

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

CITY COUNCIL WORK SESSION

THURSDAY, SEPTEMBER 7, 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, September 7, 2023 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. ATTENDANCE. Council: Ms. Ridd was absent. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present.

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

ITEM 3. LEGISLATIVE AGENDA. – Review legislative items slated for September 7.

- 1) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE APPROVING THE RECORD PLAN FOR MIDWAY MEADOWS SECTION 3 AND DECLARING AN EMERGENCY.

Staff recommended waiving the second and third readings of Legislation Item 1, as all requirements have been met for this record plan.

Council will consider a motion to suspend the rules and waive the second and third readings of this ordinance at tonight's Regular Meeting.

- 2) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF THE CLEARCREEK-FRANKLIN ROAD IMPROVEMENTS.

Mr. Pozzuto commented that this roadway construction project would begin in April 2024.

No further discussion.

- 3) **RESOLUTION:** A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, CONSIDERATION AND/OR GRANTING OF ANY ZONING, OCCUPANCY, OR OTHER PERMITS OR APPLICATIONS RELATING TO VAPE STORES WITHIN THE CITY OF SPRINGBORO.

Ms. Iverson thanked staff for looking into this particular use within the community.

Mr. Pozzuto commented that there is currently one application for a vape store in process, but no other applications will be accepted until the City has had an opportunity to further study this use with respect to the planning and zoning code.

Mr. Chmiel asked how this moratorium would affect someone who owns a vape store and wants to sell it. More specifically, would the City be able to deny the continued use as a vape store under a new owner?

Mr. McDonald commented that they would not need any permits from the City to sell an existing vape store to a new owner.

Mr. Pozzuto confirmed that as long as the use remains the same, the new owner would not be required to obtain any permits from the City.

Mr. Chmiel clarified that a person who owns a vape store now would be allowed to sell it to a new owner to operate as a vape store.

Mr. Pozzuto replied yes, the sale and use of an existing vape store would not be subject to the moratorium.

No further discussion.

ITEM 4. CITY MANAGER. – Issues/Reports.

Mr. Pozzuto reported on the following items:

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 hand out T-shirts and should arrive at the gate at 5:45 PM.

Annual Street Resurfacing Program: The street resurfacing program begins tomorrow and should last approximately two weeks. The streets included in this year's program will be milled first, which will take about five days, followed by repaving. Residents on the designated streets are being notified about the upcoming roadwork.

Issue 21 – Springboro's 0.5% Income Tax Levy Renewal: Proposed signage will read: "Issue 21-City Income Tax Renewal, Vote Yes for Renewal, Will NOT Raise Taxes." The signs also will include the text: "Paid for by the City of Springboro," which is required verbiage. Approximately 200 signs will be ordered for posting.

Ms. Iverson asked if a QR code could be added to the sign for people to access the details of the tax issue. Ms. Iverson commented that people understand the renewal aspect of the issue, but may not know what will happen if the tax levy does not pass.

Mr. Pozzuto commented that the facts are posted on the website FAQ page.

Ms. Iverson commented that she would like to see the signs tied to the fact page for people who might not be paying attention to their mail.

Mr. Pozzuto commented that it is a great idea to add a QR code to the signs for people to scan for more information.

Mr. Brunner asked if the project at the intersection of SR741 and Remick Boulevard is the City or State's project.

Mr. Pozzuto answered that the safety enhancement project under construction at that intersection is the State's project.

Mr. Brunner asked when the project would be finished.

Mr. Pozzuto answered that the project is not scheduled to be finished until June of 2024 because the mast arms for the traffic signals are on back order for six to eight months.

Mr. Brunner asked if the cones would be in place until then.

Mr. Pozzuto replied yes.

Mr. Brunner confirmed that during the winter, the cones would still be in place.

Mr. Pozzuto replied yes, that is his understanding.

There was no further discussion regarding these items.

Mr. Shackelford reported on the following items:

Business Appreciation Day Golf Outing: *The 5th Annual Business Appreciation Day Golf Outing will be sponsored by the City on Tuesday, September 26 at Heatherwoode Golf Course; Registration-9:00 AM/Shotgun Start-10:00 AM/Early Dinner 2:30 PM.*

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. Ms. Iverson seconded the motion.

No discussion.

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

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

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

Calendar Updates: *Bike the Boro and BoroFest, Saturday, September 16, bike rides and activities, 10:00 AM-1:00 PM followed by festival and live music, 4:00-8:00 PM at North Park.*

The next City Council Work Session will be held on Thursday, September 21 at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers.

ITEM 6. CITY COUNCIL. – Issues/Reports.

Mr. Brunner – Mr. Brunner will be absent from the September 21 Council Meeting.

Mayor Agenbroad commented that Ms. Ridd would be absent as well and asked if any other Council Members would be absent.

Mr. Harding stated he would also be absent from the September 21 Council Meeting.

Mayor Agenbroad confirmed that the remaining three Council Members would be present at the September 21 Council Meeting.

Ms. Iverson – No reports.

Mr. Chmiel – No reports.

Mr. Hanson – No reports.

Deputy Mayor Harding – No reports.

Mayor Agenbroad – Mayor Agenbroad will be presenting a 9/11 Proclamation at tonight's Regular Meeting under Presentations. Mayor Agenbroad commented that a 9/11 Remembrance ceremony will be held at the 9/11 Memorial at Warren County on Monday at 8:30 AM. Mayor Agenbroad and Fire Chief Steve Agenbroad are the guest speakers. In addition, Mayor Agenbroad will present the annual Constitution Week Proclamation to the Jonathan Wright Chapter of the Daughters of the American Revolution at tonight's Regular Meeting under Presentations.

Executive Session: City Council entered Executive Session at approximately 6:10 PM to discuss the purchase of property.

With no objections, City Council exited Executive Session at approximately 6:30 PM; whereby, no votes were taken.

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

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

CITY COUNCIL REGULAR MEETING

THURSDAY, SEPTEMBER 7, 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, September 7, 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 Becky Iverson.

ITEM 3. ROLL CALL. Agenbroad, Present; Brunner, Present; Chmiel, Present; Hanson, Present; Harding, Present; Iverson, Present; Ridd, Absent. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present.

Mayor Agenbroad called for a motion to excuse Council Member Janie Ridd.

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

No discussion.

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

ITEM 4. APPROVAL OF MINUTES: THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF AUGUST 17, 2023.

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

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

No discussion.

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

ITEM 5. PRESENTATIONS: A PROCLAMATION IN OBSERVANCE OF CONSTITUTION WEEK, SEPTEMBER 17-23, WAS PRESENTED TO THE JONATHAN WRIGHT CHAPTER OF DAUGHTERS OF THE AMERICAN REVOLUTION (DAR).

Cheryl Cavendish introduced herself as current Regent of the Jonathan Wright Chapter of the Daughters of the American Revolution and acknowledged past Regent Lynda Walker also in attendance. Ms. Cavendish thanked the Mayor and City Council for proclaiming Constitution Week in Springboro. Ms. Cavendish commented that Constitution Week activities include a book display at the Springboro-Franklin Library, supplying 125 pocket Constitutions to the Springboro High School government students, 505 Constitution Week kits to the fifth grade students and 460 Constitution coloring books to the second grade students of both Springboro elementary schools. Ms. Cavendish and her husband, who is now a member of the Sons of the American Revolution, will also be providing a brief Constitution Week program for the Dennis Elementary second graders.

In addition, the DAR started a program called "Bells Across America." At 4:00 PM on Sunday, September 17, they ask anyone who is willing to ring a bell wherever they are. The Springboro fifth graders will be ringing bells during their school program. Ms. Cavendish will be writing an article for the newspaper to highlight "Bells Across America." She invited Council to participate in the observance of "Bells Across America" and distributed bells to Council Members. Ms. Cavendish requested that Council Members forward a picture of themselves ringing the bell to her e-mail.

Ms. Cavendish finally commented that the Jonathan Wright Chapter of the DAR wants to promote and celebrate America 250, which takes place on July 4, 2026. The DAR is serving on the planning commission for America 250; there is a national commission and an Ohio commission. Ms. Cavendish stated that she hopes we, as a City, will get excited about this celebration. The Jonathan Wright Chapter of the DAR plans to install a plaque in the City to commemorate America 250.

On behalf of City Council, Mayor Agenbroad presented the annual Constitution Week Proclamation to Ms. Cavendish, and thanked the Jonathan Wright Chapter of the DAR for all of the work they do to celebrate our Constitution.

A PROCLAMATION IN OBSERVANCE OF SEPTEMBER 11, 2023 AS PATRIOT DAY OF SERVICE AND REMEMBRANCE.

Mayor Agenbroad read a proclamation in observance of September 11, 2023 as "Patriot Day of Service and Remembrance" in Springboro, Ohio. Mayor Agenbroad commented that a 9/11 Remembrance ceremony will take place at the 9/11 Memorial at Justice and Memorial Drives on the Warren County campus in Lebanon on Monday, September 11 at 8:30 AM. The public is invited to attend.

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 20 minutes to discuss the purchase of property; whereby, no votes were taken.

1) ORDINANCE O-23-23: FIRST READING. AN ORDINANCE APPROVING THE RECORD PLAN FOR MIDWAY MEADOWS SECTION 3 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 Midway Meadows Section 3. This record plan is located at the northwest corner of Tahlequah Trail and West Central

Avenue, and is the future site of the Sheetz Gas Station development. The record plan contains a 2-acre lot with approximately 0.3 acres of right-of-way, and was approved by the Planning Commission on August 9, 2023.

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

As discussed at tonight's Work Session, Mayor Agenbroad called for a motion to suspend the rules and waive the second and third readings of Legislative Item 1, an Emergency Ordinance.

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

No discussion.

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

Mayor Agenbroad called for a motion to adopt Ordinance O-23-23.

Mr. Chmiel motioned. Mr. Harding seconded the motion.

No discussion.

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

- 2) **RESOLUTION R-23-23:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF THE CLEARCREEK-FRANKLIN ROAD IMPROVEMENTS, 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 Transportation for the construction of the Clearcreek-Franklin Road Improvements project. This project consists of planing and resurfacing Clearcreek-Franklin Road from SR73 to the northern corporation limit. The City received a grant of \$150,000 from ODOT for this project. The estimated cost for the City's local share is \$359,421.00. The total estimated construction cost is \$509,597.79. This project is scheduled to begin in April of 2024.

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

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

Mr. Harding motioned. Mr. Brunner seconded the motion.

No discussion.

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

- 3) **RESOLUTION R-23-24:** A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, CONSIDERATION AND/OR GRANTING OF ANY ZONING, OCCUPANCY, OR OTHER PERMITS OR APPLICATIONS RELATING TO VAPE STORES

WITHIN THE CITY OF SPRINGBORO, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution imposes a temporary moratorium on the acceptance, consideration and/or granting of any zoning occupancy, or other permits or applications relating to vape stores with the City of Springboro. Over the past couple of years, the City has had an influx of vape stores where vaping cigarettes and products are sold. Staff has had some concern due to the number of vape stores located within the City especially because studies have shown that accessibility to vaping products tends to be impactful to minors. Staff is recommending this moratorium of 270 days to allow time to research and study the effects of vape stores on the community and create reasonable regulations to protect the health, safety and welfare of the community, and to make sure the City is regulating them properly.

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

Ms. Iverson commented that she appreciates staff's concerns regarding vape stores in the community and she thinks that the recommendation to pause and take some time to look into this issue is a good idea.

No further discussion.

Mayor Agenbroad called for a motion to adopt Resolution R-23-24.

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

No discussion.

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

ITEM 7. REPORTS: Mayor's Report – Bike the Boro and BoroFest, Saturday, September 16, bike rides and activities, 10:00 AM-1:00 PM and festival and live music, 4:00-8:00 PM at North Park.

The next City Council Work Session will be held on Thursday, September 21 at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers.

Look for information regarding meetings and upcoming events on the City's website, social media and newsletters.

In addition, Mayor Agenbroad encouraged everyone to remember 9/11 this Monday and noted that flags should be flown at half-staff.

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

Annual Street Resurfacing Program: The street resurfacing program begins tomorrow and should take about two weeks to complete. This year's program includes approximately 25 streets within the City. Residents have been notified and signage has been posted. For questions regarding the program, please contact the City's Engineering Department at 937-748-9791.

Committee Reports –

Mr. Brunner – No reports.

Ms. Iverson – No reports.

Mr. Chmiel – No reports.

Mr. Hanson – Mr. Hanson invited everyone to attend Oktoberfest at Springboro United Church of Christ (5 W. Mill Street) this weekend. The weather is supposed to be nice and there will be a lot of great food and entertainment. In the past 10 years, the event has raised approximately \$150,000 for some of the charities it supports including the SCAC, Franklin Food Pantry, Dayton Hospice, and Purple Heart Foundation. Oktoberfest is a great opportunity for the community to spend time together and raise money for some good causes.

Mayor Agenbroad commented on how hard Mr. Hanson, his wife Dawn, and others work to prepare for Oktoberfest; it does not go unnoticed.

Deputy Mayor Harding – No reports.

ITEM 8. OTHER BUSINESS. No Other Business.

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.

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, September 7, 2023 Springboro City Council Regular Meeting at approximately 7:15 PM.

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

No discussion.

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

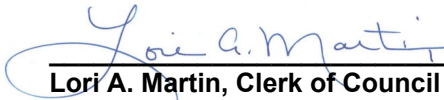
—MEETING ADJOURNED—



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer



Lori A. Martin, Clerk of Council