

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

CITY COUNCIL WORK SESSION

THURSDAY, AUGUST 5, 2021

6:00 PM

CITY COUNCIL

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

CITY STAFF

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

- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Work Session to order on Thursday, August 5, 2021 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.
- ITEM 2. ATTENDANCE. Council:** Ms. Iverson was absent. **Staff:** Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. Police Chief Jeff Kruthoff, Finance Director Jonathan Hudson and Assistant Finance Director Joannie Kingseed were also present.

Mayor Agenbroad noted that a motion would be in order at tonight's Regular Meeting to excuse Council Member Iverson.

LIME Presentation: Finance Director Jonathan Hudson presented a step-by-step demonstration of the City's new online tax filing system called LIME. The app identifies Springboro taxpayers using information input by the user and captures files and pictures of tax forms uploaded by the user. The program provides samples of various tax documents to assist the taxpayer when uploading their forms. Once the required documents are uploaded, the program reads all of the relevant information and determines what income is taxable by the City. The program then calculates what the taxpayer owes taking into account any credits for taxes paid to other cities, any estimated payments and any payments carried over from the prior year and then calculates the balance or refund due. LIME would not be used to file complex tax returns and the program will alert the user to schedule an appointment with the Tax Department for assistance in completing their taxes. The taxpayer has the option to pay the balance due at the time of filing or pay later. The taxpayer can login to the program and pay their balance due online or by mail any time before April 30. The goal is for 75% of the City's residents to use this program.

Mr. Harding inquired regarding payment of balance due and estimated payments.

Mr. Hudson explained that the taxpayer could return to the site later to make a payment. The taxpayer will also be given the option to estimate payments for next year and spread it over multiple payments. Mr. Hudson further explained that current data regarding estimated payments, etc. will be uploaded to the app once per day; the data is not available in real time i.e. transactions will appear the next day. Most taxpayers pay the balance owed in one payment.

Mr. Hudson continued his demonstration by explaining that the program is compatible with mobile devices and a taxpayer can go through the steps of filing their application using their phone by taking pictures of their tax forms and uploading them to the app, which scans the documents and extracts the required information. Once the taxes are calculated and credits have been applied the program prompts the user for payment and if the balance is over \$500 they are given the option to make estimated payments to avoid a large payment the following year. Otherwise, they sign to file and have the option to pay now or later. Mr. Hudson's demonstration to file taxes using a phone took approximately 1 minute 35 seconds.

Mr. Hanson inquired regarding options for payment of a balance due.

Mr. Hudson explained that there is a check out page where the taxpayer can enter a credit card or pay by e-check.

Mr. Harding inquired regarding options/training for accountants to use the app to file taxes on behalf of their clients to possibly encourage as many people as possible to use the online filing system rather than mailing tax forms to the tax office.

Mr. Hudson explained that there is no portal for accountants in version 1 of the app. Taxpayers would need to provide their accountant with their login information. Staff's focus for version 1 of the app is to make sure the capturing works correctly. Mr. Hudson further explained that videos will be used to advertise the app i.e. what it can do and how you use it and they will create "how to" examples for people using the app to learn at their own pace. Mr. Hudson played a light, modern video advertisement for the app that will appear on the City's Facebook, Twitter and web sites to encourage people to use the app. The app is fairly intuitive and the goal is to get 15% of people to use the app the first year.

Ms. Ridd inquired regarding options for refunds.

Mr. Hudson explained that the taxpayer could carry forward their refund to the following year or request a check from the City.

Mr. Hudson commented that the app should be up and running by next tax season. Mr. Hudson also commented that the app is transferrable i.e. it can be licensed to other cities for a fee. Other cities would pay for the license and plug in their own tax rates, but Springboro will be credited for creating the app no matter what city uses it. Mr. Hudson added that this program should save people time and a trip to the Tax Department. Assistant Finance Director Joannie Kingseed has been largely managing the development of the app, and they are continuing to tweak the program. Mr. Hudson commented that he believes people will be receptive to the app with a scale of 70-75% of people being able to use it.

Mayor Agenbroad thanked Mr. Hudson and Ms. Kingseed for their presentation.

ITEM 3. LEGISLATIVE AGENDA. – Review legislative items slated for July 15.

Mayor Agenbroad noted that motions would be in order at tonight's Regular Meeting to proceed with a Consent Agenda and approve the Consent Agenda by waiving the second and third

readings and adopting Legislative Items 1-13, Ordinances Levying Annual Street Lighting Assessments.

CONSENT AGENDA

(All items under the Consent Agenda are considered by the City Council to be routine and will be adopted by one motion. Any City Council Member may, however, remove an item from the Consent Agenda by request. Items removed for separate discussion and action will be considered under the Regular Agenda following the motion to approve the Consent Agenda.)

- 1) ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENANCE FOR LOTS 1-31 IN BECK RIDGE IN SECTION ONE SUBDIVISION IN THE CITY.

No discussion regarding Legislative Items 1-13, Ordinances Levying Annual Street Lighting Assessments.

- 2) ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTIONS ONE, TWO, THREE AND FOUR, SUBDIVISION IN THE CITY.
- 3) ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTION FIVE, SUBDIVISION IN THE CITY.
- 4) ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTION SIX, SUBDIVISION IN THE CITY.
- 5) ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 1-4 OF THE NORTH HILLS OF STONE RIDGE, SUBDIVISION IN THE CITY.
- 6) ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 23-44 OF THE NORTH HILLS OF STONE RIDGE, SUBDIVISION IN THE CITY.
- 7) ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 73-75 OF THE NORTH HILLS OF STONE RIDGE, SUBDIVISION IN THE CITY.
- 8) ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 77-107 OF THE NORTH HILLS OF STONE RIDGE SECTION FOUR, SUBDIVISION IN THE CITY.
- 9) ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND

MAINTENANCE OF STREET LIGHTING IN LOTS 108-123 OF THE NORTH HILLS OF STONE RIDGE SECTION FIVE, SUBDIVISION IN THE CITY.

- 10) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENANCE IN RICHARDS RUN SECTION ONE SUBDIVISION IN THE CITY.
- 11) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENANCE IN RICHARDS RUN SECTION TWO SUBDIVISION IN THE CITY.
- 12) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENANCE IN RICHARDS RUN SECTION THREE SUBDIVISION IN THE CITY.
- 13) **ORDINANCE: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENANCE IN RICHARDS RUN SECTION FOUR SUBDIVISION IN THE CITY.

END CONSENT AGENDA

BEGIN REGULAR AGENDA

- 14) **ORDINANCE: SECOND READING.** AN ORDINANCE AMENDING SECTION 678.10, WEEDS AND LITTER, OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, OHIO.

No discussion.

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

Mayor Agenbroad noted that, at staff's request, a motion will be in order at tonight's Regular Meeting to waive the second and third readings of Legislative Items 15 and 16, Emergency Ordinances, in order to properly appropriate expenditures and to renew notes by the maturity date.

Mr. Pozzuto commented that this money is being appropriated because the State of Ohio, who has begun collecting some of the City's income tax through their business portal, sent the City, in error, \$230,997 that they thought was Springboro's income tax. Within 30 days, the State has asked for the money back or the City will be charged a penalty. In essence, the State made an error and will charge interest if they are not paid back in a timely manner. Mr. Pozzuto pointed out that this is a good reason why the State should not collect income tax on behalf of cities.

- 16) **EMERGENCY ORDINANCE: FIRST READING.** AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$4,500,000 SPECIAL OBLIGATION PERFORMING ARTS CENTER BOND ANTICIPATION NOTES, 2021 RENEWAL, BY THE CITY OF SPRINGBORO, OHIO IN ANTICIPATION OF THE ISSUANCE OF BONDS, PROVIDING FOR THE PLEDGE

OF REVENUES FOR THE PAYMENT OF SUCH NOTES, AND DECLARING AN EMERGENCY.

No discussion.

- 17) **RESOLUTION:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ANDRITZ SEPARATION INC. FOR THE MECHANICAL SCREENS REPAIR PROJECT.

No discussion.

ITEM 4. CITY MANAGER. – Issues/Reports.

Mr. Pozzuto reported on the following items:

Concerts in the Park: Over 21,000 people attended this summer's concert series. Staff tracked attendance at each concert. This season was by far the largest attendance the City has had even with a concert cancellation due to weather. Staff met to review the coordination of the concerts and future issues such as improvements to parking, locations for trash receptacles, etc.

Ms. Ridd inquired regarding parking complaints.

Mr. Pozzuto commented that the City did not receive any calls regarding the parking situation. Mr. Pozzuto commented that staff already had plans to pave the overflow area towards the basketball court to significantly increase parking, which was a project previously included in the Capital Improvement Program.

Mr. Harding commented that the additional parking would help with other park events as well such as Bike the Boro.

Mr. Brunner inquired regarding a better location for the food trucks.

Mr. Pozzuto commented that staff discussed the possibility of moving the food trucks near the shelter where the area is flatter and creating a dedicated food truck area.

Mr. Harding commented on how hard City staff working before, during and after the concerts.

Mr. Brunner commented that staff did a tremendous job at the concerts.

Mayor Agenbroad commented that people roped areas off without chairs and he felt this was unfair.

Mr. Pozzuto explained that staff discussed possibly limiting the number of chairs people can use to reserve space, but there are liabilities if staff were to remove chairs that were setup prior to the time permitted and if the City accepted any fees or donations to reserve seating the City would lose its immunity.

Multiple Council Members complimented staff on the way parking and other issues were handled.

Mr. Brunner asked when the concert seating area was expanded.

Mr. Pozzuto commented that the area was expanded by the Public Works Department in 2019 for the 2020 season. Staff has discussed the need to possibly further expand the seating area to the north.

Mayor Agenbroad commented on how quickly the police officers were able to get traffic in and out of the parking areas. Mayor Agenbroad added that it a very successful year for the concerts.

Springboro Community Theatre Outdoor Performances: *SCT will be performing “Cinderella” August 6-8 and August 13-15 at 7:30 PM at North Park Amphitheater. Performances are free and open to the public. They have begun building their sets and the City will help SCT promote these performances.*

Citywide Fiber Project: *The fiber project is ongoing, but is 80% complete with 13-14 of the 17 miles of fiber in the ground. Mr. Pozzuto anticipates a contract with another ISP in the near future. The money that the City has invested in the fiber and conduit project will be recouped before the project is complete.*

Bike the Boro: *The annual Bike the Boro event will be held Saturday, September 4 with The Big Event festival at North Park and 2, 10, and 16-mile bike rides for cyclists from 10:00 AM-1:00 PM.*

Mr. Shackelford reported on the following items:

Springboro Chamber Director Carol Hughes Retired: *Chamber Director Carol Hughes’ retirement party was held last Friday and attended by City officials, business and community members. Newly appointed Chamber Director Alison Liddic attended her first her first Chamber Networking meeting this morning. The Chamber Golf Outing is Friday, August 20.*

Dayton Business Journal Community Spotlight Article: *The DBJ Spotlight on Springboro article will be published on August 20. Various electronic articles will be released as early as August 16 including articles regarding the technology projects going on in the City, the continuing development of Wright Station, etc.*

Economic Development Update: *As mentioned at the last Council Work Session, Numed Pharma held their job fair Tuesday, Wednesday and Thursday of this week. The job fair was successful resulting in a handful of candidates, and the DBJ article generated a candidate that was hired before the job fair.*

Noise Complaints in the Downtown Area: *In reference to previous discussions regarding noise complaints in the downtown district especially surrounding Heather’s Café, staff decided to engage a third party consultant, Acoustical Systems, who previously worked with JD Legends to help with some of the noise concerns they had in the Franklin area. The consultant will be doing some decibel readings on behalf of the City, and staff has informed Heather’s owner in an effort to be transparent. Staff believes this data will be important in helping to make decisions regarding addressing the noise issue moving forward. Staff is also pulling data from other jurisdictions around the State to get an idea of what other communities are doing to address this issue.*

Mayor Agenbroad inquired regarding Mr. Boro’s, as he has received complaints regarding their noise levels.

Mr. Pozzuto commented that staff asked Mr. Boro’s to voluntarily turn down their music and they have complied with the City’s request. Mr. Pozzuto commented that to the best of his knowledge there have not been any complaints concerning the noise since.

Mr. Shackelford commented that main focal point for collecting data will be the downtown area.

Mr. Boro's Wednesday Queen of Hearts Game: Chief Kruithoff commented that the owners of Mr. Boro's are very cooperative in working with the Police Department. This is the seventh or eighth time Mr. Boro's has offered this game, but it has never caused the problems it has currently because the prize money has potentially reached hundreds of thousands of dollars causing a high traffic volume at their establishment on Wednesday nights. The owner has sent out employees every night to clean up the neighborhood of trash and waste and communicates with Chief Kruithoff at least twice per week regarding plans to help manage the crowd there. The Police Department is managing the situation the best it can and does dedicate some Police Officers at the location on Wednesday nights to help with parking, etc. Queen of Hearts is a licensed game from the State, the boards come from the State, and Mr. Boro's does not keep any of the prize money. However, they do get some increased business when they are running the game and that is their interest in doing this. Again, Mr. Boro's is not running an illegal game; this game is sanctioned by the State and the owners are trying their best to assist the police with the situation and hope the game will be over as soon as possible.

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

Calendar Events: Springboro Community Theatre presents "Cinderella" August 6-8 and August 13-15 at 7:30 PM at North Park Amphitheater. All performances are FREE. The Architectural Review Board meeting has been rescheduled to Monday, August 16 at 6:00 PM in Council Chambers and the Planning Commission meeting has been rescheduled to Wednesday, August 18 at 6:00 PM in Council Chambers.

In addition, the next City Council Work Session will be held on Thursday, August 19 at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers. A Public Hearing will be held on Thursday, August 19 at 7:00 pm in Council Chambers in regard to rezoning approximately 103 acres located at 605 North Main Street, commonly known as the Easton Farm, from R-1 (Estate-Type Residential District) to PUD-MU, (Planned Unit Development-Mixed Use.)

ITEM 6. CITY COUNCIL. – Issues/Reports.

Mr. Harding – No reports.

Mr. Hanson – No reports.

Mr. Chmiel – Mr. Chmiel will make some follow up comments regarding the concert season at tonight's Regular Meeting under Reports.

Mr. Brunner – No reports.

Deputy Mayor Ridd – Deputy Mayor Ridd will announce the upcoming Warren County Municipal League meeting at tonight's Regular Meeting under Reports.

Mayor Agenbroad – No reports.

ITEM 7. ADJOURNMENT. With no further discussion, Mayor Agenbroad adjourned the Thursday, August 5, 2021 City Council Work Session approximately 6:40 PM.

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

CITY COUNCIL REGULAR MEETING

THURSDAY, AUGUST 5, 2021

7:00 PM

CITY COUNCIL

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

CITY STAFF

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

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting of Thursday, August 5, 2021 to order at 7:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. PLEDGE OF ALLEGIANCE. Mayor Agenbroad led the Pledge of Allegiance.

Invocation by Pastor Dr. Shrishail Nashi, Grace Point Fellowship Church

ITEM 3. ROLL CALL. Agenbroad, Present; Brunner, Present; Chmiel, Present; Hanson, Present; Harding, Present; Iverson, Absent; Ridd, Present. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. Police Chief Jeff Kruithoff and Finance Director Jonathan Hudson were also present.

Mayor Agenbroad called for a motion to excuse Council Member Iverson.

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

No discussion.

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

ITEM 4. APPROVAL OF MINUTES: THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF JULY 15, 2021.

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

Mayor Agenbroad called for a motion to approve the Minutes.

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

No discussion.

VOTE: Brunner, Yes; Ridd, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Abstain; Harding, Yes. [5-0-1]

ITEM 5. PRESENTATIONS: SPECIAL RECOGNITION OF THE JONATHAN WRIGHT CHAPTER OF DAUGHTERS OF THE AMERICAN REVOLUTION (DAR) 2021 AWARD RECIPIENTS.

The following Springboro High School Graduates were recognized as the Jonathan Wright Chapter of Daughters of the American Revolution (DAR) 2021 award recipients: Krishna Singla, Ohio DAR Good Citizen Scholarship Award; Grace Gulczinski (not present), Ohio DAR Wings of Eagles Scholarship Award; Macy Stephens, Ohio DAR Wings of Eagles Scholarship Award and Madison Noble, DAR JROTC Award.

Members of the Jonathan Wright DAR Chapter were present including Regent Lynda Walker and Secretary/American History Chair Karen DeRosa.

Ms. Walker presented information regarding the DAR award program, application process and scholarship qualifications. Ms. Walker and Ms. DeRosa provided background information regarding each award recipient and each recipient was given the opportunity to introduce themselves and comment on their future plans.

Ms. Walker commented that the Jonathan Wright DAR Chapter had a national award winner last year for the first time and had two state winners this year for the first time as well.

On behalf of Mayor and City Council, each award recipient was presented with a Certificate of Recognition for their outstanding achievement, exemplary performance and citizenship.

Mayor Agenbroad thanked the Jonathan Wright DAR Chapter for their patriotism and all they do in the community.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for approximately 40 minutes to discuss the following legislative items as well as other City business.

At this time, Mayor Agenbroad called for a motion to temporarily suspend the Rules of Council to amend the Order of Business to include a Consent Agenda consisting of Legislative Items 1 through 13, Ordinances, to be considered in aggregate without discussion or amendment.

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

No discussion.

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

CONSENT AGENDA

(All items under the Consent Agenda are considered by the City Council to be routine and will be adopted by one motion. Any City Council Member may, however, remove an item from the Consent Agenda by request. Items removed for separate discussion and action will be considered under the Regular Agenda following the motion to approve the Consent Agenda.)

Mayor Agenbroad stated that Ms. Martin would read Legislative Items 1 through 13 of the Consent Agenda.

The Clerk of Council read Legislative Items 1 through 13 as follows:

- 1) **ORDINANCE O-21-7: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENANCE FOR LOTS 1-31 IN BECK RIDGE IN SECTION ONE SUBDIVISION IN THE CITY.
- 2) **ORDINANCE O-21-8: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTIONS ONE, TWO, THREE AND FOUR, SUBDIVISION IN THE CITY.
- 3) **ORDINANCE O-21-9: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTION FIVE, SUBDIVISION IN THE CITY.
- 4) **ORDINANCE O-21-10: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN THE VILLAGES OF CREEKSIDE, SECTION SIX, SUBDIVISION IN THE CITY.
- 5) **ORDINANCE O-21-11: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 1-4 OF THE NORTH HILLS OF STONE RIDGE, SUBDIVISION IN THE CITY.
- 6) **ORDINANCE O-21-12: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 23-44 OF THE NORTH HILLS OF STONE RIDGE, SUBDIVISION IN THE CITY.
- 7) **ORDINANCE O-21-13: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 73-75 OF THE NORTH HILLS OF STONE RIDGE, SUBDIVISION IN THE CITY.
- 8) **ORDINANCE O-21-14: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 77-107 OF THE NORTH HILLS OF STONE RIDGE SECTION FOUR, SUBDIVISION IN THE CITY.
- 9) **ORDINANCE O-21-15: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF PROVIDING CERTAIN INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN LOTS 108-123 OF THE NORTH HILLS OF STONE RIDGE SECTION FIVE, SUBDIVISION IN THE CITY.
- 10) **ORDINANCE O-21-16: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENANCE IN RICHARDS RUN SECTION ONE SUBDIVISION IN THE CITY.
- 11) **ORDINANCE O-21-17: FIRST READING.** AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND

PROVIDING CERTAIN MAINTENANCE IN RICHARDS RUN SECTION TWO SUBDIVISION IN THE CITY.

12) ORDINANCE O-21-18: FIRST READING. AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENANCE IN RICHARDS RUN SECTION THREE SUBDIVISION IN THE CITY.

13) ORDINANCE O-21-19: FIRST READING. AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF INSTALLING CERTAIN IMPROVEMENTS AND PROVIDING CERTAIN MAINTENANCE IN RICHARDS RUN SECTION FOUR SUBDIVISION IN THE CITY.

Mr. Pozzuto commented on Legislative Items 1 through 13 as follows:

This is the first reading of ordinances levying annual assessments for street lighting in certain subdivisions in the City. The purpose of this legislation is to levy final assessments for the operation and maintenance of street lighting in the designated subdivisions, which include the neighborhoods of Beck Ridge, Villages of Creekside, North Hills of Stone Ridge and Richards Run. The street lighting maintenance assessments are levied on an annual basis and the amount of the assessments is based on the actual cost of street lighting paid by the City in the prior year (2020). The total amount of the 2021 assessments is \$38,929.00 to operate the streetlights in these neighborhoods. The assessments will be certified to the Warren County Auditor to be placed on each property owner's tax duplicate and collected in one annual installment. The deadline to file the assessments with the Warren County Auditor's Office is September 13, 2021.

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

Mayor Agenbroad called for a motion to suspend the rules and waive the second and third readings of Legislative Items 1 through 13.

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

No discussion.

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

Mayor Agenbroad called for a motion to approve the Consent Agenda thereby adopting Ordinances O-21-7 through O-21-19.

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

No discussion.

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

END CONSENT AGENDA

BEGIN REGULAR AGENDA

- 14) ORDINANCE: SECOND READING.** AN ORDINANCE AMENDING SECTION 678.10, WEEDS AND LITTER, OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGBORO, OHIO, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the second reading of an ordinance amending Section 678.10, Weeds and Litter, of the City's code. As described at the last Council Meeting when this legislation was first introduced, staff recommends amending Section 678.10 of the City's code to add an administrative fee of \$250 in addition to the cost to abate tall grass and weeds. This additional administrative fee is being recommended to disincentivize people who are not cutting their grass. Currently, the City only charges the property owner its cost to abate the tall grass and weeds, which has not been enough of a deterrent to property owners who are not maintaining their property to code.

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

No action required at this time.

- 15) ORDINANCE O-21-20: FIRST READING.** AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL APPROPRIATION OF MONIES; THEREBY AMENDING ANNUAL APPROPRIATION ORDINANCE NO. O-21-01 OF THE CITY OF SPRINGBORO, OHIO PASSED BY THE CITY COUNCIL ON DECEMBER 17, 2020 FOR THE YEAR 2021; AND DECLARING AN EMERGENCY, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the first reading of an ordinance authorizing supplemental appropriations increasing total appropriations for 2021 by \$230,997.01 due to an Ohio Department of Taxation Error concerning a refund. The purpose of this legislation is to correct an error made by the Ohio Department of Taxation in the amount of \$230,997.01. The State has begun collecting some business income tax on behalf of cities through its business portal. The State refunded the amount last month describing the monies as income tax they collected for Springboro, which was actually incorrectly collected. Subsequently, the City received notice from the State that the City must return the monies within 30 days subject to penalty charges. This money was received by the City and must now be reappropriated in order to send a check back to the State. This error is probably a good reason why the State should not take over municipal income tax collection and leave it to local communities to collect their own income tax.

- 16) ORDINANCE O-21-21: FIRST READING.** AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$4,500,000 SPECIAL OBLIGATION PERFORMING ARTS CENTER BOND ANTICIPATION NOTES, 2021 RENEWAL, BY THE CITY OF SPRINGBORO, OHIO IN ANTICIPATION OF THE ISSUANCE OF BONDS, PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH NOTES, AND DECLARING AN EMERGENCY, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the first reading of an ordinance issuing not to exceed \$4.5M Special Obligation Performing Arts Center Bond Anticipation Notes. The ordinance represents the 2021 Renewal of the note for the debt for the construction of the Performing Arts Center.

Mayor Agenbroad presented the Legislative Items 15 and 16 for questions/comments of Council. No questions/comments.

As discussed at the Work Session, Mayor Agenbroad called for a motion to suspend the rules and waive the second and third readings of Legislative Items 15 and 16, Emergency Ordinances.

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

No discussion.

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

Mayor Agenbroad called for a motion to adopt Ordinance O-21-20.

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

No discussion.

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

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

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

No discussion.

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

- 17) RESOLUTION R-21-15:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ANDRITZ SEPARATION INC. FOR THE MECHANICAL SCREENS REPAIR PROJECT, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes a contract with Andritz Separation Inc. for the mechanical screens repair project at the Waste Water Treatment Plant. This project will consist of repairing a mechanical screen at the Waste Water Treatment Plant to prevent foreign debris from entering the downstream equipment. Being that this is proprietary equipment, Andritz is the only company qualified for the repairs with a bid of \$85,276.00; therefore, no additional bids were received.

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

Mayor Agenbroad called for a motion to adopt Resolution R-21-15.

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

No discussion.

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

- ITEM 7. REPORTS: Mayor's Report** – Springboro Community Theatre presents "Cinderella" August 6-8 and August 13-15 at 7:30 PM at North Park Amphitheater. All performances are FREE and open to the public. Mayor Agenbroad encouraged everyone to look for information regarding meetings and community events on the City's website, various social media sites and newsletters.

In addition, the next City Council Work Session will be held on Thursday, August 19 at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers. A Public Hearing will

be held on Thursday, August 19 at 7:00 pm in Council Chambers in regard to rezoning approximately 103 acres located at 605 North Main Street, commonly known as the Easton Farm, from R-1 (Estate-Type Residential District) to PUD-MU, (Planned Unit Development-Mixed Use.)

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

Summer Concert Series: Mr. Pozzuto thanked Mayor and City Council for all of their support in allowing the City to offer a great concert series this year. Staff works many hours to coordinate and carry out the concert series and this summer more than 21,000 people attended the concerts. Mr. Pozzuto commented that it is a wonderful program for the community, and staff and the Park Board could not carry out this program without Council's support.

Committee Reports –

Mr. Harding – No reports.

Mr. Hanson – No reports.

Mr. Chmiel – Mr. Chmiel commented that he has been serving on the Park Board since 2003 and North Amphitheater did not have the roof sails over the stage at that time and it has been amazing to watch the park develop and the concert program develop from small musical entertainment which drew 50-100 people to bigger bands drawing thousands of people. A few years ago, the concert schedule was changed from Tuesday nights only in July to Tuesday and Friday nights in July and it is rewarding to see the growth of the program and its popularity. Mr. Chmiel extended special thanks to City Staff, the Police Department, the Springboro Wee Panthers Football organization and all of the neighborhood residents adjacent to the park. Mr. Chmiel further commented that he thinks the concert series has been a great program for the community and will continue to be improved upon.

On behalf of the Springboro Wee Panthers Board, the parents and players, Mr. Harding thanked the City for allowing the organization to continue their fundraising efforts at the concerts. They began this endeavor in 2014 and this year was a record year raising more than \$19,000, which is phenomenal and allowed the organization not to ask the parents for money when they replaced helmets this year at \$265.00 per helmet having 265 players. Mr. Harding reiterated that the organization greatly appreciates the opportunity to fundraise at the concerts.

Mr. Brunner – No reports.

Deputy Mayor Ridd – Warren County Municipal League – The WCML general membership meeting will be held on Wednesday, August 18 at the Golden Lamb in Lebanon. The guest speakers will be State Representative Scott Lipps and State Senator Steve Wilson discussing State budget issues. Ms. Martin will distribute this month's invitation to Council and will forward any RSVPs for the meeting.

ITEM 8. OTHER BUSINESS. No Other Business.

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. Mr. Harding announced that this Saturday is Opening Day for Springboro Wee Panthers Football with Boro White and Blue. Typically, 2,000-3,000 people participate in the event at Wade Field, and Mr. Harding encouraged anyone to attend.

ITEM 10. GUEST COMMENTS. Mayor Agenbroad invited any guests that wished to be heard to approach the podium, state their name and address for the record, and make their comments accordingly.

Guest Comments are summarized as follows:

1) Larry Dillin, East Farm Developer – Mr. Dillin updated Council on the project taking place at the Aaron Wright House at 155 W. Central Avenue. They purchased the Aaron Wright Home in November 2019 and have been redeveloping that property to restore it to its prominence. They are in the midst of lovingly restoring the property, which includes exterior repairs, new utilities and paint scheme, which was approved by the Architectural Review Board. They are very proud of the restoration and have located their business there. They have 10 employees on their staff and they are invested not only at the Wright House, but also in the Easton Farm project. On that subject, they are preparing for a Public Hearing regarding the Easton Farm in two weeks and there has been a lot of discussion regarding this development. They have met with various people in the community and received a lot of feedback as has City Council. Mr. Dillin referred to the Levis Commons project, which Council had the opportunity tour in 2017, and described the development as a living, breathing organism. It is a largest enough project that it undergoes constant change and when they put together master plans for projects like that they have to spend a lot of time studying all of the component parts e.g. doing marketing analysis, doing financial analysis, obtaining feedback from the community, etc., and as we learn more we make changes. They have been continuing to study options for what the master plan for the Easton Farm should look like, but they are anxious to start the dialogue at the Public Hearing.

Mr. Hanson thanked Mr. Dillin for working with the Planning Commission and preparing for the Public Hearing. Mr. Hanson commented that he has been canvassing his ward recently and talking to many of his constituents and sees on Facebook that it seems there is opposition to the multi-family units. Mr. Hanson further commented that he is not opposed to multi-family apartments in Springboro. Springboro has apartments in different locations, but he is not sure if the Easton Farm is the right place for them. Mr. Hanson asked Mr. Dillin if there was any way to rework the plan or find a way to eliminate the multi-family units and possibly replace them with some high-end/upscale restaurants because that is the feedback he is receiving from most of the people he talks to. Mr. Hanson explained that people seem to want to stay in Springboro and be able to go out to a nice dinner at a higher-end restaurant even if it is a chain instead of having to drive somewhere else. Mr. Hanson commented that knows retail is already included in the plan, but he suggested maybe expanding that retail and making it more of a place all of us can be proud of, not only for the citizens of Springboro, but also to attract people from outside the community to create more jobs, generate more taxes, and turn it into more of a restaurant district rather than having multi-family there. Mr. Hanson commented that he is not sure what feedback Mr. Dillin is receiving, but from what he is hearing that is what the public seems to really want. Mr. Hanson reiterated his request to Mr. Dillin to tweak the plan by replacing the multi-family units with a promise to bring in some high-end restaurants to the community that we are all vested in.

Mr. Dillin commented that he appreciated Mr. Hanson's feedback, which is why he said they continue to study the plan and possible options. They have spent a lot of time studying how to craft the plan both from a market standpoint and from a financial perspective. The financial perspective includes both the public tax revenue generated from the development and returns to investors. Developing projects like the Easton Farm are part art in that the master vision is more artful and the execution components are more science. They have continued to study that particular issue because they also have seen that kind of feedback. They have some ideas they have been collectively working on with their business partner, Doug Borrer, and they have studying ways that they could modify the plan. It is easy to make a decision to take multi-family out of the plan even though the market studies tell them there is actually a very strong demand for high quality apartments in Springboro; therefore, they have stressed that high quality threshold to make certain that they can contribute to the community not detract from the community. However, they recognize the feedback and are carefully studying that particular question and they have some ideas in that regard. Again, both the vision for the master plan

and the financial analysis are components of the project that would need to be considered not only with respect to the tax revenue stream that would be generated as a benefit to the schools and to the City's tax base, but also the impact that it has as they try to market to restaurants. The density actually makes it easier for them to market to both restaurant and retail kinds of uses, but it does not mean that it is impossible to remove that aspect of plan and they are continuing to listen very carefully and absorbing feedback. Mr. Dillin finally commented that they received a lot of great feedback from Planning Commission, staff and they continue to receive a lot of feedback from the community. It all seems to be coalescing around that particular question; therefore, they have some of that science work to do to try to craft a plan without multi-family that can still hang together.

Mr. Hanson commented that he also thinks that if there is room to move the multi-family out of the plan it would bring the density ratio for the remaining homes closer to what citizens of Springboro are used to. Mr. Hanson further commented that he thinks what is projected in the plan would probably support more of those restaurants and attract those high-end restaurants, which is probably what this community needs more than anything else.

Mr. Dillin reiterated that they are looking closely at that and has a concept he is working on, which would expand the commercial part of the plan.

Mr. Brunner commented that he agrees with Councilman Hanson's comments. Mr. Brunner further commented that he has lived in the area for approximately 22 years. The Falls Apartments are really the higher-end apartments in Springboro. Originally, they were next to the YMCA, but it was worked out under the PUD to move those apartments. Mr. Brunner commented that he thinks it would be a better format for people to grasp what Mr. Dillin is trying to do there by taking away the three-story units at SR741. Mr. Brunner added that he appreciates Mr. Dillin taking the time to look at this issue.

Mr. Dillin commented that they are listening very closely and recognizing how important that is to the community. If they can successfully grind the numbers, which they are working on, and they have a couple of concept plans they have been working with that would dramatically change the density. Mr. Dillin reiterated that he appreciates the feedback.

At this time, Mayor Agenbroad commented that it would be more appropriate to have deliberation concerning this issue at the public hearing in two weeks, but he is hearing the same feedback. Mayor Agenbroad pointed out that Mr. Dillin is a resident of the community now too and he cares about the community as we all do. In that respect, Mayor Agenbroad asked Mr. Dillin if he could sharpen his pencil a little bit and remove the multi-family, help the density and bring some of the upscale restaurants that everyone wants in Springboro.

Mr. McDonald commented that this discussion would be more appropriate at the public hearing; however, this is a public meeting and Mr. Dillin, as a member of the public, may attend the meeting and speak under guest comments. Mr. McDonald reiterated that the discussion regarding the Easton Farm would be best reserved for the upcoming public hearing.

At this time, Ms. Ridd stated that she did not realize there would be any discussion taking place regarding the Easton Farm, but due to her home being located within 300 feet of this subject property she had asked the Law Director if that could potentially be a conflict of interest for her and he indicated that with the zoning issues involving large developments like this simply being located near the property, which the City has determined is that 300 ft. radius, that it probably would be deemed a conflict of interest. Mr. Ridd further stated that the Law Director advised that pursuant to the Ohio Ethics Laws that she would be refraining from voting, discussing, deliberating or using the authority or influence of her public position in actions of City Council regarding this development and as such she will not be commenting or taking part in any votes, and will be recusing herself from all of the discussion going forward.

Mr. Dillin commented that he understood and respected that position.

Mayor Agenbroad thanked Mr. Dillin and Council for their comments.

No other guests came forward.

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, August 5, 2021 Springboro City Council Regular Meeting at approximately 7:45 PM.

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

No discussion.

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

—MEETING ADJOURNED—



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer



Lori A. Martin, Clerk of Council