

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

CITY COUNCIL WORK SESSION

THURSDAY, MAY 5, 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, May 5, 2022 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. ATTENDANCE. Council: Mr. Chmiel was absent. **Staff:** Mr. Pozzuto, Mr. Shackelford and Ms. Martin were present. Mr. McDonald was absent. PSE Attorney Michael Sandner served as Acting Law Director in Mr. McDonald's absence. Police Chief Kruithoff was also in attendance.

Mayor Agenbroad noted that a motion would be in order at tonight's Regular Meeting to excuse Mr. Chmiel.

ITEM 3. LEGISLATIVE AGENDA. – Review legislative items slated for May 5.

- 1) **EMERGENCY ORDINANCE: THIRD READING.** AN ORDINANCE DIRECTING THE APPROPRIATION OF CERTAIN LAND LOCATED ON EYLER DRIVE FOR PUBLIC ROAD PURPOSES, AND DECLARING AN EMERGENCY.

No discussion.

- 2) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE APPROVING THE RECORD PLAN FOR SPRINGBORO UNITED CHURCH OF CHRIST SUBDIVISION AND DECLARING AN EMERGENCY.

Staff recommended waiving the second and third readings of Legislative Items 2 & 3, as all of the requirements have been met for these record plans.

Council will consider a motion at tonight's Regular Meeting to suspend the rules and waive the second and third readings of Legislative Items 2 & 3.

- 3) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE APPROVING THE RECORD PLAN FOR LA COMEDIA AND DECLARING AN EMERGENCY.

(Refer to comments under Legislative Item 2.)

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ADVANCED CONCEPTS INC. FOR THE HEATHERWOODE GOLF CLUB CLUBHOUSE ROOF REPLACEMENT” PROJECT.

No discussion.

ITEM 4. CITY MANAGER. – Issues/Reports.

Mr. Pozzuto reported on the following items:

Water Softening: Recently, staff explored a partnership with Warren County to purchase softened water for the City. However, after some meetings and discussion, it has been determined that it will not work from both an engineering standpoint and a cost standpoint. In essence, the rate structure the county was proposing, which was discounting the retail rate by 9%, was not going to work.

Staff has begun discussions with the City of Franklin concerning building a joint water softening plant to benefit both communities. From an engineering standpoint, Franklin has a distribution line that is approx. 1,000 ft. from where the City’s proposed water softening plant would be located. This proposal has two potential advantages, one, the City would have a partner to help cut capital costs in half thus reducing costs to residents, and two, the partnership would make the project more favorable when seeking state or federal infrastructure monies to help further decrease capital costs. In the meantime, the City is still moving ahead with the initial design of a water softening plant in case the proposal with Franklin falls through and the City cannot partner with anyone else.

Mr. Brunner asked if the City could partner with Montgomery County if they offered better rates.

Mr. Pozzuto explained that the problem would be that the City would be dealing with both Montgomery County and the City of Dayton because Dayton supplies the water to Montgomery County. Mr. Pozzuto further explained that he has inquired with two other cities that have agreements with Montgomery County and they indicated that it would not be the best scenario. Mr. Pozzuto reiterated that under that scenario the City would be negotiating with two other governments for the softened water because Montgomery County contracts with Dayton for water and both entities would have to sign off on any agreement with the City. Also, Montgomery County rates are much higher than the City would ever think of considering anyway.

Mr. Pozzuto stated that he would keep Council updated, as this proposal moves forward.

Kacie Jane Splash Park: The splash park is scheduled to open Friday, May 27 weather permitting. The opening date is being publicized through social media and newsletters.

Street Resurfacing Program: The annual street resurfacing program in the City should begin sometime in July.

The City continues to promote summer events, such as the Concerts in the Park series, with the first event being Touch A Truck, Saturday, May 14 and Shred Day, May 21. The City

partners with Clearcreek Township to sponsor Shred Day, which is open to both City and Township residents.

Ms. Iverson asked if the City would be bringing back the shredder that was available for public use in the city building.

Mr. Pozzuto replied no. Mr. Pozzuto explained that the shredder created a lot of issues for staff with respect to maintenance and people not knowing how to use it properly. From an operational standpoint, staff has determined that Shred Day is a better alternative.

Mr. Harding inquired regarding the costs of Shred Day.

Mr. Pozzuto explained that the City splits the cost of approximately \$4,000 with Clearcreek Township.

Mr. Harding suggested possibly sponsoring Shred Day multiple times per year if costs permitted.

Mr. Pozzuto stated that he has no issue with offering Shred Day multiple times per year if Council would be agreeable to that proposal.

Mr. Harding commented that it is something to consider and could possibly be the cost difference to maintain the shredder at the city building. Mr. Harding suggested a semi-annual Shred Day.

With no objections, it was the general consensus of Council to schedule two Shred Days per year for the public, possibly in the spring and fall.

There was no further discussion regarding these items.

Mr. Shackelford reported on the following items:

DORA (Designated Outdoor Drinking Area) Open House: Mr. Shackelford, Mr. Pozzuto and City Planner Dan Boron met in regard to extending the DORA to the downtown district, and have planned an open house in the Community Room on Monday, June 6 at 5:30 PM to answer questions. A mailer will be sent to residents and businesses in the downtown area describing what a DORA is and what a DORA is not. Essentially, the City has had zero complaints, arrests or issues associated with the existing DORA at Wright Station, as has been the standard for other DORAs around the state. The purpose of the open house would be to discuss the DORA and answer questions before presenting legislation to move forward with the extension to S. Main Street.

There was no further discussion regarding this item.

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

Calendar Updates: Council and committee meetings are on schedule for the month of May. The next City Council Work Session will be held on Thursday, May 19, 2022 at 6:00 PM followed by the City Council Regular Meeting at 7:00 PM in Council Chambers.

Upcoming calendar events include Touch A Truck on May 14, 9:30AM-1:00PM, Shred Day on May 21, 9:00 AM-Noon, Memorial Day observed, May 30 (City Offices Closed), and the Memorial Day Parade on May 30 at 2:00 PM on S. Main Street.

ITEM 6. CITY COUNCIL. – Issues/Reports.

Mr. Harding – No reports.

Mr. Hanson – No reports.

Mr. Brunner – Mr. Brunner expressed his congratulations on the recent article in Ohio's Community Broadband Solutions newsletter regarding the City's fiber project; it was great coverage for Springboro.

Ms. Ridd – No reports.

Deputy Mayor Iverson – Ms. Iverson will report on the City's recent Arbor Day celebration at tonight's Regular Meeting under Reports.

Mayor Agenbroad – No reports.

At this time, Mayor Agenbroad called for a motion under ORC121.22(G) to enter Executive Session to discuss pending litigation in conference with the City Law Director; whereby, no votes will be taken.

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

No discussion.

VOTE: Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Hanson, Yes; Harding, Yes. [6-0]

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

There was no further discussion.

Executive Session: City Council entered Executive Session at approximately 6:10 PM to discuss pending litigation in conference with the City Law Director.

With no objections, City Council exited Executive Session at approximately 6:50 PM; whereby, no votes were taken.

ITEM 7. ADJOURNMENT. With no further discussion, Mayor Agenbroad adjourned the Thursday, May 5, 2022 City Council Work Session at approximately 6:50 PM.

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

CITY COUNCIL REGULAR MEETING

THURSDAY, MAY 5, 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, May 5, 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 Pastor Roger Hendricks, Southwest Church.

ITEM 3. ROLL CALL. Agenbroad, Present; Brunner, Present; Chmiel, Absent; Hanson, Present; Harding, Present; Iverson, Present; Ridd, Present. Staff: Mr. Pozzuto, Mr. Shackelford and Ms. Martin were present. Mr. McDonald was absent. PSE Attorney Michael Sandner served as Acting Law Director in Mr. McDonald's absence. Police Chief Kruithoff was also in attendance.

Mayor Agenbroad called for a motion to excuse Council Member Chmiel.

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

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [6-0]

ITEM 4. APPROVAL OF MINUTES: THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF APRIL 21, 2022.

Mayor Agenbroad presented the minutes for additions/corrections. No additions/corrections.

Mayor Agenbroad called for a motion to approve the Minutes.

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

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [6-0]

ITEM 5. PRESENTATIONS: POLICE MEMORIAL WEEK PROCLAMATION - May 15th-21th, 2022.

On behalf of Springboro City Council, Council Member Janie Ridd presented the annual Police Memorial Week Proclamation. (A copy of the proclamation is on file for the record.)

On behalf of City Council and Staff, Mayor Agenbroad stated that he was proud to present this proclamation to Chief Kruithoff and the Springboro Police Department.

Chief Kruithoff thanked Council for the observance of Police Memorial Week. Warren County will hold a memorial service on Thursday, May 12 at 10:00 AM near the 911 Memorial at the county complex to recognize the officers who have sacrificed in the line of duty in Warren County, and the public is encouraged to attend.

Mayor Agenbroad commented the he and his wife Patti are proud parents of first responders; their son is a firefighter and their daughter is a police officer. Mayor Agenbroad expressed his appreciation and thanks for what the police officers do each and every day.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for approximately 10 minutes to discuss the following legislative items as well as other City business. During the Work Session, City Council entered Executive Session for approximately 40 minutes to discuss pending litigation in conference with the City Law Director; whereby, no votes were taken.

- 1) ORDINANCE O-22-8: THIRD READING. AN ORDINANCE DIRECTING THE APPROPRIATION OF CERTAIN LAND LOCATED ON EYLER DRIVE FOR PUBLIC ROAD PURPOSES, AND DECLARING AN EMERGENCY,** was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the third reading of an ordinance directing the appropriation of certain land located on Eyer Drive for public road purposes. The City is in need of an emergency access to Heatherwoode Golf Course on the north side of the golf course near Hole #4. There is an existing lot that is approximately 15-20 ft., which connects Heatherwoode Golf Course to Eyer Drive. The City is still negotiating with the property owner to acquire the property. In case an agreement is not reached, the City will proceed with the legal process to appropriate the property, and the owner will be compensated for the property.

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

Mayor Agenbroad called for a motion to adopt Ordinance O-22-8.

Ms. Ridd motioned. Ms. Iverson seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes. [6-0]

- 2) **ORDINANCE O-22-9: FIRST READING.** AN ORDINANCE APPROVING THE RECORD PLAN FOR SPRINGBORO UNITED CHURCH OF CHRIST SUBDIVISION AND DECLARING AN EMERGENCY, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the first reading of an ordinance approving the record plan for Springboro United Church of Christ Subdivision. This record plan is located at 5 W. Mill Street. Approximately 0.1 acres of S. Main Street right-of-way is being dedicated along with the 1.1-acre lot totaling 1.2 acres. The Planning Commission approved this record plan on April 13, 2022.

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

Action regarding this item follows Legislative Item 3.

- 3) **ORDINANCE O-22-10: FIRST READING.** AN ORDINANCE APPROVING THE RECORD PLAN FOR LA COMEDIA AND DECLARING AN EMERGENCY, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the first reading of an ordinance approving the record plan for La Comedia. This record plan is located at 765 W. Central Avenue and is the site of La Comedia Dinner Theatre. Approximately 0.4 acres of W. Central Avenue right-of-way is being dedicated along with the 4.6 lot totaling 5 acres. The Planning Commission approved this record plan on April 13, 2022.

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

As discussed at the Work Session, Mayor Agenbroad called for a motion to suspend the rules and waive the second and third readings of Legislative Items 2 & 3, Ordinances.

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

Prior to the vote on this motion, Mayor Agenbroad confirmed with Mr. Sandner that the fact that he and Mr. Hanson are members of the Springboro United Church of Christ would not be a conflict of interest requiring them to abstain from the vote.

Mr. Sandner confirmed that the fact that they are members of the church would not be a conflict of interest with respect to voting on this item.

VOTE: Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Hanson, Yes; Harding, Yes. [6-0]

Mayor Agenbroad called for a motion to adopt Ordinance O-22-9.

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

No discussion.

VOTE: Agenbroad, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes. [6-0]

Mayor Agenbroad called for a motion to adopt Ordinance O-22-10.

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

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [6-0]

- 4) **RESOLUTION R-22-14:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ADVANCED CONCEPTS INC. FOR THE "HEATHERWOODE GOLF CLUB CLUBHOUSE ROOF REPLACEMENT" PROJECT, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes a contract with Advance Concepts Inc. for the "Heatherwoode Golf Club Clubhouse Roof Replacement" Project. The City received one bid for this project, which came in under the engineer's estimate. Staff recommends that Advanced Concepts be awarded the bid for \$108,625. The engineer's estimate was \$110,000.

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

Mayor Agenbroad called for a motion to adopt Resolution R-22-14.

Ms. Ridd motioned. Ms. Iverson seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes. [6-0]

- ITEM 7. REPORTS: Mayor's Report** – Touch A Truck, Saturday, May 14, 9:30 AM-1:00 PM, North Park; Shred Day, Saturday, May 21, 9:00 AM-NOON (or until trucks are full) at North Park; Memorial Day observed Monday, May 30 (City Offices Closed); Memorial Day Parade, Monday, May 30, 2:00 PM on S. Main Street followed by a service and refreshments. The next City Council Work Session will be held on Thursday, May 19, 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:

Kacie Jane Splash Park: The splash park is scheduled to open on Friday, May 27 weather permitting.

Street Resurfacing Program: The annual street resurfacing program will begin in July. Homeowners on the designated streets will be notified prior to construction.

Committee Reports –

Mr. Harding – No reports.

Mr. Hanson – No reports.

Mr. Brunner – No reports.

Ms. Ridd – No reports.

Deputy Mayor Iverson – Ms. Iverson commented that she the honor of meeting three future leaders of Springboro at the City's Arbor Day Celebration on Friday, April 29. A Red Maple Tree was planted at Clearcreek Elementary and the ceremony was attended by Principal Carrie

Corder, who introduced three students, Emily, Nora, and Nicholas, all first graders with perfect attendance, who helped plant the tree. It was an honor to meet the students at the ceremony, and celebrate the planting of this beautiful tree by the playground area.

- ITEM 8. OTHER BUSINESS.** No Other Business.
- ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS.** Mayor Agenbroad reported that he attended the military signing event at Springboro High School yesterday, and 11 seniors were honored for signing up in the various branches of service. Mayor Agenbroad thanked those seniors for giving back to the country. All of the signing seniors were part of the Jr. ROTC Program.
- ITEM 10. GUEST COMMENTS.** No Guest Comments.
- ITEM 11. EXECUTIVE SESSION.** No Executive Session.
- ITEM 12. ADJOURNMENT.** Mayor Agenbroad thanked the MVCC for tonight's telecast and scheduled rebroadcasts of this Springboro City Council Meeting. Mayor Agenbroad wished all mothers a Happy Mother's Day!

Mayor Agenbroad called for a motion to adjourn the Thursday, May 5, 2022 Springboro City Council Regular Meeting at approximately 7:15 PM.

Ms. Iverson motioned. Ms. Ridd seconded the motion.

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [6-0]

—MEETING ADJOURNED—



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer



Lori A. Martin, Clerk of Council