

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

**CITY COUNCIL REGULAR MEETING**

THURSDAY, MAY 7, 2020  
(Rescheduled to May 21)

7:00 PM  
(Immediately prior to the May 21 Council Meeting)

**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

**CITY STAFF**

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

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, May 7, 2020 (rescheduled to May 21) 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, May 20 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 *rescheduled* Regular Meeting of Thursday, May 7, 2020 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 presented by Mayor John Agenbroad.
- 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:** No Minutes were submitted for approval.
- ITEM 5. PRESENTATIONS:** No Presentations.

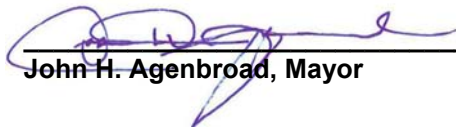
- ITEM 6. **LEGISLATION:** No Legislation was submitted for May 7.
- ITEM 7. **REPORTS:** **Mayor's Report.** No reports.  
**City Manager's Report.**  
**Committee Reports.**
- ITEM 8. **OTHER BUSINESS.** No Other Business.
- ITEM 9. **FINAL COUNCIL AND MANAGER COMMENTS.** No Final Council or Manager Comments.
- ITEM 10. **GUEST COMMENTS.** No Guest Comments.
- ITEM 11. **EXECUTIVE SESSION.** No Executive Session.
- ITEM 12. **ADJOURNMENT.** Mayor Agenbroad 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 *rescheduled* Thursday, May 7, 2020 Springboro City Council Regular Meeting at approximately 7:01 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—**

  
\_\_\_\_\_  
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, MAY 21, 2020

7:00 PM

*(Immediately following the rescheduled May 7 Regular Meeting)*

---

**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

---

**CITY STAFF**

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

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

*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, May 21, 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, May 20 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, May 21, 2020 to order at 7:01 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* May 7, 2020 Regular Meeting conducted immediately prior to this 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 REGULAR MEETING OF APRIL 16, 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. Ms. Iverson seconded the motion.**

No discussion.

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

**ITEM 5. PRESENTATIONS:** No presentations.

**ITEM 6. LEGISLATION:** City Council's 6:00 PM Work Session was canceled. The Council Finance Committee meeting scheduled for 5:30 PM was canceled. No Executive Session was held during tonight's Council Meetings.

- 1) EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, PART TWO, ADMINISTRATIVE CODE, TITLE 6, CHAPTER 230, CONTRACTING AUTHORITY AND PROCEDURES, SECTIONS 230.03 (b) AND 230.03 (d) FOR PURPOSES OF SETTING A NEW BID STANDARD FOR CITY CONTRACTS DETERMINED TO BE IN THE BEST INTERESTS OF THE CITY, AND DECLARING AN EMERGENCY, was read by the Clerk of Council. Mr. McDonald's comments are summarized as follows:

This is the first reading of an ordinance amending Chapter 230, Section 230.03 (b) and (d) of the City's codified ordinances to revise and clarify the bid standard for contracts. This amendment will allow the City even more flexibility to choose the best contractor for any construction projects within the City. The City recently reviewed its bid standards and they currently provide for the "lowest and best responsible bid." In Ohio, there are three different types of standards. One standard is the "lowest and best," which is the one that provides cities with the most flexibility and the standard that is being recommended for the City to adopt, there is also the "lowest responsive bid" and the "lowest responsible bid." Each one of those standards has a different legal meaning. The "lowest responsible bid," which is the City's current standard means as long as the bidder can show that they have some financial responsibility and have completed some jobs they are considered a responsible bid, but that does not necessarily mean they are the best bidder for the job under the circumstances. The purpose of the proposed ordinance is to make sure that the City has as much flexibility as possible. Therefore, the recommendation is to remove the current standard, which includes "responsible" and replace it with "lowest and best," which is consistent with the Ohio Revised Code and would be the best criteria to use for the City.

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

**No action required at this time.**

- 2) RESOLUTION R-20-14:** A RESOLUTION GRANTING AN ELECTRIC EASEMENT TO DUKE ENERGY OHIO, INC THROUGH CITY OWNED PROPERTY AT 8858 DAYTON-OXFORD ROAD, FRANKLIN, OH AT WELL FIELD #1, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution grants an electric easement to Duke Energy Ohio, Inc through City-owned property at 8858 Dayton-Oxford Road, Franklin, Ohio at Well Field #1. This easement will allow Duke to install electric service to the new generator at Well Field #1, which is currently under construction. This is a simple easement agreement that the City is granting to Duke Energy for the wellfield project currently underway in Carlisle. Duke will be running a power

line to the new backup generator that will be serving the City's wellfields to ensure that during power outages the wellfields will still be able to produce water for all of the City's water customers; therefore, this easement is an integral part of the generator project.

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

**Mayor Agenbroad called for a motion to adopt Resolution R-20-14.**

**Mr. Harding 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 –**

**Ms. Ridd – Architectural Review Board** – Ms. Ridd announced that the deadline for nominations for the 2020 Historic Preservation Awards Program has been extended to June 8. You may contact City Planner Dan Boron at danb@cityofspringboro for information, or nomination forms are available online at www.cityofspringboro.com. Once the Architectural Review Board determines the award recipients, an awards presentation will be scheduled when it is deemed safe to present the awards in person at a public meeting. Anyone interested in nominating a preservation project or individual who has been instrumental in historic preservation in our community has until June 8 to submit a nomination form.

**Mr. Harding – MVCC (Miami Valley Communications Council)** – Mr. Harding thanked the MVCC for their assistance with broadcasting this Zoom meeting. In addition, Mr. Harding reported that the MVCC met via Zoom yesterday and is working on some fiber projects, which include extending the fiber loop to Trotwood and Trotwood Madison Schools, who applied for FEMA funding to help cover 80% of that project. Other projects related to the fiber ring are on hold due to the COVID-19 pandemic, but the MVCC continues its efforts to extend that loop.

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

**A motion to cancel and reschedule the June 4, 2020 Council Regular Meeting to June 18, 2020 due to a lack of agenda items; thereby, two consecutive Regular Meetings (June 4 & Jun 18) will be held on the June 18 meeting date.**

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

**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. [7-0]**

Based on the recommendation of the Planning Commission, a motion is in order to set a Public Hearing as follows:

**IN ACCORDANCE WITH OHIO REVISED CODE SECTION 713.12, A PUBLIC HEARING WILL BE HELD BEFORE CITY COUNCIL ON THURSDAY, JULY 2, 2020 AT 7:00 P.M. IN COUNCIL CHAMBERS AT THE SPRINGBORO MUNICIPAL BUILDING, 320 W. CENTRAL AVENUE, SPRINGBORO 45066 TO AMEND THE PLANNING & ZONING CODE, PART XII OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, TO AMEND REGULATIONS FOR THE OPERATION OF FOOD TRUCKS.**

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

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

No discussion.

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

**ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS.** Mayor Agenbroad wished Fire Chief Steven Agenbroad a Happy Birthday!

In addition, Mayor Agenbroad thanked Mr. Pozzuto, Ms. Martin and especially the City's IT Director Matt Lang for all they do to coordinate the Council Meetings via video conference in conjunction with the MVCC.

**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 wished everyone a wonderful and safe Memorial Day Weekend!

**Mayor Agenbroad called for a motion to adjourn the Thursday, May 21, 2020 Springboro City Council Regular Meeting at approximately 7:15 PM.**

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

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

**—MEETING ADJOURNED—**

  
\_\_\_\_\_  
John H. Agenbroad, Mayor

John H. Agenbroad  
\_\_\_\_\_  
Presiding Officer

  
\_\_\_\_\_  
Lori A. Martin, Clerk of Council