bid of \$58,500.

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

Mr. Anderson motioned to adopt Resolution R-09-71. Mr. LaDu seconded the motion.

No discussion.

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

- 5) **RESOLUTION R-09-72:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RHULE EXCAVATING INC. FOR THE CONSTRUCTION OF "SOUTH MAIN STREET SIDEWALK IMPROVEMENTS, PHASE 1"," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a contract with Rhule Excavating Inc. for the construction of the "South Main Street Sidewalk Improvements, Phase 1." This is phase one of the project to extend the sidewalk on South Main Street to the Springboro High School and Junior High School area from downtown. This phase of the project will consist of installing a sidewalk from the old school bus parking lot up to Heather Glen Court. The length of this particular phase of the project is 2,100 feet. ODOT will be performing the bridge work on State Route 741 and would not permit the City to finish this project until the bridge is widened to a sufficient shoulder width according to their standards. The City will not be permitted to open Phase 1 of the sidewalk to Heather Glen Court until next year when ODOT completes the bridge widening, but the City was able to work this phase of the project into the budget this year for completion. Therefore, this

legislation has been brought before Council for consideration.

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

Mr. LaDu motioned to adopt Resolution R-09-72. Ms. Belpulsi seconded the motion.

No discussion.

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

- 6) **RESOLUTION R-09-73:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CDA CONSTRUCTION GROUP, INC. TO COMPLETE THE COUNTRYSIDE LANE IMPROVEMENT PROJECT," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a contract with CDA Construction Group, Inc. to complete the Countryside Lane Improvement Project. Countryside Lane is in need of significant improvements. Many of the open ditches in the subdivision have actually been filled in causing storm water to drain down the pavement in the winter creating an extremely dangerous condition. The improvement project will include the installation of curb and gutter and a storm sewer system in the cul-de-sac area to help collect the storm water, which will all be overlaid with a stress absorbing membrane to help minimize reflective cracking when the cul-de-sac area is repaved. The engineer's estimate for this project was \$110,000, but the lowest bid the City received and recommends is \$103,350.50.

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

Ms. Belpulsi motioned to adopt Resolution R-09-73. Mr. Anderson seconded the motion.

No discussion.

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

- 7) **RESOLUTION R-09-74:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH J. K. MEURER CORP. TO COMPLETE THE WEST FACTORY ROAD IMPROVEMENT PROJECT, PHASE 1," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a contract with J. K. Meurer Corp. to complete the West Factory Road Improvement Project, Phase 1. A water main was installed on West Factory Road that extended from South Main Street to Woods Road about two years ago, and due to the installation of the water main and water services, the road was highly impacted with a number of utility cuts and other depreciation occurred by virtue of that project. This project will allow the City to restore that roadway to the pavement condition that it was prior to that project. The engineer's estimate for this project was \$255,000 and J.K. Meurer Corporation's bid was \$212,234.75, which is the recommended contract per the Public Works Director.

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

Mr. LaDu motioned to adopt Resolution R-09-74. Ms. Lairson seconded the motion.

No discussion.

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

Mayor's Report – The Christmas Holiday will be observed Thursday, December 24 and Friday, December 25; whereby, the City Offices will be closed. New Year's Day will be observed Friday, January 1, 2010; whereby, the City Offices will be closed, as well. The next City Council Work Session will be held on Thursday, January 7, 2010 at 6:00 PM followed by the City Council Regular Meeting at 7:00 PM in Council Chambers.

City Manager's Report – Ms. Thompson wished happy holidays to everyone. Ms. Thompson also thanked Council for recognizing her 20 years of service to the City; it was a surprise. She does appreciate the recognition; it has been a good time in a very supportive community.

Mayor Agenbrod thanked Ms. Thompson for her report.

Committee Reports –

Ms. Lairson – Finance Committee – The Finance Committee met at 5:30 PM this evening in Council Chambers, and the committee found all of the City's finances to be in order.

Mr. Anderson – No reports.

Ms. Belpulsi – No reports.

Mr. LaDu – No reports.

Mr. Parise – No reports.

Mr. Chmiel – Planning Commission – The Planning Commission met on December 16 to discuss the following item: General Plan – 6.29-acre site on Lytle-Five Points Road, O-R, Office-Residential District to PUD-B, Planned Unit Development-Business, which was also the topic of tonight's Public Hearing. The Planning Commission listened to the developer's comments regarding the staff comments on the proposed general plan that he presented. The Planning Commission will meet again with the developer after those comments have been discussed. There was no Formal Meeting held on December 16 due to the lack of agenda items. The next Planning Commission Work Session will be held on the second Wednesday in January.

ITEM 8. OTHER BUSINESS. Mayor Agenbrod requested a motion to enter Executive Session to discuss the compensation of a public employee following the Regular Meeting.

Ms. Belpulsi motioned to enter Executive Session, under RC121.22(G), following the Regular Order of Business to consider the compensation of a public employee. Mr. Anderson seconded the motion.

No discussion

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

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. At this time, Mayor Agenbrod presented a Proclamation and parting gift to Scott Anderson and John Parise respectively in recognition of their service as a Springboro City Council Member. (A copy of the proclamation will be filed with the minutes for the record.)

John Parise made the following comments: "I am honored to have served the folks in the original Ward 3 in the last four years. I would like to thank the folks that voted for me this last election that had the confidence in me to do the job; I am grateful for it. The most pleasant experience I have had on City Council was the great support and dedication of the City staff, Chris Thompson in particular. In my opinion, she is the best City Manager Springboro has ever had, thank you Chris. And lastly, I would like to thank Tom LaDu for being a friend on Council. That is all I have.

Mayor Agenbroad thanked Mr. Parise for his final comments.

Mr. Anderson made the following comments: I would just like to reiterate what I said at the Work Session tonight. I have really enjoyed my time here on Council; I have learned and had a lot of personal growth in the last four years. I am really going to miss sitting up here with Council in this new building. We have had a lot of debate and discussion and even though we all always did not agree we carried the City forward and have completed a lot of great things in the last four years, the City Building, making Heatherwoode more efficient, more parks, more baseball fields. It has been a great, great experience here, and I will truly miss it. I think I will probably be talking some more when I sit on the School Board. Thank you.

Mayor Agenbroad thanked Mr. Anderson for his final comments.

Mr. LaDu thanked Ms. Thompson for her 20 years of service to the City, wished everyone happy holidays, and wished Mr. Anderson and Mr. Parise the best of luck in their future endeavors.

ITEM 10. GUEST COMMENTS. No Guest comments.

ITEM 11. EXECUTIVE SESSION. City Council held an Executive Session following the Regular Order of Business to consider the compensation of a public employee.

ITEM 12. ADJOURNMENT. Mayor Agenbroad thanked the MVCC for tonight's telecast and scheduled rebroadcasts of this Springboro City Council Meeting. In addition, Mayor Agenbroad wished everyone in Springboro a happy, safe and tremendous Christmas and New Year's on behalf of staff and Council. Mayor Agenbroad also wished Mr. Parise and Mr. Anderson the best in their future endeavors.

Mr. LaDu motioned to adjourn the meeting; whereby, the Thursday, December 17, 2009 Springboro City Council Regular Meeting was adjourned to Executive Session at approximately 7:54 PM. Ms. Belpulsi seconded the motion.

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

At approximately 8:20 PM, City Council exited Executive Session, whereby no votes were taken. With no further business or discussion, Mayor Agenbroad finally adjourned the Thursday December 17, 2009 Springboro City Council Regular Meeting.

—MEETING ADJOURNED—

John H. Agenbroad

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council