

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

**CITY COUNCIL REGULAR MEETING**

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THURSDAY, APRIL 16, 2020

7:00 PM

*(City Council's 6:00 p.m. Work Session was canceled.)*

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**CITY COUNCIL**

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

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**CITY STAFF**

Chris Pozzuto, City Manager  
Greg Shackelford, Assistant City Manager  
Gerald McDonald, Law Director  
Lori Martin, Clerk of Council

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**PUBLIC NOTICE**

*Per Ohio House Bill 197, passed in March 2020 in response to the COVID-19 state of emergency, Section 12(A), Springboro City Council conducted its Thursday, April 16, 2020 Regular Meeting via video conference at 7:00 p.m. EDT. City Council's 6:00 p.m. Work Session was canceled. The meeting was live-streamed at [www.mvcc.net](http://www.mvcc.net) and live broadcast on GATV6 or U-verse 99. In lieu of Guest Comments during the meeting, the public was requested to submit comments to [council@cityofspringboro.com](mailto:council@cityofspringboro.com) until 4:30 p.m. Wednesday, April 15 for Council's review prior to the meeting. For additional contact information, please visit [www.cityofspringboro.com](http://www.cityofspringboro.com). A link to the MVCC live stream of GATV6 may be found on the City's website.*

**ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting of Thursday, April 16, 2020 to order at 7:00 PM via Zoom Video Conference from 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 presented by Mayor John Agenbroad.

(Council observed the prayer before proceeding with the Regular Order of Business.)

**At this time, Mayor Agenbroad asked for Council's unanimous consent to dispense with the Regular Order of Business and temporarily suspend Presentations, Reports and Guest Comments for tonight's meeting.**

There were no objections of Council.

Mayor Agenbroad noted that no Guest Comments were submitted prior to the meeting.

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

**ITEM 4. APPROVAL OF MINUTES:** THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF APRIL 2, 2020.

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

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

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

No discussion.

**VOTE: Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes. [Approved]**

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

**ITEM 6. LEGISLATION:** City Council's 6:00 PM Work Session was canceled.

- 1) **ORDINANCE O-20-9: THIRD READING.** AN ORDINANCE AMENDING SECTION 660.18, OUTDOOR PARKING AND STORAGE ON PREMISES ZONED AND USED FOR SINGLE-FAMILY RESIDENTIAL USE, OUTDOOR STORAGE OF TRAILERS AND OTHER EQUIPMENT, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the third reading of an ordinance recommended by the Planning Commission to amend Section 660.18, Outdoor Parking and Storage On Premises Zoned and Used for Single-Family Residential Use, outdoor storage of trailers and other equipment. This ordinance relaxes the City's regulations regarding the outdoor parking and storage of operable recreational vehicles, boats, trailers, campers, etc. by allowing them in side yards in addition to rear yards, enlarging the area in which such vehicles may be stored to ten-feet by thirty-feet, clarifying that such storage areas shall be paved with a non-gravel hard surface, and allowing the storage of such vehicles on a seasonal basis—between May 15th and September 15th—on driveways in a safe manner. These amendments are based on requests from Springboro residents to expand the options for permanent and temporary storage of such equipment on private property. The City surveyed other communities and modeled this revised ordinance based on those findings.

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

**Mayor Agenbroad called for a motion to adopt Ordinance O-20-9.**

**Mr. Harding 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]**

- 2) **ORDINANCE O-20-10: SECOND READING.** AN ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) AND ESTABLISHING REQUIREMENTS TO

ENSURE PUBLIC HEALTH AND SAFETY WITHIN SUCH AREA, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the second reading of an ordinance creating a Designated Outdoor Refreshment Area (DORA) and establishing requirements to ensure public health and safety within such area. This ordinance was the subject of a public hearing held by City Council on April 2, 2020. The proposed DORA will have specific boundaries in the Wright Station area of the City located within the Urban Village District. The DORA application is subject to certain state requirements and staff recommends waiving the third reading and adopting this ordinance tonight to comply with the statutory deadline for approval. The DORA will allow patrons at Wright Station to carry alcoholic beverages outside the liquor establishments within the designated boundaries of the DORA under very strict guidelines. Mr. Pozzuto thanked Assistant City Manager Greg Shackelford for coordinating this effort to establish a DORA in the Wright Station area.

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

**Mayor Agenbroad called for a motion to suspend the rules and waive the third reading of Ordinance O-20-10.**

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

No discussion.

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

**Mayor Agenbroad called for a motion to adopt Ordinance O-20-10.**

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

Mayor Agenbroad commented that although City Council did conduct a public hearing regarding the DORA application on April 2, a public hearing is not required by law to establish a DORA. Mayor Agenbroad further commented that this legislation is time sensitive, which is why Council is proceeding with a motion to adopt the ordinance tonight.

There was no further discussion regarding this item.

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

- 3) ORDINANCE O-20-11: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, INSTALLING, EQUIPPING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF SPRINGBORO, OHIO IN COOPERATION WITH THE DAYTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT; AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT AND A SPECIAL ASSESSMENT AGREEMENT; AND DECLARING AN EMERGENCY. (TOMCO MACHINING PACE (Property Assessed Clean Energy) PROJECT, 10950 INDUSTRY LANE), was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the first reading of an ordinance levying special assessments for the purpose of acquiring, installing, equipping and improving certain public improvements in the City in cooperation with the Dayton Regional Energy Special Improvement District and authorizing a cooperative agreement and special assessment agreement. Essentially, this legislation allows

Tomco Machining, a new company to be located in South Tech Business Park, to take advantage of special financing offered through the State of Ohio to allow solar energy to be utilized at their business.

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

Mayor Agenbroad commented that this legislation is also time sensitive, as the financing coincides with the April 23 closing date. Therefore, staff recommends waiving the second and third readings and proceeding with adoption tonight.

**Mayor Agenbroad called for a motion to suspend the rules and waive the second and third readings of Ordinance O-20-11.**

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

No discussion.

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

**Mayor Agenbroad called for a motion to adopt Ordinance O-20-11.**

**Mr. Brunner 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]**

- 4) **RESOLUTION R-20-13:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ODOT PRELIMINARY CONSENT LEGISLATION AS PRESENTED FOR THE COMPLETION OF THE DISTRICT WIDE REPLACEMENT OF TYPE A ANCHOR ASSEMBLY GUARDRAIL INCLUDING A PORTION OF STATE ROUTE 73 (PROJECT D08-GR-TYPE A REPLACEMENT, PID 111482), was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

The resolution authorizes an agreement with ODOT to replace certain guardrails on SR73 beginning in June of 2021. This work does not require the expenditure of any City funds. The City appreciates ODOT's efforts to maintain the guardrails along SR73.

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

**Mayor Agenbroad called for a motion to adopt Resolution R-20-13.**

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

No discussion.

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

**ITEM 7. REPORTS: Mayor's Report – No report.**

**City Manager's Report – No report.**

**Committee Reports** – No reports.

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

**A MOTION TO ACCEPT THE RESIGNATION OF NICOLE LEWIS FROM THE ARCHITECTURAL REVIEW BOARD, WITH A VOTE OF THANKS.**

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

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

No discussion.

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

**A MOTION TO APPOINT SHERI SCOTT TO THE ARCHITECTURAL REVIEW BOARD FOR AN UNEXPIRED TERM ENDING DECEMBER 31, 2020.**

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

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

No discussion.

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

**ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS.** Mayor Agenbroad commented that the status of the community's Memorial Day event is unknown at this time due to so many of the resources/participants such as the schools, marching band and ROTC not currently open or active, but he will keep the public updated through social media, etc. Mayor Agenbroad announced that the May 7 Council Meeting has been rescheduled to take place on May 21; whereby, City Council will conduct a Work Session at 6:00 PM followed by two consecutive Regular Meetings (May 7 & May 21) on May 21 at 7:00 PM in Council Chambers.

Mr. Harding wished Kimberly Pittl a Happy Birthday!

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

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

**ITEM 12. ADJOURNMENT.** Mayor Agenbroad thanked the MVCC for tonight's telecast, live stream and scheduled rebroadcasts of this Springboro City Council Meeting. Mayor Agenbroad also thanked Mr. Pozzuto, Ms. Martin and especially the City's IT Director Matt Lang for coordinating this meeting via video conference. Mayor Agenbroad wished everyone in the community health and safety!

**Mayor Agenbroad called for a motion to adjourn the Thursday, April 16, 2020 Springboro City Council Regular Meeting at approximately 7:15 PM.**

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

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

—MEETING ADJOURNED—



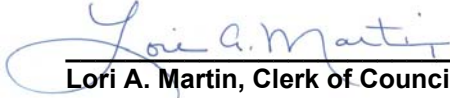
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John H. Agenbroad, Mayor

John H. Agenbroad

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Presiding Officer



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Lori A. Martin, Clerk of Council