

**Council of the Village of Yellow Springs
Regular Session Minutes**

In Council Chambers @ 5:30 P.M.

Monday, December 18, 2017

CALL TO ORDER

President of Council Karen Wintrow called the meeting to order at 5:34pm.

ROLL CALL

Present were Wintrow, Vice President Brian Housh, Council members Gerald Simms, Marianne MacQueen and Judith Hempfling.

EXECUTIVE SESSION

At 5:35pm, MacQueen MOVED and Housh SECONDED a MOTION TO ENTER EXECUTIVE SESSION for the Purpose of the Evaluation of a Public Employee. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

The session started with all above noted individuals present. At approximately 6:35pm, Council Clerk Judy Kintner entered the session.

At 7:00pm, Simms MOVED and Housh SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 5-0 ON A VOICE VOTE.

Manager Patti Bates and Assistant Manager Melissa Dodd joined Council at the table following the session.

SWEARING IN OF NEW COMMISSION MEMBERS

Library Commission: Rebecca Eschliman; Dorothy Smith; Leigh Duncan.

ANNOUNCEMENTS

Housh reiterated a call for volunteers for the Active Transportation Committee's planning group.

Housh announced the following upcoming events: January 19th is the re-opening celebration for the John Bryan Center Gallery with the opening from 6-9pm; The Little Art Theater will hold its annual New Year's Eve Celebration starting at 8pm.

Wintrow noted that the New Year's Eve ball drop will occur downtown.

Housh noted that new Council members and Mayor will be sworn in during the New Year's Eve celebration by incumbent Mayor Foubert.

Wintrow noted that the annual Martin Luther King Jr. Day march will start from the Subway parking lot this year, and will end at the Bryan Center.

Dodd announced a water main break currently being addressed in the Meadow Lane/Allen St. area.

Dodd noted that the new water plant is nearing completion, and needs a final EPA approval before going online.

Housh commended Simms and Wintrow for their service and appreciated them.

MacQueen seconded the sentiments, and appreciated Village staff for their service as well.

Wintrow commented upon last week's groundbreaking for Cresco, noting that they were the first in the state of Ohio to break ground.

CONSENT AGENDA

1. Minutes of December 4, 2017 Regular Meeting

Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE the Consent Agenda. The MOTION PASSED 5-0.

REVIEW OF AGENDA

The Clerk asked that Resolution 2017-61 be moved just after Resolution 2017-58.

PETITIONS/COMMUNICATIONS

Housh reviewed communications received as follows:

Donna and Al Denman re: Affirmative Action in Hiring
Judith Hempfling re: Council Orientation
Cyndi Pauwels re: Resignation from JSTF
Ellis Jacobs re: JSTF Data Analysis
Lisa Kreeger re: Outreach Specialist
Brian Housh re: Active Transportation

PUBLIC HEARINGS/LEGISLATION

Second Reading and Public Hearing of Ordinance 2017-42 Amending Utility Dispute Resolution Board Establishment; Authority. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Dodd explained that the UDRB has met recently for the first time in a long while and, at that time, it was recognized that the makeup of the Board needed to be amended to better reflect a strong level of citizen participation.

Dodd noted that there is an existing Board of Tax Appeals (BTA), and the idea in amending the UDRB was to mirror the makeup of the Tax Board so that the same citizens could serve on both Boards. These Boards, Dodd noted, meet very rarely.

Dodd noted that this will mean the board is made up of three members, two of whom are appointed by Council, and a third appointed by the Village Manager. None of the members can be a member of the Finance Department.

Wintrow OPENED THE PUBLIC HEARING.

There being no public comment, Wintrow CLOSE THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 on a roll call vote.

Emergency Reading of Ordinance 2017-43 Approving Fourth Quarter Supplemental Appropriations and Declaring an Emergency. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Dodd highlighted the expenditures, noting that the supplemental covers those expenses which were not originally budgeted for, but for which funds are available.

Dodd explained each of the transfers, noting particularly that power costs were higher than budgeted for, and that the first bill for the water treatment plant did arrive prior to 2018 and will be paid out of the 2017 budget.

Dodd noted that the power cost adjustment will cover the increase, but that she has to deposit those funds and show both outgoing and incoming revenue to the auditor.

Housh MOVED that the line entitled "Human Relations" be changed to read "Council Boards and Commissions". This was agreed upon, and in fact Dodd noted that he had previously asked for this change, and that this was her oversight. Wintrow SECONDED, and the MOTION PASSED 5-0 on a voice vote.

Wintrow OPENED THE PUBLIC HEARING.

There being no public comment, Wintrow CLOSE THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 on a roll call vote.

Emergency Reading of Ordinance 2017-44 Authorizing the Annual Transfer of Funds and Declaring an Emergency. Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Dodd noted that the title was incorrect, and should read "Approving Fourth Quarter Transfers and Declaring an Emergency."

The Clerk acknowledged her error, and will correct this for the signed copies/final version.

Wintrow OPENED THE PUBLIC HEARING.

There being no public comment, Wintrow CLOSE THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 on a roll call vote.

Emergency Reading of Ordinance 2017-45 Authorizing the Annual Transfer of Funds for 2018 and Declaring an Emergency. Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Dodd noted that anywhere in the 2018 budget that Council approved funds be moved are reflected here.

Wintrow OPENED THE PUBLIC HEARING.

There being no public comment, Wintrow CLOSE THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 on a roll call vote.

Emergency Reading of Ordinance 2017-46 Adding the Position of Community Outreach Specialist to the Village Organizational Chart and Declaring an Emergency. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Bates noted that the position description has been worked on with herself, Chief Carlson, Kate Hamilton and the JSTF. Bates noted that the legislation adds the position into the structure of the Village.

Wintrow noted that until a position exists within the Village structure, that position cannot be filled. She commented that the process has made more clear how the position will be funded and how it will function within the department.

Chief Carlson read his summary regarding the position, which, he said, reflects his thoughts on the matter.

It is difficult for officers to maintain pace with the community demand for continual outreach services.

The more time officers are able to spend helping our at-risk populations, including engaging them with area social services, the more positive the impact will be on the community as a whole. This position would be the primary conduit for consistent contact with those at-risk populations, to better ensure that they have the resources they need to be successful. The COS would preferably have some understanding of law enforcement culture, as this will aid in navigating the environment in order to best help the individuals served; however, the main focus will be in community outreach.

Carlson asked that Council consider the position a pilot program which will provide the immediate benefit of more community contact and officer assistance through a single source of direction. Carlson noted that while there has been consideration regarding the position having some type of collaboration with the Mayor's office, he has concluded that concerns about potential conflicts of interest due to the sensitive nature of our cases and the law have changed his position.

Due to the recent departure of a full time officer, the police department has three vacant full time positions. Carlson commented that ideally those positions should be filled with sworn officers, but stated that he feels strongly enough in the need for this position that his request to Council is to fill one of those positions with the Community Outreach Specialist. This will be of great benefit to the community and the department.

Hempfling expressed concern that the ordinance would need to be passed as an emergency. She commented further upon her discomfort with emergency legislation in general.

Hempfling expressed that the job description is good, and stated that she had had a good conversation with the Police Social Worker contact provided by Hamilton.

Hempfling MOVED TO MAKE THE ORDINANCE A NON-EMERGENCY. Housh SECONDED.

Wintrow expressed that the ordinance only adds the position to the Village organizational structure, and does not approve the job description. She further noted that the Chief is unable to advertise the position or start that process until the position is added.

Wintrow commented that having a number of pieces of emergency legislation at the end of the year is very predictable, given that budgets have to be finalized and that year's business concluded. There should not be an implication that this is any attempt to circumvent transparency, she said.

Simms commented that addition of the position does not lock in the position description, and agreed with Wintrow that the position needs to go on the books.

Wintrow CALLED THE VOTE UPON HEMPFLING'S MOTION. The MOTION FAILED, 2-3 with Wintrow, Simms and MacQueen voting against.

MacQueen expressed her support for the measure, and gave appreciation for the re-written job description.

Housh added that the discussion with the Police Social Worker was useful, and noted the importance of the position.

Wintrow commented that a lot of work has gone into making this decision on all fronts. Wintrow noted that all five Council members have agreed upon the existing job position, and asked that there be some guarantee that the Chief can proceed with advertising and hiring for the position as described, rather than facing a potential change with a new Council.

Bates noted that the Chief and she expect the job description to evolve as they go. Those changes cannot be made, she commented, until this person is in the field.

Wintrow commented that it is the initial hire who will determine whether the position will succeed. She offered her vote of confidence in Carlson to follow through and her confidence that the new Council will oversee the situation as appropriate.

The Solicitor commented that a motion could be made to the effect that Council approves of the job description as it currently stands.

MacQueen MOVED to APPROVE the present job description for Outreach Coordinator as a pilot program to allow the Chief to advertise and hire for that position, with the understanding that the job will evolve, and that regular reports to Council will occur. Simms SECONDED.

Housh commented that this is the first time Council has seen this job description in this form.

Lisa Kreeger encouraged Council to drop use of the word "pilot", given that in her experience as an employee in positions with the term "pilot", that this conveys a lack of confidence on the part of the administration. Calling the position a "new position" and expecting that it will change over time conveys more confidence in the position.

Kevin Stokes agreed with Kreeger's comments, and noted that he is accustomed to an evaluation period for any new hire or new position. This approach might work well in this instance, he noted, and a specific evaluation period should be assigned.

David Turner commented that Council is beating the subject to death, and should move forward. The job descriptions are all "basically the same" he stated, and Council needs to move forward, particularly given that the JSTF has agreed to the position.

Housh disagreed, stating that the new description fleshes out specifically what is needed more clearly.

Bates stated that any new village position or hire is on probation for six months.

Wintrow CALLED THE VOTE ON MACQUEEN'S MOTION SANS THE TERM "pilot". The MOTION PASSED 5-0 on a voice vote.

Wintrow OPENED THE PUBLIC HEARING.

Simms stated his concern regarding the loss of a full time position, and urged incoming Council to look at funding the Outreach Coordinator position in the future, citing safety concerns for officers if a full time position is lost.

Chief Carlson stated that this position fills the position which the Village regained when it left the Drug Task Force. Carlson commented that good police officers are social workers, and that the majority of their work is serving those in need, with only a small portion of their duties being criminal activity. Carlson stated that he foresees this position as assisting in balancing the scales. With addition of the two currently unfilled full time positions, Carlson stated, the department will be staffed at a level with which he and the Sergeants are comfortable.

There being no public comment, Wintrow CLOSED THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 4-0 on a roll call vote, with Hempfling abstaining “due to the nature of the emergency legislation only”.

Emergency Reading of Ordinance 2017- 47 Amending the Fee Schedule for Transient Guest Lodging Permits and Declaring an Emergency. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Bates noted that this legislation merely adds the \$25.00 fee to a permit for a transient guest lodging. This is not currently provided in the fee schedule, and will need to be in place for those permits beginning on January first.

In response to a question from Wintrow, Dodd reported that she is attempting to load interactive forms online, but that the server is currently not permitting this. She stated that the forms can be printed off and brought in, however. She stated also that it is unlikely that the Village will put the capability to accept credit cards online for this use. She stated that she will look into this possibility, however.

Wintrow OPENED THE PUBLIC HEARING.

There being no public comment, Wintrow CLOSED THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 on a roll call vote.

Reading of Resolution 2017-54 Approving Use of the ORC Approved Non-Partisan Nominating Petition as the Village Council and Mayor Nominating Petition. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Housh noted that the Village nominating form requires many things not required by the Ohio revised Code. In an effort to make it easier to run for office, Housh said, this form will align with the instructions provided by the Board of Elections, and can be accessed online as well.

There being no public comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.

Reading of Resolution 2017-55 Declaring Support for the Proposed Yellow Springs-Clifton Bicycle Connector. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Alex Bieri, Mayor of Clifton, spoke to the resolution, representing the Village of Clifton. He noted that Clifton passed a resolution in support of the measure in October.

Bieri commented that the connector addresses “quality of life issues”.

Bieri reviewed the history of the connector project, noting that the plan has been attempted on several occasions and has met with a variety of roadblocks.

Bieri stated that the current involvement of the Glen, and access to properties formerly restricted in use as well as available funding and a general momentum make this an ideal time to move the project forward.

Bieri noted that Clifton has promised \$3,000.00 towards a feasibility study, which represents a significant portion of their budget. The study, he commented will set out the technical and engineering guidelines for the project and will make it possible to more clearly envision it and set it in motion.

Bieri noted that Clifton is encompassed by Miami Township which includes Yellow Springs, noting that there is a shared common interest.

Housh commented that the Yellow Springs Community Foundation is seeking projects which include the Township.

Wintrow noted that any monies set aside for the study will not be spent until all funding is in place to complete it. She encouraged outreach to the Greene County Parks system as well.

Housh noted that Clean Ohio has a two year look back.

Wintrow commented that a project lead will need to be determined soon.

Ted Donnell commented that as a former member of the Bicycle Enhancement Committee and of the Northern Gateway Committee, this project, or one similar, has been on the Village books for close to 20 years. He noted that this project was a condition for the Village receiving Bicycle Enhancement

status. He commented that that effort included getting the stoplight put in at the intersection of 343 and Cemetery Street. He expressed his full support for the resolution.

There being no public comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.

Reading of Resolution 2017-56 Adopting a Complete Streets Policy for the Village of Yellow Springs. Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Housh commented that a Complete Streets policy is similar to a “dig once” policy, in that it requires that all users of the street or sidewalk be considered before a project is approved. The policy sets out guidelines, but does not require adherence to any specific set of rules. Housh noted that if the Village passes the legislation, it will be one of only a few municipalities in Ohio to pass such legislation. He noted that this policy is now being discussed at the state level.

Wintrow acknowledged Miami Valley Regional Planning Commission, stating that the Village has been able to use their policy as a template, and noting that they have assisted with educational pieces.

Housh noted a high level of input from citizens for the project, particularly those with differing mobility levels.

MacQueen asked how this policy would affect any upcoming developments, such as Cresco or housing on the Glass Farm, for example.

Wintrow responded that the policy would need to be integrated into the Comprehensive Plan, and would need to be run through Planning Commission to get the onboard. She commented that members of the Commission are already aware of the need to accommodate bicycles. The policy needs to be in the packet of information provided by the Planner to developers.

Bates commented her understanding of how the project needs to work, and noted that she will be working with Planning Commission so that it is integrated into the Comprehensive Plan.

Wintrow commented that there needs to be an interim piece for the Planning Commission to pull together, which explains what the policy means to a developer.

Housh expressed hope that a representative from Planning Commission would be involved with the Active Transportation Committee as it develops the parameters for the policy.

Wintrow noted the need for staff involvement as well, particularly roads, sidewalks and parks.

There being no public comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.

There being no public comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.

Reading of Resolution 2017-57 Approving a Pay Increase for the Village Manager for 2018. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Wintrow expressed appreciation for Bates.

Housh commented upon the great amount of projects getting done over the last years.

Bates acknowledged the outstanding performance of her staff in making those projects come to fruition.

There being no public comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.

Reading of Resolution 2017-58 Approving a Pay Increase for the Council Clerk for 2018. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

There being no public comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.

Reading of Resolution 2017-61 Authorizing the Village Manager to Engage the Law Firm of Walter/Haverfield Jointly with the Regional Income Tax Agency and Other Municipalities for Purpose

of Challenging the Constitutionality of Amendments to Chapter 718 of the Ohio Revised Code Relating to Municipal Income Tax. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Conard explained that House Bill 49 alters the net profit tax by facilitating the centralized filing and administration of the net profit portion of the municipal income tax paid from a business or profession conducted both within and without the boundaries of a municipal corporation. Taxpayers, other than individuals, may now “opt in” and file their net profit municipal income tax returns solely through the State of Ohio Department of Taxation under R.C. 718.80(A).

House Bill 49 also eliminated the “nexus to nowhere” sales provision which established a taxable situs in a municipal corporation if the “property [wa]s shipped from a place within the municipal corporation to purchasers outside the municipal corporation, provided the taxpayer is not, through its own employees, regularly engaged in the solicitation or promotion of sales at the place where delivery is made.”

Several Ohio municipalities have formed a coalition and filed a mandamus action seeking injunctive relief and/or declaratory judgment action in a Court of Common Pleas, against the municipal income tax provisions as set forth in HB 49, as well as the original legislation comprehensively rewriting the municipal income tax statute, HB 5 (enacted in 2014).

The Regional Income Tax Agency (“RITA”) initiated litigation on behalf of its members in the Lorain County Common Pleas Court raising constitutional challenges to HB 49 through the Walter & Haverfield law firm in Cleveland. Before the RITA lawsuit was filed, the Frost Brown law firm initiated a separate lawsuit in the Franklin County Common Pleas Court. The Frost Brown litigation requires municipalities to participate through an initial retainer with accruing fees as the litigation progresses. The RITA initiated litigation is for the benefit of all members of RITA with fees and costs absorbed by RITA members without municipalities having to pay out of pocket. For this reason, joining the RITA litigation is preferred since the fees will be assessed to all members whether they participate as named plaintiffs in the lawsuit without the need to pay any retainers. The RITA litigation can be viewed as a benefit conferred upon its members with economies of scale because of the shared cost structure that comes with RITA membership.

The importance of the Village participating in the litigation is primarily twofold. The first reason is practical. The Village and municipalities are at risk of losing control of their tax revenue because the state both collects the tax and will charge an administrative fee of 5%. The management fee would ordinarily be used to offset the management and administration of the local tax collection and RITA. In addition, many communities are concerned that the effort by the state to gain control over local tax revenue is a first step toward total control of local tax revenue. Municipal attorneys also correctly contend HB 49 poses another effort by the state to encroach and limit the home rule powers of all municipalities.

The resolution authorizes the Manager to sign a letter on behalf of the Village to join the RITA litigation as a named Plaintiff.

Conard noted that the Village may need to pass an ordinance making changes to existing tax policies at their first meeting in January. He is currently determining whether participation in the RITA lawsuit makes the need to pass legislation regarding tax policy unnecessary in that it acts as a stay against any action on the part of the State of Ohio.

Wintrow noted the need for constant vigilance regarding municipal income tax.

Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.

Reading of Resolution 2017-59 Honoring Departing Council Member Gerald Simms. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Each Council member and Bates offered a fond remembrance of Simms and thanked him for his service.

Simms paid tribute to each member of Council, and to staff, including Bates and the Clerk.

In his comments, Simms urged continued attention to the environment, to economic growth, and to providing housing in the Village to encourage affordability.

Johnnie Burns presented Simms with a personalized Village Crew jacket, and told him that he is welcome to assist them in the future as he has done during his years on Council.

Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.

Reading of Resolution 2017-60 Honoring Departing Council President Karen Wintrow. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Wintrow agreed with sentiments expressed by Simms. She noted the plethora of forward moving projects since the installation of Manager Bates.

Wintrow expressed gratitude for having been able to see the Cresco project through to groundbreaking, and promised to continue her work on economic development through her job with the Chamber. She encouraged continuation of a focus upon housing in the Village.

Al Schlueter expressed appreciation for Wintrow's ability to pull the Council into a realm of more civil discourse.

Kevin Stokes spoke in appreciation for both Simms and Wintrow.

Johnnie Burns presented Wintrow with a personalized hard hat as a representation of her role in the groundbreakings that have occurred, and of those yet to come.

Council members and Bates spoke in appreciation of Wintrow, offering memories and gratitude for her mentorship.

Housh spoke 12 words which he stated define Wintrow.

Dodd expressed her thanks to both Simms and Wintrow for bringing her into her job and for supporting and mentoring her in that position.

Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.

CITIZEN CONCERNS

Wintrow introduced a new Station Manager for Channel 5, Spencer Glazer, and thanked Susan Gartner for her hard work on Channel 5.

SPECIAL REPORTS

There were no Special Reports.

NEW BUSINESS

OLD BUSINESS

JSTF re: Citation and Warnings Report. Hempfling introduced the topic, stating that data monitoring is a standard practice in justice work, hence the interest on the part of the JSTF in collecting this particular data set.

Hempfling commented that that Wright State University statistician, Mike Bottemley, was paid for only two hours of work, and has put far more than that in. She commented that John Hempfling has put in many hours as well.

Hempfling noted the clarification report offered by Bottomley, which notes the study as an exploratory study.

Pat Dewees of the JSTF noted the presence of Beth Crandall, whom she described as a "citizen consultant" who is familiar with the area of statistics.

Dewees stated that the JSTF has a consensus that the data work was important to a culture of transparency. It looks at policing activities, at who is cited, and for what, and allows a look at whether community values are aligned with policing values. Dewees commented that the data is "central to the goals of the project."

Dewees noted that the work was done in an effort to learn about what information the PD collects, and what is involved in making a fair analysis and then what is the best way to report the data.

Dewees stated that because the analysis is exploratory, it does not indicate why a situation may have occurred. This indicates perhaps a need for "a next level of analysis" because no conclusion can be drawn.

John Hempfling concurred that causality cannot be determined from an exploratory study. The only way to examine causality would be to set up a study, which would be nearly impossible to do.

John Hempfling stated that the JSTF was interested in comparing the number of persons receiving citations or warnings against the total population of the Village, to determine whether disparities existed during that time period.

MacQueen asked for a more general overview.

John Hempfling stated that the JSTF was attempting to determine whether, of the persons receiving citations, there was a higher number of citations received by any particular demographic.

Jonh Hempfling stated that there was no statistical significance for race, but that “it was for age and gender”.

Regarding warnings given, Hempfling stated that there was no significance based upon race or gender, but there “was an interaction between race age and sex”. Hempfling stated that Black men in two particular age groups received a higher level of warnings.

Beth Crandall summarized that the design of the study was simple, consisting of four measures. Two of the four measures, she stated, show some kind of effect of race. Three-to-four of the measures show an effect of age. It shows that there is a relationship, she stated, but not why there is a relationship. Crandall stated that “community, Council and the police” need to come together for a conversation.

MacQueen asked what the next steps should be.

Crandall commented that the conversation is likely to occur regardless, and that the PD needs to be involved.

Crandall stated that she had been working with John Hempfling since the summer. She wondered whether a next step would be to ask the JSTF what the next steps should be.

Wintrow commented that there has been significant meaningful change in the PD recently. Given the serious intent on the part of Council and the PD to move forward proactively, she asked, why are we spending the human and financial currency on this older data? Should we set 2017 as a new starting point for data collection and move from there, she inquired.

John Hempfling stated that the same questions were raised by Al Schlueter, and pointed out statistics in his report. He stated that his view is that “police departments aren’t known to shift radically over a period of time.” He commented that the JSTF shares some of the same concerns, so that to respond to the concerns fully “it would make sense to do some statistical analysis along at least those dimensions.”

Crandall commented upon looking at past data, noting that it could be important in that “it offers empirical data to support the view of those in the Black community that they have been targeted”.

Deweese stated that she had met with the Dayton Community Council, who noted that their biggest challenge is how to communicate information to Council. Dewees commented that “this concern follows through three police chiefs”

Al Schlueter commented his concern that the data would not be meaningful in the current climate. He stated that he was not happy with the report to Council, and had done his own analysis, looking at the number of tickets written to which groups of citizens by individual officers. He stated that he’d like to continue this work.

David Turner commented that all that the data tells is what is going on. Just the analysis is useful, but should be considered a jumping off point to considering how to change the processes contributing to those issues.

Housh commented that the trend analysis is interesting, but notes that Melissa Dodd could run those numbers on an ongoing basis. Housh agreed with Turner that now that a benchmark has been created, change should be the focus. Housh noted that data should be reported back regularly, but commented that the data is not difficult to compile or analyse.

Judith Hempfling commented that the idea of citizens, Council and the YSPD meeting to discuss the information has value and commented on how important the information is “to particular members of our community”. She asked the JSTF to determine the next steps.

Wintrow commented that she is not surprised by the existence of racial bias, and asked that this be used to move forward. She noted that the report is piles and piles of paper, much of which is rebuttal of data and analysis contained in the report and then rebuttal of the rebuttal.

Wintrow questioned the value of gathering more data around this question, and suggested moving forward collaboratively.

John Hempfling commented that “the many corrections and clarifications” were “just part of the learning process”. He commented that the statistician, “made a number of errors which I corrected.” Hempfling added that he believes the clarifications were helpful.

Judith Hempfling asked staff to look at “where citations are being sent” to make sure Mayor’s Court is used more effectively.

Simms commented that “what some of us have found out regarding these statistics, the Black community has known for years.” There is no need for us to further analyse the data. The statistics may help some, but what is needed is to come together and start talking about how to create the change. We can’t fix the national problem, but we can address our own, starting with acceptance of every community member.

Again, Simms stated, you guys can look at the data, but within the Black community we have been working with our youth to prepare them to be safe in the environment that we know exists. The community should strive to make things better for Black citizens to alleviate the fears and assure that they are treated as equal citizens.

Wintrow noted that next step suggestions will be forthcoming from the JSTF.

Revolving Loan Fund Follow Up. Conard commented that his suggestion is that a Community Investment Corporation (CIC) be established.

Wintrow asked whether another governmental organization could be used.

Conard suggested that the Village establish its own CIC to offer greater flexibility. Staff would be on the board, in likelihood.

Hempfling stated that she likes this as a more transparent option.

MacQueen expressed concern with the concept unless the fund is significantly increased.

Wintrow followed up upon the concern regarding transparency in the private financial information would be made public.

Housh commented that the YS Credit Union could offer that privacy, but that they would need to be a part of the designated CIC.

Wintrow noted that these would be higher risk loans which would not fall under typical loan funding. She asked whether these could be grant or unsecured loans.

Conard commented that he would not be comfortable with this concept.

MacQueen commented that members of the Economic Sustainability Commission (ESC) should be involved in the discussion. There needs to be more communication between the ESC and Conard.

Follow Up on Designated Smoking Areas/Signage. Bates went over the five properties with designated smoking areas, providing graphics. She noted no smoking area at the Train Station given limited space in that area.

Bates provided information regarding a door hanger as well as the signage to be provided in the smoking areas.

Housh objected to the location suggested for the Bryan Center, suggesting that it be located behind the building as less visible.

MANAGER’S REPORT

Bates reported on the following:

Plans have been submitted to Greene County for approval of the new crew quarters. The Village will break ground as soon as permits are issued.

There is a new process in place for all Village events. Anyone wishing to have an event, either on Village property or that requires road closure or other assistance from the Village, the process needs to start the process with Samantha Stewart in the Youth Center. Sam will assist with the application, discuss fees (if any) and insurance requirements, and then route the application to appropriate departments.

Earlier this year, the State Legislature passed a bill governing small cellular towers/antennae in the right-of-way. This legislation places many restrictions on the local government as far as how municipalities can oversee the positioning of these towers and antennae. Staff will meet about this on Monday, December 18th and will continue to keep you informed.

Wintrow pointed out an excellent report provided by Denise Swinger.

ASSISTANT VILLAGE MANAGER/FINANCE DIRECTOR REPORT

There was no report.

CHIEF’S REPORT

The Chief announced that the department has hired Shane Reed as a part time dispatcher. The department has interviewed nine candidates for the open officer positions.

CLERK’S REPORT

The Clerk reported a high number of public records requests. She wished Council persons Simms and Wintrow well in future endeavors.

BOARD AND COMMISSION REPORTS

Simms noted Swinger’s report as summing up the recent activities on Planning Commission handily. He clarified that what had been approved on Xenia Avenue for the YS Brewery is a special events center, and pointed out provided drawings.

Housh reiterated the upcoming re-opening of the John Bryan Center Gallery on January 19th from 6-9pm.

Housh noted that the ACC had judged the downtown decorating contest, with House of Ravenwood, Glen Garden Gifts and the Mills Park Hotel receiving honors.

Hempfling stated that the Library Commission will be going to quarterly meetings. They introduced new members and reviewed some housekeeping items.

Hempfling noted that Wendi Van Buren presented at the last Energy Board meeting and that Hempfling would like to bring a tree planting goal to Council as a means to reduce heating and cooling power usage.

Hempfling noted two open seats on the JSTF and one on Planning Commission and asked that these wait until after a new Council is seated.

MacQueen noted a 30 year celebration for the Mediation program.

MacQueen noted meeting with the School Board liaison and having an interesting discussion regarding the differences between the School Board and Council.

MacQueen noted that HRC cancelled its December meeting, and that she did not attend the Environmental Commission meeting.

Wintrow noted that the Director of Greene County Regional Planning will be retiring soon, and noted his positive effect upon the commission.

Regarding Miami Valley Regional Planning Commission, Wintrow noted updates slated for the Route 35 corridor project. Wintrow noted her own and retirement of another member who are one of the few democrats on that commission.

In Chamber news, Wintrow noted exiting and entering board members and noted the annual meeting on February 14th, and an annual retreat set for January 12th.

AGENDA PLANNING

- Jan. 2: Swearing-In of New Council and Mayor
JSTF Taser Policy Presentation
Retreat Agenda
- Jan. 16: Bowen Presentation re: Housing Needs Assessment
Voluntary Tax Collection Discussion

ADJOURNMENT

At 10:33pm, Hempfling MOVED and Housh SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A VOICE VOTE.

Please note: These notes are not verbatim. A DVD copy of the meeting is available for viewing in the Clerk of Council’s office between 9am and 3pm Monday through Friday or any time via youtube link from the Village website: www.yso.com

Karen Wintrow, President

Attest: Judy Kintner, Clerk of Council