

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

CITY COUNCIL WORK SESSION

THURSDAY, MARCH 17, 2022

6:00 PM

CITY COUNCIL

**John Agenbroad, Mayor
Becky Iverson, Deputy Mayor/At Large
Stephen Harding, At Large
Janie Ridd, Ward 1
Dale Brunner, Ward 2
Jack Hanson, Ward 3
Jim Chmiel, Ward 4**

CITY STAFF

**Chris Pozzuto, City Manager
Greg Shackelford, Assistant City Manager
Gerald McDonald, 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, March 17, 2022 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. ATTENDANCE. Council: All present. **Staff:** Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. Police Chief Kruithoff was also in attendance.

ITEM 3. LEGISLATIVE AGENDA. – Review legislative items slated for March 17.

- 1) ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING CHAPTER 828 “CANVASSERS, PEDDLERS AND SOLICITORS” OF PART EIGHT BUSINESS REGULATIONS AND TAXATION” OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO BY ENACTING A NEW CHAPTER 828 CALLED “CANVASSING, PEDDLING, SOLICITING; DO NOT CONTACT LIST.”

Chief Kruithoff’s comments are summarized as follows:

The City’s current solicitation ordinance was found to be unconstitutional when Roger Eckert served as Law Director in the early 2000s. The ordinance was determined to be too restrictive, and the City has not had an enforceable solicitation ordinance since that time. The Police Department receives approximately 12+ complaints every summer and last year seemed to be a peak year for offensive or obnoxious people peddling in the City. The City of Vandalia was one of the first cities in the area to establish a soliciting ordinance that seems to pass constitutional muster and a few other communities have now passed solicitation ordinances.

The proposed ordinance would only affect peddlers or solicitors who are selling goods and services for profit; it does not restrict canvassing or house-to-house distribution of ideas or pamphlets or persons seeking signatures or similar activities. The ordinance would require a permit, involving a background check, and provides an appeals process if the permit is denied. The permit requires the solicitor to be free from offenses that involve force, violence, fraud,

theft or any sexually oriented offenses. The ordinance would establish solicitation hours of 9:00 AM to 7:00 PM and would establish a "Do Not Contact List." Residents can request to be added to the list through their water bill or by contacting the City offices or Police Department. Solicitors are required to carry their permit and the "Do Not Contact List" with them in order to solicit for business in the City or they will be in violation of the ordinance.

Ms. Iverson asked if someone would be considered a solicitor for political purposes.

Chief Kruihoff explained that door-to-door canvassing for political purposes is not considered solicitation under this ordinance as well as charitable or youth organizations selling candy or other fundraising activities.

Ms. Ridd asked if this information would be published in the City newsletter to notify residents of the new ordinance and the "Do Not Contact List."

Mr. Pozzuto replied yes, the information would be published in the City newsletter, on the City's website, water bill, etc.

Mr. Hanson commented that the information could create more calls because people may not be aware of all of the exemptions to the ordinance. Mr. Hanson suggested that the exemptions be published with the information to let people know that the ordinance does not apply to activities such as scout troops selling cookies, etc.

Mr. Harding concurred that people might think that if they are on the "no contact" list, it will prohibit any group or individual from contacting them door-to-door.

Mr. Pozzuto confirmed that the exceptions to the ordinance would be spelled out in the information provided to residents.

Chief Kruihoff commented that there are three readings of this ordinance and staff may seek to waive the third reading, as they anticipate having some solicitor interest beginning in April.

There was no further discussion regarding this item.

2) RESOLUTION: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DRYDEN BUILDERS INC. FOR THE "SPRINGBORO WWTP FENCE REPLACEMENT" PROJECT.

Mr. Pozzuto commented that this project involves replacing the wood fence that blocks the view of the Waste Water Treatment Plant from Lower Springboro Road. The old wood fence has deteriorated and will be replaced with a new vinyl fence.

Mr. Chmiel inquired regarding the grading part of the fence project.

Mr. Pozzuto explained that the contractor will grade an area in order to extend the fence to block an area that the City uses to dump debris such as asphalt.

Mr. Chmiel asked if there will be an entrance gate to that area.

Mr. Pozzuto replied no, the fence will only extend to the one entrance and the grading will allow the entrance to extend around the curve, which will block the majority of the area. Mr. Pozzuto commented that a gate would be expensive and problematic with respect to stopping traffic when entering and exiting the area. In short, they are trying to shield the area as much as possible by grading the area to extend the fence.

There was no further discussion regarding this item.

- 3) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR A PASS THROUGH GRANT FUNDING TRAIL DEVELOPMENT.

No discussion.

AMENDMENT:

Mayor Agenbroad commented that a motion would be in order at tonight's Regular Meeting to amend the agenda to add Legislative Item 4, a Resolution.

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COTERMINOUS BOUNDARY AND RECREATION AGREEMENT WITH CLEARCREEK TOWNSHIP, WARREN COUNTY, OHIO.

Mayor Agenbroad commented that this Coterminous Agreement was approved by the Township Trustees on Monday and is now before Council for action at tonight's meeting.

There was no further discussion regarding this item.

ITEM 4. CITY MANAGER. – Issues/Reports.

Mr. Pozzuto reported on the following items:

Architectural Review Board Brochure/City Requirements for Historic Properties: *This brochure will be mailed to owners of historic properties next week in anticipation of construction season. The brochure outlines the rules, regulations and processes concerning construction of improvements to historic properties and encourages property owners to contact the City before making improvements. There have been a few situations where property owners have moved ahead with projects without obtaining a Certificate of Appropriateness or reaching out to staff. The brochure will be mailed to all property owners and/or renters in the Historic District to address some of these issues. The brochure will be accompanied by a letter from Mr. Pozzuto thanking them for investing in the downtown area and asking them to please review the information and contact City Planner Dan Boron with any questions.*

Summer Concert Series: *The summer "Concerts in the Park" program has been finalized and there will be 10 concerts; six Friday night concerts and four Tuesday night concerts. The Friday night concerts will be tribute bands, and food trucks are planned as well.*

City Annual Report (2021): *The City's Annual Report is almost finished, which includes Mayor Agenbroad's State of the City Address. In addition, the next newsletter will be mailed to residents soon and include information concerning upcoming community events and programs.*

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

Calendar Updates: *Springboro Chamber 2022 Hometown Expo, Saturday, March 19, 10:00AM-3:00 PM, Springboro High School. This event is free and open to the public.*

In addition, the next City Council Work Session will be held on Thursday, April 7, 2022 at 6:00 PM followed by the City Council Regular Meeting at 7:00 PM in Council Chambers.

Ward Redistribution: *Ms. Martin commented that she has been reviewing the new population data with respect to the Ward Redistribution process. By Charter, City Council shall review the ward map and adjust the ward boundaries to achieve substantially equal population within one-*

year following receipt of the decennial census results. Ms. Martin further commented that the existing wards actually remain substantially equal in population with respect to the new census data. However, since the last census, the Board of Elections has combined two voting precincts, which means the ward boundaries should be adjusted to match the precinct boundaries as required by code. The combined precinct is split by the boundaries of Wards 1 and 4. Ms. Martin also commented that almost half of the population growth since the last census occurred in Ward 2. A detailed memo and maps will be forwarded to Council to review at the April 7 Work Session.

Ms. Iverson asked what dictates a change in the precincts by the Board of Elections.

Ms. Martin commented that she believes that the individual precincts were small enough to combine into one precinct. Ms. Martin further commented that the Board of Elections usually splits a precinct when it exceeds 1,400 registered voters.

Ms. Martin reiterated that she would be forwarding the ward redistribution information for Council to review in preparation for any questions/discussion at the next Council Work Session.

ITEM 6. CITY COUNCIL. – Issues/Reports.

Mr. Harding – No reports.

Mr. Hanson – No reports.

Mr. Chmiel – No reports.

Mr. Brunner – No reports.

Ms. Ridd – No reports.

Deputy Mayor Iverson – Ms. Iverson commented that she attended the community prayer gathering for Ukraine at the Performing Arts Center (PAC) on Monday, March 7. The prayer vigil was led by pastors from the local pastors association and approximately 75 people attended. Ms. Iverson further commented that she thought it was a nice use of the PAC facility although it was not a City event. She added that any exposure to our City facilities is a good thing, and it was a brief, well run event.

Ms. Iverson also commented that she recently noticed a lot of trees and bushes in and around the golf course being trimmed, pruned, etc. It looks like there has been a big effort to clean up the trees and bushes.

Mr. Pozzuto commented that maintenance staff is making a concerted effort to remove dead trees and prune trees and bushes to freshen up the golf course/clubhouse landscape.

Mayor Agenbroad – No reports.

At this time, Mayor Agenbroad called for a motion under ORC121.22(G) to enter Executive Session to discuss the purchase of property; whereby, no votes will be taken.

Mr. Harding motioned. Mr. Hanson seconded the motion.

No discussion.

VOTE: Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes. [7-0]

As a reminder to the public, no votes are taken during Executive Session.

At this time, Mr. Shackelford commented on the potential extension of the DORA (Designated Outdoor Refreshment Area), located at Wright Station, to the downtown area. There are approximately 100+ total properties in the historic downtown with approximately 70 located on S. Main Street. There are different options that could be considered such as only extending the DORA to the west side of S. Main Street where Ambiance and Heather's Café are located or extending the DORA to both sides of the street. Roughly estimated, it looks like the downtown area is 50% business / 50% residential. Staff discussed potentially having an open house regarding the extension of the DORA to the downtown area before preparing legislation for Council to review. Mr. Shackelford also commented that there have not been any complaints or calls related to the DORA at Wright Station.

Ms. Iverson asked if the DORA would allow people to get a drink from Warped Wing and carry it to the downtown area to the shops or would it be contained to the street.

Mr. Shackelford explained that the City would have to get permission from the businesses to allow people to bring their drinks inside. In Lebanon, they have a sticker for the windows of businesses, which permits people to bring their DORA drink into the businesses. Mr. Shackelford commented that the reality of people walking across the SR73 with a drink is probably minimal. Most likely, people would get a drink downtown and walk to the shops.

Mr. Harding commented that a couple of the shops sometimes have complimentary wine for their customers. Mr. Harding confirmed that if these shops had DORA cups, the customers would be allowed to walk out with the drinks.

Mr. Shackelford replied yes.

Mr. Chmiel asked how the DORA would affect festivals and events where S. Main Street is cordoned off such as Christmas in Springboro where they have the big beverage tent serving drinks.

Mr. Shackelford replied that it is his understanding that they would still have to get a permit to sell alcohol at the festival, but people would be able to walk around S. Main Street carrying their beverage as long as they have the designated DORA cup.

Ms. Iverson confirmed that the businesses would have to provide those cups.

Mr. Shackelford replied yes.

Mr. Brunner asked if the open house would be an opportunity for the City to explain the DORA to the residents.

Mr. Shackelford replied yes, the open house would be open to the residents and businesses of the downtown area to present information concerning the DORA and answer questions.

Mr. Brunner asked if staff has seen an example of a DORA that extends through multiple business districts.

Mr. Shackelford commented that Hamilton and Middletown has this type of DORA, and Middletown was actually the first one.

Chief Kruihoff commented that he has talked with the Middletown Police about the DORA in terms of crossing the state route, and they have not had any problems to date.

Mr. Hanson confirmed that Mason's DORA is the same as well along US42.

Mr. Pozzuto commented that these areas would almost be two separate DORAs, but the new DORA area has to be connected to an existing DORA to be able to expand it. Mr. Pozzuto further commented that he did not believe that there would be many people walking across SR73. Again, he would almost view these as two separate DORAs.

Mr. Chmiel asked if the City received a negative response to extending the DORA to the downtown district, would it affect the existing DORA.

Mr. Shackelford replied no, the DORA located at Wright Station will be in place for another three years. Mr. Shackelford explained that if legislation were proposed to Council to extend the DORA and there were a lot of public opponents, Council could turn it down.

Ms. Ridd commented that she is aware the DORA is restricted to a certain acreage. She asked if the DORA was extended to the downtown area, would it leave enough acreage to extend it north of Wright Station if that area further develops.

Mr. Shackelford replied yes, a DORA could cover up to 150 acres.

Mr. Brunner asked if the DORA could extend as far as Mr. Boro's.

Mr. Pozzuto replied yes, he believes it could. Mr. Pozzuto commented that the DORA downtown would probably not extend beyond the alleys. Mr. Pozzuto further commented that the downtown area covers approximately 20-30 acres and Wright Station is approximately 5 acres, which together does not come close to approaching the 150-acre limit; therefore, the DORA could be extended further up the Main Street corridor.

Mr. Hanson asked if the DORA was extended to the Historic District, would that create opportunities for new businesses to open and obtain liquor licenses.

Mr. Pozzuto replied no, the availability of liquor licenses is based on population. Mr. Pozzuto commented that the City could create an Entertainment District, which has different rules and regulations, but would open up more liquor licenses.

Mr. Shackelford commented that the biggest issue with the Entertainment District is that it requires a \$50M investment in a period of 10 years under current regulations, which would make it challenging for the City to apply for that designation due to the capital investment that would need to be generated. Mr. Shackelford further commented that the only other issue with extending the DORA to the downtown area would be the noise complaints. Mr. Shackelford explained that if people were milling around and talking, the City might encounter more noise complaints. Mr. Shackelford added that, based on the report the City received regarding the noise levels in the downtown area, the levels were reasonable to close to reasonable right now.

Mr. Pozzuto commented that staff is not looking for a decision tonight, but wanted to get Council's general feel about continuing to explore the extension of the DORA. The majority of the complaints will come from the residents living downtown, which is why staff thought the open house would be good idea to help explain the DORA, i.e., the dos and don'ts and what it really is and what it isn't. Mr. Pozzuto further commented that he wanted to have some data from Wright Station in regard to police calls, etc. prior to proposing the DORA extension, and based on that data the City has had zero issues with the Wright Station DORA. Chief Kruithoff has also talked with other communities with DORAs and they have had zero issues. Mr. Pozzuto explained that staff wanted to bring this proposal to Council and share their general thoughts before moving forward with it.

Following some brief comments concerning how businesses might benefit from the DORA as well as the downtown merchants interest in having a DORA, it was the general consensus of Council to continue moving forward with the proposal to extend the DORA to the downtown district.

There was no further discussion regarding this item.

At this time, Mayor Agenbroad stated that a motion would be in order at tonight's Regular Meeting to appoint Nicole Ditmer as the Springboro community's representative to the Board of Health for a term ending December 31, 2022. Nicole Ditmer has been recommended by Dr. Swope to serve on the board.

Executive Session: *City Council entered Executive Session at approximately 6:25PM to discuss the purchase of property; whereby, no votes were taken.*

With no objections, City Council exited Executive Session at approximately 6:40 PM.

ITEM 7. ADJOURNMENT. *With no further discussion, Mayor Agenbroad adjourned the Thursday, March 17, 2022 City Council Work Session at approximately 6:50 PM.*

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

CITY COUNCIL REGULAR MEETING

THURSDAY, MARCH 17, 2022

7:00 PM

CITY COUNCIL

John Agenbroad, Mayor
Becky Iverson, Deputy Mayor/At Large
Stephen Harding, At Large
Janie Ridd, Ward 1
Dale Brunner, Ward 2
Jack Hanson, Ward 3
Jim Chmiel, Ward 4

CITY STAFF

Chris Pozzuto, City Manager
Greg Shackelford, Assistant City Manager
Gerald McDonald, Law Director
Lori Martin, Clerk of Council

- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting of Thursday, March 17, 2022 to order 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.
- Invocation by Council Member Dale Brunner.
- ITEM 3. ROLL CALL.** Agenbroad, Present; Brunner, Present; Chmiel, Present; Hanson, Present; Harding, Present; Iverson, Present; Ridd, Present. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. Police Chief Kruithoff was also in attendance.
- ITEM 4. APPROVAL OF MINUTES:** THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF MARCH 3, 2022.
- Mayor Agenbroad presented the minutes for additions/corrections. No additions/corrections.
- Mayor Agenbroad called for a motion to approve the Minutes.**
- Ms. Iverson motioned. Mr. Harding seconded the motion.**
- No discussion.
- VOTE: Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes. [7-0]**
- ITEM 5. PRESENTATIONS:** SHERIFF LARRY SIMS WILL PRESENT THE WARREN COUNTY SHERIFF'S OFFICE ANNUAL REPORT.

Sheriff Sims' comments are summarized as follows:

Sheriff Sims distributed copies of the 2021 Warren County Sheriff's Office Annual Report detailing personnel, operations, services and crime statistics. This is the fourteenth year Sheriff Sims has presented the annual report to Warren County communities. Activity with respect to calls for service returned to levels experience pre-COVID with approximately 64,000-65,000 calls for service. Last year's main highlight was the dedication of the new jail facility and Sheriff's Office following a two-year construction project to provide adequate jail space for local law enforcement agencies. The old jail facility held 280 beds compared to 499 beds in the new facility. The jail population has been steady in the 290-300 person range and will provide jail housing for the county well into the future. Sheriff Sims concluded his comments by offering to answer any questions.

City Council expressed their thanks for the work the Sheriff's Office does and the services they provide to the Warren County community.

- ITEM 6. LEGISLATION:** City Council held a Work Session at 6:00 PM tonight for approximately 25 minutes to discuss the following legislative items as well as other City business. During the Work Session, City Council entered Executive Session for approximately 15 minutes to discuss the purchase of property; whereby, no votes were taken.

At this time, Mayor Agenbroad called for a motion to amend the Agenda to add Legislative Item 4, a Resolution.

Mr. Chmiel motioned. Ms. Iverson seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes. [7-0]

- 1) **ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING CHAPTER 828 "CANVASSERS, PEDDLERS AND SOLICITORS" OF PART EIGHT BUSINESS REGULATIONS AND TAXATION" OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO BY ENACTING A NEW CHAPTER 828 CALLED "CANVASSING, PEDDLING, SOLICITING; DO NOT CONTACT LIST," was read by the Clerk of Council. Chief Kruihoff's comments are summarized as follows:

This is the first reading of an ordinance amending Chapter 828, "Canvassers, Peddlers and Solicitors" of Part Eight, "Business Regulations and Taxation" of the Codified Ordinances of the City of Springboro by enacting a new Chapter 828, "Canvassing, Peddling, Soliciting; Do not Contact List." The City's previous solicitation ordinance was found to be unconstitutional in the early 2000s, as were most municipal ordinances concerning soliciting at that time. The previous ordinances were found to be too restrictive, and the City has been operating without a solicitation ordinance since that period of time. The Police Division receives approx. 12+ complaints every summer concerning a solicitor who is aggressive or abusive or trespasses. The Police Division has reviewed the ordinances of area communities that have reinstated a solicitation ordinance that appears to be constitutional, and has used them as a template for the proposed ordinance being presented to Council. The ordinance only regulates peddlers and solicitors who are selling goods and services for profit; it does not regulate canvassing such as house-to-house distribution of ideas, pamphlets, literature, the collection of signatures for political purposes, youth organizations selling candy for a fundraiser or social service clubs. The ordinance does require a permit, which would involve a background check of the applicant, and provides an appeals process if the permit is denied. The background check requires the applicant to be free of past offenses involving fraud or larceny or sexual offenses. The ordinance also establishes hours for solicitation activity from 9:00AM to 7:00PM and a "Do Not Contact List," which would allow residents to register via their water bill or by contacting the

City offices. A solicitor will be required to carry the “Do Not Contact List” and the issued permit when soliciting for business. If the Police Division receives a call regarding a violation of these requirements, the solicitor would then be subject to a violation of the ordinance.

Mayor Agenbroad presented the item for questions/comments of Council.

Mr. Harding asked if a solicitor were to be in violation of the ordinance, what the penalty would be.

Chief Kruithoff explained that the solicitor would receive a citation and be summoned to Mayor’s Court.

No further discussion.

No action required at this time.

- 2) **RESOLUTION R-22-9:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DRYDEN BUILDERS INC. FOR THE “SPRINGBORO WWTP FENCE REPLACEMENT” PROJECT, was read by the Clerk of Council. Mr. Pozzuto’s comments are summarized as follows:

This resolution authorizes a contract with Dryden Builders for the “Springboro WWTP Fence Replacement” Project. Currently, a wooden fence runs along the north side of the Waste Water Treatment Plant that shields the plant from neighboring areas along Lower Springboro Road. The fence is deteriorating and approx. 15-20 years old. The old wood fence will be replaced with a new vinyl fence, which should last much longer. The City received one bid from Dryden Builders in the amount of \$299,750 plus an alternate bid of \$20,000 to grade a new area to extend the fence in order to screen a site where the City disposes of materials from asphalt grinding, excavation, etc.

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

Mayor Agenbroad called for a motion to adopt Resolution R-22-9.

Mr. Harding motioned. Mr. Hanson seconded the motion.

No discussion.

VOTE: Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes. [7-0]

- 3) **RESOLUTION R-22-10:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR A PASS THROUGH GRANT FUNDING TRAIL DEVELOPMENT, was read by the Clerk of Council. Mr. Pozzuto’s comments are summarized as follows:

This resolution authorizes an agreement with the Ohio Department of Natural Resources for a pass through grant funding trail development. This resolution would authorize the City to accept a grant of \$150,000 from the Ohio Department of Natural Resources to construct a multi-use, off-road trail, which is a part of Segment A of the Central Greenway and will connect Clearcreek Park to Hazel Woods Park. This is part of a trail connection from E. Milo Beck Park to Clearcreek Park to Hazel Woods Park and ultimately will connect to the City of Franklin, who is working on trail extensions from the Great Miami Trail to Springboro at Hazel Woods Park.

This is the second phase of that trail, and the City has received money to construct the Hazel Woods connection. Again, this is actually one of three links that the City is constructing from E. Milo Beck Park to Franklin's trail system. Trail construction should be complete by the end of 2023, and hopefully by 2024, people will be able to bike from E. Milo Beck Park to the Great Miami Trail. Mr. Pozzuto expressed kudos to City Planner Dan Boron, who was able to secure this grant from ODNR.

Mayor Agenbroad presented the item for questions/comments of Council.

Mr. Harding commended City Planner Dan Boron for obtaining the grant of \$150,000 to create these trails.

No further discussion.

Mayor Agenbroad called for a motion to adopt Resolution R-22-10.

Ms. Iverson motioned. Mr. Harding seconded the motion.

No discussion.

VOTE: Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes. [7-0]

AMENDMENT:

- 3) RESOLUTION R-22-11:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COTERMINOUS BOUNDARY AND RECREATION AGREEMENT WITH CLEARCREEK TOWNSHIP, WARREN COUNTY, OHIO, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes a Coterminous Boundary and Recreation Agreement with Clearcreek Township. Over the past few years, the Clearcreek Fire District has done a needs assessment on their response times for their fire safety services and found that their response times are somewhat deficient in the northwest area of the City. The fire district has requested that the City assist them in building a new fire station somewhere in the northwest area of the City and has requested some financial assistance. Clearcreek Township passed their coterminous agreement on Monday to extend the inside millage that the City currently receives from the Township to the year 2041. The City will divert that money from what it is currently utilized for to the Township to enable them to build this fire station to support the City's residents. The City and the Township have agreed to extend the Coterminous Agreement to receive the inside millage from 2028 when the current agreement expires to 2041 under the new agreement. In essence, the City is assisting the Township with financing some of that fire service because this fire station would primarily serve City residents in the northwest area of Springboro. The City is hoping that this fire station, through the help of the fire district, will decrease response times and make more fire safety services available to City residents in that area. The City is happy to cooperate with the Township on this project for fire safety services, as this is one of the core responsibilities as a city and of the fire district as well. Again, this resolution will extend the Coterminous Agreement beyond the current term to the year 2041. The City does not currently have a location identified yet, but is working on finding a suitable site somewhere in the northwest area of the City.

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

Mayor Agenbroad called for a motion to adopt Resolution R-22-11.

Mr. Chmiel motioned. Ms. Ridd seconded the motion.

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [7-0]

ITEM 7. REPORTS: Mayor's Report – 2022 Hometown Expo sponsored by the Springboro Chamber of Commerce, Saturday, March 19, 10:00 AM-3:00 PM, Springboro High School; this event is free and open to the public. In addition, the next City Council Work Session will be held on Thursday, April 7, 2022 beginning at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers.

City Manager's Report – Mr. Pozzuto reported on the following items:

Annual Report: The City's Annual Report has been mailed to residents. Also, the next edition of the City's newsletter will be in the mail soon.

Summer Events: Staff is in the process of planning numerous events for the summer including the "Concerts in the Park" series and event details will be included the upcoming newsletter, social media, etc.

Committee Reports –

Mr. Harding – No reports.

Mr. Hanson – No reports.

Mr. Chmiel – No reports.

Mr. Brunner – No reports.

Ms. Ridd – The next Warren County Municipal League meeting will be held Wednesday, April 20 at The Golden Lamb in Lebanon. The guest speaker will be Warren County Judge Tim Tepe, who will talk about the challenges and successes of his Veterans Court.

Deputy Mayor Iverson – Ms. Iverson commented that there was a private event sponsored by the Springboro Pastors Association last week, a community prayer gathering for Ukraine, which was well attended. Ms. Iverson thanked the City for being able to provide a public space for these types of events.

ITEM 8. OTHER BUSINESS. As discussed at the Work Session, Mayor Agenbroad called for the following motion:

A MOTION TO APPOINT NICOLE DITMER TO THE WARREN COUNTY BOARD OF HEALTH FOR A TERM ENDING DECEMBER 31, 2022, AS RECOMMENDED BY DR. SWOPE.

No discussion.

Mr. Hanson motioned. Ms. Iverson seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes. [7-0]

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. No Final Council or Manager Comments.

ITEM 10. GUEST COMMENTS. Mayor Agenbroad invited any guests that wished to be heard to approach the podium, state their name and address for the record, and make their comments accordingly.

1) David Beckman, 168 Deer Trail Drive – Mr. Beckman expressed the following concerns/requests summarized as follows:

Mr. Beckman shared his concerns regarding the loud music/concert at Mr. Boro's on Sunday from 1:00-9:00 PM. This is a private business producing a lot of noise in ways that are affecting nearby neighbors. Mr. Beckman requested that the City review the noise ordinance and update it to be in line with some of the other cities in the area such as Kettering, Centerville and Dayton, that do a better job of protecting residents. Springboro's noise ordinance is time restricted; therefore, the police cannot enforce the ordinance until 9:30 PM or 11:00 PM depending on the day of the week. It is unfair that a business is profiting from this type of activity when the residents nearby are being hurt by it and cannot enjoy their life in their own yards. Mr. Beckman requested that the City look into the noise ordinance to see what can be done to help protect the residents. Mr. Beckman is concerned about the private businesses, which are not city-sponsored events. Mr. Beckman explained that Mr. Boro's was charging a cover and it was not in the best interest of the public to have this type of activity take place for eight hours that day. The eight-hour time period of this event was a concern and seemed excessive.

Mr. Beckman also expressed concerns with the traffic on Tamarack Trail in the vicinity of Mr. Boro's and suggested that something should be done for the residents there. On the same Sunday, Mr. Beckman experienced traffic issues and almost got into two accidents traveling from the traffic light to North Park because people were pulling in and out of driveways trying to get the closest parking spot to Mr. Boro's. The same thing occurred driving to the meeting tonight. Mr. Beckman suggested posting 'No Parking' signs for Mr. Boro's between two points along the street to solve the problem.

Mr. Beckman also commented that the state law concerning fireworks expires on July 1 and several other cities in the area are establishing a local ordinance. Mr. Beckman requested that a local ordinance be considered for Springboro. Mr. Beckman further commented that he has a lot of valuable trees in his yard and a couple of years ago his neighbor across the street set off bottle rockets, which went into his yard. Mr. Beckman explained that he called the police and they took care of it and that is what he thinks should happen in a city, you should be able to count on your property being protected from things such as fireworks.

Finally, Mr. Beckman commented that, last year the City repaved a portion, about a third, of his street (Deer Trail), but he does not understand why the City does not seal the pavement on the edges because 3 or 4 inches of pavement have been lost in some spots over the winter. If it would have been sealed, the investment would have gone a long way and lasted longer. Mr. Beckman suggested that the City should invest in sealing those spots along the edges of the pavement. Mr. Beckman commented that if you drive down the street, you can see big chunks broken off on the sides and it has only been one winter. Mr. Beckman concluded his comments.

Mayor Agenbroad thanked Mr. Beckman for his comments.

There were no other 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.

Mayor Agenbroad called for a motion to adjourn the Thursday, March 17, 2022 Springboro City Council Regular Meeting at approximately 7:25 PM.

Mr. Harding motioned. Ms. Ridd seconded the motion.

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [7-0]

—MEETING ADJOURNED—



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer



Lori A. Martin, Clerk of Council