

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

**CITY COUNCIL WORK SESSION**

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**THURSDAY, OCTOBER 21, 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, October 21, 2021 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.
- ITEM 2. ATTENDANCE. Council:** Mr. Brunner was absent. **Staff:** Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. Police Chief Jeff Kruithoff and Finance Director Jonathan Hudson was also in attendance.
- ITEM 3. LEGISLATIVE AGENDA. – Review legislative items slated for October 21.**

- 1) **ORDINANCE: FIRST READING.** AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL APPROPRIATION OF MONIES; THEREBY AMENDING ANNUAL APPROPRIATION ORDINANCE NO. O-21-01 OF THE CITY OF SPRINGBORO, OHIO PASSED BY THE CITY COUNCIL ON DECEMBER 17, 2020 FOR THE YEAR 2021; AND DECLARING AN EMERGENCY.

Staff has requested that Council waive the second and third reading of this ordinance in order to properly appropriate funds for expenditure.

Mayor Agenbroad stated that a motion would be in order at tonight's Regular Meeting to suspend the rules and waive the second and third reading of Legislative Item 1, an Emergency Ordinance.

- 2) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONDUIT AND FIBER OPTIC DESIGN AND CONSTRUCTION AGREEMENT WITH THE MIAMI VALLEY EDUCATIONAL COMPUTER ASSOCIATION (MVECA) FOR INSTALLATION OF FIBER OPTIC LINES TO CONNECT WATER AND SEWER FACILITIES WITHIN THE CITY.

No discussion.

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

**Mr. Shackelford commented on the following items:**

**Leaf Collection Program:** Leaf collection is ongoing in the community and will continue through December 31.

**Point Broadband:** Point Broadband is approximately one to two weeks away from lighting their fiber for some of their new customers mainly in the Spice Rack. Point Broadband is making some final connections at their hub in the City Building. The City leases the space to Point Broadband for their equipment.

**Cincinnati Bell:** Legislative Item 1 includes the \$1.5M payment from Cincinnati Bell for the fiber conduit they purchased from the City.

Ms. Iverson noted that the City has paid off numerous bonds and asked if Springboro was leading the way in that practice with respect to how other municipalities are handling debt.

Mr. Hudson explained that there are two approaches to this issue. Some communities choose not to pay off debt because due to investment earnings and some choose to pay off the debt because they are not earning money on their investments. Some are actually taking the other approach, which is that debt is historically cheap right now and they are borrowing more money for projects.

Mayor Agenbroad commented that the City's high bond rating helps to borrow at a lower rate.

Mr. Hudson also commented that many places right now in these uncertain times try to pay off debt just to get certainty because they can always borrow it again if needed when the economy settles down. Again, these are some of the general approaches communities are taking with respect to debt.

**Mr. Shackelford commented on the following items:**

**DC Fly-In, October 18-20:** Mr. Shackelford attended his third DC Fly-In along with Mr. Pozzuto and Mayor Agenbroad. They listened to several Congressmen speak and the trip was very productive.

**Sergeants and Police Officers Labor Agreement:** Mr. Pozzuto and Mr. Shackelford will be meeting tomorrow with the Sergeants and Police Officers to negotiate a new labor agreement.

Mayor Agenbroad confirmed that the Sergeants and Police Officers are still separate bargaining units.

Mr. Shackelford replied yes, that is correct.

Ms. Ridd inquired regarding staff efforts to resolve issues concerning noise in the downtown area.

Mr. Shackelford explained that staff met with the consultant who actually did the decibel readings last month. They will continue to work with the consultant and plan to discuss their findings with Heather's. Several residents who have consistently complained about the noise are aware the City is trying to work toward a resolution.

At this time, Chief Kruithoff commented that a social media post purporting to be from one of the Warren County Judges has generated dozens of calls to the Dispatch Center. The post outlined that there is a group of people out of Cincinnati called the Glacier Gang, who are breaking into homes and stealing cars. A group out of Cincinnati was identified approximately six weeks ago and they have been stealing items from unlocked cars and have stolen approximately five cars in Springboro. The Police Department knows who has stolen all five cars and will be able to make the case as soon as that person is arrested. A number of the people have been arrested and a number of them are still at large.

There is a heavily coordinated effort among approximately 10 police agencies including Centerville, Springboro, Clearcreek Township and West Chester. They continue to identify these persons and arrest them, but the post is inaccurate in that they have not been entering homes or terrorizing people in their homes. Most of the time these kinds of crime sprees occur in the middle of the night, but this group is active in the early evening hours. The Police Department is constantly encouraging people to lock their cars and remove their valuables from the car or secure them in the trunk.

Chief Kruithoff commented that he wanted Council to be aware of this post today on social media. The Police Department has prepared a statement, which is posted on Facebook. John Davis, the PIO from Centerville, is speaking on behalf of the eight south Dayton cities regarding the police agencies' response to this post and there is a tremendous amount of law enforcement effort addressing this issue.

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

**Calendar Events:** The next City Council Work Session will be held on Thursday, November 4 at 5:30 PM to accommodate the 5-Year CIP Presentation followed by the Regular Meeting at 7:00 PM in Council Chambers. Election Day is Tuesday, November 2; polls are open 6:30 AM-7:30 PM. Veterans Day is observed Thursday, November 11 (City Offices Closed)

**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 Ribbon Cutting today at the new Kroger on W. Central Avenue at tonight's Regular Meeting under Reports.

**Deputy Mayor Ridd** – Deputy Mayor Ridd will comment on the Ribbon Cutting at the new Warren County Jail and Sheriff's Office at tonight's Regular Meeting under Reports.

**Mayor Agenbroad** – No reports.

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

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

No discussion.

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

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

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

*With no objections, City Council exited Executive Session at approximately 6:35 PM; whereby, no votes were taken.*

**ITEM 7. ADJOURNMENT.** *With no further discussion, Mayor Agenbroad adjourned the Thursday, October 21, 2021 City Council Work Session at approximately 6:35 PM.*

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

CITY COUNCIL REGULAR MEETING

THURSDAY, OCTOBER 21, 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, October 21, 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 Stephen Schick, City Hope Church.

**ITEM 3. ROLL CALL.** Agenbroad, Present; Brunner, Absent; 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 was also present.

**Mayor Agenbroad called for a motion to excuse Council Member Brunner.**

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

No discussion.

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

**ITEM 4. APPROVAL OF MINUTES:** THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF OCTOBER 7, 2021.

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

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

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

No discussion.

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

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

**ITEM 6. LEGISLATION:** City Council held a Work Session at 6:00 PM tonight for approximately 15 minutes to discuss the following legislative items as well as other City business. During the Work Session, City Council entered Executive Session for approximately 20 minutes to consider confidential marketing plans of an applicant for economic development assistance with a project that involves public infrastructure improvements or the extension of utility services that are directly related to the project, and Executive Session is necessary to discuss possible expenditure of public funds relating to the project; whereby, no votes were taken.

- 1) **ORDINANCE O-21-23: FIRST READING.** AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL APPROPRIATION OF MONIES; THEREBY AMENDING ANNUAL APPROPRIATION ORDINANCE NO. O-21-01 OF THE CITY OF SPRINGBORO, OHIO PASSED BY THE CITY COUNCIL ON DECEMBER 17, 2020 FOR THE YEAR 2021; 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 authorizing the supplemental appropriation of monies increasing total 2021 appropriations by \$7,764,894.60. In governmental accounting, any transfers between funds must be reflected in both funds actually doubling the total appropriation. This is a routine bookkeeping item required from time to time throughout the year. The City's Finance Director has requested that Council waive the second and third reading of this supplemental appropriations ordinance in order to properly appropriate funds for expenditure.

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

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

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

No discussion.

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

**Mayor Agenbroad called for a motion to adopt Ordinance O-21-23.**

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

No discussion.

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

- 2) **RESOLUTION R-21-20:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONDUIT AND FIBER OPTIC DESIGN AND CONSTRUCTION AGREEMENT WITH THE MIAMI VALLEY EDUCATIONAL COMPUTER ASSOCIATION (MVECA) FOR INSTALLATION OF FIBER OPTIC LINES TO CONNECT WATER AND SEWER FACILITIES WITHIN THE CITY, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes the City Manager to enter into a conduit and fiber optic design and construction agreement with the Miami Valley Educational Computer Association (MVECA) for installation of fiber optic lines to connect water and sewer facilities within the City. This is the second part of the City's citywide conduit and fiber optic project. This portion of the project will extend to the City's water and sewer facilities creating a fiber optic citywide network to connect all of the water towers, water treatment facilities and sewer plant, lift stations, etc. within the City. The central control system will allow the City to manage and monitor all of those water and sewer facilities more efficiently; it is a nice modernization project. The project cost is \$141,375. This project was not bid because MVECA constructed the first portion of the fiber project, which involved 17 miles of fiber optics throughout the City. MVECA is already on site and can easily design the remainder of the project because they have all of the CAD files and right-of-way permits needed for the project.

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

**Mayor Agenbroad called for a motion to adopt Resolution R-21-20.**

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

No discussion.

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

- ITEM 7. REPORTS: Mayor's Report** – Trick-or-Treat, Sunday, October 31, 6:00-8:00 PM; be safe, have fun and drive carefully. Election Day, Tuesday, November 2; polls are open 6:30AM-7:30PM. For any question concerning voting, please contact the Board of Elections at 513-695-1358 or [vote.warrencountyohio.gov](http://vote.warrencountyohio.gov).

In addition, the next City Council Work Session will be held on Thursday, November 4 at 5:30 PM in the Community Room to accommodate the CIP presentation followed by the Regular Meeting at 7:00 PM in Council Chambers.

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

**Leaf Collection Program:** The City's annual leaf collection program began on October 11 and continues through December 31. The leaf collection schedule is posted on the City's website and a map and schedule is included in the latest publication of the *CityNotes* newsletter. Crews will be in each of the City's neighborhoods multiple times to collect leaves throughout the season.

**Fiber to Home Initiative (Point Broadband):** Point Broadband, a private internet service provider, is within two weeks from lighting up some of the City's neighborhoods with their fiber optic service. Residents interested in high-speed internet service with Point Broadband may visit their website to become a customer. Mr. Pozzuto emphasized that Point Broadband is an option for high-speed internet service; therefore, residents do not have to use Point Broadband for their internet service. If residents want to continue service with Spectrum, that is their choice. In addition, if Point Broadband happens to hit a phone line or irrigation system during

the installation process, they will repair the damage. If residents have issues with property damage resulting from the fiber installation, they may call the City Building at 937-748-4343 and speak with the City Engineer, Chad Dixon, who will coordinate with Point Broadband to repair the damage. Unfortunately, when a contractor is working underground, there is always the possibility of hitting another utility, as utilities may not always be marked correctly. Again, Point Broadband has been staying on top of any of the reported damage.

**Committee Reports –**

**Mr. Harding – Planning Commission – The Planning Commission met on October 13 to review the following items:** Final Approval, Site Plan Review –1345 Lytle-Five Points Road, The Ravine at Settlerspointe assisted living facility (APPROVED); Preliminary Review – Final Development Plan, Advanced Drive PUD, Planned Unit Development, commercial building (This item will be considered for final approval at the next Planning Commission meeting.)

**Miami Valley Communications Council** –The MVCC met on October 20. The MVCC is in the process of purchasing hardware to provide Closed Captioning on their two cable channels (GATV 5 & GATV 6) by the end of the year.

**Springboro Chamber Annual Gala, October 18** – Mr. Harding commented that he, Mr. Hanson and Ms. Iverson attended the recent Springboro Chamber of Commerce annual dinner. Mr. Hanson further commented that Deputy Mayor Ridd did a great job of presenting the Mayor's Award on behalf of Mayor Agenbroad. Mr. Harding added that it was a great event and he was glad to see so many Springboro businesses attend and were very appreciative to receive an award such as Warped Wing, Mr. Boro's, etc.

**Mr. Hanson** – No reports.

**Mr. Chmiel** – No reports.

**Ms. Iverson** – Ms. Iverson commented that she, Mr. Harding, Mr. Chmiel, Mayor Agenbroad and Ms. Ridd attended the Ribbon Cutting at the new Kroger on W. Central Avenue. Ms. Iverson further commented that many of us have been anticipating the opening of the new Kroger and one of her favorite takeaways today was that the site manager presented checks to many different local organizations. Giving back to the community was key to their focus, and recipients included some food banks, sports clubs and the Franklin Marching Band, as the store is located in the Franklin School District. Ms. Iverson further commented that the new Kroger is a little smaller than the Austin Landing Kroger, but they offer all of the same products minus clothing. In addition, employee staff increased from the old Kroger to the new Kroger by 40%. Ms. Iverson added that the Kroger is a great addition to the community in terms of their new space; it is a beautiful location and very well done. Ms. Iverson thanked City staff and everyone involved in this process including the Kroger group for the redevelopment of this Kroger store in Springboro.

**Deputy Mayor Ridd** – Deputy Mayor Ridd reported that she, Mayor Agenbroad and Mr. Pozzuto attended the Ribbon Cutting for the new Warren County Jail last Tuesday and the new jail is much larger and has incredible technology. Ms. Ridd commented that while it is so much larger and will hold so many more inmates, they only had to hire four more corrections officers because of the new technology at the jail. Ms. Ridd further commented that, like Commissioner Young said, as much as we hate the fact that we have to have a facility like that, the reality is that we do. As much as they tried other options or alternatives to incarceration, the old jail had still become so overcrowded over such a long period of time. Ms. Ridd added that they should be moving inmates in this week or next and staff is already working at the new facility. Ms. Ridd stated that the new jail is a great facility and thanked all of the County Commissioners and everyone involved in that project.

Ms. Iverson commented that the project came in under budget as well.

Ms. Ridd replied yes, they came in under budget and on time.

Mayor Agenbroad added that the county used sales tax revenue over five years instead of using their reserve fund to pay for the project at \$54 million.

Ms. Ridd added that the sales tax increase would end when the jail is paid for.

No further discussion under Reports.

**ITEM 8. OTHER BUSINESS.** No Other Business.

**ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS.** Mr. Harding commented that the Wee Panthers Football Organization has 11 teams this year and eight of them are going to the semi-finals this weekend. They had over 325 kids this year in tackle and eight of the teams are heading to the semi-finals.

Mayor Agenbroad commented that, as a former football coach, "Go Panthers," they are making the playoffs. The Panthers play Miamisburg tomorrow night and go to the playoffs the following week.

**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.

Guest Comments are summarized as follows:

**1) Jennifer Colao, 24 English Oak Lane, Springboro –** Ms. Colao commented that she moved to Springboro three years ago. Ms. Colao further commented that she is really appreciative that the meeting opened with prayer. She hears way too often about separation of church and state and a lot of people think that is in the Constitution. It has been taken out of context; it is in a letter that Thomas Jefferson wrote to Danbury Baptist Church. Ms. Colao asked City Council to comment on how they feel or what they think about the constitutionality of masks, vaccine mandates, closing businesses that are deemed non-essential.

Mayor Agenbroad asked if any Council Members would like to weigh in on that question.

Deputy Mayor Ridd commented that she thinks that the City has not confronted that at the community level. The City is following the State of Ohio mandates as well as the federal government.

Ms. Iverson commented that, as the government of Springboro, we have not made any mandates on our level thus allowing private businesses to make a decision that is best for them in following the Governor's mandates.

Mayor Agenbroad added that the City has also followed any county guidelines.

Ms. Colao commented that she sees them as unconstitutional and she is looking for people in Council's position... she appreciates what Council is doing on the local level in Springboro, but she would like to see us, because of the unconstitutionality of it, say therefore it is null and void and we will not recognize it as anything but what it is, which is unconstitutional. We are a law-abiding community and we are going to follow the law, and because this is not constitutional, we are going to say this is null and void. You can wear mask, etc. She looks at businesses

that were shut because they were deemed non-essential, and they did not get equal protection under the law.

Ms. Iverson commented that she feels as a community, we should, and is actually why she ran for Council, stand back and let private businesses decide. We did not take a stand that we were going to mandate anything and in that sense she thought we followed the constitution in allowing private businesses to decide for themselves.

Deputy Mayor Ridd commented that with most of our businesses, some are saying required, some are saying encouraged, some are saying nothing; therefore, they are all different and that is up to them.

Ms. Colao also commented that she has been hearing different things as far as the Easton Farm development project. The last thing she heard is that it was voted down, and, if that is the case, she is actually happy about that. She does not know if that is the end of the story.

Mr. Pozzuto commented that at the last meeting it was voted down.

Ms. Colao asked, what is the ongoing discussion on that development. Is it done?

Mr. Pozzuto commented that it is the property owner's decision if they want to bring an application back or something alternative to that. The City would not push that discussion; that is up to the individual property owner.

Ms. Colao commented that she sees Springboro as a nice small town community and to have multi-unit dwellings, apartment buildings, she sees that as a detriment rather than something positive. When she heard it was voted down, she was actually happy about it.

Ms. Colao asked what is the best way to get a hold of Council Members.

Mr. Pozzuto commented that City Council's contact information is on the back of the City's newsletter and posted on the City's website.

Ms. Colao commented that she is aware Mr. Hanson is up for re-election and she wanted to pick his brain.

Mr. Hanson asked Ms. Colao if she had left a message for him with her phone number.

Ms. Colao replied yes, she left her phone number. She asked Mr. Hanson if that was the best way to contact him.

Mr. Hanson commented that Ms. Colao could call or e-mail him or he could chat with her following the meeting.

Ms. Colao commented that she appreciated Council's time.

Mayor Agenbroad stated that City Council appreciated her comments, which are duly noted for the record, and thanked her for attending the meeting.

No other guests came forward.

Before adjourning, Mayor Agenbroad recognized a Boy Scout in the audience. Mayor Agenbroad stated that the scouts are our future leaders and he appreciates the scout's attendance this evening.

**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.

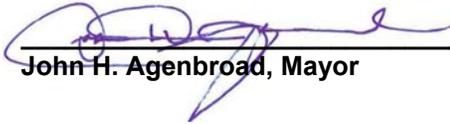
**Mayor Agenbroad called for a motion to adjourn the Thursday, October 21, 2021 Springboro City Council Regular Meeting at approximately 7:25 PM.**

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

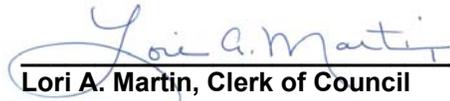
No discussion.

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

—MEETING ADJOURNED—

  
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John H. Agenbroad, Mayor

John H. Agenbroad  
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Presiding Officer

  
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Lori A. Martin, Clerk of Council