

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

CITY COUNCIL WORK SESSION

THURSDAY, SEPTEMBER 2, 2010

6:00 PM

COUNCIL

John Agenbroad, Mayor

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

CITY STAFF

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

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Work Session to order on Thursday, September 2, 2010 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. ATTENDANCE. Council: Sheila Lairson was absent. **Staff:** Ms. Thompson, Mr. Pozzuto, Mr. Schaeffer, and Ms. Martin were present.

Mayor Agenbroad noted that Ms. Lairson is absent and a motion would be in order at tonight's Regular Meeting to excuse her absence.

ITEM 3. LEGISLATIVE AGENDA. –Two legislative agenda items were reviewed for the September 2 Regular Meeting.

Mayor Agenbroad pointed out that a motion would be in order at tonight's Regular Meeting to amend the Agenda to include Legislative Item 2, an Emergency Ordinance.

Ms. Thompson commented that Legislative Item 2 pertains to 0.37 s.f. of right of way that Montgomery County has asked the City to officially vacate in order to record the record plan for the West Tech Road Extension at South Tech Business Park. The right of way allows Montgomery County to access its sewer station.

Ms. Martin commented that it is recommended that Council waive the second and third readings of Legislative Item 2 in order to fulfill the County's requirement and to record the plan as quickly as possible.

There were no objections to waiving the second and third readings of this ordinance at tonight's Regular Meeting.

1) RESOLUTION: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH D & M EXCAVATING, INC. FOR THE CONSTRUCTION OF THE "PENNYROYAL ROAD, EAST END, ROADWAY IMPROVEMENTS" PROJECT.

No discussion.

AMENDMENT: 2) EMERGENCY ORDINANCE: FIRST READING. AN ORDINANCE APPROVING THE VACATION OF RIGHT OF WAY OF A PORTION OF WEST TECH ROAD AND DECLARING AN EMERGENCY.

No further discussion. Please refer to comments above.

ITEM 4. CITY MANAGER. –Issues/Reports.

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

East Mill Street Project: Ms. Thompson commented that the East Mill Street Project is finished and the roadway is open. Ms. Thompson further commented that she is very pleased to see the amount of people using the new sidewalks since the project was completed a few days ago.

Mayor Agenbroad commented that there is a hole in the road when turning left from SR741 onto East Mill Street at the flower shop. Mayor Agenbroad asked if the hole could be filled and repaired. Ms. Thompson stated that she would follow up.

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

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

No discussion.

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

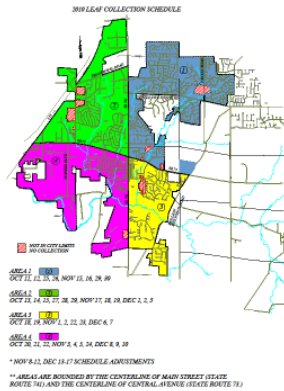
At this time, Ms. Thompson asked Mr. Pozzuto to present some information regarding the City's new Leaf Collection Program.

Mr. Pozzuto made the following presentation: (See slide presentation below.) Mr. Pozzuto commented that part of Council's long range goals was a leaf collection program and the program is on target to begin this fall. Mr. Pozzuto explained that the leaf collection schedule is weather dependent. The City has been divided into four areas for purposes of collection and all areas will be collected a minimum of three times during the program on specific dates. (See map slide below.) Some areas have more collection dates than others such as the older areas of the City where there are more mature trees collection would occur up to four or five times. The program also includes "catch up" dates (November 8-12 and December 13-17). In case of inclement weather, two weeks have been allowed for the crews to catch up in any section of the City. The program will be operated by two City employees, who will drive the trucks, and two employees from Tree-Mend-Us, who will operate the leaf vacuum. The contract with Tree-Mend-Us is to supplement the program, as the City did not feel it could afford to take four City employees away from other street and park maintenance duties during that time. Two City employees will drive the trucks for liability reasons and will be the point people in the field if residents have concerns, which they would relay to the appropriate City supervisors. They will also be sweeping the leaves into the leaf vacuum. Two of the City's five ton trucks, which are also used with snow plows, will be used with leaf boxes for the program. As one truck is taking leaves to the dump site, the other truck will collect leaves allowing for a continuous process. The total initial program cost is \$56,000 with no additional cost to residents. The program is paid for from the Trash and Utility Funds. The two Tree-Mend-Us employees are an estimated cost of \$24,000 for 8 hours per day for 10 weeks during the program. Fuel costs are estimated at approximately \$1,000. (See slide below for program costs.) Once the equipment is purchased next year, the cost of the program will decrease to approximately \$25,000 per year. Again, the program is at absolutely no

additional cost to the residents; the City is offering this program out of the Trash and Storm Water Utility Funds, which have balances that allow the City to implement this program.



NEW CITY-WIDE LEAF COLLECTION PROGRAM



NEW LEAF COLLECTION PROGRAM

Collection Process:

- Residents are asked to rake leaves out to curb at least 2 days before crews are scheduled to arrive.
- No sticks, rocks, grass clippings, etc. – only leaves are allowed.
- Residents are asked to NOT rake into the street – leaves can cause driving hazards!
- If leaves are raked out after a pass-through by the crews, Waste Management will still take leaves with regular trash pick-up.

*Information concerning the leaf program is detailed in the upcoming City newsletter which should be delivered no later than September 20.

QUESTIONS?

Mayor Agenbrod asked if this program would be covered in the City newsletter. Mr. Pozzuto explained that the new leaf collection program will be detailed on two separate pages in the newsletter that is coming out around September 20. Residents will see the map showing the dates collection will occur and some helpful hints to help the City with the program. (See outline on slide.) Residents should rake leaves to the curb two days before crews are scheduled to arrive and only leaves are allowed; sticks, rocks, grass clippings, etc. will damage the leaf vac. If the leaf vac gets clogged, the program will shut down. The City is advising residents that if major violations are seen such as large sticks in leaf piles, they will bypass those leaves. Mr. Pozzuto explained that if the leaf vac breaks due to that type of debris, they cannot help residents on that street or in the rest of the City with leaf pick up. Also, residents are not to rake leaves into the street, which can cause traffic problems and dangerous driving conditions when leaves are wet. Leaves should be raked onto the tree lawn/curb. If leaves are missed or they are raked after the crews come and residents do not want them in front of their property waiting for the one or two

NEW LEAF COLLECTION PROGRAM

- Collection Schedule:
 - Begin – Monday, October 11
 - End – Friday, December 17
- Areas To Be Collected:
 - All areas of the City (including commercial)
 - All areas will be collected a MINIMUM of 3 times.
- Schedule adjustments:
 - Schedule will be adjusted according to weather and rate of leaves falling.

NEW LEAF COLLECTION PROGRAM

Collection Equipment and Cost:

Equipment:

- One crew of four workers
 - Two city employees to drive trucks and 2 other workers are employees of Tree-Mend-us who will operate the Leaf Vacuum.
- Two 5-Ton trucks with leaf boxes
- One Industrial Leaf Vacuum



Program Cost:

- 2 Leaf Boxes – \$10,000
- 1 Leaf Vacuum – \$21,000
- 2 Tree-Mend-us employees – \$24,000
- Fuel Costs - \$1,000 (Estimated)

*Total Initial Program cost - \$56,000 (No additional cost to the residents. Paid for from Trash and Stormwater Utility Funds.)

weeks until the next scheduled pick up, residents are being advised that waste management will still take those leaves as part of their regular trash collection in the composting bags. Again, this program will be detailed in the City's upcoming newsletter in addition to being advertised on the City's website and in the e-newsletter. Any schedule updates to the leaf collection program will appear on the City's website. For example, the updates would let residents know that the program is collecting leaves in Area A and will be in Area B on schedule or the program is two days behind schedule. Also, the Customer Service Desk and Public Works Department will have a daily update regarding the schedule for residents who call the City.

Ms. Belpulsi asked Mr. Pozzuto if he could present this information at a televised Council Meeting or come to the Miami Valley Communications Council (MVCC) to video the presentation. Mr. Pozzuto replied yes. Ms. Belpulsi suggested that the MVCC could then stream the video for the public to view on the website. She commented that the presentation was short and well done.

Ms. Thompson explained that they did not want to publicize the program until Council had received the information.

Mayor Agenbroad suggested featuring the leaf collection program on the "45066" show.

Ms. Thompson suggested making the presentation at a Council Meeting and streaming the information on the website.

Ms. Belpulsi commented that if the presentation was made at a Council Meeting then the segment could be pulled from the video or people could use the indexing tool to find the presentation segment.

Mr. LaDu asked where the leaf disposal site is located. Mr. Pozzuto answered that there are two sites, one on Lytle Five Points Road past the cemetery and one near Miamisburg. Both sites accept the leaves for free and compost them for mulch and other uses.

Ms. Belpulsi asked, in regard to financing the program, if the projections for the Trash Fund and the Utility Fund would be able to support this program for years to come. Ms. Belpulsi stated that she would not want the City to start the program and not be able to continue funding the program. Mr. Pozzuto replied yes stating that, in terms of those two funds, it is a minimal cost.

Ms. Thompson commented that the City actually had to purchase the first leaf vac unit this year. The City had already encumbered the other unit last year with 2009 money, but did not purchase it due to delays in developing the program. This year, the City actually paid only \$20,000 for half of the equipment from 2010. Once the equipment has been purchased, the ongoing cost is really just the labor, and the City's Storm Water Utility and Trash funds are in good shape.

Ms. Belpulsi asked if the City would have an ongoing contract with Tree-Mend-Us for this program. Mr. Pozzuto commented that the current contract is for one year to see how it works out. If there is a problem, the City might be able to use four employees for the program, but really does not want to do that.

Ms. Thompson commented that they talked about hiring seasonal employees or asking senior seasonal employees to participate and actually one of the City's senior seasonals, Harvey Lyons, who would normally be gone in the fall, is going to come back for this 10-week period and work one of the trucks. Ms. Thompson explained that the costs to hire someone, even though they would not be receiving benefits because they would not be working a full year, versus the cost the City was able to negotiate with Tree-Mend-Us is very close; therefore, staff opted to hire the two contractual employees rather than go through a cumbersome interview process for these temporary positions. Public Works Director Barry Conway negotiated the bid with Tree-Mend-Us down to a reasonable level.

Council complimented staff on a great job presenting this program. Mayor Agenbroad thanked Mr. Pozzuto for his presentation.

Mr. Schaeffer commented that on July 19, 2010 the Common Pleas Court awarded \$1,409M check against the City of Bucyrus for violation of the Public Records Act. There was a request for 911 Emergency records from the mid 1990's that had not be properly maintained and held pursuant to the City's public records policy; the request was not for any specific purpose. Mr. Schaeffer commented that it is suspected that the complainants were truly "milking the system." Mr. Schaeffer further commented that a real concerted effort is going to be made through the Ohio Municipal League to enlist the State Legislature to do something about these law suits. There have been several cases like this such as the one in Akron where the complainant was awarded \$800,000 as a result of a \$500 matter. Mr. Schaeffer stated that it seems a little excessive and beyond what the public records laws were really designed to do. In the meantime, cities cannot be too careful. Mr. Schaeffer further stated that Ms. Martin and Ms. Thompson have a copy of the letter, and the City's Records Commission will meet soon and discuss this issue in more detail. Mr. Schaeffer added that this issue is not unlike the lawsuit over political signs in front yards. The City changed its law prior to the law suit being resolved, but it cost the City \$40,000 in attorney's fees.

Mayor Agenbroad confirmed that Mr. Schaeffer's comments were a continuation of what he presented at the recent Warren County Municipal League meeting. Mayor Agenbroad thanked Mr. Schaeffer for the update.

There were no other staff reports.

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

Town Hall Meeting: Ms. Martin reminded Council that the Town Hall Meeting is scheduled on Tuesday, October 5, which is now one month away. Ms. Martin asked if Council had thought about agenda items they would like to be discussed or presented at the meeting.

Ms. Belpulsi suggested the Leaf Collection Program. Ms. Thompson commented that the new recycling and leaf collection programs would be good topics.

Road construction projects were also suggested as a topic.

Ms. Thompson commented that staff could prepare some talking points for Council and be there to answer questions.

Ms. Belpulsi commented that it is a Town Hall Meeting and Council should be facilitating the meeting although sometimes Council puts a lot of the onus on staff. Ms. Belpulsi also suggested parks and other things the City has been talking about as possible topics for the meeting.

Ms. Martin added that the invitation to the Town Hall Meeting will be on the front page of the newsletter that residents will receive around September 20. Also, the meeting will be advertised in the newspaper and on the City's website.

ITEM 6. CITY COUNCIL. –Issues/Reports.

Mr. Vomacka – No issues/reports.

Ms. Belpulsi – No issues/reports.

Mr. Moore – No issues/reports.

Mr. LaDu – No issues/reports.

Mr. Chmiel – No issues/reports.

Mayor Agenbroad – No issues/reports.

With no further Work Session discussion, City Council entered Executive Session to discuss the sale and purchase of property at approximately 6:27 PM.

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 September 2, 2010 City Council Work Session at approximately 6:56 PM.*

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

CITY COUNCIL REGULAR MEETING

THURSDAY, SEPTEMBER 2, 2010

7:00 PM

COUNCIL

John Agenbroad, Mayor

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

CITY STAFF

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

- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting to order on Thursday, September 2, 2010 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; Belpulsi, Present; Chmiel, Present; LaDu, Present; Lairson, Absent; Moore, Present; Vomacka, Present. Staff: Ms. Thompson, Mr. Pozzuto, Mr. Schaeffer, and Ms. Martin were present.

Mayor Agenbroad asked for a motion to excuse Ms. Lairson, who had a professional commitment that conflicted with tonight's meeting.

Ms. Belpulsi motioned to excuse Ms. Lairson from the meeting. Mr. Vomacka seconded the motion.

No discussion.

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

- ITEM 4. APPROVAL OF MINUTES:** THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF AUGUST 19, 2010.

Mr. LaDu motioned to approve the Minutes of the City Council Work Session and Regular Meeting of August 19, 2010, as submitted. Mr. Vomacka seconded the motion.

No corrections.

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

ITEM 5. PRESENTATIONS: No presentations.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for approximately 27 minutes to discuss the following legislation as well as other City business. During the Work Session, City Council entered Executive Session for approximately 29 minutes to discuss the sale of the property and the purchase of property; whereby, no votes were taken.

At this time, Mayor Agenbroad asked for a motion to amend the Agenda to include Legislative Item 2, an Emergency Ordinance.

Ms. Belpulsi motioned to amend the Agenda to include Legislative Item 2, an Emergency Ordinance. Mr. Vomacka seconded the motion.

No discussion.

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

- 1) **RESOLUTION R-10-22:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH D & M EXCAVATING, INC. FOR THE CONSTRUCTION OF THE "PENNYROYAL ROAD, EAST END, ROADWAY IMPROVEMENTS" PROJECT," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This resolution authorizes a contract with D & M Excavating for the construction of the "Pennyroyal Road, East End, Roadway Improvements" Project. The City Engineer has contacted the contractor's references and finds D & M Excavating to be highly recommended for this job. The project includes rebuilding sections of Pennyroyal Road to widen the road and install curb, gutter, and storm sewer. This contract will complete a long awaited Issue II project in the City. The total cost of the project is \$686,079.85. The Engineer's estimate was \$750,000. Issue II funds will pay for 49% of the total project cost; the City's share of the cost is \$357,000.

Mayor Agenbroad presented the item for questions/comments.

Mr. LaDu asked when the project would begin. Ms. Thompson answered that the projected start date would be sometime next spring.

Mr. LaDu commented that he is concerned about truck traffic. Ms. Thompson explained that staff insisted that traffic be maintained at all times during this project due to all of the construction that has occurred on Pennyroyal Road over the past three or four years and the construction of the Austin Interchange. Ms. Thompson further explained that on certain portions of the roadway traffic will be maintained on one lane. Temporary signalization will be used to maintain one lane of traffic at all times. Further toward SR741, a detour will be used through Village Park along Gardner and Village Park Drive. Ms. Thompson added that the bridge project is not anticipated to be complete until November or December; therefore, people will still not be able to cross the highway along Pennyroyal Road and Clearcreek Franklin Road, which further inhibits traffic in that area.

There were no other questions or comments.

Ms. Belpulsi motioned to adopt Resolution R-10-22. Mr. LaDu seconded the motion.

No discussion.

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

- AMENDMENT: 2) ORDINANCE O-10-34: FIRST READING.** "AN ORDINANCE APPROVING THE VACATION OF RIGHT OF WAY OF A PORTION OF WEST TECH ROAD AND DECLARING AN

EMERGENCY," was read by the Clerk of Council. Ms. Thompson's comments are summarized as follows:

This is the first reading of an ordinance vacating a right of way on a portion of West Tech Road. Montgomery County would like to "clean up" the record plan where the City built the West Tech Road Extension last year. During construction of the roadway extension, the City accepted a temporary easement. The pending land sale at South Tech requires the City to vacate the easement, which amounts to 0.37 square feet, in order to record the record plan. Staff has requested that Council waive the second and third readings in order for this record plan to be recorded immediately.

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

Mr. Chmiel motioned to suspend the rules and waive the second and third readings of Ordinance O-10-34. Mr. LaDu seconded the motion.

No discussion.

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

Mr. LaDu motioned to adopt Ordinance O-10-34. Mr. Chmiel seconded the motion.

No discussion.

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

ITEM 7. REPORTS: Mayor's Report – Labor Day will be observed Monday, September 6; whereby, the City offices will be closed. The 3rd U.S. District Representative Office Hours will be held on Friday, September 24, 1:00-2:00 PM in the Community Room. Beggar's Night is Saturday, October 30, 6:00-8:00 PM; please be cautious while driving and have a fun, but safe Beggar's Night. Mayor Agenbroad also reported that the landscape plans for the Austin Interchange have been delayed for a year due to construction. The next City Council Work Session and Regular Meeting will be held on Thursday, September 16, 2010 beginning with the Work Session at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers, as scheduled. The Finance Committee will meet on September 16 at 5:30 PM in Council Chambers, as well.

City Manager's Report – In reference to the comment regarding the delay in the Austin Interchange landscape plans, Ms. Thompson commented that the jurisdictions elected to delay the landscape installation for a year because of the construction surrounding the interchange. Usually the guarantee is for a limited time and it seemed silly to install plant materials and sod only to have them destroyed and not be able to utilize the guarantee. Ms. Thompson pointed out however that the jurisdictions did insist on the TID and the JEDD Board preparing an RFP in order to maintain the site now, as is. Ms. Thompson commented that it is unsightly to have weeds, etc., and they have asked for some specs to be created so that at a minimum the area can be maintained in the interim.

Ms. Thompson also reported that East Mill Street did open four months prior to the anticipated completion date. It is a great project to see completed and people are utilizing the new sidewalks across the bridge that the City was able to provide with the cooperation of the adjacent business owners (taxidermy and apartment building). The improvements allow residents from the Fieldstone and Creekside Subdivisions to walk to the downtown area. Ms. Thompson noted that this project took a long time to complete, but is well worth it.

Committee Reports –

Mr. Vomacka – No reports.

Ms. Belpulsi – Planning Commission – The Planning Commission will meet in Work Session on Wednesday, September 8 at 6:00 PM in Council Chambers.

Mr. Moore – No reports.

Mr. LaDu – No reports.

Mr. Chmiel – No reports.

ITEM 8. OTHER BUSINESS. Mayor Agenbroad announced that City Council would enter Executive Session following the Regular Order of Business to discuss the sale of property; whereby, no votes will be taken.

At this time, Mayor Agenbroad asked for a motion to enter to Executive Session under R.C.121.22(G), following the Regular Order of Business, to discuss the sale of property; whereby, no votes will be taken.

Mr. Chmiel motioned to enter Executive Session following the Regular Order of Business. Mr. LaDu seconded the motion.

No discussion.

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

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Mr. Moore commented that a Memorial Tree Planting Ceremony would take place this Saturday at North Park in memory of Louis Paul Null, who was a descendent of the Null Family and a graduate of the Springboro Class of 1958.

Mayor Agenbroad noted that the date of the ceremony is actually Saturday, September 11 at 9:30 AM, not Saturday, September 4.

ITEM 10. GUEST COMMENTS. Mayor Agenbroad asked if there were any guests that wished to be heard to please come forward and state their name and address for the record and make their comments accordingly.

1) Carl Bray, Mayor of Franklin, 4435 Beal Road, Franklin, Ohio – Mr. Bray's comments are recorded as follows: "I am here for a little unpleasant comments, and I just kind of want to bring them to your attention. First of all, I was in the wrong; I did do something wrong here, I am 100% guilty of that. But, what happened was there was an accident out here the other day. I happen to go down the street here to Springboro Hardware to buy my mother a flyswat. I was on a motorcycle; there was a two car accident right down the road here, blocked the whole road coming back. As I am coming back went right by the police station, went by the library. As I am going to the left there was a tow truck in front of me; it is a flat bed tow truck. So, as it is getting there trying to get one of the cars there and there is debris all over the road and things all over the road, I am in a motorcycle, I am in short pants, just ran down the street and come right back. I did go . . . I thought, I will get out of here, I will just go right on the sidewalk and go to the next house come down their driveway and my Mom lives right around the corner. At that particular time, I got a ticket for driving on the sidewalk, which I did and I understand that is illegal, but I seen the officer right there got a ticket and I just think that sometimes in a community of residents everybody is not a bad person. Sometimes you cross the yellow line that is illegal, but it does happen. Sometimes a train stops you have to make a u-turn that is illegal, but it does happen. So, sometimes in certain situations maybe your police department needs to help your residents to just say yeah we understand the situation, there was no danger there was no harm. He motioned me over and I went over to . . . after that you know we had some other problems, but I just

wanted to say as far as the issue itself sometimes the police department just needs to maybe just say I understand the situation. I was wrong, I admit it, and I just wanted to bring that to your attention because we are a small community still and our residents need to be . . . sometimes you got to look the other, not look the other way, but sometimes you got to look at the situation and say that is how we go with things. I just wanted to bring that up to your attention just to let you know; I appreciate your time to let me talk.

Mayor Agenbroad stated that he appreciated Mr. Bray's comments.

Mayor Agenbroad asked if there were any other guests that wished to be heard. There were no other guests.

ITEM 11. EXECUTIVE SESSION. City Council entered Executive Session following the Regular Order of Business to discuss the sale of property.

ITEM 12. ADJOURNMENT. Mayor Agenbroad thanked the MVCC for tonight's telecast and scheduled rebroadcasts of this Springboro City Council Meeting. Mayor Agenbroad also wished his little sister, Jeanie, a Happy Birthday. Mayor Agenbroad explained that she is in the hospital having surgery on her birthday.

Ms. Belpulsi motioned to adjourn the meeting to Executive Session; whereby, the Thursday, September 2, 2010 Springboro City Council Regular Meeting was adjourned to Executive Session at approximately 7:15 PM. Mr. Vomacka seconded the motion.

No discussion.

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

Mayor Agenbroad wished everyone a nice Labor Day weekend!

Council entered Executive Session at approximately 7:20 PM to discuss the sale of property. At approximately 7:40 PM, City Council exited Executive Session; whereby, no votes were taken.

With no further business, Mayor Agenbroad adjourned the Thursday, September 2, 2010 Springboro City Council Regular Meeting at the conclusion of the Executive Session.

—MEETING ADJOURNED—

John H. Agenbroad

John H. Agenbroad, Mayor

Presiding Officer

Lori A. Martin, Clerk of Council