

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

**CITY COUNCIL WORK SESSION**

**THURSDAY, MAY 6, 2021**

**6:00 PM**

**CITY COUNCIL**

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

**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 6, 2021 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

**ITEM 2. ATTENDANCE. Council:** Mr. Harding was absent. **Staff:** Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. City Planner Dan Boron and Consultant Wendy Moeller were also present.

Mayor Agenbroad noted that a motion would be in order at tonight's Regular Meeting to excuse Council Member Harding.

**ITEM 3. LEGISLATIVE AGENDA. – Review legislative items slated for May 6.**

- 1) ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING THE PLANNING & ZONING CODE BY REPEALING AND REPLACING CHAPTER 1281, SIGNS, AMENDING CHAPTER 1290, DEFINITIONS, AMENDING SECTION 1264.33, HOME OCCUPATIONS, AMENDING SECTION 1264.35, OUTDOOR DINING, AND AMENDING SECTION 1268.01, SIGNS IN THE ADD-1, AUSTIN DEVELOPMENT DISTRICT 1.

Mr. Boron distributed a copy of the presentation that will be presented at tonight's Public Hearing and first reading of an ordinance amending the City's Planning & Zoning Code related to the Sign Code. Mr. Boron recognized City Law Director Jerry McDonald, City Manager Chris Pozzuto, and Zoning Inspector Dan Fitzpatrick for their work on this project. Mr. Boron introduced Wendy Moeller of Compass Point Planning, who is a national expert on sign code regulation and has done similar work locally, regionally and nationally.

Mr. Boron explained that this project began last fall with an audit of the City's sign code to correct some issues and take the opportunity to update the code. Although the Sign Code was revised in the Planning & Zoning Code update that took place in 2015, it is really the same ordinance that dates back to 1996. Mr. Boron further explained that staff developed an audit

of the Sign Code that was presented to the Planning Commission last fall, which provided groundwork for Ms. Moeller to develop an overall revision to the code. Mr. Boron thanked the Planning Commission and Council Members who were involved in this effort as well.

Ms. Moeller commented that there were substantial changes to the code in 2015 as a result of a Supreme Court Case that affected every sign code across the United States. The focus of this Sign Code revision was to keep sign character as it is, but clean up the code and focus on case law and some ongoing administrative and interpretative issues. Ms. Moeller further commented that part of her role was to provide an outside perspective with respect to how the Sign Code is working for the City. Ms. Moeller offered to answer any questions.

There were no questions of Council.

Mr. Boron added that staff did talk with the business community, residents and shopping center owners to obtain their feedback during the revision process. Mr. Boron explained that the development of a new use (Kroger) is coming soon and the signs were going to be an issue; however, staff has already done an audit of that sign proposal under the proposed amendments to the code. The sign code amendments that would go into effect this summer will make that approval process go more smoothly instead of needing multiple variances for approval.

There was no further discussion or questions of Council regarding Legislative Item 1.

**ITEM 4. CITY MANAGER. – Issues/Reports.**

Mr. Pozzuto provided updates on the following projects/programs:

**Entertainment at Wright Station:** The green space in the central area of Wright Station will be used for entertainment beginning in June. Adirondack chairs and picnic tables have been ordered for that area, and Warped Wing has agreed to buy umbrellas for the tables. The City will begin programming that area very soon and will be bringing in a temporary stage for bands and other entertainment use. In the future, the City will consider installing a more permanent stage.

**S. Main Street Lighting Project:** This project began today. Duke Energy is working on the project, which should take a week or two to complete. Once the new light poles are installed, 12 WiFi repeaters will be installed on the poles. By mid-summer, there will be full WiFi coverage in the downtown area, which will be free for the public to use.

**2021 Street Resurfacing Program:** This year's street resurfacing program has begun in certain neighborhoods in the City and work is on schedule to be finished in June.

**Home Improvement Grant Program:** Mr. Shackelford reported that the City has sent out applications and information concerning this program to property owners in the Royal Oaks Subdivision. In nine days, the City has received 11 applications for a little over \$50,000 of committed money. The application deadline for the program is May 31.

Mr. Shackelford also wished everyone a Happy Mother's Day and commented that both Mother's Day Brunches at Heatherwoode Golf Club are sold out with a waiting list.

There was no further discussion Under Item 4.

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

**Calendar Events:** The next City Council Work Session will be held on Thursday, May 20, 2021 at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers. The City's Free Shred Day is scheduled for Saturday, May 22, 9:00 AM-1:00 PM, at North Park. Memorial

Day will be observed on Monday, May 31; whereby, the City Offices will be closed. The Memorial Day Parade will take place on Monday, May 31 at 2:00 PM. The parade will proceed down S. Main Street to Wade Field where a brief ceremony will be held.

Council and Committee meeting schedules and changes/cancellations are being posted. Details regarding meetings held via video conference will continue to be posted on the City's website under Springboro News.

**ITEM 6. CITY COUNCIL. – Issues/Reports.**

**Ms. Iverson** – Ms. Iverson will present a Planning Commission report and a Master Plan Committee report at tonight's Regular Meeting under Reports. Ms. Iverson will also comment on the "Law Enforcement from a Black Perspective" panel discussion that was held at the Performing Arts Center last Wednesday, April 28.

**Mr. Hanson** – No reports.

**Mr. Brunner** – No reports.

**Mr. Chmiel** – No reports.

**Deputy Mayor Ridd** – Deputy Mayor Ridd will comment on the dedication of a Blessing Box she attended at Cross Creek Hydroponics at 240 S. Main Street last Saturday at tonight's Regular Meeting under Reports.

**Mayor Agenbroad** – Mayor Agenbroad will comment on the upcoming Springboro Chamber Hometown Expo that will take place on Saturday, June 5 at Springboro High School from 10:00AM-3:00PM at tonight's Regular Meeting under Reports. Mayor Agenbroad will also read a letter he received from Springboro High School Student Hannah Hill, who is Penn Station's Athlete of the Month for April. City Council recognized Hannah last year for winning a state championship in Division I Swimming.

**At this time, Mayor Agenbroad called for a motion under ORC121.22(G) to enter Executive Session to consider confidential marketing plans of an applicant for economic development assistance with a project that involves public infrastructure improvements or the extension of utility services that are directly related to the project, and Executive Session is necessary to discuss possible expenditure of public funds relating to the project; whereby, no votes will be taken.**

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

No discussion.

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

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

**Executive Session:** City Council entered Executive Session at approximately 6:15 PM to consider confidential marketing plans of an applicant for economic development assistance with a project that involves public infrastructure improvements or the extension of utility services that are directly related to the project, and Executive Session is necessary to discuss possible expenditure of public funds relating to the project.

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 6, 2021 City Council Work Session immediately thereafter.*

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

**CITY COUNCIL REGULAR MEETING**

THURSDAY, MAY 6, 2021

7:00 PM

**CITY COUNCIL**

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

**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 6, 2021 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 Jack Hanson.

As a reminder to the public, Mayor Agenbroad stated that City Council is following the recommended social distancing guidelines and is requiring masks during meetings in an effort to keep everyone safe and healthy and help curb the spread of COVID-19.

**PUBLIC HEARING**

**IN ACCORDANCE WITH OHIO REVISED CODE SECTION 713.12, A PUBLIC HEARING WAS HELD BEFORE THE CITY COUNCIL OF THE CITY OF SPRINGBORO, OHIO AT 7:00 P.M. ON THURSDAY, MAY 6, 2021. THE PUBLIC HEARING TOOK PLACE IN COUNCIL CHAMBERS AT THE SPRINGBORO MUNICIPAL BUILDING, 320 WEST CENTRAL AVENUE IN SPRINGBORO.**

**PUBLIC HEARING: THIS PUBLIC HEARING WAS IN REGARDS TO AN ORDINANCE CONTAINING AMENDMENTS TO THE PLANNING & ZONING CODE, PART XII OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, SPECIFICALLY REPEALING AND REPLACING CHAPTER 1281, SIGN CODE, AND AMENDING SECTION 1264.33, HOME OCCUPATIONS, SECTION 1264.35, OUTDOOR DINING, SECTION 1268.01(F)(6), SIGNS IN THE ADD-1, AUSTIN DEVELOPMENT DISTRICT-1, AND CHAPTER 1290, DEFINITIONS, ALL AS THEY RELATE TO THE REGULATION OF SIGNS. THE SPRINGBORO PLANNING COMMISSION APPROVED A RECOMMENDATION TO CITY COUNCIL AT ITS MARCH 10, 2021 MEETING.**

**THIS PUBLIC HEARING WAS HELD IN ACCORDANCE WITH CHAPTER 1287, AMENDMENTS, OF THE PLANNING AND ZONING CODE. THE PUBLIC HEARING WAS LIMITED TO 30 MINUTES; 15**

MINUTES RESERVED FOR THE OPPONENTS, AND 15 MINUTES RESERVED FOR THE PROPONENTS.

MAYOR AGENBROAD STATED THAT IN KEEPING WITH PROTOCOL, COUNCIL WOULD BEGIN BY HEARING PROPONENTS FOLLOWED BY OPPONENTS.

CITY PLANNER DAN BORON PRESENTED BACKGROUND INFORMATION REGARDING THE RECOMMENDATION FROM THE SPRINGBORO PLANNING COMMISSION TO AMEND THE CITY'S PLANNING AND ZONING CODE AS FOLLOWS:

THIS PROPOSED ORDINANCE IS THE RESULT OF WORK CITY STAFF HAS BEEN UNDERTAKING FOR THE LAST NINE MONTHS. THE CITY'S SIGN CODE AND AFFILIATED SECTIONS OF THE CODE THAT REGULATE SIGNS HAVE BEEN REVISED IN ORDER TO ADDRESS LEGAL ISSUES ASSOCIATED WITH A RECENT SUPREME COURT DECISION AND TO MAKE THE CITY'S SIGN CODE MORE USER FRIENDLY TO BUSINESSES AND EASIER FOR CITY STAFF, PROPERTY OWNERS AND BUSINESSES TO WORK WITH. CITY STAFF, INCLUDING THE CITY MANAGER, CITY LAW DIRECTOR AND CITY ZONING INSPECTOR, ALL WORKED WITH CONSULTANT WENDY MOELLER OF COMPASS POINT PLANNING OVER THE LAST NINE MONTHS BY FIRST PERFORMING AN AUDIT TO IDENTIFY A FRAMEWORK FOR REVISIONS TO THE SIGN CODE. SIGNS ARE AMONG THE MOST REGULATED ACTIVITY BY THE CITY AND GENERATE THE MOST PERMIT ACTIVITY ON A DAILY BASIS. ONE MEMBER OF STAFF HANDLES SIGNS ONE-THIRD OF THEIR TIME EVERY DAY WITH RESPECT TO THE REGULATION OF THE ENTIRE SIGN CODE, WHICH WAS ESTABLISHED BY CITY COUNCIL WELL OVER 25 YEARS AGO.

AT THIS TIME, MR. BORON INTRODUCED WENDY MOELLER OF COMPASS POINT PLANNING, WHO WILL BE PRESENTING A BRIEF SYNOPSIS OF THE NEWLY PROPOSED SIGN ORDINANCE.

MS. MOELLER REFERRED TO A HANDOUT OF THE PRESENTATION AND MADE THE FOLLOWING COMMENTS: (A COPY PRESENTATION IS ATTACHED FOR THE RECORD.)

THIS PRESENTATION GIVES AN OVERVIEW OF THE MAJOR CHANGES TO THE SIGN CODE. PART OF THE REASON AN AUDIT OF THE SIGN CODE WAS PERFORMED, WAS TO OUTLINE THE BIGGEST CHANGES THAT NEEDED TO BE MADE TO THE CODE AND TO DETERMINE WHAT DIRECTION TO TAKE IN REVISING THE SIGN CODE. EVEN WITH THE SUPREME COURT CASE DECISION, THE CITY STILL HAD SOME OPTIONS WITH RESPECT TO THE CASE LAW, WHICH IS WHY IT WAS IMPORTANT TO HAVE THE CITY LAW DIRECTOR INVOLVED IN THE PROCESS AS WELL.

AGAIN, THE OVERALL PURPOSE OF THE UPDATE WAS TO BRING THE CITY SIGN CODE INTO COMPLIANCE WITH FEDERAL CASE LAW SPECIFICALLY RELATED TO THE FIRST AMENDMENT, BUT ALSO TO ADDRESS ONGOING ISSUES WITH THE ADMINISTRATION OF THE CURRENT STANDARDS. IN PARTICULAR, THE CLARIFICATION OF SIGN TYPES AND MEASUREMENTS AND THE CLEANING UP OF ADMINISTRATIVE CHANGES SUCH AS HOW THE CODE IS ENFORCED OR INTERPRETED AND MAKING SURE THAT THE AVERAGE USER COULD PICK UP THIS SIGN CODE AND UNDERSTAND WHAT IS ALLOWED, WHERE IT IS ALLOWED AND WHAT SIZE IS PERMITTED. IN ADDITION, THIS PROCESS TOOK INTO CONSIDERATION REVISIONS DESIRED BY THE COMMUNITY WITHOUT MAJOR POLICY CHANGES IN THE SIZE OF SIGNS. SOME OF THE PROPOSED CHANGES GRANT MORE FLEXIBILITY TO BUSINESS OWNERS IN CHOOSING WHAT TYPES OF SIGNS THEY WANT GIVING BUSINESSES SOME MORE OPTIONS WITHOUT SUBSTANTIALLY INCREASING THE SIZE OF THE SIGN.

THE SUPREME COURT CASE REFERRED TO PREVIOUSLY IS REED V. TOWN OF GILBERT, ARIZONA. THE SUPREME COURT'S OPINION WAS RELEASED IN 2015. THE CORE OF THAT COURT CASE IS THAT COMMUNITIES SHOULD NOT BE READING THE MESSAGE OF A SIGN TO DETERMINE HOW TO REGULATE IT (aka CONTENT NEUTRALITY). FOR EXAMPLE, WHY WOULD THERE BE SPECIAL REGULATIONS FOR A REAL ESTATE SIGN AS COMPARED TO A CONSTRUCTION SIGN AS COMPARED TO A POLITICAL SIGN. THE COURT STATED THAT

REGULATIONS SHOULD BE FOCUSED ON THE STRUCTURE OF THE SIGN SUCH AS THE SIZE OF THE SIGN. IN OTHER WORDS, A SIGN SHOULD BE REFERRED TO BY ITS TYPE, SUCH AS A YARD SIGN, RATHER THAN REFERRING TO IT AS A CONSTRUCTION SIGN OR A REAL ESTATE SIGN. THEREFORE, THE FIRST STEP TO REVISING THE SIGN CODE WAS TO STRIKE LANGUAGE REFERRING TO CONTENT. THERE WERE SOME GRAY AREAS WHERE THE COURT CASE DID NOT NECESSARILY OVERTURN PREVIOUS COURT CASES, WHICH ALLOWED THE CITY TO HAVE DISTINCTIONS BETWEEN ON-PREMISE VERSUS OFF-PREMISE SIGNS THAT ARE MESSAGE BASED AND NON-COMMERCIAL SIGNAGE E.G. POLITICAL, RELIGIOUS OR ANY FREE SPEECH SIGNAGE AND COMMERCIAL SIGNAGE SUCH AS A GRAND OPENING SIGN. THE ON-PREMISE VERSUS OFF-PREMISE DISTINCTION WAS ELIMINATED IN THE NEWLY PROPOSED REVISIONS TO THE CODE, AS THERE IS A CIRCUIT COURT CASE ONGOING THAT APPLIES TO OHIO, WHICH SUGGESTS THAT IT MAY ULTIMATELY PROHIBIT THIS DISTINCTION. THE MAIN REASON COMMUNITIES MAKE THAT DISTINCTION IS TO REGULATE BILLBOARDS, WHETHER THEY PROHIBIT THEM OR ALLOW THEM. THIS DISTINCTION WAS DETERMINED TO NOT REALLY BE NECESSARY BECAUSE EVERY PROPERTY, BASED ON THE SIZE OF THE BUILDING OR SIZE OF THE PROPERTY, IS PROVIDED A CERTAIN AMOUNT OF SQUARE FOOTAGE FOR SIGNS. BY ELIMINATING THIS DISTINCTION, THE CITY WOULD NOT ALLOW FOR ANY BILLBOARD SIZE SIGNS EXCEPT FOR IN THE INTERSTATE OVERLAY DISTRICT NEAR THE INTERSTATE. IN ESSENCE, THERE ARE NO LONGER ANY REGULATIONS PERTAINING TO SIGN MESSAGE. HOWEVER, THE REGULATIONS PERTAINING TO COMMERCIAL MESSAGES VERSUS NON-COMMERCIAL MESSAGES WERE MAINTAINED SPECIFICALLY WHEN IT PERTAINS TO TEMPORARY SIGNS SUCH AS SIGNS THAT SAY "WE LOVE SPRINGBORO" OR POLITICAL OR RELIGIOUS SIGNS.

THE REVISED SIGN CODE ALSO CLARIFIES THE TYPES OF SIGNS ALLOWED IN SPRINGBORO AND ADDS SPECIAL PROVISIONS FOR DRIVE-THROUGH SIGNAGE AND DRIVEWAY SIGNS OR WHAT IS TYPICALLY SEEN AS DIRECTIONAL SIGNAGE. THE WAY THE CODE IS CURRENTLY WRITTEN, DRIVE-THROUGH SIGNS TECHNICALLY COUNT AGAINST THE GROUND SIGN ALLOWANCE. DRIVE-THROUGH SIGNS ARE TREATED DIFFERENTLY THAN THE TRADITIONAL MONUMENT SIGN. THE HEIGHT OF SIGNS ALLOWED AND THE OVERALL MAXIMUM GROUND SIGN SIZE OF THOSE FREESTANDING SIGNS WAS NOT INCREASED. IN ADDITION, THE PROPOSED CODE REVISIONS DO PROVIDE FOR DIGITAL SIGNAGE WITH VERY CLEAR LIMITATIONS. FOR EXAMPLE, IN RESIDENTIAL AREAS, DIGITAL SIGNS WOULD BE ALLOWED, BUT WOULD HAVE TO BE A FAIRLY FAR DISTANCE FROM DWELLINGS. FOR EXAMPLE, A SCHOOL MAY BE ABLE TO HAVE A DIGITAL SIGN IF THEY ARE SETBACK FAR ENOUGH. THE SIGN DISTRICT MAP WAS ALSO ELIMINATED FROM THE CURRENT CODE BECAUSE IT IS NOT NEEDED. MOST OF THE CITY'S SIGNAGE IS REGULATED BY ZONING DISTRICT WITH TWO EXCEPTIONS, ONE IS A SPECIAL PROVISION NEAR THE INTERSTATE AND THE OTHER IS NEAR DOWNTOWN. SIGN OVERLAY DISTRICTS WERE CREATED AND THE BOUNDARIES OF THOSE DISTRICTS WERE EMBEDDED IN THE SIGN CODE, WHICH EXPLAIN THE SPECIAL PROVISIONS FOR THE OVERLAY DISTRICTS AND ELIMINATE THE NEED TO HAVE AN ENTIRELY DIFFERENT ZONING MAP FOR SIGNS.

IN AN EFFORT TO MAKE THE SIGN CODE A LOT SIMPLER, THEY USED AS MANY GRAPHICS AND ILLUSTRATIONS AS POSSIBLE TO DEMONSTRATE HOW THE SIGN REGULATIONS ARE INTERPRETED AND WHAT IS MEANT BY DIFFERENT SIGN TYPES.

WITH RESPECT TO PERMANENT SIGN ALLOWANCES, THE CHANGES FOCUSED ON CLEAN-UP OF THE LANGUAGE, BUT DID NOT CHANGE SIZE AND HEIGHT ALLOWANCES. THE PERMANENT SIGN TYPES WERE BROKEN DOWN BY GROUND AND BUILDING SIGNS, I.E., FREESTANDING MONUMENT SIGNS VERSUS SIGNS ATTACHED TO BUILDINGS, AND THEY ARE CALCULATED AS A TOTAL SIGN AREA PER LOT FROM OTHER SIGNS ALLOWED. THERE ARE ALSO WINDOW SIGNS, WHICH ARE ALLOWED UP TO 50% FOR COMMERCIAL AND INDUSTRIAL, WHICH IS A SLIGHT INCREASE FOR THE COMMERCIAL AREAS. STAFF DID VET THE INCREASE AGAINST OTHER COMMUNITIES TO MAKE SURE IT MEETS ACCEPTED PRACTICES. AS PREVIOUSLY MENTIONED, DRIVE-THROUGH SIGN AND DRIVEWAY SIGN REGULATIONS WERE ADDED TO THE CODE ALONG WITH REGULATIONS PERTAINING TO PERMANENT SIGNS AT

ENTRIES, WHICH ARE SIGNS TYPICALLY SEEN IN FRONT OF SUBDIVISIONS THAT IDENTIFY THE SUBDIVISION.

WITH RESPECT TO TEMPORARY SIGNS, THE CODE RETAINS THE NON-COMMERCIAL MESSAGE VERSUS COMMERCIAL MESSAGE AND THE FOCUS IS ON THE TYPE OF SIGN ALLOWED. IN THE CITY, THE NEW CODE WOULD ALLOW FOR BANNER SIGNS, YARD SIGNS, WINDOW SIGNS AND SIDEWALK SIGNS AS PERMITTED TEMPORARY SIGNS, BUT ULTIMATELY PROHIBITS SIGNAGE SUCH AS BALLOON SIGNS, FEATHER SIGNS, ETC. THE NEW CODE IS FAIRLY HANDS-OFF REGARDING FREE SPEECH SIGNS AND NON-COMMERCIAL SIGNS, BUT FOCUSES ON THE MAXIMUM INDIVIDUAL SIGN HEIGHT, SIGN AREA AND SETBACK. FOR EXAMPLE, THESE TYPES OF SIGNS ARE NOT ALLOWED IN THE RIGHT-OF-WAY, BUT THE CODE DOES NOT REGULATE THE NUMBER OF SIGNS OR MESSAGE BECAUSE EVERYONE HAS FREE SPEECH YEAR-ROUND. WHAT THEY HAVE FOUND, SINCE THE REED COURT CASE, IS THAT PEOPLE MOSTLY DO SELF-REGULATE. IN OTHER WORDS, PEOPLE WILL POST SIGNS SUPPORTING CANDIDATES OR SCHOOLS, BUT TEND TO REMOVE THEM AFTER THE FACT. THE PROPOSED SIGN CODE REVISIONS ALSO MAKE SURE THAT MAINTENANCE REQUIREMENTS ARE STRONG. TEMPORARY SIGNS TEND TO DETERIORATE THE QUICKEST AND STAFF WANTED TO MAKE SURE MAINTENANCE REQUIREMENTS WERE IN PLACE.

IN ADDITION, THE SIGN CODE DEFINITIONS WERE COMPLETELY UPDATED TO DEFINE ALL OF THE TYPES OF SIGNS THAT ARE ALLOWED IN THE CITY AND DEFINE SPECIFIC TERMS RELATED TO SIGNS. ALSO, ALL OF THOSE DEFINITIONS WERE INCORPORATED INTO CHAPTER 1290 OF THE PLANNING AND ZONING CODE, WHICH IS WHERE THE DEFINITIONS FOR THE REST OF THE ZONING CODE ARE FOUND. THEREFORE, ALL PLANNING AND ZONING DEFINITIONS WILL BE IN THE SAME PLACE, WHICH IS IN LINE WITH MOST MODERN ZONING CODES. IN ADDITION, A HANDFUL OF CHANGES WERE MADE TO OTHER SECTIONS OF THE ZONING CODE THAT SPECIFICALLY REFERENCED SIGNS. THERE WERE ONLY MINOR CHANGES TO PREVENT CONFLICTS AND VERY FEW OF THEM ADDRESSED MESSAGE CONTENT, WHICH WERE ADDRESSED IN THE SIGN CODE OR THE LANGUAGE WAS REMOVED. FINALLY, THE ENTIRE ZONING CODE WAS CHECKED FOR ANY REFERENCES TO SIGNAGE AND REVISED IF NEEDED. MS. MOELLER CONCLUDED THE PRESENTATION AND OFFERED TO ANSWER ANY QUESTIONS.

MAYOR AGENBROAD PRESENTED THE ITEM FOR QUESTIONS/COMMENTS OF COUNCIL.

THERE WERE NO QUESTIONS OR COMMENTS OF COUNCIL.

MAYOR AGENBROAD THANKED MR. BORON AND MS. MOELLER FOR THEIR COMMENTS REGARDING THIS RECOMMENDATION.

MAYOR AGENBROAD INVITED ANY OTHER PROPONENTS, AND SUBSEQUENTLY ANY OPPONENTS, TO APPROACH THE PODIUM, STATE THEIR NAME AND ADDRESS FOR THE RECORD AND MAKE THEIR COMMENTS ACCORDINGLY.

PROPONENTS: NO OTHER PROPONENTS.

OPPONENTS: NO OPPONENTS.

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

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ITEM 3. ROLL CALL. Agenbroad, Present; Brunner, Present; Chmiel, Present; Hanson, Present; Harding, Absent; Iverson, Present; Ridd, Present. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. City Planner Dan Boron and Consultant Wendy Moeller were also present.

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



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

No discussion.

**VOTE: Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, 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 15, 2021.

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

**Mayor Agenbroad called for a motion to approve the Minutes.**

**Mr. Chmiel motioned. Mr. Hanson seconded the motion.**

No discussion.

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

**ITEM 5. PRESENTATIONS:** No Presentations.

**ITEM 6. LEGISLATION:** City Council held a Work Session at 6:00 PM tonight for approximately 15 minutes to discuss the following legislative items as well as other City business. During the Work Session, City Council entered Executive Session for approximately 35 minutes to consider confidential marketing plans of an applicant for economic development assistance with a project that involves public infrastructure improvements or the extension of utility services that are directly related to the project, and Executive Session is necessary to discuss possible expenditure of public funds relating to the project; whereby, no votes were taken.

- 1) **ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING THE PLANNING & ZONING CODE BY REPEALING AND REPLACING CHAPTER 1281, SIGNS, AMENDING CHAPTER 1290, DEFINITIONS, AMENDING SECTION 1264.33, HOME OCCUPATIONS, AMENDING SECTION 1264.35, OUTDOOR DINING, AND AMENDING SECTION 1268.01, SIGNS IN THE ADD-1, AUSTIN DEVELOPMENT DISTRICT 1, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the first reading of an ordinance amending the Planning & Zoning Code by repealing and replacing Chapter 1281, Signs, and cross-references. This ordinance was the subject of tonight's Public Hearing.

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

**No action required at this time.**

**ITEM 7. REPORTS: Mayor's Report** – Free Shred Day, Saturday, May 22, 9:00 AM-1:00 PM, at North Park. Memorial Day will be observed on Monday, May 31; whereby, the City Offices will be closed. The Memorial Day Parade will take place on Monday, May 31 at 2:00 PM. The parade will proceed down S. Main Street to Wade Field where a brief ceremony will be held. Light refreshments will be provided in the shaded area behind the bleachers where tables and chairs will be setup. In addition, the Springboro Chamber Hometown Expo, "That Spring Thing," will be held on Saturday, June 5, 10:00AM-3:00PM, at Springboro High School.

Mayor Agenbroad encouraged the public to continue to look for updates regarding meetings and events on the City's website, social media and newsletters. In addition, the next City Council Work Session will be held on Thursday, May 20, 2021 at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers.

Also, under the Mayor's Report, Mayor Agenbroad read the following letter from Springboro High School Student Hannah Hill, who was selected as Penn Station Athlete of the Month for April in the Dayton market.

*Dear Mayor Agenbroad,*

*Recently I was selected as the Penn Station Athlete of the Month for April in the Dayton market. I am a graduating Senior at Springboro HS and I won the award based on my accomplishments in swimming and in the classroom.*

*I have lived in Springboro nearly my entire life and have attended Springboro Schools since Kindergarten. I believe much of my success was based on the many opportunities I was afforded living in this area and the great community supporting our schools. I would like to thank you for your commitment to our city as Mayor and allow you and the city staff to share in my accomplishments.*

*The Penn Station monthly award package includes Buy 1 Get 1 Free Certificates to share with the community. Over 1,000 coupons have already been distributed at the school and in the local area. Please share the enclosed certificates with employees of Springboro.*

*Thank you again for all you and the other city employees do for our community every day. If you're looking for ways to improve the city, you may consider a new aquatic center with a 50-meter competition pool. If Springboro had that it would definitely top the charts for the best city in America!*

*Warmest regards,*

*Hannah Marie Hill,*

*Springboro High School Graduating Senior/Future Purdue Boilermaker*

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

**S. Main Street (Historic Downtown) Lighting Project:** This project began today and is being coordinated through Duke Energy. The project should be finished in approximately two weeks and demonstrates the City's continued investment in the downtown area. Once the new light poles are installed, a company will be installing WiFi receptors on 12 of those poles, and by mid-summer, there will be free public WiFi in the downtown area for people to use.

**2021 Street Resurfacing Program:** This year's street resurfacing program has begun and is ongoing. During the program, the streets are milled to remove the top layer of asphalt and then a SAMI solution (a protective membrane) is applied followed by a new layer of asphalt.

**Committee Reports** –

**Ms. Iverson – Planning Commission** – Planning Commission met on April 14 primarily to discuss the Easton Farm proposal; however, no votes were taken. The Planning Commission has received a lot of good input from the community as well as the developer regarding this proposed development. The next Planning Commission meeting is May 12 at 6:00 PM via

Zoom video conference. Please see instructions to attend the meeting and submit comments on the City's website.

The Master Plan Committee met yesterday and continues to work on updating the City's Master Land Use Plan. Ms. Iverson thanked everyone involved in that committee.

Ms. Iverson also commented that Police Chief Kruithoff hosted a panel discussion at the Performing Arts Center on April 28. Five African American police officers from the Dayton area including Springboro discussed what it is like to be a black police officer in this day and age. If you were unable to attend the program, you can watch the video, "Law Enforcement from a Black Perspective," on the City's website. Ms. Iverson added that the officers shared a lot of insight about what their challenges are, what they are dealing with as well as some really positive solutions; it was a really honest talk. Finally, Ms. Iverson commended Chief Kruithoff for organizing the event and bringing true conversations to the forefront.

**Mr. Hanson** – No reports.

**Mr. Brunner** – No reports.

**Mr. Chmiel** – No reports.

**Deputy Mayor Ridd** – Deputy Mayor Ridd commented that she was given the great opportunity last Saturday to attend the dedication of the Blessing Box at Cross Creek Hydroponics. Business owner Tami Kincer collaborated with the Springboro High School Cheerleaders and together they created, designed and constructed a Blessing Box that sits outside of the shop at 240 S. Main Street on the south side of the building. Ms. Ridd further commented that the idea behind the Blessing Box is "Take what you need, Give what you can." The box is for non-perishable food items, and anyone visiting, shopping, eating, walking in the downtown area is encouraged to place some food items in the box, which will benefit the Springboro Community Assistance Center as well as other food missions in the area. Ms. Ridd thanked everyone involved in the project for this important mission they are providing for the community. The plan is to continue to keep the Blessing Box stocked and, if it is full, there is an overflow box in the back.

**ITEM 8. OTHER BUSINESS. Mayor Agenbroad presented a notice of an application for a Liquor Permit as follows:**

The City of Springboro is in receipt of a notification for a request for the transfer of a liquor permit bearing the number 48888880630 from Kroger Limited Partnership I DBA Kroger 925, 625 W. Central Avenue, Springboro, OH 45066. The request is for Permit C-1 – Carry out of beer until 1:00 a.m. maximum container size in five and one-sixth gallons.

The Springboro Police Division has completed a records check on the applicant/application and based on its investigation makes the following recommendation:

The Springboro Police Department can find no cause for objection to this application and recommends Council and the City of Springboro not express any objections and not request a hearing from the Ohio Division of Liquor Control concerning this application.

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

**Mayor Agenbroad called for a motion that the City Council and the City of Springboro not express any objections and not request a hearing from the Ohio Division of Liquor Control regarding this Liquor Permit application.**

**Mr. Brunner motioned. Ms. Ridd seconded the motion.**

No discussion.

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

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

**ITEM 10. GUEST COMMENTS.** No Guest Comments.

**ITEM 11. EXECUTIVE SESSION.** No Executive Session.

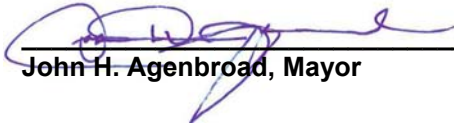
**ITEM 12. ADJOURNMENT.** Mayor Agenbroad thanked the MVCC for tonight's telecast and scheduled rebroadcasts of this Springboro City Council Meeting. On behalf of City Council, Mayor Agenbroad wished all mothers a Happy Mother's Day!

**Mayor Agenbroad called for a motion to adjourn the Thursday, May 6, 2021 Springboro City Council Regular Meeting at approximately 7:25 PM.**

**Ms. Ridd motioned. Mr. Hanson seconded the motion.**

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

**—MEETING ADJOURNED—**



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**John H. Agenbroad, Mayor**

**John H. Agenbroad**

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**Presiding Officer**



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**Lori A. Martin, Clerk of Council**