

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

CITY COUNCIL WORK SESSION

THURSDAY, AUGUST 17, 2023

6:00 PM

CITY COUNCIL

John Agenbroad, Mayor
Stephen Harding, Deputy Mayor/At Large
Becky Iverson, 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, August 17, 2023 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.

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

1) **RESOLUTION R-23-21: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A WATER AGREEMENT WITH WARREN COUNTY.**

No discussion.

2) **RESOLUTION R-23-22: A RESOLUTION APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE WARREN COUNTY SOLID WASTE MANAGEMENT DISTRICT.**

No discussion.

ITEM 4. CITY MANAGER. – Issues/Reports.

Concerts in the Park Survey: The City has received approximately 80 responses to a survey featured on the website to collect feedback regarding the summer concert series. A report of the data will be shared with Council once the survey is closed.

Snowplow Naming Contest: The City is asking the public to submit names for our snowplows. Ms. Ridd participated in the contest by submitting the name “Snow Force One.” The City has already received approximately 40 submittals for snowplow names.

T-Shirt Night at Springboro High School Football Game: *The City will be giving away T-shirts on Friday, September 15, which is the high school's White-Out football game against Fairmont. Council Members are invited to attend to hand out T-shirts. Staff is in the process of designing the T-shirt and is working with The Blue Crew on this event.*

In addition, Mr. Pozzuto commented that he did follow up via e-mail with Mr. Crippen, who commented at the last Council Meeting concerning speeding in the area of Market Street and Woods Road in the Royal Oaks Subdivision. Mr. Pozzuto further commented that he did not receive a response from Mr. Crippen; however, he has been coordinating with the Police Department to patrol the area for speed at various times and will use other speed deterrents.

Mr. Shackelford reported on the following items:

Community Entertainment District (CED) Map Proposal 2023: (Presentation attached for reference.) *Mr. Shackelford commented as follows:*

At the last Work Session, Mr. Shackelford discussed the parameters of a Community Entertainment District (CED). Mr. Shackelford presented a map of the proposed CED, which runs along Main Street (SR741) to the north and south, specifically north to Pennyroyal Road and south to Mill Street, and areas on east and west Central Avenue (SR73). The proposed district includes the frontage along the west side of SR741 up to the Gardner Park Development and across to Remick Boulevard to China Cottage restaurant, in case there is a change in users there, and along the front of the Easton Farm, an area that will potentially be developed and have some commercial usage. The CED runs all the way down the west side of SR741 to take into account Edgebrook Drive, in case, for example, The Springs restaurant site redevelops. The CED then runs west on SR73 to Park Plaza, where This Guy's Coffee and Roma's restaurant are located, and across to Springboro Pointe Shopping Center and then back down SR73 and into the historic downtown area. Certain segments such as the Kroger plaza and the property adjacent to the Enclave of Springboro senior living, if it was ever to develop as multi-use, could be included as well.

Mr. Brunner asked how deep the CED border would extend on the Easton Farm property with respect to having uses that far back on the property.

Mr. Shackelford explained that essentially it would give the developer of the Easton Farm the opportunity to put in a user that would be allowed to apply for a liquor permit.

Mr. Brunner commented that, according to the border of the proposed CED as shown, it would be about half of the property on the Easton Farm.

Mr. Shackelford commented that the depth of the CED could be narrowed to match up to where the Goddard School sits.

Mr. Pozzuto pointed out that some of those areas are not zoned correctly; therefore, even if the property is included in the CED, such as the O-R shown on the map, they could not have a bar or restaurant because they are not zoned for that use. The border being proposed is to capture a greater area in order to meet the acreage requirement for the CED. A property would have to be properly zoned to have that specific use. In other words, if a property were located within the CED, it would still have to be zoned for uses such as restaurants and liquor establishments in order to use the permits. Mr. Pozzuto also pointed out that the master plan for the Easton Farm approved through the lawsuit does not go that far back onto the property anyway.

Mr. Brunner suggested matching that border up to the border further south on SR741.

Mr. Harding commented that there are about 12 acres designated for commercial at the front of the Easton Farm property.

Mr. Pozzuto reiterated that those borders could be adjusted, but some of the parcels are not zoned correctly for those uses anyway, i.e., neither bars nor restaurants could be placed at those locations unless they are rezoned.

Mr. Brunner asked what the CED would provide as far as permits.

Mr. Shackelford answered that the City would be able to pick up 15 additional D-5J liquor permits. The key piece in proposing the CED map was to make sure it included at least 20 contiguous acres.

Mr. Chmiel asked if all of the property in the CED had to be contiguous or could another spot be included such as the Kroger plaza without including everything in between, i.e., everything between where the existing border ends and the new border begins.

Mr. Shackelford replied yes. Mr. Shackelford pointed out on the map that the border on the east side of N. Main Street does not include the CinDay Academy property.

Mr. Brunner asked if there were any down sides to the proposed CED.

Mr. McDonald commented that most communities are required to have \$50M worth of investment, but somehow, some small community had some clout with the legislature and carved out the exception to that requirement, which is having a population between 7,000-20,000, being incorporated as a Village prior to 1880 and having a Historic District.

Mr. Pozzuto clarified that if Council approved this proposal, essentially we are only looking at a few areas that can take advantage of the CED from a zoning standpoint, which include Wright Station, the potential Easton Farm development, Village Park, the Dorothy Lane Market area, Springboro Pointe Shopping Center and Park Plaza. The other areas are not zoned correctly for liquor establishments and would have to go through the rezoning process before they could develop a restaurant or bar and take advantage of the available CED permits.

Mr. Harding asked, as of right now, how many licenses are permitted and how many are currently available in the City.

Mr. Pozzuto commented that he does not know the exact number, but he does know that there are no permits left in some of the permit categories. For the D5 category, which is the most desired, the City only has one and there are four people in line for it.

Mr. Harding confirmed that D5 is a full liquor permit that most restaurants would want.

Mr. Pozzuto replied, yes, that is correct.

Mr. Brunner asked, from an economic development consideration, why would we not include the Easton Property and the Kroger plaza as well.

Mr. Shackelford answered that, if we include it all, it might limit our ability to increase the number of permits available to us, i.e., we would be limited to the 15 liquor permits allowed as part of the CED. However, if we did not include certain areas and we decided to create another CED, we would receive an additional 15 permits.

Mr. Brunner confirmed that there is no timeframe as long as the legislative provisions do not change.

Mr. Shackelford replied, yes.

Ms. Ridd commented that with the proposed CED map, we are encouraging restaurant development in this area (areas on north SR741), which she would prefer rather than on SR73 by Kroger. Ms. Ridd also asked if the liquor license owned by the Donut Haus was released since they never used it.

Mr. Pozzuto replied that the owner of that permit sold it to the Dillins, who are using it at the Aaron Wright House (155 W. Central Avenue). Mr. Pozzuto explained, in essence, that the permit is attached to the owner, not the location.

Mr. Shackelford explained that in order to proceed with the process to establish the CED, staff would use the map to create a spreadsheet that included all of the addresses and information. This process would be similar to the DORA application process by including all of the required documents concerning property within the CED. If approved, the approved CED application would be filed with the Ohio Division of Liquor Control. Mr. Shackelford commented that the process may take 60-90 days.

Ms. Ridd asked if the CED would require any boundary markers or any kind of notification to property owners like the DORA requires, such as notifying establishments that they are included in the DORA or posting signage to alert people when they are entering or leaving the DORA area. Ms. Ridd further asked if there were any similar requirements for the CED.

Mr. Shackelford replied, no. Mr. Shackelford explained that when an establishment in the CED receives their liquor permit, it would indicate on the permit that the establishment is part of the CED. Establishments in the DORA received new liquor permits when the DORA was created indicating that they were part of the DORA.

Mr. Pozzuto pointed out that the permits generated by the CED are subject to the same rules as a regular liquor permit, such as, you cannot carry alcohol outside of the establishment.

Mr. Ridd confirmed that it would not make any difference to the average patron.

Mr. Pozzuto confirmed that it would not affect patrons; they would not even know.

Mr. Hanson confirmed that the CED permits are limited with respect to the fact that there are no Sunday liquor sales.

Mr. Shackelford replied, yes, the liquor permits issued under the CED provision do not include Sunday sales.

Mr. Harding commented that an owner of one of these permits would have to go through the legal process to obtain a Sunday sales permit just like anyone else with a regular permit that does not include Sunday sales.

Mr. Pozzuto commented that staff would narrow down and fine-tune the proposed borders of the CED map and move forward with the legislative process to establish the CED.

In addition, Mr. Shackelford commented that he has not heard of any issues concerning the DORA. Mr. Shackelford further commented that ARTFest picked up 3,100 DORA cups today for their festival on Saturday, September 26. Christmas in Springboro took 5,000 cups last year; they used about half and returned the remaining cups. They are only charged for cost, which is how any request will be handled such as any request for cups for the upcoming Oktoberfest.

Mr. Hanson commented that they would not be requesting DORA cups for Oktoberfest. Mr. Hanson explained that people can only exit left with the cup and most people park in the other direction creating confusion concerning where people can go with the cups plus they already have a perimeter for the festival.

There was no further discussion regarding this item.

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

Calendar Updates: Music at Wright Station, Sundays, Tuesdays and Fridays at 7:00 PM through September 12; music is free and open to the public. Labor Day Observed, Monday, September 4 (City Offices Closed).

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

ITEM 6. CITY COUNCIL. – Issues/Reports.

Mr. Brunner – No reports.

Ms. Ridd – Ms. Ridd will present an Architectural Review Board report at tonight's Regular Meeting under Reports.

Ms. Iverson – No reports.

Mr. Chmiel – Mr. Chmiel will present a Finance Committee Report at tonight's Regular Meeting under Reports.

Mr. Hanson – No reports.

Deputy Mayor Harding – No reports.

Mayor Agenbroad – Prior to tonight's Work Session, Mayor Agenbroad met with National American Miss Junior PreTeen 2023-2024, Sommer Joy Simon, who shared her experience and achievement as Miss Ohio. She will be traveling to Florida to compete in the nationals in November.

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.

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]

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

Executive Session: City Council entered Executive Session at approximately 6:20 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 6:40 PM; whereby, no votes were taken.

ITEM 7. ADJOURNMENT. *With no further discussion in Work Session, Mayor Agenbroad adjourned the Thursday, August 17, 2023 City Council Work Session immediately thereafter.*

COMMUNITY ENTERTAINMENT DISTRICT (CED) MAP PROPOSAL 2023

Proposed CED Area in the City of Springboro

Greg Shackelford, Assistant City Manager

MAP LEGEND

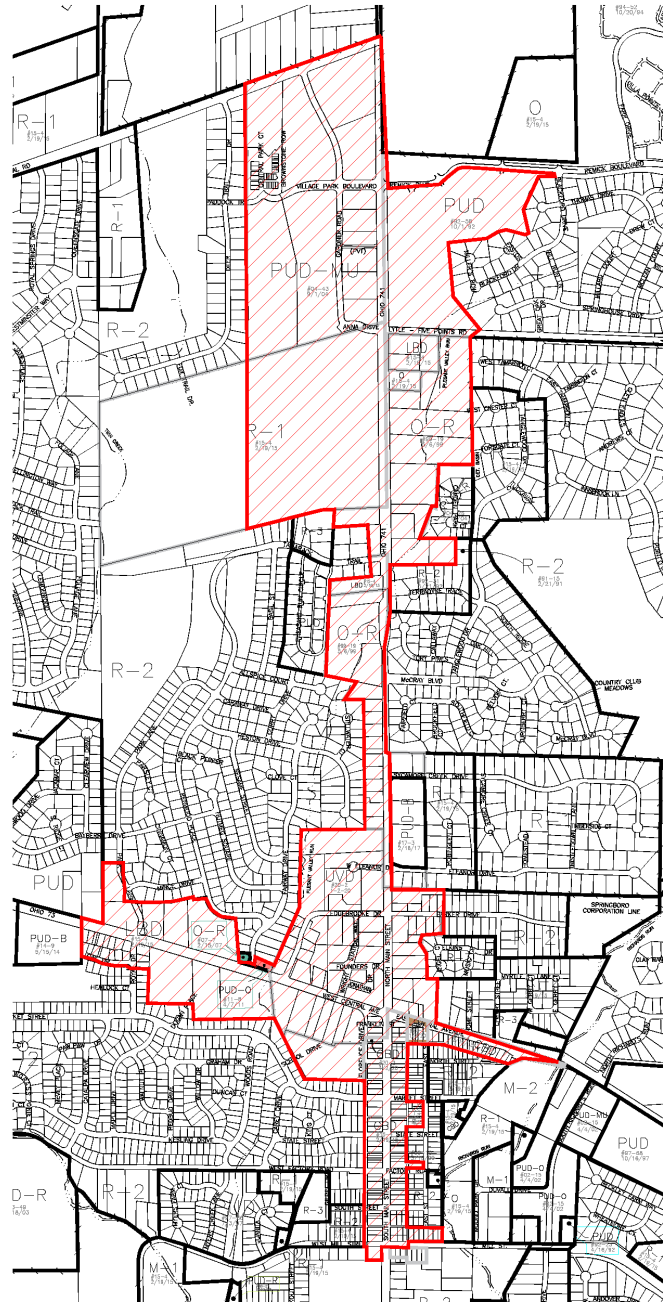
 PROPOSED COMMUNITY ENTERTAINMENT DISTRICT

PROPOSED COMMUNITY ENTERTAINMENT DISTRICT
CITY OF SPRINGBORO
WARREN/MONTGOMERY COUNTY, OHIO

REVISIONS	
NO.	DATE



Proposed Map



ZOOMED IN
INCLUDES
DOWNTOWN

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

CITY COUNCIL REGULAR MEETING

THURSDAY, AUGUST 17, 2023

7:00 PM

CITY COUNCIL

John Agenbroad, Mayor
Stephen Harding, Deputy Mayor/At Large
Becky Iverson, 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, August 17, 2023 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.
- 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.
- ITEM 4. APPROVAL OF MINUTES:** THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF AUGUST 3, 2023.

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

Ms. Ridd 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]
- ITEM 5. PRESENTATIONS:** No Presentations.
- ITEM 6. LEGISLATION:** City Council held a Work Session at 6:00 PM tonight for approximately 20 minutes to discuss the following legislative items as well as other City business. During the Work Session, City Council entered Executive Session for approximately 20 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) **RESOLUTION R-23-21:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A WATER AGREEMENT WITH WARREN COUNTY, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes a water agreement with Warren County. For the past 20 years, the City and County have had an agreement whereby the City supplies water to certain unincorporated areas in Clearcreek Township that border the City. That agreement has expired and the City has renegotiated a new agreement with the County, which sets the City's reimbursement rates for the water it supplies to non-residents and how it bills for those utility charges. During the past 20 years, the City was only allowed to charge a 2.5% reimbursement rate to the County, but, under the new agreement, the City is allowed to charge a 5.0% reimbursement rate to make up for increased costs over that time period. In addition, the term of the agreement has been reduced to 10 years to help control rising costs by being able to renegotiate the agreement under a shorter term. Mr. Pozzuto thanked the County Commissioners and Chris Brausch, Director of the Warren County Water and Sewer Department, for working with the City on this new agreement.

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

Mayor Agenbroad called for a motion to adopt Resolution R-23-21.

Ms. Ridd 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]

- 2) **RESOLUTION R-23-22:** A RESOLUTION APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE WARREN COUNTY SOLID WASTE MANAGEMENT DISTRICT, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution approves the Solid Waste Management Plan of the Warren County Solid Waste Management District. Every five or six years, the County is required to update its Solid Waste Management Plan. Per the Ohio Revised Code, the County has to have at least 60% of the political subdivisions within its district approve the plan. Approval of this resolution would help the County comply with that requirement. The City currently contracts with Rumpke for solid waste collection and approval of the Warren County Solid Waste Management Plan does not affect the City's current refuse services.

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

Mayor Agenbroad called for a motion to adopt Resolution R-23-22.

Ms. Ridd 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]

ITEM 7. REPORTS: Mayor's Report – Music at Wright Station, Sundays, Tuesdays and Fridays through September 12 at 7:00 PM; free and open to the public. Labor Day Observed, Monday, September 4 (City Offices Closed). Look for information regarding meetings and upcoming events on the City's website, social media and newsletters.

The next City Council Work Session will be held on Thursday, September 7 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:

City Website Updates: (The City's website address is www.ci.springboro.oh.us.) Mr. Pozzuto pointed out the following items currently posted on the website: 1) A Summer Concert Series Survey to obtain feedback from people in an effort to make this program the best it can be. 2) A Snow Plow Naming Contest. The City has 14 snowplows and is asking people in the community help name those snowplows. When the survey ends, a panel will judge all of the names submitted. The survey has already received nearly 40 submittals. 3) A Q & A concerning the City's 0.5% income renewal. The City's most recent newsletter includes an article on page 2 that talks about the City's income tax renewal issue on the election ballot for voters this November. If residents have any questions concerning the income tax renewal, please visit the Q & A on the homepage of the City's website or e-mail the City for answers to any additional questions.

Committee Reports –

Mr. Brunner – No reports.

Ms. Ridd – Architectural Review Board – The ARB met on August 14 to review the following items: The City will be sponsoring the Historic Preservation Grant Program this year. All owners of protected historic properties, which are mainly located in the downtown area, should have received information concerning the grant program by mail. Applications are due by midnight on Monday, August 28. The grant application and information can be found on the City's website at www.ci.springboro.oh.us. In addition, the Old Stone Church, where the bell tower is being repaired, will be giving tours of the church during ARTFest on Saturday, August 26 in conjunction with the Springboro Historical Society. The tours will feature information concerning the repair of the bell tower, the interior of the church and some of the stained-glass windows with Springboro founders' names. The Old Stone Church is one of the City's most iconic historic structures.

Ms. Iverson – No reports.

Mr. Chmiel – Finance Committee – The Finance Committee met tonight at 5:30 PM. All City funds are in good standing and the annual audit is complete with no issues or findings by the state auditor. The full audit report is available on the City's website at www.ci.springboro.oh.us.

Mr. Hanson – No reports.

Deputy Mayor Harding – Planning Commission – The Planning Commission met August 9 to review the following items: Final Approval, Site Plan Review – 55 Edwards Drive, building addition for Thaler Machine manufacturing/warehouse facility; Final Approval, Final Development Plan – Village Park PUD-MU, Planned Unit Development-Mixed Use, office component, Southwest of Intersection of Gardner Road and Village Park Drive, proposed Clearcreek Fire Station No. 24; Final Approval, Record Plan – Midway Meadows, Section Three; Preliminary Review, Preliminary Plan – Cedar Creek subdivision, 7878 & 7914 Sharts

Road; Preliminary Review, Final Development Plan – Village Park PUD-MU, Planned Unit Development-Mixed Use, 748 Gardner Road, retail development; Preliminary Review, Rezoning & General Plan – R-1, Estate-Type Residential District, to PUD-R, Planned Unit Development-Residential, 1525 South Main Street (SR 741), proposed single-family residential subdivision.

ITEM 8. OTHER BUSINESS. No Other Business.

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Mayor Agenbroad commented that prior to tonight's meeting, he met with National American Miss Jr. Preteen 2023-2024, Miss Ohio, Sommer Joy Simon. Miss Simon is 12 years old and lives in the Springboro community. She has been doing community service in the area and shared her experience and achievement as Miss Ohio. She will be traveling to Florida in November to compete in the nationals.

Deputy Mayor Harding expressed condolences to the Winship Family, whose mother passed away last week. Sharon Winship was a longtime resident of the community.

ITEM 10. GUEST COMMENTS. No Guest Comments.

ITEM 11. EXECUTIVE SESSION. No Executive Session.

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


ITEM 12. ADJOURNMENT. With no further business, Mayor Agenbroad called for a motion to adjourn the Thursday, August 17, 2023 Springboro City Council Regular Meeting at approximately 7:10 PM.

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]

—MEETING ADJOURNED—



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer



Lori A. Martin, Clerk of Council