

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

CITY COUNCIL WORK SESSION

THURSDAY, APRIL 19, 2018

6:00 PM

CITY COUNCIL

**John Agenbroad, Mayor
Stephen Harding, Deputy Mayor/At Large
Becky Iverson, At Large
Janie Ridd, Ward 1
Dale Brunner, Ward 2
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 19, 2018 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. ATTENDANCE. Council: Mr. Chmiel and Mr. Harding were absent. **Staff:** Mr. Pozzuto, Mr. Shackelford, Mr. Schaeffer and Ms. Martin were present. Police Chief Jeff Kruithoff and City Planner Dan Boron were also present.

Mayor Agenbroad noted that a motion would be in order to excuse Mr. Chmiel at tonight's Regular Meeting following Roll Call. Mayor Agenbroad also noted that Mr. Harding is in transit and hopes to arrive in time to attend tonight's Regular Meetings.

ITEM 3. LEGISLATIVE AGENDA. – Review legislative items slated for April 19.

1) ORDINANCE: FIRST READING. AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE TO ALLOW INTERNALLY-LIT AND ELECTRONIC MESSAGE SIGNS IN THE TCD, TOWN CENTER DISTRICT; AND AMENDING THE SIGN CODE TO REMOVE LIMITATIONS ON COLORS USED FOR ELECTRONIC MESSAGE SIGNS.

No discussion.

2) EMERGENCY ORDINANCE: FIRST READING. AN ORDINANCE ENACTING CHAPTER 1030 IN PART TEN, TITLE TWO OF THE SPRINGBORO CODIFIED ORDINANCES TITLED UNDERGROUNDING; AND DECLARING AN EMERGENCY.

Staff has requested that Council consider waiving the second and third readings of this ordinance in order to enforce this undergrounding utility regulation in the designated public rights-of-way within the timeframe required by the state i.e. effective at least 90 days prior to any application to install a structure or facility in anticipation of H.B. 478 taking effect in late July, which will regulate "small cell" facilities within rights-of-way.

Mr. Boron commented that this ordinance is the first of two pieces of legislation concerning the regulation of "small cell" facilities; the second ordinance will be presented to Council on May 17. The City anticipates that the Governor will sign legislation next Monday, which starts the clock for the regulation of small cell towers within the community, which are comparable to the size of an approx. 4 cu. ft. refrigerator that can be mounted on polls. Through this ordinance and the subsequent ordinance, the City is trying to regulate these types of cell facilities and provide aesthetic standards for them. Approval of this ordinance tonight, will allow the City to meet the 90-day timeframe to establish regulations for these types of facilities based on the pending state legislation expected to be executed on Monday and take effect in mid-July. This ordinance establishes areas in the City where only underground utilities such as cell and cable facilities can be installed, which is a large portion of the City including areas such as Heatherwoode, Settlers Walk, Brookside Subdivisions and also the Historic District. Springboro along with other area communities are working with the Miami Valley Communications Council to establish this undergrounding regulation first. The legislation that will be presented on May 17 will establish all of the aesthetic standards for these types of "small cell" facilities. There will be a handful of places within the community where these types of facilities can be located such as in the area of Springboro High School, Dorothy Lane Market and Springboro Pointe Shopping Center, where the City needs increased service to take care of the traffic and businesses in those areas of the community. This ordinance does not completely prohibit these types of facilities; the City does expect these facilities to locate within the community in a number of areas where there are power lines where the City would not be able to prohibit them from locating.

There was no further discussion regarding this item.

- 3) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY OF SPRINGBORO TO PARTICIPATE IN AN AGREEMENT WITH THE WARREN COUNTY ENGINEER'S OFFICE TO PURCHASE ROAD SALT FOR THE 2018-2019 WINTER SEASON.

No discussion.

- 4) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH J.K. MEURER CORP. TO COMPLETE THE "2018 JOINT REPAIR PROGRAM" PROJECT.

No discussion.

- 5) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT (2018-01) WITH THE WARREN COUNTY TRANSPORTATION IMPROVEMENT DISTRICT AGREEING TO RECITALS AND OBLIGATIONS BETWEEN THE PARTIES AND ACCORDINGLY AGREEING TO NAME THE WARREN COUNTY TID AS THE CONSTRUCTION ADMINISTRATOR/MANAGER FOR THE WORK FOR THE SR 741 SJH INTERSECTION IMPROVEMENT PROJECT.

No discussion.

ITEM 4. CITY MANAGER. – Issues/Reports.

SR73/SR741 Intersection Improvements Project Update: Work has resumed at the intersection and the contractor is mainly working on concrete portions of the project such as islands and medians, which should take approx. two-three weeks to complete. The last phase of the project will be to apply the final course of asphalt and pavement markings. The contractor is ahead of schedule, but the projected completion date is June 1. The intersection appears to be working very well.

Community Events Update: The City has increased community events this year to include a number of new events such as Doggie Days (April 28 – 11AM-2PM) at Hazel Woods dog park and Touch A Truck (June 9 – 11AM-1PM). All of the summer concerts have been booked for Tuesday and Friday nights in July and Playhouse South has been booked for performances in August at North

Park Amphitheater. Also, the City will be sponsoring a BBQ Fest at Clearcreek Park, July 14 and 15, with activities for kids e.g. bounce houses, etc. All of these events are free to the public with the exception of food/beverage purchases.

City Newsletter: The next of edition of City Notes should be mailed to residents on April 25. Mr. Pozzuto thanked staff for their input and contributions to the City's quarterly newsletter.

Joint Purchasing Agreement with the Township and Schools: Mr. Pozzuto has organized a meeting with School Superintendent Dan Schroer and Matt Clark of the Township concerning the possibility of a joint purchasing agreement with the Township and the Schools to determine if there are items that all three entities purchase that could be purchased jointly to keep costs down. Examples would be paving projects or supplies such as paper that could be purchased cooperatively to save money. They will meet on May 1 to explore this possibility.

New Park Land on Lytle Five Points and Crosley Road: The City closed on the purchase of the property at the intersection of Lytle-Five Points and Crosley on Wednesday. A park master plan is being prepared by Kleingers and Associates and staff will meet with Kleingers to review the proposed plan for the park. Staff also will meet with the Hausfelds to discuss their proposed donation to the park as part of that project.

Executive Session: Mr. Pozzuto requested an Executive Session to consider confidential information related to and for the purpose of economic development following the Work Session discussion. Mr. Pozzuto also requested that the May 3 Work Session begin at 5:30 PM to accommodate an Executive Session for economic development purposes.

There were no objections to scheduling the May 3 Work Session to begin at 5:30 PM. The meeting time change will be posted accordingly.

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

Calendar Update: Arbor Day will be observed with a tree planting ceremony on Saturday, April 28 at 8:00 AM at Heatherwoode Golf Course. Attendees should park behind the Fire Station at the Heatherwoode Golf Maintenance Garage and will be shuttled on golf carts to the 13-Tee area for the ceremony. "Doggie Days" will be held on Saturday, April 28, 11:00 AM-2:00 PM at Hazel Woods dog park. The Planning Commission Meeting scheduled for April 25 at 6:00 PM in Council Chambers has been canceled. The next City Council Meeting will be held on May 3, 2018 beginning with the Work Session at 5:30 PM followed by the Regular Meeting at 7:00 PM in Council Chambers.

ITEM 6. CITY COUNCIL. – Issues/Reports.

Mr. Brunner – No reports. Mr. Brunner commended staff for hosting a great Business Appreciation Breakfast this morning at Heatherwoode.

Mayor Agenbrood commented that 100 plus people attended the breakfast, and it is a great way to thank our businesses.

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

Ms. Iverson – Ms. Iverson will present a Planning Commission report at tonight's Regular Meeting under Reports. Ms. Iverson also mentioned that she received a few comments at this morning's breakfast regarding how much more upscale Heatherwoode looks now since all of the clubhouse renovations have been complete.

Ms. Moore – Ms. Moore will read the Arbor Day Proclamation at tonight's Regular Meeting under Reports.

Mayor Agenbroad – Mayor Agenbroad commented that he will call for motions regarding two liquor permit applications and vehicle donations at tonight’s Regular Meeting under Other Business. Mayor Agenbroad further commented that he attended a birthday party at the VA Hospital for a World War II Veteran who turned 100 years old today and who earned a Silver Star, two Bronze Stars and two Purple Hearts during his service.

At this time, Mayor Agenbroad called for a motion to enter Executive Session, under ORC121.22(G), to consider confidential information related to the marketing plans, business strategy of an applicant for economic development assistance and to discuss the employment of a public employee.

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

No discussion.

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

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

City Council entered Executive Session at approximately 6:15 PM; whereby, the City Law Director was in attendance.

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 19, 2018 City Council Work Session immediately thereafter.

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

CITY COUNCIL REGULAR MEETING

THURSDAY, APRIL 5, 2018
(Rescheduled to April 19)

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 *rescheduled* Regular Meeting of Thursday, April 5, 2018 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.
- ITEM 3. ROLL CALL.** Agenbroad, Present; Brunner, Present; Chmiel, Absent; Harding, Present; Iverson, Present; Moore, Present; Ridd, Present. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. Schaeffer and Ms. Martin were present. Police Chief Jeff Kruthoff and City Planner Dan Boron were also present.

Mayor Agenbroad called for a motion to excuse Mr. Chmiel from tonight's meetings, who is on vacation with his family.

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

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Moore, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [6-0]

- ITEM 4. APPROVAL OF MINUTES:** No Minutes were submitted for approval.
- ITEM 5. PRESENTATIONS:** - NEWLY APPOINTED POLICE LIEUTENANT AARON ZIMMARO TOOK THE OATH OF OFFICE AND WAS SWORN IN TO SERVE THE CITY OF SPRINGBORO POLICE DEPARTMENT.

Police Chief Kruihoff introduced newly appointed Police Lieutenant Aaron Zimmaro and commented on his background and experience, and the selection process for his appointment as follows: Lieutenant Zimmaro is a long-term employee of the City of Springboro serving as a Police Officer, Detective and Sergeant until he was recently promoted to Police Lieutenant. Upon completion of the Ohio Police Officers Training Academy, Officer Zimmaro began working for the Xenia Police Department in 1992 and joined the Springboro Police Department in January 1999. During his time in the Springboro Police Department, Lieutenant Zimmaro was assigned full-time to the investigations section as a detective from 2002-2005, he was a tactical officer for the Warren County Combined Tactical Team from 2004-2009 and he has developed a very solid reputation as a reliable and competent officer in all areas of the job. Lieutenant Zimmaro was promoted to Sergeant in 2006 after successfully completing the difficult promotional process held at that time. As a Sergeant Supervisor, Lieutenant Zimmaro has developed a reputation as an expert in the area of drunk driving enforcement and law and has been an Ohio Police Officer Training Academy Certified Instructor in OVI/ADAP. In 2014, Lieutenant Zimmaro was awarded Top Cop by the Southwest Ohio Chapter of MADD and was recognized at the top of literally hundreds of officers in the running for this award. Also, Lieutenant Zimmaro has been extensively involved as a field training officer for new officers in the department and has supervised that program since 2012. The quality of officers in the department is directly related to the work by Lieutenant Zimmaro to ensure a comprehensive training program for our new officers. Lieutenant Zimmaro has been a leader among the Warren County Combined Training Team, which facilitates an annual training exercise for all 250 plus officers in Warren County and surrounding areas and has been integral to its success. Lieutenant Zimmaro is a graduate of Class 52 of the Police Executive Leadership College and is currently enrolled to complete his Bachelor's Degree. In order to receive this promotion, Lieutenant Zimmaro competed with three other sergeants in an assessment center facilitated by a professional assessment team including a formal interview conducted by a panel of several area police chiefs after completing a written staff research project. Lieutenant Zimmaro will serve as the administration services commander in his new role for the Springboro Police Department and will be responsible for all areas of department training, policy research and development, facility and equipment inspections and supervision of the Mayor's Court and staff.

Lieutenant Zimmaro was joined by his wife, Heather, two children Anthony and Gianna and stepson Nick, his mother Diane and his father Sam and his mother-in-law Linda and his father-in-law Jack. Members of the Springboro Police Department were also present for the ceremony.

Chief Kruihoff asked Lieutenant Zimmaro to step forward to take the Oath of Office and be sworn in as a Police Lieutenant under the provisions of the Ohio Revised Code to continue serving the City of Springboro Police Department.

Mayor Agenbroad administered the Oath of Office and Lieutenant Zimmaro was sworn in as City of Springboro Police Lieutenant. Mayor Agenbroad congratulated Lieutenant Zimmaro on his promotion. (A copy of Lieutenant Zimmaro's Oath of Office is on file for the record.)

Lieutenant Zimmaro's wife, Heather, pinned his badge to his uniform.

Mayor Agenbroad and City Council congratulated Lieutenant Zimmaro with a handshake.

ITEM 6. LEGISLATION: No Legislation was submitted for April 5.

ITEM 7. REPORTS: Reports will be presented at the April 19 Regular Meeting conducted immediately following this meeting.

**Mayor's Report.
City Manager's Report.
Committee Reports.**

- ITEM 8. **OTHER BUSINESS.** No Other Business.
- ITEM 9. **FINAL COUNCIL AND MANAGER COMMENTS.** No Final Council or Manager Comments.
- ITEM 10. **GUEST COMMENTS.** No Guest Comments.
- ITEM 11. **EXECUTIVE SESSION.** No Executive Session.
- ITEM 12. **ADJOURNMENT.** Mayor Agenbroad called for a motion to adjourn the *rescheduled* Thursday, April 5, 2018 Springboro City Council Regular Meeting at approximately 7:10 PM.

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

VOTE: Iverson, Yes; Harding, Yes; Brunner, Yes; Agenbroad, Yes; Ridd, Yes; Moore, Yes. [6-0]

—MEETING ADJOURNED—



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer



Lori A. Martin, Clerk of Council

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

CITY COUNCIL REGULAR MEETING

THURSDAY, APRIL 19, 2018

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

PUBLIC HEARING

IN ACCORDANCE WITH OHIO REVISED CODE SECTION 713.12, A PUBLIC HEARING WAS HELD BEFORE THE CITY COUNCIL OF THE CITY OF SPRINGBORO, OHIO AT 7:00 P.M. ON THURSDAY, APRIL 19, 2018. THE PUBLIC HEARING TOOK PLACE IN COUNCIL CHAMBERS AT THE SPRINGBORO MUNICIPAL BUILDING, 320 WEST CENTRAL AVENUE (SR 73), SPRINGBORO, OHIO 45066.

PUBLIC HEARING: THIS PUBLIC HEARING WAS IN REGARDS TO AN ORDINANCE CONTAINING A RECOMMENDATION FROM THE SPRINGBORO PLANNING COMMISSION TO CITY COUNCIL THAT WOULD AMEND THE PLANNING & ZONING CODE, PART XII OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO. THE AMENDMENTS WOULD (1) ALLOW INTERNALLY LIT AND ELECTRONIC MESSAGE SIGNS IN THE TCD, TOWN CENTER DISTRICT, (2) REMOVE THE LIMITATION TO ONE ILLUMINATED COLOR AND ONE BACKGROUND COLOR FOR ALL ELECTRONIC MESSAGE SIGNS AND (3) REVISE THE DEFINITION OF ELECTRONIC MESSAGE SIGNS TO REITERATE THAT ANIMATION IS NOT PERMITTED WITHIN ELECTRONIC MESSAGE SIGNS. THE AMENDMENTS ALSO TIE DOWN MORE CLEARLY THE MANNER IN WHICH SIGNS IN THE TCD ARE REGULATED.

THIS PUBLIC HEARING WAS HELD IN ACCORDANCE WITH CHAPTER 1287, AMENDMENTS, OF THE PLANNING AND ZONING CODE. THIS PUBLIC HEARING WAS LIMITED TO 30 MINUTES; 15 MINUTES RESERVED FOR OPPONENTS, AND 15 MINUTES RESERVED FOR PROPONENTS.

A COPY OF THE TEXT OF THE OF THE PROPOSED AMENDMENTS WAS AVAILABLE FOR REVIEW AT THE RECEPTION DESK AT THE SPRINGBORO MUNICIPAL BUILDING, 320 WEST CENTRAL AVENUE, SPRINGBORO, OHIO 45066 BETWEEN THE HOURS OF 8:00 A.M. AND 4:30 P.M. EDT, MONDAY THROUGH FRIDAY, LEGAL HOLIDAYS EXCLUDED. INFORMATION WAS ALSO POSTED ON THE CITY'S WEBSITE AT WWW.CI.SPRINGBORO.OH.US.

AT APPROXIMATELY 7:15 PM, MAYOR AGENBROAD STATED THAT IN KEEPING WITH PROTOCOL, COUNCIL WILL BEGIN BY HEARING PROPONENTS FOLLOWED BY OPPONENTS.

BEFORE PROPONENTS WERE HEARD, CITY PLANNER DAN BORON PRESENTED BACKGROUND INFORMATION REGARDING THE RECOMMENDATION FROM THE SPRINGBORO PLANNING COMMISSION TO AMEND THE PLANNING AND ZONING CODE OF THE SPRINGBORO CODIFIED ORDINANCES AS FOLLOWS:

THIS ORDINANCE REVISES THE SIGN CODE WITHIN THE PLANNING AND ZONING CODE TO ADDRESS TWO KEY AREAS OF THE CODE. THIS ORDINANCE WIDENS THE ARRAY OF SIGNAGE ALLOWED IN THE TOWN CENTER DISTRICT, WHICH IS CENTERED AROUND SR73 AND SR741. THE AREA THAT IS SUBJECT TO THE IGA PROPERTY REDEVELOPMENT AND ALSO THE RECENT INTERSECTION IMPROVEMENTS. SIMPLY PUT, THE PROPOSED AMENDMENTS RESPOND TO THE LIMITATIONS APPLIED TO INTERNALLY LIT SIGNS ADOPTED IN 2001. THE CITY ANTICIPATED GRADUAL CHANGE OVER THE YEARS THROUGH THE CHANGES TO BUSINESSES AND IMPROVEMENTS TO THE SIGNS, WHICH HAS NOT HAPPENED. PROPERTY OWNERS HAVE BEEN ABLE TO MAINTAIN THEIR SIGNAGE AND ALLOWED THEM TO CONTINUE TO THE POINT WHERE BUSINESSES ARE NOW ASKING FOR MORE OF THE INTERNALLY LIT SIGNS AND ALSO NOW ELECTRONIC MESSAGE SIGNS IN THAT TOWN CENTER AREA. AGAIN, THIS CODE AMENDMENT IS RESPONDING TO WHAT THE BUSINESSES AND INSTITUTIONS IN THE TOWN CENTER DISTRICT ARE NOW ASKING FOR. THE PROPOSED AMENDMENT ALSO ADDRESSES THE CHANGE TO ALL ELECTRONIC MESSAGE SIGNS WITHIN THE COMMUNITY BY ELIMINATING THE CURRENT LIMITATION ON ONE FOREGROUND AND ONE BACKGROUND COLOR, WHICH WAS ADOPTED AS PART OF THE ORIGINAL ELECTRONIC MESSAGE SIGN ORDINANCE. THE CODE HAS VERY STRICT STIPULATIONS ON THE SIGNS NOT APPEARING TO BE ANIMATED IN THE ORDINANCE. THIS AMENDMENT IS ALSO IN RESPONSE TO A RECENT SUPREME COURT DECISION, REED v. TOWN OF GILBERT, ARIZONA, WHICH WAS RESPONSIBLE FOR COMMUNITIES INCLUDING SPRINGBORO TAKING A HARD LOOK AT THEIR ORDINANCES, WHICH THE CITY WILL DO IN A COMPREHENSIVE FASHION LATER THIS YEAR TO MAKE SURE THAT SIGNS WITHIN THE COMMUNITY READ AS CONTENT NEUTRAL. THE CITY CAN STILL CONTINUE TO ENFORCE THE SIGN CODE, WHICH LIMITS THE SIZE OF SIGNS, THE NUMBER, LOCATION AND MANNER OF CONSTRUCTION, BUT CAN NO LONGER LOOK AT THEM TO DEFINE WHAT THEY ARE WITHIN OUR SIGN CODE. THE PLANNING COMMISSION WILL BE LOOKING AT A LARGER ARRAY OF SIGN CODE CHANGES TO ENFORCE THESE COMPREHENSIVELY BECAUSE THIS IS NOT THE ONLY ISSUE, BUT BECAUSE OF THE FACT THAT THE CITY DID HAVE THE REQUEST FOR ELECTRONIC MESSAGE SIGNS IN THE TOWN CENTER AREA WE ARE LOOKING AT THIS ASPECT OF OUR SIGN CODE NOW. THE CITY CURRENTLY HAS 15 OF THESE TYPES OF SIGNS. FOR EXAMPLE, THE CITY HAS AN ELECTRONIC MESSAGE SIGN AT HEATHERWOODE AND ANTICIPATES MORE IN THE FUTURE. MR. BORON OFFERED TO ANSWER ANY QUESTIONS OF COUNCIL.

MAYOR AGENBROAD PRESENTED THE RECOMMENDATION FOR QUESTIONS/COMMENTS OF COUNCIL.

MS. RIDD ASKED IF THIS RECOMMENDATION ADDRESSED PRIMARILY GROUND SIGNS AND NOT WALL SIGNS.

MR. BORON REPLIED YES, THEY ARE ALL GROUND SIGNS. APPROXIMATELY HALF OF THEM ARE THE SMALLER SIZE ASSOCIATED WITH GAS PRICE OR OTHER PRICE CHANGES.

MS. RIDD CLARIFIED THAT, WITH RESPECT TO THE ORDINANCE IN GENERAL, IT WOULD NOT APPLY TO WALL SIGNS.

MR. BORON REPLIED YES; THE ORDINANCE'S LIMITATION TO GROUND SIGNS STILL EXISTS.

THERE WERE NO MORE QUESTIONS/COMMENTS OF COUNCIL.

MAYOR AGENBROAD THANKED MR. BORON FOR HIS PRESENTATION REGARDING THIS RECOMMENDATION.

MAYOR AGENBROAD INVITED ANY PROPONENTS THAT WISHED TO BE HEARD TO COME TO THE PODIUM AND STATE THEIR NAME AND ADDRESS FOR THE RECORD AND MAKE THEIR COMMENTS ACCORDINGLY.

PROponents: NO PROPONENTS.

MAYOR AGENBROAD INVITED ANY OPPONENTS THAT WISHED TO BE HEARD TO COME TO THE PODIUM AND STATE THEIR NAME AND ADDRESS FOR THE RECORD AND MAKE THEIR COMMENTS ACCORDINGLY.

OPponents: NO OPPONENTS.

MAYOR AGENBROAD CLOSED THE PUBLIC HEARING AT APPROXIMATELY 7:20 PM.

ITEM 1. **CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting of Thursday, April 19, 2018 to order at 7:20 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. **PLEDGE OF ALLEGIANCE.** The Pledge of Allegiance was observed at the *rescheduled* April 5 Regular Meeting conducted immediately prior to this Regular Meeting.

ITEM 3. **ROLL CALL.** Agenbroad, **Present**; Brunner, **Present**; Chmiel, **Absent**; Harding, **Present**; Iverson, **Present**; Moore, **Present**; Ridd, **Present**. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. Schaeffer and Ms. Martin were present. Police Chief Jeff Kruithoff and City Planner Dan Boron were also present.

Mayor Agenbroad called for a motion to excuse Mr. Chmiel.

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

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Moore, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [6-0]

ITEM 4. **APPROVAL OF MINUTES:** THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF MARCH 15, 2018.

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

Mayor Agenbroad called for a motion to approve the Minutes.

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

No discussion.

VOTE: Agenbroad, Yes; Moore, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes. [6-0]

ITEM 5. PRESENTATIONS: - NEWLY APPOINTED POLICE LIEUTENANT AARON ZIMMARO WILL TAKE THE OATH OF OFFICE AND BE SWORN IN TO SERVE THE CITY OF SPRINGBORO POLICE DEPARTMENT. (This presentation took place at the *rescheduled* April 5 Regular Meeting held immediately prior to this Regular Meeting.)

- ARBOR DAY PROCLAMATION (Ms. Moore read the Arbor Day Proclamation under Committee Reports below.)

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 25 minutes to consider confidential information related to economic development and to discuss the employment of a public employee; whereby, no votes were taken.

1) ORDINANCE: FIRST READING. "AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE TO ALLOW INTERNALLY-LIT AND ELECTRONIC MESSAGE SIGNS IN THE TCD, TOWN CENTER DISTRICT; AND AMENDING THE SIGN CODE TO REMOVE LIMITATIONS ON COLORS USED FOR ELECTRONIC MESSAGE SIGNS," was read by the Clerk of Council. Mr. Boron's comments are summarized as follows:

This is the first reading of an ordinance amending the Planning and Zoning Code to allow internally-lit and electronic message signs in the Town Center District and amending the sign code to remove limitations on colors used for electronic message signs. This ordinance was the subject of the Public Hearing held at the beginning of tonight's meeting. In addition to the earlier comments, this recommendation to amend the Planning and Zoning Code was approved by the Planning Commission on February 28, 2018 by unanimous fashion.

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

No action required at this time.

2) ORDINANCE O-18-6: FIRST READING. "AN ORDINANCE ENACTING CHAPTER 1030 IN PART TEN, TITLE TWO OF THE SPRINGBORO CODIFIED ORDINANCES TITLED UNDERGROUNDING; AND DECLARING AN EMERGENCY," was read by the Clerk of Council. Mr. Boron's comments are summarized as follows:

This is the first reading of an ordinance enacting chapter 1030 in Part Ten, Title Two of the Springboro Codified Ordinances titled Undergrounding. This is the first of two pieces of legislation on the topic of "small cell" facilities within the City of Springboro. "Small cell" facilities are low powered cellular access nodes that extend the range and the network capacity of cellular phone services and data within communities like Springboro. It is anticipated that early next week the Governor will sign Ohio House Bill 478, which will include a 90-day shot clock provision where communities like Springboro will need to have in effect undergrounding maps or regulations in place such as those included in this ordinance. This is actually different than other state legislation that becomes effective after a certain date; this legislation actually looks backward and includes a provision that the undergrounding language needs to be in place at least 90 days ahead of the effective date of the state law. In other words, this ordinance needs to be adopted today, April 19, because the first date that the state law will become effective will be next Monday; therefore, staff recommends that this ordinance be passed as an emergency. The second ordinance pertaining to "small cell" towers will be presented on May 17, which will cover design standards, the regulation process for where these facilities can be located, for their removal and other provisions, as these facilities are going to be included in state law. This ordinance was developed very

closely with the city attorney's office and Attorney Jerry McDonald in particular along with Brian Humphress, Executive Director of the Miami Valley Communications Council.

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

Mayor Agenbroad thanked Mr. Boron for his efforts to fast track this legislation.

As discussed at the Work Session, Mayor Agenbroad called for a motion to suspend the rules and waive the second and third readings of Legislative Item 2, an Emergency Ordinance.

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

No discussion.

VOTE: Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Moore, Yes; Harding, Yes. [6-0]

Mayor Agenbroad called for a motion to adopt Ordinance O-18-6.

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

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Moore, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [6-0]

- 3) **RESOLUTION R-18-10:** "A RESOLUTION AUTHORIZING THE CITY OF SPRINGBORO TO PARTICIPATE IN AN AGREEMENT WITH THE WARREN COUNTY ENGINEER'S OFFICE TO PURCHASE ROAD SALT FOR THE 2018-2019 WINTER SEASON," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes the City of Springboro to participate in an agreement with the Warren County Engineer's Office to purchase road salt for the 2018-2019 winter season. The City has participated in this program for the last two years and would like to thank Warren County Engineer Neil Tunison for coordinating this county-wide bid for road salt. For the last two years, the City has been able to purchase salt through this process for approximately \$55.00 per ton, which is a very good price.

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

Ms. Ridd asked if the City has a surplus from this past season's salt purchase.

Mr. Pozzuto replied yes, the City has more than 1,300 tons of surplus salt. It is anticipated that the City will not have to purchase as much salt for the next winter season due to the surplus. Staff carefully monitors the City's salt supply.

Mayor Agenbroad called for a motion to adopt Resolution R-18-10.

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

No discussion.

VOTE: Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Moore, Yes; Harding, Yes. [6-0]

- 4) **RESOLUTION R-18-11:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH J.K. MEURER CORP. TO COMPLETE THE "2018 JOINT REPAIR PROGRAM" PROJECT," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes an agreement with J.K. Meurer Corp to complete the "2018 Joint Repair Program" Project. This is a new program this year to repair the expansion joints on roadways within the City. For example, the Settlers Walk area and particularly Remick Boulevard are in need of repair. Last year, the City purchased a piece of equipment called a hotbox, which applies hot asphalt to potholes and expansion joints on roadways. The Public Works Department did a great job of fixing a majority of the expansion joints on Remick Boulevard this past year. This legislation will provide for a joint repair program along the major streets throughout the entire Settlers Walk area. City staff will continue using the hotbox equipment to make joint repairs on smaller roads in Settlers Walk and will use this contract for the larger roads. The City has been aware of the problem with the expansion joints and received a number of complaints concerning the condition of the roads. Therefore, staff recommends proceeding with this program to make more improvements. The City received three bids for this program; the lowest bid was received from J.K. Meurer Corp at \$137,522.

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

Mayor Agenbroad called for a motion to adopt Resolution R-18-11.

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

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Moore, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [6-0]

- 5) **RESOLUTION R-18-12:** "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT (2018-01) WITH THE WARREN COUNTY TRANSPORTATION IMPROVEMENT DISTRICT AGREEING TO RECITALS AND OBLIGATIONS BETWEEN THE PARTIES AND ACCORDINGLY AGREEING TO NAME THE WARREN COUNTY TID AS THE CONSTRUCTION ADMINISTRATOR/MANAGER FOR THE WORK FOR THE SR 741 SJH INTERSECTION IMPROVEMENT PROJECT," was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes an intergovernmental agreement with the Warren County Transportation Improvement District to manage the SR741 Springboro Junior High Intersection Improvement Project. This project involves a partnership with the Warren County Transportation Improvement District, who will actually manage the project for the City, and the Springboro Schools, who pledged \$50,000 toward the project. This project involves improvements to the Junior High School entrance. The City is responsible for the maintenance of SR741 and any improvements. This project consists of turn lanes in both directions as the Junior High entrance. Taking an analysis of all of the traffic on that road from a school standpoint, the Junior High entrance seems to be the last pinch point and this project should alleviate some of that traffic. The traffic engineers recommended turn lanes in both directions; therefore, the City will be purchasing some right-of-way to accommodate the construction of the additional lane. The project will begin June 1 and finish by the first day of

school; therefore, it should not impact school traffic. The project cost is not-to-exceed \$425,000 with the schools' contribution of \$50,000 to the project.

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

Ms. Iverson confirmed that if you are traveling from south to north on SR741 there will also be a turn lane.

Mr. Pozzuto replied yes. Mr. Pozzuto explained that the road will be widened to the west. The east side of the project will remain exactly as it is now, but the west side of the road will be widened to allow the turn lane. The intersection will be signaled with an arrow to allow better turning movements. This project along with past projects such as the coordination of the traffic signals at the junior and senior high schools and the police department directing traffic from Edinburgh during school arrival and departure times will help improve overall traffic flow at the schools.

Ms. Iverson commended the police department for their efforts to help alleviate traffic problems in the area of the schools.

Mayor Agenbroad called for a motion to adopt Resolution R-18-12.

Ms. Iverson motioned. Ms. Moore seconded the motion.

No discussion.

VOTE: Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Moore, Yes. [6-0]

ITEM 7. REPORTS: Mayor's Report – Opening Ceremonies and First Pitch for the SCBA Association will be held on Saturday, April 21 at 11:00 AM at Clearcreek Park. Arbor Day will be observed with a tree planting ceremony on Saturday, April 28 at 8:00 AM at Heatherwoode Golf Course. "Doggie Days" will be held on Saturday, April 28, 11:00 AM-2:00 pm at Hazel Woods dog park. The next City Council Meeting will be held on May 3, 2018 beginning with the Work Session at 5:30 PM followed by the Regular Meeting at 7:00 PM in Council Chambers.

City Manager's Report – Mr. Pozzuto reported that work is continuing on the SR73/SR741 intersection with the construction of medians and traffic islands. Once the concrete work is finished, the contractor will apply the final course of asphalt to complete the project. The anticipated completion date is June 1. The traffic flow seems to be working very well since the intersection has been open along with the coordination of the traffic signals. Mr. Pozzuto also reported that the City is trying to increase community events. Staff has been working on adding new events to offer the community and is excited to advertise events such as "Doggie Days" on April 28 at Hazel Woods Park, 11:00 AM-2:00 PM to showcase the City's new 2.5-acre dog park. The City's Bicycle & Pedestrian Advisory Committee (BPAC) is partnering with the Springboro Historical Society to sponsor "National Trails Day" on June 2 from 11:00 AM to 3:00 PM for residents to enjoy all of the paved and non-paved trails in the community. Anyone interested in participating in "National Trails Day" should meet at Rotary Park on S. Main Street. Mr. Pozzuto thanked City Planner Dan Boron, who is the staff liaison to the BPAC, for coordinating this event. Also, the City is sponsoring "Touch A Truck," which will take place on June 9 at North Park, 11:00 AM-1:00 PM, featuring snow plows, backhoes, a firetruck, etc. All community events are listed on the City's website at www.ci.springboro.oh.us. Finally, the "Concerts in the Park" series returns in July and Playhouse South's "Theatre Under the Stars" returns in August. Details will be advertised closer to event dates.

Mayor Agenbroad thanked Mr. Pozzuto and staff for their hard work on all of these projects, programs and events.

Committee Reports –

Mr. Brunner – Mr. Brunner thanked staff for the Business Appreciation Breakfast the City hosted this morning at Heatherwoode Golf Course; it is a great way to honor our businesses in the community. Mr. Brunner commented that there were about 100 guests in attendance and it was a great event and a great job by staff.

Ms. Ridd – Architectural Review Board – Ms. Ridd reported that the Architectural Review Board met on Monday, May 9 at 6:00 PM in Council Chambers. The board discussed this year's Historic Preservation Awards. Two awards will be presented this year at the May 3 City Council Regular Meeting. The board also discussed the kick-off of the historic preservation grant program this year.

Ms. Iverson – Planning Commission – The Planning Commission met on Wednesday, April 11 at 6:00 PM in Council Chambers. The commission reviewed the site plan for 15 West Mill Street, Springboro United Church of Christ, church annex building. The Planning Commission meeting scheduled for April 25 has been canceled due to a lack of agenda items. The next Planning Commission meeting is scheduled for Wednesday, May 9 at 6:00 PM in Council Chambers.

Mayor Agenbroad added that the Warren County Career Center is actually building the annex for the church pro bono with materials being paid for by the church. Students of the Career Center built Lovely's Chapel at Springboro Cemetery and the school administration building. Mayor Agenbroad expressed kudos to the Warren County Career Center for their contributions to the community.

Deputy Mayor Harding – No reports.

Ms. Moore – Ms. Moore read the annual Arbor Day Proclamation, which will be presented at the upcoming Arbor Day Ceremony on Saturday, April 28 at 8:00 AM at Heatherwoode Golf Course. (A copy of the proclamation is on file for the record.)

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 a liquor permit transfer bearing the number 0540140 from M & K Strategies, Inc. DBA Donut Haus Bakery, 305 W. Central Avenue, Springboro, Ohio 45066 to Bear Careek Holdings Co. 305 W. Central Avenue, Springboro, Ohio 45066. The request is for Permit D-5 – Night Club Permit. Spirituous liquor for on premises consumption. Beer, wine and mixed beverages for on-premises consumption or carry out until 2:30 a.m.

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. Ridd motioned. Mr. Harding seconded the motion.

No discussion.

VOTE: Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Moore, Yes; Harding, Yes. [6-0]

Mayor Agenbroad presented a notice of an application for a Liquor Permit as follows:

Chief Kruithoff briefly commented that this motion constitutes the City's annual review of all current liquor licenses within Springboro as provided under the Ohio Revised Code. 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 license review was limited to those 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.

The Springboro Police Department can find no cause for objection to the 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
Boro Bistro	722 North Main St.	Springboro, OH
Buffalo Wild Wings	774 North Main St	Springboro, OH
Cassanos Inc.	49 North Main St.	Springboro, OH
China Cottage	784 North Main St.	Springboro, OH
Chipotle Mexican Grill	5 Greenwood Ln.	Springboro, OH
City of Springboro DBA	Heatherwoode Golf Club	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
Heathers 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
Roosters	257 West Central	Springboro, OH
South Regency Tennis	3020 W. Tech Rd.	Springboro, OH
Thai Silver Spoon	249 W. Central Ave.	Springboro, OH
The Donut Haus	305 W. Central Ave.	Springboro, OH
Whiskey Barrel	855-57 West Central	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.

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

No discussion.

VOTE: Iverson, Yes; Agenbroad, Yes; Moore, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [6-0]

In addition, Mayor Agenbroad called for the following motions:

A MOTION TO DONATE A 2007 PICK-UP TRUCK TO FRANKLIN TOWNSHIP, OHIO AS THIS VEHICLE IS NO LONGER UTILIZED OR NEEDED BY THE CITY.

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

No discussion.

VOTE: Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Moore, Yes; Harding, Yes. [6-0]

A MOTION TO DONATE A 2004 PICK-UP TRUCK TO THE MONTGOMERY COUNTY (OHIO) AGRICULTURAL SOCIETY AS THIS VEHICLE IS NO LONGER UTILIZED OR NEEDED BY THE CITY.

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

No discussion.

VOTE: Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Moore, Yes. [6-0]

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Mayor Agenbroad commented that he is wearing a red rose because he was fortunate enough to be invited to the Veterans Administration this morning at 11:00 AM for a birthday celebration for a World War II Veteran, who earned the Silver Star, two Bronze Stars, two Purple Hearts and many other medals of valor. This veteran turned 100 years young today. Mayor Agenbroad wished World War II Veteran Lowell Friedman a very 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 and scheduled rebroadcasts of this Springboro City Council Meeting.

Mayor Agenbroad called for a motion to adjourn the Thursday, April 19, 2018 Springboro City Council Regular Meeting at approximately 7:40 PM.

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

VOTE: Harding, Yes; Brunner, Yes; Ridd, Yes; Iverson, Yes; Agenbroad, Yes; Moore, Yes. [6-0]

—MEETING ADJOURNED—



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer



Lori A. Martin, Clerk of Council