

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

CITY COUNCIL WORK SESSION

THURSDAY, APRIL 18, 2019

6:00 PM

CITY COUNCIL

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

CITY STAFF

Chris Pozzuto, City Manager
Greg Shackelford, Assistant City Manager
Alan Schaeffer, 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, April 18, 2019 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. ATTENDANCE. Council: Mr. Brunner and Mr. Harding were absent. **Staff:** Mr. Pozzuto, Mr. Shackelford, Mr. Schaeffer and Ms. Martin were present. Police Chief Jeff Kruithoff was also present.

Mayor Agenbroad noted that a motion would be in order at tonight's Regular Meeting to excuse Deputy Mayor Brunner and Mr. Harding, who are absent due to work conflicts.

ITEM 3. LEGISLATIVE AGENDA. – Review legislative items slated for April 18.

- 1) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH FISHBECK, THOMPSON, CARR & HUBER, INC. (FTC&H) FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE WWTP DIGESTER AND CENTRIFUGE FEED PUMP IMPROVEMENTS PROJECT.

No discussion.

ITEM 4. CITY MANAGER. – Issues/Reports.

Kacie Jane Park Update (intersection of Crosley and Lytle Five Points Roads): The splash pad and pump house are still under construction. The contractor will begin laying the pad surface in the next two to three weeks. The pump house building and restrooms are about 60% complete. Staff will know by the next construction meeting with the contractor around May 1 where the project is on the timeline. The project is a little behind schedule due to the approximately 18 rain days in March.

SR73 Medians Improvement Project Update: Construction is ongoing. The contractor has installed asphalt in portions of the medians, which will be stamped in similar fashion to the crosswalks downtown.

All of the irrigation and electric has been installed and dirt will be infilled to prepare for the landscape installation.

City Audit: The city's annual audit will begin next week. Wilson, Shannon & Snow, Inc. will perform this year's city audit. It is anticipated that the audit will take approximately two weeks.

South Pioneer Reconstruction Project: The reconstruction of South Pioneer Boulevard should begin in the next two to three weeks. City Engineer Chad Dixon will meet with the contractor for a pre-construction meeting next Tuesday. This project will be performed in the evening to avoid disruptions for the business community operating in the S. Pioneer area. The project will affect people using S. Pioneer to access Clearcreek Park for soccer, baseball, etc. The city will inform the community to use Lower Springboro Road as a detour to Clearcreek Park during construction.

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

Calendar Updates: The Planning Commission Formal Meeting scheduled for Wednesday, April 24 has been canceled due to a lack of agenda items. Good Friday will be observed on Friday, April 19; whereby, the City Offices will be closed. The city's annual Arbor Day Ceremony will be held on Friday, April 26 at 9:30 AM at Dennis Elementary School, 1695 S. Main Street. Five new trees will be planted on the grounds of the school. The next City Council Work Session will be held on Thursday, May 2 at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers.

ITEM 6. CITY COUNCIL. – Issues/Reports.

Ms. Ridd – No reports.

Ms. Iverson – Ms. Iverson will present a Planning Commission report at tonight's Regular Meeting under Reports. Ms. Iverson will also comment on the State of the County presentation she recently attended.

Ms. Moore – Ms. Moore will present the annual Arbor Day Proclamation at tonight's meeting under Presentations.

Mr. Chmiel – No reports.

Mayor Agenbroad – Mayor Agenbroad noted that tonight's invocation will be presented by Kristi Smith of Christ Church-United Methodist. Mayor Agenbroad also noted that motions would be in order to take action on a liquor permit transfer application and the annual renewal of liquor permits held within the city.

At this time, Mayor Agenbroad called for a motion to enter Executive Session under ORC121.22(G) to discuss pending litigation; whereby, the City Law Director will be present and no votes will be taken.

Ms. Moore motioned. Ms. Ridd seconded the motion.

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Moore, Yes; Ridd, Yes. [5-0]

Before entering Executive Session, Mayor Agenbroad commented that the Township Trustees would be voting on the Coterminal Agreement with the city concerning the sharing of the city's inside millage for park operations and funding within the City of Springboro. If the agreement is approved by the township, then the agreement will be presented to City Council for adoption.

At approximately 6:10 PM, City Council entered Executive Session to discuss pending litigation.

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

With no objections, City Council exited Executive Session at approximately 6:40 PM; whereby, no votes were taken.

ITEM 7. ADJOURNMENT. *With no further discussion, Mayor Agenbroad adjourned the Thursday, April 18, 2019 City Council Work Session immediately thereafter.*

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

CITY COUNCIL REGULAR MEETING

THURSDAY, APRIL 18, 2019

7:00 PM

CITY COUNCIL

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

CITY STAFF

Chris Pozzuto, City Manager
Greg Shackelford, Assistant City Manager
Alan Schaeffer, Law Director
Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting of Thursday, April 18, 2019 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 Kristi Smith of Christ Church – United Methodist.

Mayor Agenbroad introduced Pastor Smith by presenting a brief bio, and invited Pastor Smith to share a prayer.

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

ITEM 3. ROLL CALL. Agenbroad, Present; Brunner, Absent; Chmiel, Present; Harding, Absent; Iverson, Present; Moore, Present; Ridd, Present. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. Schaeffer and Ms. Martin were present. Police Chief Jeff Kruihoff was also present.

Mayor Agenbroad called for a motion to excuse Deputy Mayor Brunner and Mr. Harding, who are absent due to work conflicts.

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

No discussion.

VOTE: Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Moore, Yes. [5-0]

ITEM 4. APPROVAL OF MINUTES: THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF MARCH 21, 2019 AND APRIL 4, 2019.

Mayor Agenbroad presented the minutes for additions/corrections.

Ms. Iverson noted a correction on Page 5, Paragraph 3, of the March 21, 2019 Regular Meeting Minutes to clarify that the word "using" should be "losing."

Mayor Agenbroad called for a motion to approve the Minutes of March 21, 2019 thereby incorporating the correction.

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

No discussion.

VOTE: Agenbroad, Yes; Chmiel, Yes; Moore, Yes; Ridd, Abstain; Iverson, Yes. [4-0-1]

Mayor Agenbroad called for a motion to approve the Minutes of April 4, 2019.

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

No discussion.

VOTE: Agenbroad, Yes; Chmiel, Yes; Moore, Yes; Ridd, Yes; Iverson, Yes. [5-0]

ITEM 5. PRESENTATIONS: ARBOR DAY PROCLAMATION.

Ms. Moore read the annual Arbor Day Proclamation, which will be presented at the city's upcoming Arbor Day Ceremony on Friday, April 26 at 9:30 AM at Dennis Elementary School, 1695 S. Main Street. Five new trees will be planted on the school grounds in celebration of National Arbor Day. (A copy of the proclamation is on file for the record.)

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for approximately 10 minutes to discuss the following legislative items as well as other city business. During the Work Session, City Council entered Executive Session for approximately 30 minutes to discuss pending litigation with the City Law Director in attendance; whereby, no votes were taken.

- 1) RESOLUTION R-19-14:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH FISHBECK, THOMPSON, CARR & HUBER, INC. (FTC&H) FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE WWTP DIGESTER AND CENTRIFUGE FEED PUMP IMPROVEMENTS PROJECT," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes the city to enter into an agreement with Fishbeck, Thompson, Carr & Huber, Inc. for the construction administration and inspection services for the Wastewater Treatment Plant Digester Centrifuge Feed Pump Improvements Project. This contractor designed the plans for this project and staff recommends that FTC&H perform the inspection services during the construction phase. The fee for the specified services is \$60,200.

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

Mayor Agenbroad called for a motion to adopt Resolution R-19-14.

Ms. Ridd motioned. Ms. Moore seconded the motion.

No discussion.

VOTE: Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Moore, Yes. [5-0]

ITEM 7. REPORTS: Mayor's Report – Good Friday will be observed on Friday, April 19; whereby, the City Offices will be closed. The city's annual Arbor Day Ceremony will be held on Friday, April 26 at 9:30 AM at Dennis Elementary School, 1695 S. Main Street. Touch A Truck will be held on Saturday, May 11, 11:00 AM-1:00 PM at North Park. The next City Council Work Session will be held on Thursday, May 2 at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers.

City Manager's Report – Mr. Pozzuto reported that construction of the new splash pad at Kacie Jane Park, located at the corner of Crosley and Lytle Five Points, is still underway. The construction contractor is preparing to lay the surface pad for the splash pad portion of the project. The pump house/restroom/picnic area is about 60-65% complete. The contractor is working diligently on that project, but construction is weather dependent. Also, construction on the SR73 medians continues. The contractor will be filling portions of the medians with dirt, but all of the irrigation and electric for the lighting is in place. Asphalt has been installed in the medians, which will be stamped with a decorative pattern similar to the crosswalks at the intersection of SR73/SR741. Finally, the reconstruction of S. Pioneer Boulevard will begin in the next two to three weeks. The entire length of the road will be completely reconstructed consisting of widening the road, shrinking the medians, extending the sidewalk and adding a bike lane. This work will be performed in the evening to make sure it does not affect the business community and their operations. The city will make the community aware that there will be delays when using that roadway in the evenings during construction since it is a direct access to Clearcreek Park and Hazel Woods Park.

Committee Reports –

Ms. Ridd – No reports.

Ms. Iverson – Planning Commission – The Planning Commission met on Wednesday, April 10 to review the following items: Revision to the Approved Final Development Plan – The Springs PUD (Planned Unit Development), exterior color change to The Falls apartment complex. This property is located at the northern end of Yankee Road near the edge of Springboro. The developers applied to have the apartments repainted and submitted a color scheme, which was previously approved by Planning Commission. However, the applicant has returned seeking approval of a new color scheme, but according to the city's code some of the colors were pretty strong. They have the option to come back for formal approval of the newly proposed color scheme or keep the color scheme that was originally approved by Planning Commission. Planning & Zoning Code Text Amendment – Requesting the addition of vehicle repair facilities to the list of permitted uses in the CBD (Central Business District). The applicant, Music Limited Partnership, previously requested a rezoning of the property located at 205 East Street in the historic district; however, they decided to withdraw that application and request a text change instead. Discussion of this application was suspended because there were not enough Planning Commission members present at the Work Session and they wanted to make sure they had a strong representation from Planning Commission for that discussion. The applicant agreed to return to the next Planning Commission Work Session in May with their request for the zoning text change.

In addition, Ms. Iverson reported that she, Mayor Agenbroad, Mr. Pozzuto and Mr. Shackelford attended the State of the County presented by the Warren County Commissioners on April 9. There were approximately 100 people from around the county in attendance including business owners, elected officials, etc. There was a question and answer session

with County Commissioners Tom Grossmann, Shannon Jones and David Young. Three projects in particular that might be of interest include the sports complex that is opening soon in Warren County, which will attract a lot of revenue to the county from visitors who will use the facility for sports competitions and events. The second project is the proposed widening of State Route 63 east from Interstate 75 to State Route 741, which could potentially be a federally funded project. The third project is the new jail. The current jail on State Route 63 is very old. The new jail will actually be located on Justice Drive in Lebanon and from the outside it looks very aesthetic. The new jail was funded by an increase in county sales tax sales. Ms. Iverson reiterated that she thought these would be topics of interest for the community and she appreciated the opportunity to hear what was going on at the county level.

Ms. Moore – No reports.

Mr. Chmiel – No reports.

ITEM 8. OTHER BUSINESS. 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 the transfer of a liquor permit bearing the number 89135150090 from Thorntons Inc DBA Thorntons 557, 945 W. Central Avenue, Springboro, OH 45005 to Thorntons LLC DBA Thorntons 557, 945 W. Central Avenue, Springboro, OH 45005. The request is for Permits C-1, C-2, D-6 – Carry-out of beer, wine and mixed beverages until 1:00 a.m. w/Sunday sales 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.

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

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Moore, Yes; Ridd, Yes. [5-0]

Mayor Agenbroad presented the annual notice of the renewal of Liquor Permits held within the city as follows:

This motion constitutes the City's annual review of current liquor licenses within Springboro as provided under the Ohio Revised Code. The City has an opportunity each year to review the businesses located within the corporate limits of Springboro that are licensed by the State of Ohio to sell alcoholic beverages. This review process then allows the City Council to provide input into whether the City will or will not object to a renewal of their license privileges by the State of Ohio. As part of this annual review, the Police Division reviews any police activity or calls for service at these establishments and the Tax Administrator reviews if any of the businesses are delinquent on their tax obligations to the City. The City of Springboro Division of Police has completed its annual review of the current liquor licenses within the City. Every

liquor license is renewed annually by the State of Ohio. This review was limited to those liquor permit holders who maintain a consumption license D-1, D-2, D-2x, D-3, D-3a, D-4 or D-5. No business was the site of excessive police calls for service, delinquent on their taxes, or involved in any other activity that would result in a recommendation that the Council object to their annual renewal by the State of Ohio.

Chief Kruthoff commented, for the record, that the annual review looks at all of the calls for police service generated by the establishment and looks at their tax liability to make sure they have no outstanding tax obligations to the City. The establishments listed below are the businesses reviewed as part of this process.

As a result of the review conducted of the liquor licenses listed below, the Police Division makes the following recommendation.

The Springboro Police Department can find no cause for objection to the annual renewal of these liquor licenses and recommends the City Council and the City of Springboro not express any objections and not request a hearing from the Ohio Division of Liquor Control concerning the following renewals:

Ambiance Art LLC	345 South Main St.	Springboro, OH
Applebees	881 West Central Ave.	Springboro, OH
Buffalo Wild Wings	774 North Main St	Springboro, OH
Cassano's Inc.	49 North Main St.	Springboro, OH
China Cottage	784 North Main St.	Springboro, OH
Chipotle Mexican Grill	5 Greenwood Ln.	Springboro, OH
Heatherwoode Golf Club	88 Heatherwoode Blvd.	Springboro, OH
Crooked Handle	760 N. Main St.	Springboro, OH
Dorothy Lane Market	740 North Main St.	Springboro, OH
Doubleday's Grill	776 North Main St.	Springboro, OH
El Toro	710 Gardner Road	Springboro, OH
Fraternal Order of Eagles	125 East Central Ave.	Springboro, OH
Heather's Patio	505 S. Main St.	Springboro, OH
Highland Stag	75 N. Main St.	Springboro, OH
LaComedia Dinner Theater	765 West Central Ave.	Springboro, OH
Mr. Boro's Tavern	495 North Main St.	Springboro, OH
Rooster's	257 West Central	Springboro, OH
Thai Silver Spoon	249 W. Central Ave.	Springboro, OH
The Barrel	855-857 West Central Ave.	Springboro, OH
The Donut Haus	305 W. Central Ave.	Springboro, OH
Springboro Spirits	748 Gardner Road	Springboro, OH

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 concerning the renewal of these liquor licenses.

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

No discussion.

VOTE: Agenbroad, Yes; Chmiel, Yes; Moore, Yes; Ridd, Yes; Iverson, Yes. [5-0]

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Mayor Agenbroad asked for a moment of silence in honor and memory of Springboro resident Joan Hess. Mrs. Hess was the wife of

Russell Hess, who has served on several city committees and has regularly attended Council Meetings.

(A moment of silence was observed.)

Mayor Agenbroad expressed his condolences to Mr. Hess on behalf of City Council.

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 and scheduled rebroadcasts of this Springboro City Council Meeting.

Mayor Agenbroad called for a motion to adjourn the Thursday, May 2, 2019 Springboro City Council Regular Meeting at approximately 7:20 PM.

Ms. Ridd motioned. Ms. Moore seconded the motion.

VOTE: Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Chmiel, Yes; Moore, Yes. [5-0]



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer



Lori A. Martin