

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

In Council Chambers @ 7:00 P.M.

Monday, March 19, 2018

SWEARING IN OF DEPUTY CLERK OF COUNCIL

Patti Bates was sworn in as Deputy Clerk of Council, and served as such for the meeting in the absence of the Clerk.

CALL TO ORDER

President of Council Brian Housh called the meeting to order at 7:01pm.

ROLL CALL

Present were Housh, Vice President Marianne MacQueen and Council members Judith Hempfling and Lisa Kreeger. Also present were Village Manager Patti Bates, Assistant Village Manager Melissa Dodd, Village Solicitor Chris Conard, and Chief of Police Brian Carlson. Councilperson Kevin Stokes was out of town.

SWEARING IN

Peace Officer Richard Neel was ceremonially sworn in by Mayor Conine.

The following board and commission members were sworn in:

Human Relations Commission: Tim Baum

Justice System Task Force: John Booth

Economic Sustainability Commission: Gerald Simms

Arts and Culture Commission: Kathy Moulton

ANNOUNCEMENTS

Bates announced that the brown water event anticipated for March 20th will occur at a later date, due to the need to reschedule the valve exercise process.

Housh announced April 7th as Opening Day for Trails, with a variety of events.

Housh announced June 27th (7-8:30pm, Bryan Center Rooms A&B) as the Community Forum for the Active Transportation Plan for the Village.

Bates stated that Melissa Dodd is departing to be City Manager for the City of Bellbrook. Hempfling expressed her regret at losing such an excellent team member.

Council members expressed their appreciation for Dodd's outstanding work.

MINUTES

Minutes of March 5, 2018 Regular Meeting were reviewed.

MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE the Minutes as amended. The MOTION PASSED 4-0 on a voice vote.

REVIEW OF AGENDA

The Environmental Commission Annual Report was moved to later in the agenda. Nomination of Dietrich as a continuing member of the EC was added.

Kreeger added Utility Affordability to Old Business.

The Arts and Culture Commission budget request was added to New Business.

Hempfling added a JSTF request to New Business.

PETITIONS/COMMUNICATIONS

MacQueen reviewed communications received as follows:

Ellis Jacobs re: Utility Rates + Handout

Ellen Hoover re: Council Goals and Sidewalks

Judith Hempfling re: Implicit Bias Training

Doris Hubschman Re: Thank You Johnnie Burns

Karen Wintrow re: Chamber Annual Report

Mark Heise re: Support of Street Fair

Hope Taft re: Groundwater Awareness Week

Connie Crockett re: Noisy Speedway Gas Pumps
Greene Co. Public Health re: Suicide Awareness Funding; Annual 5K Run;
Groundwater Awareness Week
Chamber of Commerce re: Shred-it Truck Services
Marianne MacQueen re: Housing Community Conversations Flier
Lisa Kreeger re: Utility Round Up/Affordability Report

PUBLIC HEARINGS/LEGISLATION

Reading of Resolution 2018-04 Approving Council 2018 Goals. Hempfling MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Housh explained the goals process in brief, noting that goals are always a work in progress.

There being no comment from those present, Housh CALLED THE VOTE. The MOTION PASSED 4-0 on a voice vote.

Reading of Resolution 2018-05 Approving a Taser Policy for the Yellow Springs Police Department. Hempfling MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Sergeant Knapp noted that the Police Department had worked closely with the Justice System Task Force to create a policy that would address local and national concerns with regard to police use of force. Knapp stated that the policy should work effectively to keep both citizens and officers safe.

Housh expressed appreciation for the level of collaboration and engagement among Village team members and citizens.

Hempfling noted some of the concerns that were worked through in the process and that citizens and officers collaborated on. She noted use of Lexipol as a guiding standard for the conversation, to which changes were then made to adapt the policy to best serve the Village as a whole.

There being no further comment from those present, Housh CALLED THE VOTE. The MOTION PASSED 4-0 on a voice vote.

First Reading of Ordinance 2018-06 Adding New Section 1040.12 to Article Four: Public Utilities Establishing a Continuity of Service Clause for Village Utilities. Hempfling MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Dodd explained the legislation as a "housekeeping" measure she had wanted to enact prior to her departure from the Village. The legislation simply allows for interruption of utility services due to acts of nature or other unpreventable occurrences.

There were no comments from those present.

Housh declined to call a vote on the measure until the second reading.

CITIZEN CONCERNS

There were no Citizen Concerns.

SPECIAL REPORTS

Economic Sustainability Commission Annual Report. Saul Greenburg summarized the yearly report, noting that there are now two former Council members on the Commission, which has helped to reinvigorate the ESC. Greenburg noted energy going towards the Revolving Loan Fund, which is in the process of being re-established, and noted that this is driving energy towards consideration of a possible Designated Community Investment Corporation.

Greenburg noted the following overarching goals for 2018:

- Submit a Village Incentive Policy to Council
- Explore the capacity of the ESC to advise and assist Council on the formation of a Designated Community Improvement Corporation for the Village of Yellow Springs
- Engage with localization efforts providing support as able
- Identify an business attraction and marketing strategy for the CBE as directed by Council

Hempfling noted diversity hiring practices, and wondered if other institutions could be encouraged to engage in these practices.

MacQueen asked that the proposed Village Incentive Policy be considered more broadly.

Kreeger noted that the ESC has been working on an Incentive Policy for some time, but noted that this policy is to encourage investment in for-and non-profit entities. She noted focus upon the

merits of the applying entities as a way to encourage diversity practices. She noted as a question who will be making the decisions with regard to funding incentive requests.

Housh noted that the Incentive Policy is designed to ensure consistent and transparent decision making and will appear on a subsequent Council agenda.

Arts and Culture Commission Annual Report. Brittany Baum gave the report, noting key achievements for 2017.

Goals for 2018 were noted as:

1. Administer the VIDA Award
 - a. Promote visibility of the African-American experience in Yellow Springs through exhibits and experiences of the arts
 - b. Gaunt Statue project
 - c. Ongoing communication through liaisons with The 365 Project
2. Facilitate the ongoing success of the John Bryan Community Gallery through collaboration with the Yellow Springs Arts Council
 - a. Hidden Figures acquisition
3. Revisit/Update the Mission Statement and Vision Statement of the ACC to postulate advocacy across a spectrum of art activities and experiences
 - a. Review the Commission's understanding of Public Art
 - b. Review our overall meaning of "Arts and Culture"
 - c. Promote a bridge to the arts for Village team and community members

Baum presented the ACC's 2018 Budget request.

Environmental Commission Annual Report. (This report was presented later in the meeting due to the late arrival of the presenter.) Tom Dietrich reviewed the EC's 2017 activities, noting that the group began to gain traction on its activities.

Dietrich noted work on the Glass Farm Conservation area, with removal of invasives and planting of prairie.

Dietrich noted progress on the Climate Action Plan in 2017.

Reduction of waste and increase in recycling were a focus for 2017.

Dietrich noted completion of the Source Water Protection Plan, which updates the plan created in 2001. This has an educational component, and development of those materials is another project.

Pesticide reduction, with needed education and resources, was promoted in 2017.

OLD BUSINESS

Housing Initiative Update. MacQueen noted two areas of focus currently, one on the upcoming Community Conversations and the other discussion around mixed income housing. MacQueen stated that the group is collecting relevant information and strategies through this process.

Hempfling asked about the specific focus on the Glass Farm.

MacQueen stated that the issue of how and when to reach out to potential developers should remain in the purview of the Housing Advisory Group at this point. MacQueen responded to a question from Housh, noting the Housing goals stated in the Council Goals document. MacQueen noted that the Advisory Group is in the initial planning stages, and that reports out to Council would occur as those plans become more fleshed out.

Housh noted that Council is aware of other opportunities for housing, and has noted them in its goals document.

MacQueen stated that she is hesitant to become involved in discussion of private property options at this time.

Fees for Event Services Discussion. Bates noted that this is a subject that has come up in the past, and that a Council member had asked to revisit the subject.

MacQueen reviewed the list provided by Bates related to the cost of events. She asked about the staff recommendation of \$25/hour per person per hour per event suggested to be charged, with the first \$200 forgiven. This amount represents people-hours only, and does not include materials.

Bates noted that there was not a clear consensus with regard to charging for police time, so that time was not included in the totals listed for the various events.

Kreeger asked for information as to the process used in other communities.

Bates stated that the breakdown is about 50/50 in other communities with regard to charging.

Bates noted that the primary charges are for Electric and Streets personnel, and relate to set-up charges.

Housh spoke to why municipalities support events that promote the community ó supporting local businesses and nonprofits, attracting new community members, etc. ó as reasons not to charge.

MacQueen commented that the Village supports any number of functions, which exist to support the community. Her purpose, she stated, was to create transparency as to what is funded and why.

Karen Wintrow, representing the Yellow Springs Chamber of Commerce, commented that one of the Chamber's primary goals is to promote the Yellow Springs experience. She noted that what Street Fair does for local businesses in terms of exposure and revenue is highly significant, and then noted that the Chamber supports all activities that promote the Village.

Wintrow noted Chamber investment of over \$75,000.00 yearly for Street Fair for promotion, trash pickup, transportation, safety personnel, etc.

Wintrow noted that the local non-profits earn over \$20,000.00 a year during the Street Fairs. She noted a number of festivals locally that are supported either in part or in full by the municipality for reasons of economic development.

Gery Deer, newly elected member of the YS Chamber Board, spoke to what can occur when a municipality stops supporting local events, citing several examples and noting deterioration of the municipality when this occurs. Deer noted the high level of engagement with Street Fair, commenting that it helps to keep the Village visible and vibrant.

Bates noted that police cost is significant for the Street Fair event, but less so for other events.

Kreeger asked what incentives are being offered in exchange for the staff time and cost. She stated that she is not entirely comfortable in making a decision based upon the information provided, emphasizing that she is compelled by the community development benefits associated with municipalities supporting events.

Council members determined that they were not currently prepared to accept the staff recommendations.

Council asked that the discussion return at the second meeting in April.

Kreeger asked whether Council would like input from the ESC on the topic, and this was met with favor.

Utility Affordability Update. Kreeger thanked Dodd and Bates for their input on the topic. She noted that the effort is to understand the impact of the impact on households of various sizes in the Village.

Kreeger stressed that she is attempting to understand the upcoming needs of the Village with regard to infrastructure so that she can clearly understand what kind of funds need to be available for those needs as she moves forward in the process of determining what reserves are needed as well as what might potentially be able to be adjusted with regard to utility charges.

Bates noted the need for a third circuit, for new utility poles, for reclosures as a nod to some of the upcoming needs with regard to the Electric utility.

NEW BUSINESS

Budget Discussion. Housh noted that only the ACC and HRC to date have requested budgets.

Hempfling MOVED TO APPROVE the ACC's request for a budget of \$5,000.00. MacQueen SECONDED, and the MOTION PASSED 4-0 on a voice vote.

JSTF Request. Hempfling noted the request as one from the JSTF asking for citizen response to the question as to whether all citations that can be mandated to Mayor's Court should be, or whether officer discretion should be permitted as is currently the case. The ad will appear for the next three weeks.

Hempfling noted that often a discussion occurs at Council table prior to input from citizens, and that this is a way to try to front-end the discussion.

Housh asked how critical feedback would be provided, highlighting that there is no counter position presented to the proposal that all cases that can be cited to Mayorø Court be treated as such and recognizing that if there is not a valid reason to do otherwise, this policy should be implemented.

Bates commented that information as to what cases can and cannot be cited into Mayorø Court should be provided.

Housh asked that this information be provided in the packet for the continuation of the discussion.

Kreeger expressed support for putting the matter into the paper and asking openly for feedback.

Kreeger asked whether feedback could be made anonymous.

Hempfling stated that perhaps that could be enacted in future endeavors, and she also indicated that this option will possibly be provided to police officers for this particular question.

MANAGER’S REPORT

Bates reported on the following:
Village crew member Tanner Bussey received his Class II Sewer Collection license, and crew member Dale Fisher received his Class I Sewer Collection license.

All summer openings at the Gaunt Park Pool have been posted. Closing date for applying for any position is Friday, March 23rd.

Kreeger commented on the importance of the community swimming pool, referencing a book called öDreamlandö.

Hempfling asked for further information regarding the lack of response to HB 49 on the part of Ohio Municipal League.

Bates stated that response would be forthcoming.

ASSISTANT VILLAGE MANAGER/FINANCE DIRECTOR REPORT

Dodd announced receipt of a check from the USACE in the amount of \$266,895.32. This is to reimburse the Village for the cost of the utility extension at the CBE property. The Village paid \$259,281.53 for the construction in 2017/2018.

Dodd announced that her last official day with the Village will be April 6. In preparing for her departure, she has been working with the Clerk to get on the agenda any last minute legislation in order to finalize any pending items. Dodd noted that she has also been working closely with staff and various Council members to ensure a smooth transition.

CHIEF’S REPORT

Sergeant Knapp addressed questions regarding offenses cited.

SOLICITOR’S REPORT

There was no Solicitorø Report.

CLERK’S REPORT

There was no verbal Clerk Report.

BOARD AND COMMISSION REPORTS

MacQueen acknowledged a non-pesticide workshop held recently. She noted three upcoming recommendations from the Environmental Commission, those being the Climate Action Plan, a recommendation to provide oversight for the Glass Farm Conservation Area, and the Source Water Protection Plan.

MacQueen NOMINATED Tom Dietrich as a continuing full member of the EC. Kreeger SECONDED, and the MOTION PASSED 4-0 on a voice vote.

Hempfling asked for information regarding the relationship between John Bryan Community Pottery and the public with regard to outreach and programming.

Housh suggested that the ACC reach out to this entity to facilitate more consistent interactions, which have happened in the past.

Hempfling noted that the JSTF has a new working group related to surveillance, and is seeking interested volunteers.

Hempfling noted a JSTF working group addressing disparate impacts of the justice system upon the poor.

Hempfling commented upon a recommendation from the police working group, which involves sponsoring training for officers from other communities.

Hempfling NOMINATED Beth Crandall as a full member of the JSTF. Kreeger SECONDED, and the MOTION PASSED 4-0 on a voice vote.

Housh commented upon his activities in the Greene County Regional Planning Commission, noting that there is a focus upon not planting invasive species and on implementation of trails with the increasing number of housing developments in the region.

Housh noted that he had complimented MVRPC upon the Complete Streets Workshop it provided for Yellow Springs. Housh noted that he is now on the Executive Committee for the MVRPC.

AGENDA PLANNING

- April 2:

Resolution 2018-06 Authorizing the Village Manager to Renew Health Insurance for Village Employees 2018-2019 Plan Year

Resolution 2018-07 Authorizing the Village Manager to Renew Dental Insurance for Village Employees 2018-2019 Plan Year

Resolution 2018-08 re: Climate Action

Resolution 2018-10 re: Glass Farm Conservation Management Committee

First Reading of Ordinance 2018-XX Adding Mobile Vending Food Trucks to B-2 General Business District

First Reading of Ordinance 2018-XX Adding Mobile Vending Food Trucks to B-2 General Business District

First Reading of Ordinance 2018-XX Adding Mobile Vending Food Trucks to B-2 General Business District

Second Reading and Public Hearing of Ordinance 2018-06 Adding New Section 1040.12 to Article Four: Public Utilities Establishing a Continuity of Service Clause for Village Utilities

Emergency Reading of Ordinance 2018-07 Approving First Quarter Supplemental Appropriations and Declaring an Emergency

Emergency Reading of Ordinance 2018-08 Approving First Quarter Transfers and Declaring an Emergency

First Reading of Ordinance 2018-09 Amending Pool Rates

Planning Commission Annual Report

Tobacco 21
- April 16:

Second Reading of Ordinance 2018-09 Amending Pool Rates

Second Reading and Public Hearing of Ordinance 2018- XX Adding Mobile Vending Food Trucks to B-2 General Business District

Second Reading and Public Hearing of Ordinance 2018-XX Adding Mobile Vending Food Trucks to B-2 General Business District

Second Reading and Public Hearing of Ordinance 2018-XX Adding Mobile Vending Food Trucks to B-2 General Business District

Ordinance 2018-XX Amending the Employee Personnel Manual to Add One Holiday to the Recognized Holiday Calendar

Resolution 2018-09 re: Sourcewater Protection

Designated Community Investment Corporation Discussion

Proposal re: JSTF

Utility Affordability Discussion

Village Incentive Policy
- May 7:

Second Reading of Ordinance 2018-XX Amending the Employee Personnel Manual to Add One Holiday to the Recognized Holiday Calendar

Community Conversations Feedback

EXECUTIVE SESSION

At 9:23pm, Kreeger MOVED to Enter Executive Session for the Purpose of the Discussion of Potential Litigation. Hempfling SECONDED, and the MOTION PASSED 4-0 ON A ROLL CALL VOTE.

At 9:47pm, Kreeger MOVED and Housh SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 4-0 on a voice vote.

ADJOURNMENT

At 9:47pm, Kreeger MOVED and MacQueen SECONDED a MOTION TO ADJOURN. The MOTION PASSED 4-0 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:

Brian Housh, Council President

Attest: Judy Kintner, Clerk of Council