

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

CITY COUNCIL WORK SESSION

THURSDAY, SEPTEMBER 16, 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, September 16, 2021 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.
- ITEM 2. ATTENDANCE. Council:** All present. **Staff:** Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. Police Chief Jeff Kruithoff, City Planner Dan Boron and Finance Director Jonathan Hudson were also present.
- ITEM 3. LEGISLATIVE AGENDA. – Review legislative items slated for September 16.**

Mayor Agenbroad stated that Council would review Legislative Items 3 and 4 before Deputy Mayor Ridd recuses herself and exits the meeting.

Mayor Agenbroad asked if there were any questions concerning Legislative Items 3 and 4. Mr. Pozzuto stated that Mr. Hudson would be commenting on these routine action items at tonight's Regular Meeting.

Mayor Agenbroad commented that discussion regarding Legislative Items 1 and 2 would be deferred to later in the Work Session.

- 1) ORDINANCE: THIRD READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, REZONING APPROXIMATELY 103.32 ACRES OF LAND LOCATED AT 605 NORTH MAIN STREET, BEARING WARREN COUNTY PARCEL NO. 04142270050, FROM R-1, ESTATE-TYPE RESIDENTIAL DISTRICT, TO PUD-MU, PLANNED UNIT DEVELOPMENT-MIXED USE.
- 2) RESOLUTION:** A RESOLUTION APPROVING THE GENERAL PLAN FOR THE EASTON FARM PUD-MU, PLANNED UNIT DEVELOPMENT-MIXED-USE.

- 3) **RESOLUTION:** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (WARREN COUNTY)

No discussion.

- 4) **RESOLUTION:** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (MONTGOMERY COUNTY)

No discussion.

ITEM 4. CITY MANAGER. – Issues/Reports.

Mr. Pozzuto reported on the following items:

Downtown WiFi Project: There has been a delay in equipping the new light poles for the WiFi service due to COVID. Duke Energy is the contractor for that project, and the City hopes the WiFi portion of the project will be complete in the next month or two.

Kacie Jane Park Seasonal Closing: Sunday, September 19 will be the last day the water park will be open. Doggie Day at Kacie Jane Park will be Monday, September 20. Everyone is encouraged to bring their dogs to the park on Doggie Day. Following closure, the park will be winterized for the season.

Mr. Shackelford reported on the following items:

Business Appreciation Day Golf Outing: Mr. Shackelford thanked Council for the opportunity to host the City's Third Annual Business Appreciation Day Golf Outing on Tuesday at Heatherwoode. Approximately 100 players representing 25 different businesses from Springboro participated. This event would not be such a success without the support of Council, staff and Heatherwoode staff. There were many compliments regarding the great course conditions, and all of the Heatherwoode staff pitches in to make sure everything goes smoothly.

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

Calendar Events: The September BPAC meeting scheduled for Monday, September 27 has been rescheduled to Tuesday, September 28 at 6:00 PM in Council Chambers. In addition, the next City Council Work Session will be held on Thursday, October 7 at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers.

2022 Committee Appointments: Ms. Martin commented that all board and commission members whose terms expire in December have been notified. Board and commission opportunities will be published in the latest edition of the City's newsletter. Council will consider all appointments for new terms beginning in 2022 in December.

ITEM 6. CITY COUNCIL. – Issues/Reports.

Mr. Harding – Mr. Harding will present a Planning Commission report at tonight's Regular Meeting under Reports.

Mr. Hanson – No reports.

Mr. Chmiel – No reports.

Ms. Iverson – Ms. Iverson will comment on the Business Appreciation Day Golf Outing at tonight's Regular Meeting under Reports.

Mr. Brunner – No reports.

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

Mayor Agenbroad – Mayor Agenbroad commented that he will call for a motion regarding a notice for a liquor permit stock transfer for Speedway, 595 W. Central Avenue at tonight's Regular Meeting under Other Business.

At this time, Deputy Mayor Ridd recused herself and exited the meeting.

Following Deputy Mayor Ridd's departure, Mayor Agenbroad opened the discussion regarding Legislative Items 1 and 2, as they go hand-in-hand.

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- 2) **RESOLUTION:** A RESOLUTION APPROVING THE GENERAL PLAN FOR THE EASTON FARM PUD-MU, PLANNED UNIT DEVELOPMENT-MIXED-USE.

Mayor Agenbroad commented that City Council received an alternative plan by e-mail and he would offer it for discussion. Mr. Pozzuto has discussed this alternative plan with the developer, and the developer is willing to sit down and meet with no commitments, but is willing to meet and talk about it to see where we go from here. There are three weeks before the next Council Meeting and we do not want to sit on it; we want to address it right away, but he wants to see what Council's ideas are. (A copy of the alternative plan proposed by Springboro resident David Beckman will be filed with the minutes for reference.)

Mr. Harding commented on the flyer that was sent to residents, which states that 410 homes are being built, but the actuality is, 299 homes are being built on the site. The 410 keeps being calculated, but that includes the independent living as a home, which is not considered a home, right?

Mr. Boron replied, that it correct.

Mr. Harding commented that, so technically there are only 299 separate homes being built or rather 297 homes because two are already built.

Mr. Boron replied, that it correct. Mr. Boron explained that, that is how we have calculated residential density in the City in his 23 years here at the City of Springboro.

Mr. Harding commented that, if he remembers correctly, if we went back to the 299 homes, we were at 5+ per acre.

Mr. Boron clarified that the density, right now, is at 3.56 units per acre.

Mr. Harding commented that he thinks when we did the calculations, even if we added the independent living because we compared that apples to apples at Planning Commission, that it took the density up to 5 units per acres, right?

Mr. Boron commented that for the last plan that you saw that was forwarded to City Council at the last meeting on September 2, the development density was 4.21 units per acre and that would be excluding the farmstead, which is now 13.46 acres. If you include the independent living, which we do not by code and ordinance, you have 4.64 dwelling units per acre. Last but not least, if you include independent living, but exclude the farm and the acreage, the development density goes to 5.45 units per acre. Again, those last two calculations we do not do by code.

Ms. Iverson confirmed that we were still within six to eight units per acre and that is per the master plan.

Mr. Boron replied, that is correct.

Mr. Brunner asked how Springboro's code and ordinances compare to other cities around us.

Mr. Boron commented that they have surveyed eight communities in the immediate vicinity of Springboro and only one community includes the independent living facility in their density calculation. They contacted Franklin, and Franklin actually has had no occurrence of this, but the six other communities they contacted do not include independent living facilities in their calculations. Mr. Boron added that the two communities that the City's Law Director represents do not, and they have also surveyed Miamisburg immediately abutting. The community that does include it, just to be fair, is Centerville.

Mr. Brunner commented that, over this week, a lot of the citizens put their information out, and he received a letter at home and received the same mailing that Mr. Harding did, and he does think we should spend some time looking at this plan and evaluating it. Mr. Brunner further commented that Mr. Beckman put together a plan, and he thinks, as Council, we should review it and think through it to make sure we are making the appropriate adjustments as needed, as we move forward.

Mr. Pozzuto referred to the alternative plan City Council received from David Beckman. Mr. Pozzuto commented that it is somewhat rudimentary, but it speaks to a point. Staff, Mr. Boron and he, have looked at the plan and actually think it has some merit in some parts; some parts yes, some parts no. Mr. Pozzuto further commented that we just received this plan this week and Council has received it as well, but to echo Mr. Brunner's point, it has some merit and he thinks we ought to look at it to make sure we get everything right. Mr. Pozzuto added that he is not saying this alternative plan is right, but he just thinks we need to take some time to look at it. It is good to have an alternative plan. Previously, everything has been just, 'no, no, no, no, no, we don't want, we don't want,' and he is glad to see somebody actually step up and suggest something as an alternative.

Mr. Brunner commented that he could not agree more.

Mr. Pozzuto commented that, again, it is not all right and it is not all wrong, but it is an alternative. It is the first thing we have ever had from anybody and he thinks there is some merit to maybe looking at it.

Mr. Harding commented that, when they were looking at the plan, or when they were looking at the pie in the sky plan, it showed the traffic circle, but from the letters that we have seen, he thinks the one thing to make clear to the public is that the traffic circle really is not part of the

development. The traffic circle was the City's recommendation, and we still have a lot of engineering to do to decide even if we are going to do that.

Mr. Pozzuto replied, that is correct. The traffic circle that was on the southern end is not even on The Halls property or the development property. It is actually in City right-of-way that already exists, and was literally a placeholder, that is all it was. Traffic circles, as we know, are growing in popularity. They are safer than normal intersections and that is why, at staff's request, the developer put that on the plan. It is just a placeholder; we still have to look at it, we still have to study it, and it still has to be engineered. We do not know what that intersection will look like yet. Mr. Pozzuto reiterated that we still have to look at that intersection, but that is actually not part of the development because it is on our existing City right-of-way.

Mr. Brunner commented that the developer has done everything in this situation to accommodate requests regarding the plan, but he just thinks we need to evaluate every area. Mr. Brunner reiterated that the developer has done a great job in listening to our thoughts and moving forward from them.

Mr. Pozzuto commented that, if he could also speak to the flyer, which he knows pretty much everyone in the City received; it is erroneous in three ways if not more, but he caught three. (A copy of the flyer will be filed with the minutes for reference.) First of all, nobody signed it, so he would question that or the validity of it, but regardless of that, the 410 new homes, as Mr. Harding said earlier, is only 299, so, that is wrong. At the bottom of the flyer, it shows 8 homers per acre. Again, as Mr. Boron explained, it is only 3.56 per acre, which is considerably less, and there is also a part on the map that shows the Farmstead and Open Space Buffer of 25.4 acres. He believes the homestead is 13 acres. Again, a lot of things wrong right on the front of this flyer. Mr. Pozzuto further commented that he understands things like this are mailed out, but when somebody does not sign it, he would certainly question that. The City will be putting out information about this flyer through our social media sites, etc., tomorrow, but he wanted to get that in front of Council first before we did that as a staff. Staff will be putting out the correct information so the public will have the right information. Mr. Pozzuto commented that he just wanted to make that point and bring it to Council's attention.

Ms. Iverson commented that we have been talking about people that have been vocal against the development plan, but she does want to acknowledge that we just received a bunch of e-mails today from people who, and it is ironic, are now blaming us for backing away from a plan that we have not even voted on yet. There is so much misinformation on all sides. As much as she stands by her vote at Planning Commission for this plan that was presented and met our master plan, it is obvious at this point that we need to relook at it, but she wanted to acknowledge that there are people that think that we have already made a decision. Ms. Iverson further commented that there has been no vote. Please, if you are listening, we have not voted on anything at this level and we are still making tweaks. Even if we do vote, as Mr. Harding said, there is a lot that is left to be worked out; this is just a general plan approval.

Mr. Harding stated that he would echo that comment, for people to understand, that this is a general plan; this is what we normally do with every development. It is a general plan, which is followed by a final plan that has to come back to Planning Commission for further review, but we have to lay out the plan. The general plan just lays it out; there is more detail in this general plan than what has to be presented and more detail than some that we receive here at the City. Mr. Harding further stated that he thinks a lot of people think that this is the final plan because he saw in the public comments something about being transparent, but they do not even know what the full plan is going to be yet. To clarify, we do not know the full plan because things can be taken out, but we cannot add it all back.

Mr. Pozzuto commented, that is absolutely correct. Under the normal process, the applicant could have come in with a bubble diagram showing one area as residential, one area as

commercial, etc., but the developer went the extra mile and put the detail in and he thinks that is what is causing all of the consternation with everybody. The plan is the maximum it could be. Again, whenever the developer says they are still studying it, they are still looking at it, that is because, as Mr. Harding said, we are not at the final development process yet. The developer literally could have come in for a rezoning with bubbles showing areas of residential and commercial, and Council could have reviewed that. Again, we just have a lot more detail in this general plan, which is good, but he thinks that is what a lot of people are having consternation with.

Mr. Brunner commented that he does not know if the absorption rate has ever been discussed. In other words, how long will it take to build that out? Settlers Walk took how many years?

Ms. Iverson commented that The Springs took over 10 years.

Mr. Harding confirmed that The Springs just finished in over 12 years.

Mr. Pozzuto agreed that developments do not just fall out of the sky and plop into place.

Mr. Brunner asked, just at the corner of SR73 and SR741 (Wright Station), how long it that going to take?

Mr. Pozzuto commented that we are getting a few comments about that development, as he has seen in the e-mails. He is ecstatic with the amount of progress that we have made there. He has been telling everybody that it is going to take five to seven years to completely develop and we already have it half-full in two years. Mr. Pozzuto confirmed that Mr. Brunner is exactly right. We are getting a few comments saying Wright Station is vacant and how long is it going to take to develop. Again, he thought it would take two times longer than it has and he is very happy with that progress and hopes everybody else is too.

Mr. Brunner agreed that he was ecstatic with the progress at Wright Station.

Ms. Iverson commented that this is before her time, but she understands that the Settlers Walk general plan did not look like it does today.

Mayor Agenbroad commented that it seemed like it took forever and Settlers Walk is ten times the size of the Easton Farm development and Heatherwoode is about three times the size.

Mr. Boron commented that Settlers Walk took 18 years from the time the initial rezoning took place in 1992 until the last section of The Cove, which was the last large piece, was platted. There were a couple of outliers, but all together, it took 18 years.

Mayor Agenbroad stated that he made several comments during the Public Hearing and first and second reading. One of the comments he made was to ask the developer to sharpen his pencil, and he did and we appreciate that. That being said, it really does not make any difference what Council thinks one way or the other with respect to what the developer ultimately submits for approval. It is really up to the developer and The Halls; it is their property at the end of the day, and Council would vote on the plan presented. He has said it before, it does not make any difference where you start, it is where you finish, and now that Mr. Beckman has submitted something, he thinks we need to take a look at that in conjunction with the developer agreeing that we can sit down to talk. It would be a way to help eliminate the divisiveness we have in our community right now because it is so contentious. He has been in Springboro for 70 years and he has never seen an issue that has divided us like this one has. We have to find a way to find some happy medium that will work, if we can. If we do not, then we are going to do what we have to do at the end of the day, but he thinks if we all roll up our sleeves and try to find something that works, we will all be better because of it. He looks at it

this way, when they tried to build Heatherwoode, everybody was opposed to Heatherwoode and we are better off because of Heatherwoode. When they tried to build Settlers Walk, nobody wanted Settlers Walk; they did not want Dorothy Lane Market, the traffic, etc. We are better off because of Settlers Walk and list goes on. We will be better off with the Easton Farm if we make it work the way we can for the community, and that is what our job is as Council to try to represent all the people all the time, if and when we can; we live here too. It is not about politics; it is about the City of Springboro and our community and that is what we are going to look at. He appreciates the fact that Larry Dillin is willing to meet with them. In that vein, we really cannot have a committee, but we can have an ad hoc group. What he would like to throw out for Council to think about is asking our City Manager to find representation possibly from Ward 1, Ward 2, Ward 3, Ward 4, the developer, The Halls, if they choose to be there, himself as Mayor, the City Manager and Mr. Beckman, whose plan is on the table.

Mr. Chmiel asked whom Mr. Beckman speaks for.

Mayor Agenbroad answered that he seems to be speaking for a lot of the people. He has been very vocal at the meetings, he has submitted e-mails and his e-mails show that he has a lot of following.

Mr. Chmiel commented that we have a lot of people who are for it and we have a lot of people who are against it.

Mayor Agenbroad commented that he (David Beckman) submitted the plan; therefore, he is the only one who can talk about the plan, which is why we are including Mr. Beckman.

Mr. Chmiel commented that he appreciates that, but he is just curious whom Mr. Beckman represents.

Mayor Agenbroad stated that he would say that Mr. Beckman represents the opponents more than the proponents; he does not know how else to answer that.

Ms. Iverson commented that Mr. Beckman has spoken at the Planning Commission meetings many times about the signatures that they have collected so she would imagine he is representing those people.

Mayor Agenbroad commented that he thinks Mr. Beckman has a huge following and he thinks that is why he submitted the plan. At the end of the day, the plan is going to come back to Council to vote on it one way or the other. If we can find a compromise and have him sit with the developer and some other people in the other wards, it will give us a feel about how the other wards feel because a lot of people are not even tuned into this. It has become a political issue for the ones who are really watching it. Our job is to do everything we can to try to get to a finished product so that when we do have to vote on it, we have something that is tangible for everyone. Mayor Agenbroad commented that he is not sure how to answer Mr. Chmiel's question other than he does not know exactly how much following Mr. Beckman has.

Mr. Chmiel commented that he just hopes that everybody does not spin their wheels and find out that everybody who is against the plan may still not like Mr. Beckman's plan and may continue to disapprove of any decisions that are made with that as well.

Mayor Agenbroad commented that he does not think that we are going to please all the opponents no matter what we do any more than all of the proponents who support it because multi-family has been removed. We are going to have that same dilemma either way we look at it. We are just trying to find common ground if and when we can. Mayor Agenbroad further commented that he does not know how many groups Mr. Beckman has, but he thinks he has a lot more than we think he has. Since he stepped up to the plate and submitted the plan, he

thinks Mr. Beckman must be talking to a lot of people who are on the opponent side of this and he would hope that he is obviously representing a lot of people. To Ms. Iverson's point on Planning Commission, Mr. Beckman was not shy to get to the mic at any of our meetings so to answer Mr. Chmiel's question, he does know for sure other than he is the only one who stepped up to the plate and submitted something in the form of plan. If Council chooses to do this, we would table this tonight to allow this ad hoc group to get together as soon as possible.

Mr. Brunner asked if tabling the item is the appropriate action that would take place.

Mayor Agenbroad answered yes, unless you are prepared to vote on it tonight. From what he is hearing, Council wants to take a look at this other alternative plan before we vote on it. Mayor Agenbroad stated that Council would need to give direction because we cannot have the third reading unless we vote on it. Mayor Agenbroad further stated that he checked with Legal Counsel and if we have the third reading, we have to vote. Mayor Agenbroad commented that when it comes time to consider Legislative Items 1 and 2, Council could consider a motion to table. We have checked everything out to make sure we know what we can or cannot do based on the plan that was submitted by e-mail. What precipitated this whole thing was the e-mail containing the alternative plan; otherwise, we would probably be voting tonight.

Mr. Brunner asked, if we choose to table the legislation, how would the citizens in the audience know that we are doing that. Will it be discussed?

Mayor Agenbroad explained that he would make a statement based on our discussion at the Work Session. As such, there has been an alternative plan presented to Council and Council thinks we need to take a look at it and the only way to do that is to table the third reading. The developer has agreed to talk about it with us; however, that is all he has agreed to do, to talk about it.

Ms. Iverson confirmed that Council would need to make a motion to table.

Mayor Agenbroad stated that a motion would need to be made at the Regular Meeting to table Legislative Items 1 and 2 if that is what Council wants to do. Mayor Agenbroad also stated that he would address the issue of the ad hoc group at the time of the motion to table. Mayor Agenbroad asked Mr. McDonald if the reference to the ad hoc group is correct.

Mr. McDonald stated that the ad hoc group would not be a formal committee of Council; it would just be a working group with the City Manager.

Mr. Brunner asked Mr. McDonald if the meeting would still be open to the public.

Mayor Agenbroad replied no, it would be invitation only. You cannot have a room full of people trying to discuss this plan, which is why it is not a formal committee. We cannot put the people who are sitting in that meeting on the hook by having 500 people come, 250 proponents, 250 opponents; we have to be able to at least talk about it.

Ms. Iverson asked if the group would take minutes.

Mayor Agenbroad commented that he does not think so because it is not a formal committee.

Mr. McDonald explained that, that is why it is not a committee of Council; it would just be people meeting with the City Manager to go over the plan. Mr. McDonald added that, other than most likely the Mayor, there would be no other members of Council there; therefore, we would not run into any of those issues pertaining to an appointed committee.

Mayor Agenbroad commented that the ad hoc group's objective is basically to see if there is some kind of common ground to get us to something different than the plan we have before us now. If not, then when we come back to the meeting on October 7, we will have to remove the table and vote on it unless we choose another option under parliamentary procedure, but those are the choices we have now.

Mr. Brunner asked, what if it is not ready by October 7.

Mayor Agenbroad commented that we will have an idea if it is something that we can work with. We have three weeks, giving us an extra week between meetings, and Mr. Pozzuto reached out to the developer today to see if he was willing to look at it.

Mr. Brunner commented that he was concerned if we could not pull this off in three weeks that it might be rushed.

Mr. Pozzuto commented that his understanding is that the legislation can stay on the table or rather we do not have to act on it by code until December 17 so we have the time. Obviously, we hopefully do not string this out for that long, but if we are working toward a solution maybe that makes sense. Mr. Pozzuto reiterated that he only knows that we have 120 days past the public hearing at Council on this issue.

Mayor Agenbroad commented that we would have to check on that because under parliamentary procedure the table goes to the next meeting. You cannot let that table go on; you would have to fix the time or an indefinite time, but you cannot allow a table to go on. A table dies at the next meeting under parliamentary procedure.

Mr. Brunner asked if they could get that point clarified.

Mr. Pozzuto commented that you would just table it at the next meeting.

Mayor Agenbroad commented that maybe in the code it is addressed, but also in part of our Charter we talk about Roberts Rules of parliamentary procedure. Mayor Agenbroad commented to Mr. McDonald that we just need to have the proper mechanism in place. As we said before, everything that we are going to do, we are going to do legally.

Ms. Iverson confirmed that Council could re-table if necessary.

Mayor Agenbroad answered yes, once you remove the table and discuss it, you could re-table; however, you cannot discuss the table under parliamentary procedure. In other words, once it is tabled it is off limits until you remove it from the table. We will get all of the mechanisms in line, but there are a lot of ways to give us time to do what we want to try to do. We are not going to allow parliamentary procedure to block this process.

Ms. Iverson commented that she wanted to make sure they had confirmation on that procedure.

Mr. Brunner commented that it sounded like Mr. McDonald was okay with that procedure.

Mayor Agenbroad asked if it was the consensus of Council to go the extra mile to table it. If it is, then we can end our discussion now, but if we need to continue discussion, then we will continue discussion.

Ms. Iverson asked if there will be four people in the ad hoc group, one from each ward, and how do we pick those people.

Mr. McDonald stated that Council would not appoint those people.

Ms. Iverson commented that she is not asking to, she is asking what the process is.

Mr. McDonald answered that it would be up to the City Manager.

Mr. Pozzuto commented that since he just found out about this he has not figured that out yet, but certainly he would include Mr. Beckman because he created the plan, the developer/applicant, The Halls if they choose, they are the property owners, and then just a cross sample of the community. Mr. Pozzuto further commented that he does not know what that group looks like yet, but he will certainly think about it and let Council know. He thinks possibly a business leader, maybe someone from an e-mail, an opponent and proponent, etc. Again, since he just found out about this, those are his immediate thoughts and he will let Council know what he comes up with.

Mayor Agenbroad confirmed that there were no objections to considering a motion to table the legislation concerning the Easton Farm rezoning and general plan at tonight's Regular Meeting and the City Manager assembling the ad hoc group.

There were no objections to the above stated proposed actions.

ITEM 7. ADJOURNMENT. *With no further discussion, Mayor Agenbroad adjourned the Thursday, September 16, 2021 City Council Work Session at approximately 6:30 PM.*

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

CITY COUNCIL REGULAR MEETING

THURSDAY, SEPTEMBER 16, 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, September 16, 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 Pastor Roger Hendricks, Southwest Church.
- ITEM 3. ROLL CALL.** Agenbroad, Present; Brunner, Present; Chmiel, Present; Hanson, Present; Harding, Present; Iverson, Present; Ridd, Present. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. Police Chief Jeff Kruithoff, Finance Director Jonathan Hudson and City Planner Dan Boron were also present.
- ITEM 4. APPROVAL OF MINUTES:** No Minutes were submitted for approval.
- 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).

Lynda Walker, Regent of the Jonathan Wright Chapter of DAR, introduced the chapter's Vice Regent Cheryl Cavendish, who is the Chairperson of Constitution Week. They are so honored that City Council is recognizing Constitution Week again this year.

Vice Regent Cheryl Cavendish thanked City Council for proclaiming Constitution Week in Springboro. The Jonathan Wright Chapter of the NSDAR has once again been very busy getting ready for Constitution Week. The Springboro Library is allowing them to do their book display this year, which includes books for people of all ages. Additionally this year, they supplied Springboro High School AP Government classes, approximately 75 students, with pocket Constitutions. Once again, they distributed about 485 Constitution Week Kits to all of the fifth graders attending Dennis Elementary and Five Points Elementary. Each kit includes

a freedom bell, a patriotic themed pencil, bookmark and bracelet as well as an American flag. They also provided Constitution posters to display in the fifth grade classrooms. This is the second year they were able to include the Dennis and Five Points second graders. The second grade teachers were excited to accept our Constitution booklet, crayons and American Flag for their students. They provided approximately 475 of the second grade kits. For the first time, they offered Constitution Week themed coloring sheets to the students of Clearcreek Elementary at the Preschool, Kindergarten and first grade levels, and they are hoping they will learn a little bit about the Constitution too. There are a lot of students in Springboro learning about our Constitution and celebrating its brilliance, tomorrow through September 23. Ms. Cavendish concluded her comments with two Constitution fun facts. Neither John Adams nor Thomas Jefferson were at what is now known as the Constitutional Convention. Jefferson was in France and Adams was serving as an ambassador in London. In addition, only two future Presidents signed the Constitution, George Washington and James Madison.

At this time, Mayor Agenbroad read a Proclamation in observance of "Constitution Week."

On behalf of City Council, Mayor Agenbroad presented the Proclamation to Regent Lynda Walker and Vice Regent/Constitution Week Chairperson Cheryl Cavendish of the Jonathan Wright Chapter of DAR, and thanked them for the work they do to recognize and promote our Constitution.

At this time, Deputy Mayor Ridd recused herself and exited the meeting.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for approximately 30 minutes to discuss the following legislative items as well as other City business.

Mayor Agenbroad commented that Legislative Items 1 and 2 go hand-in-hand, and, as discussed at the Work Session, Council received an alternative plan by e-mail from a person (David Beckman) who has been part of the opponent group of people in the community, and staff has discussed it with the developer in the proponent group of the community, who is willing to take a look at the plan and talk about it. Based on that, it is our job as representatives to do the best we can for the overall community. With that in mind, Council discussed tabling Legislative Items 1 and 2.

At this time, Mayor Agenbroad called for a motion to table Legislative Items 1 and 2.

Mayor Agenbroad noted that, under parliamentary procedure, there is no discussion on the motion to table.

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

No discussion.

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

- 1) ORDINANCE: THIRD READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, REZONING APPROXIMATELY 103.32 ACRES OF LAND LOCATED AT 605 NORTH MAIN STREET, BEARING WARREN COUNTY PARCEL NO. 04142270050, FROM R-1, ESTATE-TYPE RESIDENTIAL DISTRICT, TO PUD-MU, PLANNED UNIT DEVELOPMENT-MIXED USE.

(Legislative Items 1 and 2 were tabled per the motion above.)

- 2) **RESOLUTION:** A RESOLUTION APPROVING THE GENERAL PLAN FOR THE EASTON FARM PUD-MU, PLANNED UNIT DEVELOPMENT-MIXED-USE.

(Legislative Items 1 and 2 were tabled per the motion above.)

- 3) **RESOLUTION R-21-17:** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (WARREN COUNTY), was read by the Clerk of Council. Mr. Hudson's comments are summarized as follows:

This resolution accepts the amounts and rates as determined by the Warren Budget Commission and authorizes the necessary tax levies and certifies them to the County Auditor for Warren County. Both Legislative Items 3 and 4 are annual legislation that certifies with Montgomery County and Warren County the City's property tax rates, and there is no change from any prior year. Springboro has the lowest municipal property tax rates in Warren and Montgomery Counties, and they have been the lowest for quite some time. Again, this is a routine, annual recertification of the tax levies with the two counties.

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

Mayor Agenbroad called for a motion to adopt Resolution R-21-17.

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

No discussion.

Deputy Mayor Ridd returned to the meeting during the vote on Legislative Item 3 and was counted.

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

- 4) **RESOLUTION R-21-18:** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (MONTGOMERY COUNTY), was read by the Clerk of Council. Mr. Hudson's comments are summarized as follows:

(Please refer to comments under Legislative Item 3.)

This legislation is identical to the previous legislation; however, this legislation represents Montgomery County.

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

Mayor Agenbroad called for a motion to adopt Resolution R-21-18.

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

No discussion.

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

ITEM 7. REPORTS: Mayor's Report – Boro BBQ Fest will be held on Saturday, October 2 from Noon to 8:00 PM at North Park. The cover band Fleetwood Gold will be playing from Noon-2PM along with two other bands throughout the day. Trick-or-Treat will be observed on Sunday, October 31, 6:00-8:00 PM; be safe and have fun!

In addition, the next City Council Work Session will be held on Thursday, October 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:

At this time, Deputy Mayor Ridd recused herself and exited the meeting.

Easton Farm Proposed Alternative Plan: Mr. Pozzuto commented that, as Mayor Agenbroad referenced earlier, recently Council received an e-mail from Mr. David Beckman containing a suggested alternative plan, and it was kind of refreshing to see some kind of alternative submitted versus everybody coming out and saying, 'no, no, no;' he does applaud Mr. Beckman for that and we appreciate it. Mr. Pozzuto further commented that, during the Work Session discussion, Council asked if he would put together an ad hoc committee of citizens to discuss this alternative plan with the developer. Mr. Pozzuto explained that he would set those meetings as soon as he possibly can, but we will be discussing some alternatives based on the plan that was submitted by Mr. Beckman. Again, it was nice to see an alternative plan submitted that the City and Council could react to, which is why Council decided to table the issue in order to continue to work on trying to make the best plan and the most accepted plan to the community. Mr. Pozzuto finally commented that he wanted to provide an explanation of what occurred at the Work Session to make sure everyone knew why the item was tabled.

Kacie Jane Park Seasonal Closing: Sunday, September 19 will be the last day the splash pad will be open. Doggie Day at Kacie Jane Park will be Monday, September 20. Doggie Day is an opportunity for dogs to splash around at the park with their owners.

Boro BBQ Fest: Boro BBQ Fest will be held on Saturday, October 2, Noon-8:00PM, at North Park. This will be the City's last community event of the summer season.

At this time, Deputy Mayor Ridd returned to the meeting.

Committee Reports –

Mr. Harding – Planning Commission – The Planning Commission met on Wednesday, September 8 to consider the following items: Formal Approval – Site Plan Review, 95 West Central Avenue (SR 73), proposed vehicle service facility for Foreign Exchange, which was approved.

Mr. Hanson – No report.

Mr. Chmiel – No report.

Mr. Brunner – No report.

Ms. Iverson – Ms. Iverson reported that the City hosted its third annual Business Appreciation Day Golf Outing on Tuesday, September 14 at Heatherwoode, and it is a great way for the City to thank our business leaders, owners and employees. It was a beautiful day and approximately 100 golfers participated. Ms. Iverson commented that staff did a great job with the event and she appreciates the condition of the golf course. Ms. Iverson further commented that we always receive great feedback from people on how well the course is maintained, and

she knows many new people come to Heatherwoode to golf all of the time. Ms. Iverson thanked staff for a great job on this event.

Mayor Agenbroad echoed Ms. Iverson's comments and extended a special thanks to Assistant City Manager Greg Shackelford for the great job he did coordinating the event. Mayor Agenbroad also commented that the City has paid off the golf course debt and saved \$55,000 in interest payments by paying the balance off early. Mayor Agenbroad added that the City owns the golf course and the people who work at the golf course are City employees and do not work for an outside company.

Deputy Mayor Ridd – Architectural Review Board – The Architectural Review Board met on Monday, September 13. Ms. Ridd commented that there are some really great things going on downtown and some really great improvements. Recent improvements include 400 S. Main, where a new garage structure behind the home is being built and the board approved some more details regarding that project. At 155 W. Central, the original Maplewood Acres, the board approved some more exterior lighting, post lighting, driveway lighting, removal of fencing and some other cosmetic changes that are going to make that property even more stunning than it already is now. The new owners of 535 S. Main Street are going to be doing some great things with that building as well. The board approved demolition of the rear addition portion because of its disrepair and spoke with the owners about what a new addition would need to look like and how it would need to look different from the original structure as well as a new paint scheme, new roof, new gutters, etc., to improve that building. At 335 S. Main, the new owner is asking for more windows on the side of the building, which were approved by the board as well as copper gutters and a new paint scheme really improving that building as well.

ITEM 8. OTHER BUSINESS. Mayor Agenbroad called for the following motion:

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 a stock transfer for a liquor permit bearing the number 64189941175 from Speedway LLC DBA Speedway 1191, 595 W. Central Avenue, Springboro, OH 45066. The request is for Permit C-1, C-2, D-6 – Carry out of beer, wine and mixed beverages until 1:00 a.m. with Sunday privileges.

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.

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

No discussion.

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

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

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

(The record of public comments submitted to Council pertaining to this development have been made available to Council for review prior to this meeting as well as any additional public comments submitted to City Council for consideration. All public comments will be filed for the record.)

Guest Comments are summarized as follows:

1) David Beckman, 168 Deer Trail Drive – Mr. Beckman commented that he had a lot of things he was going to say, but he had to change it a little bit. He commends you for tabling the vote. He has just a few short comments. Thanks for tabling the vote and considering it some more; it seems like the right thing to do. Thank you for actually reading my comments. He sends a lot of e-mails to you and he does not know what gets read and what does not; so, it sounds like you have read it, which is good. If asked, he would be happy to serve on this committee and looks forward to seeing some logical development that maintains the character of the City and the investment and quality of life of the existing residents. Thank you.

2) Jared Stonecash, Woodland Greens, 1676 East Tamarron Court – Mr. Stonecash commented that with any business or any organization, culture is the hardest thing to change. Once in a great while, an event occurs that can shake the foundation of a culture, COVID comes to mind. A city is no different in his opinion. Right now, the Mayor and the Council have the power to shake the foundation of Springboro's culture. In one fell swoop of approval, the City Council can change the culture of Springboro forever. This should not be taken lightly; it should not be rushed, and the residents deserve a development plan that will make our grandchildren proud and able to enjoy a Springboro that we are lucky enough to enjoy today. At the last meeting, a realtor spoke about a housing crisis. Suffice to say, I think that lady needs to study basic supply and demand economics. The reason home values are so high in Springboro is because it is a desirable place to live and the supply is low. Selfishly, he would hope there are no houses for sale. For those who think that Easton Farm housing will be a low-income housing, allowing for the socioeconomic diversification of Springboro, they also need a reality check. Make no mistake, they are looking to maximize profit and he does not begrudge them of this. The Hall Family and the developer are in this to make money. He is a huge fan of capitalism; he does not have a problem with that. The problem is when he sees the developer's plan and it reeks of greed. Surely, there is a solution where the Hall Family can profit from their land and the residents of Springboro get something that is an asset and not an eyesore. That is the solution that he implores you to seek. Forget about what the developer wants or promises; do what your constituents are telling you they want. If you do not know for certain, take the time and send out a survey with the water bill. There are lots of creative ways to generate data and valuable feedback without relying on the financially biased developer's information. At one end of the spectrum is the developer's utopia, put 830 housing units on those 103 acres. At the other end of the utopia is his, every taxpayer in the City of Springboro contributes \$500 to the City to buy the land from the Hall Family and merge it into North Park. His challenge to you is to find that happy medium, find that creative and awesome solution. Seek it out; do not just answer the bell when the next developer comes calling. Be proactive, not reactive. As for the plan itself, he questions the desire, the dire need for retail space. There are no fewer than three vacancies in the DLM shopping strip alone and a fourth in Settlers Station. Brick and mortar stores are not the future; they are the past. Are we planning for a sustainable, eco-friendly future or are we relying upon a land use plan written 12 years ago. Growth and development of land is a one-way street; there are no do-overs. No one ever tears down a strip mall or a housing development to put in a park or a farm. You and

the Council have one shot to get this right. You have the control; the population growth is the way to control. To control the population growth is to limit the number of houses permitted per acre. You alone have this control. Please use it wisely, as your decision will affect every current and future resident in the City of Springboro for the next 100 years and beyond. Do you want to be able to tell your descendants to enjoy the 410 houses and 50 stoplights that you enable or do you want to be able to offer something better for humanity for our sustainable future? He recommends a book titled, Never Split the Difference. The principles extolled in this book should be part of every civic negotiator's playbook. By changing their development plan yet again tonight, by removing the apartment buildings two days before the last City Council meeting, the developer was giving up their loss leader. This is a cheap bargaining technique that he hopes you see easily past. Their drawing tonight is marked version 7. What does version 8 look like, version 9? How much more will they concede before they walk away from the project? He recommends that you push the developer to the breaking point. Former City Manager, at the last meeting, advocated, 'give the developer a chance.' This cannot be left to chance; this has to be ironclad with no room for error and chance. Let some other town take a chance; give Springboro the sure thing. One Councilwoman expressed indignity that someone would dare raise the possibility of fraud or bribery. As a publicly elected official, this comes with the territory. There are countless examples of people in a position of power that have succumbed to the financial temptations that come with that power; please do not insult our intelligence on this front. We do not have to look any further than the former Springboro Schools Superintendent or several members of the City Council in Cincinnati. Make no mistake, with a big city comes big city problems. You cannot have it both ways, claim small-town values with representatives that are above reproach while also discussing \$265 million development projects. These things do happen and to pretend that they do not is incredibly naive and nearsighted. A lot of people the previous time used quotes from a movie so he will leave you with one from the movie Gladiator, "What we do in life echoes in eternity."

3) Justin Wiedle, 164 Deer Trail Drive – Mr. Wiedle commented thank you first of all for tabling it and taking a moment to consider alternatives. He thinks that is one thing he really has been hoping for. Really, the only other thing he wants to ask is that as you do this, he would appreciate as a resident and a taxpayer just to see some financial projections for maintenance and upkeep and whatever the City might have to contribute to put this into place, so that is all he wants to ask for tonight. Thank you.

4) Donald Cummings, 173 Deer Trail Drive – Mr. Cummings commented that he just wanted to step up and say thank you again for tabling the decision and looking into working with hopefully some of the residents and the proposed development concept that was submitted, seeing if there is something that would be a little bit more mutual and hopefully very unique and appreciated by Springboro residents as well. Again, not against the development, just many, many parts of that development and would like something that is unique. He is not sure what the \$265 million mixed-use development proposed near Cincinnati by the Dillin Group that was in the news the other day, if it was just a copy and paste development that is going right into something very similar. If it is, great. Maybe once in a couple years he will drive 24 minutes down the road and check it out and then come back home to Springboro with something he enjoys having as we move forward with this development. Thank you.

5) Robin Hall, 605 N. Main Street (Easton Farm) – Ms. Hall commented that she is spokesperson for Easton Farm. This looks like an elementary school drawing that was a coloring contest. There is no roads, there is no retention ponds for water runoff and the back of the farm is a flood plain. There is no parking, there is no lighting, it did not go through Planning Commission, and guess what, as homeowners, as property owners, nobody asked us, did they? Nobody. So, she finds that unbelievable. Come up with an alternate plan and

do not even talk to us. We still own the property. She has heard this week probably 12 people ask her, 'this is a hostile takeover. The City just bought your property and they are making you develop it.' No, they are not. Larry Dillin has 40 years of development experience. He really knows what he is doing and she is just baffled by all of this. She is baffled that the group that is bringing you incorrect information, putting it on billboards, on planes, on mailers, it is not even the right statistics; it is not even the right facts. It is unbelievable to her. She would like to ask Council why you did not vote tonight on the rezoning, as a separate issue.

Mayor Agenbroad stated that he already gave his answer.

Ms. Hall continued her comments as follows: ...because it was rezoning and then voting on the plan. This plan did not go through Planning Commission; this plan did not go through all the scrutiny and the market studies and all the information that it takes to put this development together. It is unbelievable to her that, as property owners, they are not even considered. She is just baffled, baffled.

6) Mackenzie Morrow, Tanglewood Drive – Ms. Mackenzie commented that she is speaking on behalf of the Easton Farm Development. She has seen plans, billboards and had flyers delivered to my house regarding opposition to the development. So, she looked it up herself and did not see why these few people were so upset about it. Why does a small, select group of people get to make the decision of whether or not someone can sell their property? From the start, the vocal minority of Springboro Residents United has been pushing their agenda through false statistics, exaggerations and actual threats against the owners. They try to say that they just want lower density, but their actions seem to suggest otherwise. At one of the first City Council meetings, she heard a prominent member of Residents United, who she will not name for the sake of privacy, lean over to Robin and threaten her. Now, does that sound like someone who just wants a compromise? Does that sound like someone who just wants to best interests of the people? No. It clearly sounds like someone who is looking for a fight and wants to use this development as an opportunity for one. The truth is that these people who keep pushing, 'not in my backyard,' are only trying to limit progress in Springboro just because of the delusion that they think that Easton Farm was always meant to stay a farm. Us citizens should not have to go through all this just to have a right to their own property. She has been to multiple meetings and seen or heard about 30 different versions of what people want for this property, some want houses, some want bigger houses, some want retail. Look, you can want strawberry fields and ponies, but the point is, unless you are willing to put in an offer for this farm, it is not yours to decide. In our Constitution, it states that quote, "Private property shall not be taken without just compensation." This is not a Soviet Collective where committees like Springboro Residents United decide what people will do with their own land. If this truly means so much to them, they can buy it themselves; that is called capitalism and private property. You just cannot have your cake and eat it too.

She is only a teenager, but her parents have told her that in life you cannot just get whatever you want whenever you want, sometimes you have to be willing to earn and pay for it; something they have shown they are not willing to do. Bottom line, they do not own this property and they do not own this town. Thank you.

7) Larry Dillin, Easton Farm Developer, 155 W. Central Avenue – Mr. Dillin commented that there is a lot of impassioned conversation now about this development, on both sides. He has had the opportunity to meet with a number of folks either collectively or individually within the Deer Trail area and also Spice Rack, and there are a lot of good people there that he respects. They have had good interactive dialogue where he had an opportunity to explain

the elements of their development, why certain elements are included, why others may not be; that kind of interactive dialogue is positive. They have tried to listen very closely to the Planning Commission. He thought Planning Commission did an excellent in analyzing their plan and asking them challenging questions, and the City Council similarly. As you know, we have made numerous changes to the plan over time and it is not a matter of sharpening the pencil; these are very complex investment plans that are put together, very complex economic development plans. As a developer, when he does his economic development speaking, he talks about the evil developer, and what he looks for, as a community-oriented developer, is communities that understand where they want to go before they get there. In this particular case, the community did that; it spoke to them specifically with the land use plan that was approved and approved again and again. Their plan was modeled after that approved plan. The density of housing, the number of housing units is dramatically lower than what was suggested in the land use plan and they are okay with that; they do not have to maximize the number of units. The suggestion that, that is their goal, that is their aim is a falsehood and disrespectful. They live in this community too. They are invested in this community too. His commitment from the beginning was to create something special and unique for Springboro. Their goal is to not create another me too subdivision; Springboro has lots of me too subdivisions. Their goal from the beginning has been to create something that is different for Springboro. Now, they want to be respectful of the neighbors and so they have tried to consider that around the borders of the property. What they ask respectfully of the community is to allow them to do something different in the center of the development. What they are proposing is not something that is a whim. The development operates successfully; developments like this operate successfully in communities all across America and around the world. They are not doing doublewide trailers on 31 ft. wide lots; they are doing substantial homes of incredible value that are built to the street so that they can engage the community and create a neighborhood. Their development plan is just that, it is a new, different neighborhood for this great community. Great communities are a collection of great neighborhoods; this is another great neighborhood that they are planning. They have done this before; they know how to do this. All of their plans are unique and created specifically to that particular market environment. They do not do cookie cutter developments. Whatever they do in West Chester will be unique to the West Chester market and it looks nothing like what they are proposing for Springboro. These are considered thoughtful plans; it takes a lot of study and so when they talk about making a change to the plan a lot of it they pre-anticipate. At the last session, people expressed a concern because there was a June date on the revision. Well, that is because they study more than one approach to a plan; that is what a good quality developer is going to do in analyzing the situation. So, when you see a date on a plan, they have lots of revisions that they take a look at and will continue to improve the plan. He looks forward to having a conversation with Mr. Beckman and talking about the attributes of what he has created. Those things that can make sense and add value to the plan, they will be happy to include. Those things that undermine the concept of the development, they will have to respectfully agree to disagree on. Thank you.

8) Doug Wiedeman, 330 Wellington Way – Mr. Wiedeman commented that he has not spoken with anybody yet who has said that this property should not be developed; it comes down to how it is developed. When they are talking about they own the property, they are absolutely 100% positively correct about that, but as members of the community, you have a responsibility to the other members of that community. That thin veneer that we call civilization is based upon everybody respecting that premise; so, when the rest of the community thinks that this might not be as good idea as you do, you almost have to step back a little bit and respect it whether you like it or not. Whatever you all chose to do is whatever you all chose to do and there is not much anybody else can do about it. But, in regards to somebody suggesting an alternate plan, that alternate plan can be developed any

way they want, but you have to find a mutual agreement amongst everybody, not just one person, not just this person, but kind of everybody, and he thinks everybody in Springboro is more than happy to develop that property knowing that it is ultimately going to be developed anyway, but let's do it in a fashion that represents the rest of the community and everybody can kind of get behind on way or another, and that is all he has got on that. Thank you.

9) Laura Palmer, 321 Park Lane – Ms. Palmer commented that she lives at 321 Park Lane, just down the street here. She is an engineer, but her only connection to the property or development is simply that she lives near it. As an engineer, she knows that the City, the developer and engineers on the project are obligated to evaluate statistics and calculations for this project based on standard methodology that is set forth by the City. This includes calculation methodologies for things such as density. There has been a lot of alternative information that has been distributed and published. She, just as an engineer, wants to just ensure and encourage that any decisions that are made are based on professional analysis and are based standards that have been set and that is it. Thanks.

10) Scott Bunch, 25 Orville Court – Mr. Bunch commented that he was not originally planning on speaking, but he just wanted to read the letter that he sent to Council and you, Mr. Mayor, so the information is properly portrayed: “Good Afternoon Mr. Mayor and Council, I would like to take a moment to first thank you all for your excellent work you have done to form our City into the beauty it deserves and the community it has become. I salute you for weathering this situation. Since I moved here in 2013, the City has grown at a substantial pace and has been able to keep the beauty and become even more beautiful and attractive to live in. In my opinion, all this prosperity our City has was not accomplished with a goal of maintaining a “small town feel” or fearing what development brings. This City has grown because our City leaders listened to constituents desires to increase amenities and conveniences here in our town. I recently came to find out that the plan on the Easton Development has been delayed. At first, I was disheartened, but then I pondered it more and decided this may actually generate an opportunity for the Council and Mayor to pound the pavement and get the true heartbeat of our citizens. I highly encourage you to talk to the masses and not just listen to what I personally feel is a minority of opposition. I would love to see my Council Members stand on my front porch with true facts and highlights of the development, and listen to my opinion. However, this can also be accomplished by standing in front of a local attraction in your ward or even calling or sending out a survey. Please consider the silent majority of our community. The reason I became an active proponent in this development is because at the beginning of this, opposition tried to speak for me by saying 90% of people oppose this development, in the past, in previous meetings and social media. He has confidence that if your constituents were provided with facts and not misinformation being generated by opposition, this development would be overwhelmingly supported. So, the other small fact that he wants to bring up, what he feels is common sense, is that the opposition is saying there is 410 homes being built in this development, 143 he believes, he may be wrong, but it is around 140, are going to be in a single independent living facility; that is 143 senior citizens in one building. That is a lot different than 143 single-family homes; that is a lot different than 143 apartments. So, he just encourages the City Council to take that into account; the fact that, that is completely different. The fact of the matter is, there is, he thinks, 299 homes and then there is 143 independent living. Those people in independent living are not going to have an effect on our schools at all. Those people in independent living are not going to be working the nine to five, they are not going to be messing with our traffic during peak hours; he does not see them having an effect on the infrastructure. So, in reality, this is a 300 home planned unit development, so, take that for what it is. Thank you.

11) Dustin Dershem, 224 Deer Trail Drive – Mr. Dershem commented that he too was not planning on speaking tonight, but he keeps hearing about misinformation, well, they are not really saying what the misinformation is, and if there is any misinformation, a lot of times...

(At this time, Mr. Dershem addressed Mr. Pozzuto, who was referring to the anonymous mailer sent to residents.)

Mr. Dershem: Thank you, so you are on the...

Mr. Pozzuto: No...

Mr. Dershem: So, you are speaking for them.

Mr. Pozzuto: It says 410 new homes and it is 299 homes.

Members of the audience began to speak up.

Mayor Agenbroad: We are holding a meeting and anybody who wants to speak, they go the podium. If you want to ask our City Manager a question, he will respond to it.

Mr. Dershem: I did not want to ask him a question.

Mayor Agenbroad: We would not get out of line; this is an orderly meeting.

Mr. Dershem: I did not want to ask him a question. He held up his hand while I was trying to talk.

Mr. Dershem's comments continued as follows: What he was going to say about that is, a lot of the stuff they are taking the time put out, we do not have tons and tons of money to do this so when the developer makes changes at the last minute, yeah, some of the information that goes out it going to be a little bit inaccurate, but that has been because there have been change after change after change. He also keeps hearing about this small, tiny little group that is trying to oppose this development. They have almost 1,700 signatures that say they do not want this development to happen the way they are making it, so, every time somebody comes up here and says that it is a small little group; that is misinformation, that is misinformation. The other thing he wants to say is, they keep hearing about threats like people threatened Becky Hall, somebody leaned over and threatened her at the first meeting. That is just...

After some audience members began speaking out, Mayor Agenbroad asked everyone to please have a little bit of respect for each other; we are all Springboro at the end of the day.

Mr. Dershem comments continued as follows: ...that happened at the first meeting and this is first time they are hearing about it, who was it, because he can tell you something that happened to his wife, Maria Dershem, whose name was brought up by Ms. Hall for putting stuff on Facebook. Someone from Springboro, he is guessing somebody who wants this development to happen, called her job, which is at a school district, and tried to get her fired saying she was posting stuff while she was at work on Facebook. That is the kind of stuff that is very threatening. Somebody who has nothing to do with the school district that she works in is trying to get her fired just because she is voicing her opinion opposed to something that is going to happen in our backyard; that is crazy. So, that is factual; I am telling you that

happened, you want to call Northridge School District to talk to the Superintendent and find out if that happened; that is factual, but somebody to say, well, somebody leaned over and threatened her. Who was it? He would like to know that.

Mayor Agenbroad stated that we do not want to have a sounding board here and iron out grievances on what did or did not happen. We are here talking about a subject matter that we have before us; that is what we need to focus on, not all this other stuff.

Mr. Dershem: I was talking to them; I am just sharing my views.

Mayor Agenbroad: ...but, you precipitated it by some of your comments and they responded, so, all he is saying is, make your comments that you want to make.

Mr. Dershem: I was making my comments, but when they came up here and spoke and said a lot of these types of things, we did not speak out.

Mayor Agenbroad: I am not trying to cut you off; I am just trying to say, please stay focused, that is all I am trying to say.

Mr. Dershem continued his comments as follows: He is focused. He just wanted to share that with you, and again, they are not trying to put out misinformation, they are not a small, little tiny group, and if anything changes, yeah, they try to update it as soon as possible, but if that is not always possible especially like what was already mentioned. Before the last meeting, that change down to 299 happened at the very last minute, so, might some stuff go out that is not actually 100% correct, sure, but again, this is not a small group. They appreciate everything that this Council is trying to do to accommodate and try to make this a good thing for everybody, but when people come up and accuse them of being small, making threats, all this stuff; that is inaccurate, that is misinformation.

12) Brian Poplin, 216 Deer Trail Drive – This is the second meeting in a row that he has heard about this silent majority. He wants to remind everybody that, in a democracy such as we have, there is a majority, a minority, and there is silence. The silent give up their right for anything said here because they are not represented. Nobody can assume, either on a majority or a minority side, what the silent people want or do not want. So, he thinks it is a fallacy for people to keep coming up here and saying there is a silent majority; that does not mean anything. Thank you.

13) Maria Dershem, 224 Deer Trail Drive – Ms. Dershem commented that she was not going to speak, but she just wants to say that when they started this process and they went to a Planning Commission meeting and listened to the plan they were very concerned. One of the things that came up was that this had been, the planning of this had started in 2017, and that there had been discussion. They had been planning this development and here it is and it is wonderful, and they were never included in that conversation. This is our backyard; there should be a point where we can just consider one another, okay. She just heard that somebody said that they were not considered, well, we felt that we were not considered in this plan. Thank you.

Mr. Brunner asked Mr. Pozzuto to give him some insight on Ms. Dershem's comment regarding 2017.

Ms. Iverson commented that, as Chair of the Planning Commission, they did not see this plan until 2021. The developer is allowed to make plans before it ever comes to our level, but she has never seen this plan until this year. Just so you know, Planning Commission...

Ms. Dershem: We heard there were conversations about the development since 2017.

Mr. Brunner: That was another development...

Ms. Iverson: We cannot speak for the Dillin Group and The Halls, but as far as the City, Planning Commission, we did not discuss this until this year, because we have to be above board because it is by law.

Mr. Brunner: ...Sorry for what happened to you at your job; that is just ridiculous.

14) Betty Bray, 150 S. Main Street – Ms. Bray commented that she does not understand why you could not rezone it because sooner or later it is going to be rezoned and she does not know why you have to table that tonight. She has attended many of these meetings, and believe you me, those Planning Commission Members are tough; they make sure that everything is done right. She sat through many of them and she just does not understand why you just had to table it tonight. You can still have your ad hoc committee.

Mayor Agenbroad responded that, from a legal standpoint, if we would have acted on it tonight we would not have had a choice; we had to table it to give us time to do something else and that is why it was tabled. If we read the ordinance, we would have had to act on it; so, the only way to give us time to take a look at a possible alternative, whether we may or may not have one, was to table it. It gave us time to do that and that is why it was tabled.

Ms. Bray continued her comments as follows: She agrees with that young lady about people's property rights, you know that very well.

Mayor Agenbroad commented that he understood Ms. Bray's comment. Mayor Agenbroad further commented that there are probably only two people in the audience that have been here longer than he has and they are The Halls. Mayor Agenbroad further commented that he has a lot of passion for Springboro; he was a football coach and a Planning Commission Member before he ever became the Mayor, so, he has been around forever. Mayor Agenbroad continued by commenting that he is going to take the liberty as the Mayor to just say this, we have been bombarded for the last 48 hours by folks who are concerned, and it has become political more than it has anything else. We are trying our best to work through this to bring the community together, not to divide it further, and we are working very hard at that. We are accused of having cold feet because we did not vote on it tonight, we are being accused of running too fast, but we are trying hard. We live here too, we love this community and would not be on this Council if we did not; we are sure not on it for the money we make. We are here because we care; we have a passion for this City and we have a passion for each and every one of you whether we agree or disagree, so, we are trying to get to that result, whatever it may or may not be. We are going to have to enact something sooner or later, but we are trying very hard to get there, so, show us a little respect too. We are really trying hard on this and everything that you sent us in e-mails, everything you sent us in letters, etc., Council has received all of that, Lori has made sure of that, which is why we do not have minutes for the last two meetings because she has been inundated with these e-mails that she had to take care of for public record. We are trying our best to get through all of this, we really are. Mayor Agenbroad finally stated that he took a lot of liberty and he is sorry about that, but he lives here and cares too and he wears his heart on his sleeve when it comes to Springboro.

15) Jacqueline Curl, 9685 Robert Court, Clearcreek Township – Ms. Curl commented that she did not plan to speak tonight, so she apologizes, as her thoughts are scattered and they will be brief, but she does respect what you have gone through. She has worked for local government and she knows...she has never been up in your position, she has been in Maureen's, and she has watched Council, she has watched our Trustees and she knows it is very difficult. One thing that really strikes her about this, in the little bit of knowledge that she has, is that there is a whole lot of planning that has gone on about what this community should be and what appropriate land use is, that has taken place before this got heated, and she knows that citizens have been involved in this already, she knows that you have already heard them and she would just encourage you that when things get heated with a small group of people who are mostly personally involved and in closed Facebook groups where people who disagree or have actual information are not allowed to participate, that things can get out of hand and that we really need to step back and look at how fortunate we are to be in the position that a developer of this caliber is coming in. Someone asked if other towns have had the chance, have taken the chance, and they have. Perrysburg took a chance with Dillin, near Toledo, and she knows Council and anyone else who has touched this project is aware of how pleased they were with it, and she is just really here to say, when things get heated, she understands, you hear from the anxious people and the people who are not anxious have other higher priorities...she thinks she is only involved because she has been in local government and she is retired, but a lot of people are at home saying this is okay, it is fine with me, but they are just not as motivated as the people who are anxious about it and she thinks that there is a learning curve for people and she thinks that is a real thing. She has a learning curve and people who are farther away from this have a greater learning curve, so, a lot of times there is suspicion because they just do not know and so that suspicion can really easily build, and she understands that you are in a difficult position. Based on past planning and past practices and the quality of the developer and his willingness to work with everyone, she feels confident that you will do the right thing. Thank you.

16) Bob Levine, 5 Sycamore Creek Court, Clearcreek Township – Mr. Levine commented that he thanks you, Mr. Mayor and Council. This country is divided right now; let's not let this divide us, okay. There is a compromise here; there is no doubt about it. Everybody in this room with the exception of maybe three people remember The Rolling Stones, 'you can't always get what you want.' There is no reason that the folks that own that land cannot get what they want, the developer, who obviously knows what they are doing, can get what they want, Mr. Beckman and the rest of the community that is unsure about this and the way it is being handled, they can get something out of this too. He would suggest that perhaps we hold a town hall meeting, the developer and City Council can rent out this beautiful building right here or some other structure, maybe over on SR73 and SR741, maybe Zoom the meeting. Anybody that wants to show up can show up. Publicize it and let everyone in Springboro know this is your opportunity to give your two cents and to find the facts; let's get the facts. There is a lot of talk about misinformation; what are the facts, what is it going to do to traffic, what is it going to do to the schools. We see the numbers on the flyers and the things that have been put out there, but let's hear those numbers again, updated numbers, and find out really, the total impact of this thing. This is a big deal and you guys obviously know that because we are not rushing through it and he appreciates that. The folks that own the property want the development to go ahead, but maybe it is time to take a step back, reassess it, look at all the real facts, and let everyone have their input. If people do not show up at the meeting, they do not tune into it if it happens to be Zoomed or videoed, then that is up to them, then they again have no say in the matter, but for people who want to find out all of the facts, let's step back, let's reset it and let's see if we can come to a compromise because again we are better than... he thinks this thing could turn out to be very divisive and he thinks that we have already seen that it is to a certain extent. Let's not let this divide us; let's let it bring us together. Thank you.

17) Kristin Beireis, 215 Stanton Drive – Ms. Beireis commented that she is just asking for the City Council tonight to consider what your role is in this. Your role is to listen to the people and to also provide a forum for us to respond. Your job is also to make a decision that is going to work for the people of this community now and in the future considering what might be coming down the road, considering what is here now, considering who is here now, considering who might be here in the future and what might be happening in the town. She knows you do not have a crystal ball and she knows you cannot see the future. If she could, she would love to be able to tell you what is going to happen in 10, 20 years, but this development has an impact on the future and if we are not looking at trends, if we are not...it is your job to look at that, the City Manager's job to look at trends, to look at facts, to look at figures and to do all of that deep digging into the development of this plan for us and make that decision with us. She has appreciated every forum that you have had for us to speak. This is her third time speaking. She did not plan to speak tonight, but she appreciates every forum that you have had, she appreciates that you are reading our e-mails. She has gotten responses from those e-mails and she appreciates every single one of them; she appreciates your taking that into consideration. It is not just us, it is not just you, it is also the people who will be here in 10, 20, 30, 50 years. All of that needs to be taken into consideration and she encourages you to think about all of those three things as you make your decisions moving forward. Thank you.

18) Amie Taylor, 8639 Withersfield Court, Woodland Greens – Ms. Taylor commented that they built their home in 1983; it has been a long time. There was not Settlers Walk across the street, just an empty field. We used to take jaunts over there to walk back and forth; we love this area. Before that time, her husband was in the Air Force, he was a Colonel in the United States Air Force. She lived in Hilton Head for ten years so she has seen all of this happen in various situations from different places where she has lived, and it is no different here. It is just that this came as sort of surprise to us. We certainly put a lot into our properties. We love our property, we love Springboro, we brag about Springboro. In fact, the school district, the town itself; it is so different, a new phenomena she thinks for cities and she just said to someone recently, where do you go to find all these different things on Main Street when you have kept all of this going, and that is a credit to you. You have been a fabulous, fabulous body of individuals. She has been to your house, Mayor, you do not remember her, years ago, but she had to come there to do some work that she was canvassing for and she just loves this City; it is just a great city. The school district, she brags about all the time. She was a professor at the University of Dayton so this is always important to her. She was Assistant Superintendent and Acting Superintendent of Schools in another district so this is always important to her, what happens with education in a community. You are stellar in terms of what you really want to do in education; people brag about Springboro and she just takes pride in that even though she has not worked in this district. It has been outstanding and so have the people here, just really wonderful, wonderful people in the district. Now, with what is going on now, she has seen this happen too in other areas; people get upset, they are not happy about what happens. She is not happy, she will be honest with you, with what is happening now. She was so happy when she saw the bike paths and the Kacie Jane Park and...; these are just phenomenal things to have and she wonders, oh my, what is going to happen to all of this now. If somebody turns right in the green block for the bike lane, she is in her car going, 'do not do that, do not do that!' She means it is just so important what you have thought about; you have just kind of thought about everybody really, and she thinks that is so special so she wonders. She just wondered what is going to happen here with all of these wonderful, wonderful things that we have. We have the home for the senior citizens already, as you are well aware, that has been placed here on Lytle Five Points, and do we need more, how many do we need, do we need a whole lot more; she does not know. What happens to Goddard School back there, what happens to all of these other things, there is a park back there already; she just does not know and that concerns her as well. She just likes the open space and she is just thinking we are going to be on top of each

other. So, this is her first time; she wants to know more. She is not going to blame anybody; you do what you have to do. They feel like what they feel like because that is their properties; they have a right to how they would feel about that as she does. So, she thanks you, but we are concerned, as you know that too. Thank you so much.

19) Linda Hudson, 64 Abbey Drive – Ms. Hudson commented that this is the first meeting she has attended. She has been reading about the development, and she has only lived in Springboro for three years and she wants to tell you, she lives in a gem. She has lived in Clermont County, she has lived in Milford, Amelia, Batavia Township, she has lived in West Chester and what is so amazing around her is that it is this beautiful downtown with so much history. You have an art center. She loves to sing; she went to Europe with a choir when she was a teenager in high school. There are not a lot of apartments, but there are some apartments, there are big homes, there are medium homes. She lives in some nice condos she was lucky enough to be able to afford because she bought it at just the right time and did pretty good on the sales in Clermont County, but you have a gem here; it is amazing. She does not know exactly what to think; she has no...she actually does not have a strong opinion about, one way or the other, what is happening, except she will tell you that she was glad to hear that density was decreasing, but yet at the same time what she is going to say to you is, as you make your decisions, as what happens, happens, try to keep the texture of the community that maybe attracted people up here to begin with. Now, she will also say what her father said to her a long time ago, 'Linda, when you go to look for a house, remember, you do not own the property around you, you only own your property, but that is where she thinks Council and the building people come in because they are going to be respectful of what is or how to maintain the texture of the community that is going to be respectful to most of the people that are going to keep that there. So, that is all she wanted to state is that she is going to trust that you have the best interests of her and other citizens and, Mayor, she is glad to hear that you also have a strong pride in Springboro. She has heard that it has changed much over the years. It was a little country town with next to nothing and right now she just thinks that she lives in a gem of a city and she is very appreciative. Thank you very much.

20) Doug Wiedeman, 330 Wellington Way – Mr. Wiedeman commented that in regards to some of the stuff on the mailer that the City Manager has a problem with, 410 new homes on 51 acres. The residential area with which this is being built is about 51 acres, 410 new homes. Homes are defined in the dictionary as a place of residence. It does not matter if you live in an apartment, mobile home, a tent, wherever you live is your home. We were talking about a constitution earlier. He thinks the constitution has a pretty wide definition of the word home to protect people regardless of their circumstances or where they live. In regards to the density, all he did was take that 410 and divided it by the 51 acres it goes on and he got 8 homes per acre. Vehicular traffic, the annotation comes down from the Easton Farm traffic study, which was kind of an amusing study in and of itself. Impact on schools, parks, roads and more, more crowding of schools, loss of small-town feeling and more time in traffic. He does not think that anybody is going to deny that if you are sitting there at rush hour and you add 1,700 more cars to the deal, you are going to be spending more time in traffic, and that is one of the beauties of Springboro, you are able to go anywhere in this community now in about five to ten minutes. You are not like up in Centerville or some of these other cities where you are kind of jam packed on roads and you do not go anywhere too fast. Let's not lose the beauty of this city and maintain what we have got. Thank you.

No other guests came forward.

Mayor Agenbroad thanked the guests, on behalf of Council, for coming out this evening and voicing their concerns. Mayor Agenbroad commented that he thinks a lot of the comments that were made we need to reflect on, but this is a great place we all call home. At the end of the

day, we need to have the facts out there, know what all those facts are and he is sure that is going to be coming forth even more so than it has in the past. Mayor Agenbroad wished everyone a good weekend.

Ms. Iverson commented that before Council adjourns, she just wanted to thank everybody; it truly is great to have so many people attend the meeting. She just wants to say to Mr. Stonecash that, she is a public official, and she is happy to talk to him one-on-one about her statement. Ms. Iverson further commented that she was defending our volunteers on Planning Commission the other night because of comments made at a meeting prior to that, and she does not know if he was there. Ms. Iverson explained that she is just adamant about our volunteers. They are not paid at all and the scrutiny they got was uncalled for, not by Mr. Stonecash, but by somebody else, but she invited Mr. Stonecash to talk after the meeting.

ITEM 11. EXECUTIVE SESSION. No Executive Session.

ITEM 12. ADJOURNMENT. Mayor Agenbroad thanked the MVCC for tonight's telecast and scheduled rebroadcasts of this Springboro City Council Meeting.

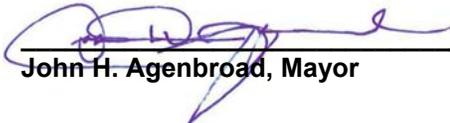
Mayor Agenbroad called for a motion to adjourn the Thursday, September 16, 2021 Springboro City Council Regular Meeting at approximately 8:15 PM.

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

No discussion.

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

—MEETING ADJOURNED—



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer

