

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

In Council Chambers @ 6:30 P.M.

Monday, November 16, 2015

CALL TO ORDER

President of Council Karen Wintrow called the meeting to order at 6:30 p.m.

ROLL CALL

Present were Wintrow, Vice President Lori Askeland, Gerald Simms, Brian Housh and Marianne MacQueen. Village Manager Patti Bates was present, as were Chief David Hale and Village Solicitor Chris Conard. Assistant Village Manager Melissa Vanzant was absent due to illness.

ANNOUNCEMENTS

Housh announced the presentation of the Fall VIDA award to take place on November 21st at 4 p.m. at Aleta's Café in recipient Alan MacBeth's building.

Housh wished Village Manager Bates well for her 60-mile Susan G. Komen Walk.

Simms announced that Young People of Color will hold a discussion with Chief Hale on policing on November 19th at the First Baptist Church.

Bates announced that names are being collected for annual flour and sugar delivery.

Wintrow announced "Yellow Friday" (November 27th) and Small Business Saturday.

Wintrow announced a Project-Based Learning Food Expo at YSHS on Friday, November 20th.

Wintrow announced the "Art and Soul" art fair at Mills Lawn School on November 21st.

CONSENT AGENDA

1. Minutes of October 19, 2015 Work Session
2. Minutes of November 2, 2015 Regular Meeting

MacQueen MOVED and Housh SECONDED a MOTION TO APPROVE THE CONSENT AGENDA ITEMS. The MOTION PASSED 3-0 ON A ROLL CALL VOTE. Askeland and Simms ABSTAINED due to absence from one each of those meetings,

AGENDA REVIEW

Resolution 2015-51 was moved to the front of legislation.

PETITIONS AND COMMUNICATIONS

Askeland reviewed petitions and communications.

Erin Burke re: ACE Task Force Discussion
Kirsten Skaggs re: ACE Task Force Discussion
Yolanda Simpson re: ACE Task Force Discussion
Judith Hempfling re: ACE Task Force Discussion
Carter Collins re: ACE Task Force Discussion
RJ Hawley re: ACE Task Force Discussion
Al Schlueter re: ACE Task Force Discussion
Marianne MacQueen re: ACE Task Force Discussion
Isaac DeLamatre re: ACE Task Force Discussion
Patti Bates re: Greene Co. Jail and Drug Treatment
Patti Bates re: Radio Frequency Safety
Greene Co. Development re: CDBG Projects

On Line Only:

Les Groby re: Important Links on Civil Forfeiture
Susan Gartner re: Station Manager's Report
Township Trustees re: Tire Amnesty
Mayor's Monthly Report
Karen Wintrow re: MVRPC

PUBLIC HEARINGS/LEGISLATION

Reading of Resolution 2015-51 Appreciating Mark Roosevelt's Contributions to the Furtherance of Antioch College. Simms MOVED and Housh SECONDED a MOTION to APPROVE.

President Roosevelt spoke, noting the generosity of the community in coming together for Antioch College.

Roosevelt stated that integration with the Village is essential to the success of the College.

Roosevelt asked the Village to continue to work with the College, mentioning several possibilities for collaboration.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 on a VOICE VOTE.

Second Reading and Public Hearing of Ordinance 2015-19 Adopting Chapter 881 of the Codified Ordinances of the Village of Yellow Springs Regarding Municipal Income Tax Effective January 1, 2016. Simms MOVED and Askeland SECONDED a MOTION TO APPROVE.

Wintrow noted that the language in the attachment was suggested by the Regional Income Tax Authority (RITA) and is required in order to remain compliant with State law.

Conard stated that the legislation follows the model provided by the RITA after careful review and input from Village staff.

Wintrow OPENED THE PUBLIC HEARING. There being no comment, Wintrow CLOSED THE PUBLIC HEARING.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Second Reading and Public Hearing of Ordinance 2015-20: Repealing Chapter 288 Public Art Commission of the Yellow Springs Codified Ordinances and Adopting New Chapter 288 Arts and Culture Commission of the Yellow Springs Codified Ordinances. Simms MOVED and HOUSH SECONDED a MOTION TO APPROVE.

Wintrow noted that the purpose behind standardizing the Board and Commission language is an attempt to simplify all process towards a common best practice.

Wintrow OPENED THE PUBLIC HEARING. There being no comment, Wintrow CLOSED THE PUBLIC HEARING.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Second Reading and Public Hearing of Ordinance 2015-21 Repealing Chapter 280 Community Access Panel of the Yellow Springs Codified Ordinances and Adopting New Chapter 280 Community Access Panel of the Yellow Springs Codified Ordinances. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Wintrow OPENED THE PUBLIC HEARING. There being no comment, Wintrow CLOSED THE PUBLIC HEARING.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Second Reading and Public Hearing of Ordinance 2015-22 Repealing Chapter 284 Economic Sustainability Commission of the Yellow Springs Codified Ordinances and Adopting New Chapter 284 Economic Sustainability Commission of the Yellow Springs Codified Ordinances. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Wintrow OPENED THE PUBLIC HEARING. There being no comment, Wintrow CLOSED THE PUBLIC HEARING.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Second Reading and Public Hearing of Ordinance 2015-23 Repealing Chapter 286 Energy Board of the Yellow Springs Codified Ordinances and Adopting New Chapter 286 Energy Board of the Yellow Springs Codified Ordinances. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Wintrow OPENED THE PUBLIC HEARING. There being no comment, Wintrow CLOSED THE PUBLIC HEARING.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Second Reading and Public Hearing of Ordinance 2015-24 Repealing Chapter 278 Library Commission of the Yellow Springs Codified Ordinances and Adopting New Chapter 278 Library Commission of the Yellow Springs Codified Ordinances. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Wintrow OPENED THE PUBLIC HEARING. There being no comment, Wintrow CLOSED THE PUBLIC HEARING.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Second Reading and Public Hearing of Ordinance 2015-25 Repealing Chapter 276 Human Relations Commission of the Yellow Springs Codified Ordinances and Adopting New Chapter 276 Human Relations Commission of the Yellow Springs Codified Ordinances. Simms MOVED and Askeland SECONDED a MOTION TO APPROVE.

Wintrow OPENED THE PUBLIC HEARING. There being no comment, Wintrow CLOSED THE PUBLIC HEARING.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Second Reading and Public Hearing of Ordinance 2015-26 Repealing Chapter 274 Environmental Commission of the Yellow Springs Codified Ordinances and Adopting New Chapter 274 Environmental Commission of the Yellow Springs Codified Ordinances. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Wintrow OPENED THE PUBLIC HEARING. There being no comment, Wintrow CLOSED THE PUBLIC HEARING.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2015-27 Approving the 2016 Budget for the Village of Yellow Springs and Declaring an Emergency. MacQueen MOVED and Simms SECONDED a MOTION TO APPROVE.

Wintrow noted that there will be two readings of the ordinance.

Bates explained that the budget presented contains all changes requested by Council.

Wintrow asked that the explanatory documents be included for the second reading.

Council noted the benefit of passing a budget prior to the seating of new Council members, given the sitting Council's investment in the budget.

Askeland noted the flexible nature of the ordinance, which can be adapted as needed.

Wintrow asked for questions or comments from those present. There being no comment, Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2015-28 Repealing Old Section 1282.05 Nonconforming Lots Of Record Of Chapter 1282 Nonconforming Uses, Buildings And Lots Of Title Four Zoning Of Part Twelve Planning And Zoning Of The Codified Ordinances Of The Village Of Yellow Springs, Ohio And Enacting New Section 1282.05 Nonconforming Lots Of Record. Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Bates noted that the existing section on non-conforming lots in the zoning code contains a restriction in the form of interior lot lines. The change suggested allows a property owner to combine contiguous lots for the purpose of building accessory structures, thus allowing for more flexibility.

Wintrow asked for questions or comments from those present. There being no comment, Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2015-29 Repealing Old Section 1260.04 Uses Of Chapter 1260 General Provisions Of Title Four Zoning Of Part Twelve Planning And Zoning Of The Codified Ordinances Of The Village Of Yellow Springs, Ohio And Enacting New Section 1260.04 Uses. Simms MOVED and Askeland SECONDED a MOTION TO APPROVE.

Bates explained the ordinance as addressing the permissible square footage of an accessory structure on a lot by simplifying the calculation regarding setback and eliminating the 750-foot maximum square footage of an accessory structure, which square footage will now defer to a percentage of the square footage of the principle structure.

Wintrow asked for questions or comments from those present. There being no comment, Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2015-30 Repealing Old Section 1266.05 Permitted Signs Of Chapter 1266 Signs Of Title Four Zoning Of Part Twelve Planning And Zoning Of The Codified Ordinances Of The Village Of Yellow Springs, Ohio And Enacting New Section 1266.05 Permitted Signs. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Bates explained that the changes are purely for clarification purposes, and there is no material change to the text.

Wintrow asked whether the Type "D" sign regulations would be applicable to commercial development signs as well as subdivision signs, and asked Bates to make the change to include commercial development in the applicable areas for sign regulation.

MacQueen noted that there is no stated setback for residential signs in the ordinance as it now stands.

Wintrow asked Bates to look into the matter of sign setbacks.

Wintrow asked for questions or comments from those present. There being no comment, Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2015-31 Repealing Old Section 1262.08 Specific Requirements Of Chapter 1262 Conditional Use Requirements Of Title Four Zoning Of Part Twelve Planning And Zoning Of The Codified Ordinances Of The Village Of Yellow Springs, Ohio And Enacting New Section 1262.08 Specific Requirements. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Bates explained the measure as correcting an oversight to permit conditional uses in R-C.

MacQueen asked whether the approval of ordinance 2015-29 would mean that the section on the accessory dwelling unit size would need to be changed in ordinance 2015-31. If this is not the case, MacQueen stated that she would like to know why a dwelling unit should be differentiated from an accessory structure for size regulation.

Wintrow asked staff to explain the rationale or present the change at the next meeting.

Council members agreed as a body to waive voting on the ordinance as presented and to vote only on the second reading once they have the necessary information.

Resolution 2015-49 Official Question and Issue Ballot-General Election-March 15, 2016 Proposed Tax Levy (Renewal). Simms MOVED and Askeland SECONDED a MOTION TO APPROVE.

Wintrow noted that this would be the third renewal of the levy, and the resolution lays out the ballot language.

Wintrow asked for questions or comments from those present. There being no comment, Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Resolution 2015-50 Approving a Policing Vision Statement for the Village of Yellow Springs. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

MacQueen spoke to the policing forums as impetus for developing the policing policy.

Housh noted this as representative of how Council intends to approach such issues in a thorough manner with input from citizens and staff.

Wintrow asked for questions or comments from those present. There being no comment, Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

CITIZEN CONCERNS

Jasmine McCoy spoke passionately to the prevalence of heroin in the community, and how readily available it is on the street here. She spoke to how much she and her family have lost due to her heroin addiction, which she stated began two years ago with the death of her father.

McCoy pleaded with Council to continue involvement with the Task Force, stating that only involvement with law enforcement has assisted her in accessing rehabilitation.

Wintrow carried McCoy's concerns into Old Business to continue the topic.

OLD BUSINESS

Council Discussion of ACE Task Force Regarding Continued Presence on the Task Force. Wintrow noted that she had invited Franklin Halley, Medical Director of TCN, to present to Council during the

discussion, given the many references to the necessity for treatment provision raised at the ACE Task Force Forum.

Simms stated that he has learned about the availability of drugs in the Village from his grandson. He noted that one of the reasons that he has helped to establish Young People of Color is to address some of these issues. Simms stated that what he sees missing from the Black Lives Matter agenda is concern and attention to what he termed Black-on-Black violence in the form of drug trafficking and violence among Black youth. Simms asked that Council not send a message of approval by disengaging from the Task Force.

MacQueen commented that the Task Force is not working since there is still a drug problem. She stated that the solution must come from the community.

Housh stated that he is still listening, and will not be pressured into a decision.

Franklin Halley spoke to the issue of treatment availability in the Greene County area provided by TCN. Halley stated that TCN serves a walk-in population, and that it provides a thorough treatment model. Halley affirmed that there is as much of an opiate addiction issue in Yellow Springs as there is in any other area of the Miami Valley, which sees a high level of addiction currently.

Halley commented that opiate addiction is difficult to treat and may take several attempts and methods before being successful if it is indeed successful. Halley commented upon the high mortality rate among opiate users. He commented that educational outreach could be improved, and noted TCN's extensive involvement with law enforcement and prisons in offering treatment options.

Halley stated that the leverage of a legal tool helps addicts remain in recovery, stating that any tool available to help an addict remain in treatment should be used.

Wintrow asked whether adding treatment beds in prisons would be helpful.

Halley commented that TCN can provide good treatment options within the jail system, noting that Greene County has excellent options in comparison to surrounding counties.

Halley outlined the walk-in clinic options and how to access these.

Wintrow asked whether a one-day per week clinic might be made available in Yellow Springs. Halley responded that this would be possible.

MacQueen asked whether there are tools to assist people in not becoming addicted.

Halley responded that the issue is deep and lies within a culture of pain medication prescription within the US. He noted that heroin is cheaper than prescription opiates.

Halley noted that Greene CATS can provide direct transportation for free to TCN facilities.

Judith Hempfling asked what alternatives are available to persons in high levels of chronic pain if Halley is suggesting that opiates are always a dangerous option.

Halley stated that high levels of motrin and acetaminophen can be as effective, noting that persons are actually more sensitive to pain when on opiates, which can lead to increased dosage and further danger of addiction.

Carole Cobbs asked whether a voluntary request for treatment is more successful than forced treatment. She noted the prevalence of many treatment options in the surrounding counties and asked whether those would not be as good or better options.

Halley responded that no, for opiate addiction the leverage of forced treatment is often more effective than reaching out voluntarily. He commented that treatment is labor intensive and that proximity and good reliable transportation are key in following through successfully.

McCoy commented that she had stood in line on several occasions for the early morning walk-in clinic at TCN and had been turned away due to high volume.

Halley responded that the situation is not ideal, noting the huge influx of clients.

McCoy commented that if treatment were more available locally, it would be helpful.

Talis Gage asked Halley rhetorically if he was a recovering addict, stating that his belief is that only addicts can help addicts. Gage commented that the Greenleaf program does not work.

Halley noted that while he is not a former addict, the majority of the counselors serving clients are recovered addicts.

Lincoln Alpern asked whether he is automatically at greater risk for opiate addiction if he has had to take opiates for an injury. Halley responded in the affirmative.

Jessica Thomas asked whether it would be better to treat persons coming off of medications rather than to use the ACE Task Force.

Halley noted that multiple approaches are needed.

Chief Hale commented upon some materials he had provided, and commented on the work of the Task Force, noting that the Task Force is focused on the arrest of major drug dealers, not on targeting addicts. He commented on the statement that the war on drugs is a failure, stating that from his law-enforcement perspective, he has to do whatever he can to reduce risk of injury or death regardless of whether the solution is permanent.

Askeland stated that her experience is that the Task Force will be involved in the Village whether or not the Village contributes an officer. She stated that she did not see the advantage in this case.

Hale explained that if the Village pulls out of the Task Force for purely financial reasons, he would assume that the response would be an understanding one, and that services would continue, minus the ability for input. If the Village withdraws as a statement of moral or philosophical objection, however, the response might not be one of understanding and cooperation.

Hale noted that if there were a case that had a Yellow Springs tie in, the case would be worked to the fullest, but that if it were exclusive to the Village he would not assume that the Task Force would expend time and manpower to work it.

Hale stressed that there are drug dealers who come to the Village to deal, and noted that these individuals carry guns. He noted that if the Village pulls out of the Task Force the Village will become a soft target for drug dealers.

Askeland inquired as to the benefit of having an officer on the Task Force, to which Hale responded that that person receives specialized training, and the Chief sits on the Board of Directors. He related a specific experience of the benefit of a trained officer to interview drug offenders.

Wintrow asked how much time that officer spends in the Village. Hale stated that it might be minimal at times, but that when there is a need in the Village, the Village has access to manpower, vehicles and intel not otherwise available.

MacQueen commented on the structure of the Task Force, wondering why it is not county-wide, and why the Village should have to provide 1/10 of the staff.

Hale stated that the structure seems to have evolved over the years in response to need.

Wintrow asked how the Task Force is funded and what the function of the Board is.

Hale commented that there are more drug dealers than Task Force members and that they have to prioritize accordingly.

Askeland stated that she found this troubling. She stated that a Yellow Springs officer had used her Task Force involvement to excuse grabbing a camera from a citizen and that she objected to this effect of the Task Force.

Hale responded that he felt that excuse was just that, and did not have any real connection to the Task Force or its training.

Wintrow read from the MOU, which states that the Task Force is to serve Greene County.

Hale reiterated that the Task Force has to prioritize and that the Village cannot count on being prioritized if it does not wish to participate.

Askeland stated again her objection to the structure and prioritization. Wintrow concurred, stating that she thought that the Task Force would be more equitably responsive.

Both Askeland and Wintrow commented on the private structure of the Task Force as problematic.

Wintrow asked whether the Village could rejoin the Task Force if it were deemed necessary at a later point, and was told yes by Chief Hale.

Wintrow clarified her position as not having to do with any philosophical objection to the Task Force.

Kate Hamilton commented that the Task Force is “apparently not working”. She suggested that if the Village goes off the Task Force, that the additional position either assist in the Glen Helen or that a social worker be hired.

Pat DeWees commented that the Greene County Sheriff and Greene County Prosecutor’s office are members of the Task Force and that as taxpayers, it would be natural to expect that the Task Force serve the Village regardless of its direct involvement.

Joan Chappelle commented that the YSPD officers “seemed adequate” to combat drug crimes prior to involvement in the Task Force. She suggested funds be prioritized to education and prevention in the school system.

Steve McQueen spoke on behalf of the HRC, stating that that group is unanimously in favor of getting out of the Task Force.

John Hempfling argued that the basic argument is whether drug enforcement is effective in lowering drug use, and commented that it “has no effect” on drug use. He posited that, therefore, the only role of the Task Force is to incarcerate.

Elizabeth Stardancer, mother of Jasmin McCoy, stated that from the position of her downtown shop, she can see drug interactions “heroin specifically” taking place on a regular basis. Stardancer stated that there was a drug dealer in the room among the group of citizens in opposition to the Task Force. She pleaded with Council to stay in the Task Force, stating that it is the only organization helping. She stated several times that the problem is severe in town.

Carole Cobbs asked why people were not turning in the drug dealers and commented that she did not think the Task Force could solve the problem. She suggested some other means be put in place other than Task Force.

Al Schleuter stated that he had been unaware of the extent of the problem in town, but cited it as evidence that the Task Force is not working. He asked that the Village use creative means to find solutions.

Talis Gage commented that a Task Force officer had “called him a liar.” He responded to McCoy and Stardancer’s comments by saying “tell me [who the drug dealers are] and I’ll deal with it” we can take care of each other.”

Kelly Gallagher opined that it is problematic to pull out of the Task Force for only budgetary reasons, and that Council should state that the reason for pulling out is due to the institutionalized racist nature of the Task Force. She stated that treatment centers should be erected instead. She complained that Council “is not listening to 99% of people in this room.”

Judith Hempfling read from the Global Commission on Drug Policy’s 2014 report, essentially positing that the “war on drugs has been lost” and that the enforcement policy does not work.

Erin Burke stated that moral reasons should trump financial ones. She argued that a “high level drug trafficker” would not be exclusive to Yellow Springs, and questioned the veracity of the claim that the Village might not receive the same attention if it withdrew from the Task Force.

Fred Kraus stated that his home had been burgled and his identity stolen and that he had lost his son to drug addiction. He stated that the Village should do anything possible to continue to try to rid the community of drugs.

“Essence” stated that the system was built to “keep us down” and accused Council of failing to listen to the people and continuing a racist system.

Carter Collins commented that incarceration isolated people further, which is counterproductive to recovery for addicts in arguing against the Task Force.

Lincoln Alpern stated his belief that enforcement is not an effective tool against addiction or trafficking, and added that more measures need to be put in place to solve the problem. He asked that Yellow Springs make the commitment to come up with further measures.

Wintrow brought the discussion back to the table, noting that it is Council’s responsibility to listen not only to persons in the room but also to professional staff and to other constituents. She asked that the process of information gathering not be diminished.

Simms commented that he is hearing a request that money be spent on providing treatment but that he is not hearing that the drug trafficking problem is being addressed. He noted that the Village has a history of fluctuating levels of drug usage, but that now the use level is high and pertains to a seriously addictive drug.

Simms commented that patrol officers have no way to address drug traffickers, given their visibility. He argued that Council has to protect elementary school students, who have no ability to protect themselves. He noted that there are a number of citizens in favor of the task Force who are fearful of publicly stating their position.

Simms stated that he is speaking for an older group of Yellow Springs citizens who do not feel safe, and who feel threatened by the increase in drugs, crime and violence.

MacQueen commented upon the diversity of the population in Yellow Springs in terms of perspective and experience. She stated that the Task Force "is not doing what we want," arguing that the Village needs to do more regardless of the decision.

Housh stated that he is coming at the topic in a logical manner. He stated that neither the argument that the Task Force is ineffectual nor the argument that it is the "avior" makes sense to him. He commented that in decision making, Council has to base decisions on thorough research and input, not simply on information from a vocal minority. Housh stated that cost-benefit analysis weighs in his decision, as does the moral considerations. Housh commented that "a slight majority" seems in favor of withdrawal. He noted that Council's decision will not please everyone, but that Council is not "feeding into the system."

Askeland appreciated the variety of input. She cited the difficulty of a correct response to danger. Askeland stated that "if we're in the Task Force, the Task Force goes on, and if we're not in the Task Force, the Task Force goes on." Askeland commented that she is troubled by the "quasi-public" nature of the Task Force.

Askeland commented that she continues to be troubled by the aspect of Forfeiture in that it appears to incentivize policing. She also expressed discomfort with undercover work and brutality. She noted that it is policy makers who set policy for the police and that while it is easy to blame law enforcement, there needs to be energy pointed towards policy makers in setting the standard.

Wintrow conveyed her concern around the prevalence of drug availability in town. She asked for concrete policy around an exit strategy, and stated that she still has many questions yet to address. Wintrow stated that she would not be party to a resolution that placed a moral onus upon the Task Force.

Simms stated that he is not ready to vote and needed to hear from more citizens on the topic.

Wintrow asked whether Council might be able to coordinate with TCN and the HRC around ideas.

Askeland questioned whether anything would be gained by waiting and suggested a vote.

Housh agreed that the solution is separate from the vote, but wished to respect Simms's need to gather more information and request to wait until the next Council meeting to make a decision.

Simms stated that his preference would be to hold a referendum on the issue.

Conard stated that he could assist in crafting a resolution. Conard acknowledged the community component, wondering if a safe manner of reporting drug activity could be implemented as one example.

MacQueen and Askeland asked to participate in crafting the resolution for the next meeting.

Wintrow commented that the treatment piece is important and is one piece she would like to see pursued, along with the ability to report anonymously.

Glen Helen Annexation Discussion. Wintrow noted that the matter was added to the agenda because the Village needs to come up with a pre-annexation agreement. She stated that she had been hearing concern regarding potential impact upon the budget.

Bates stated that after consultation with the Chief, she does not see the annexation having any impact on the budget.

Chief Hale stated that he believes the Glen Helen would be able to be adequately patrolled by the officers already on duty.

Hale responded to a question from MacQueen, noting that the Yellow Springs Police Department (YSPD) currently backs up the Park Ranger who now patrols the Glen.

Antioch College has no intention of adding more rangers.

Wintrow asked about any responsibility on the part of the Village for projects Antioch is involved, or will be involved, with.

Bates responded that the College has no intention of extending its facilities further into the Glen. She stated that any projects would need to be vetted through Planning Commission. She commented that everything that is annexed comes in with a pre-existing zoning and will need to be re-zoned.

Conard stated that the Director of the Glen Helen, Nick Boutis, is awaiting some indication from Council as to a decision, but that he (Conard) wants to have detailed legal descriptions in hand before moving forward.

Council stated as a group that they are comfortable telling Boutis to proceed with obtaining descriptions, as they are favorably inclined.

NEW BUSINESS

There was no New Business.

MANAGER and ASSISTANT VILLAGE MANAGER REPORTS

Bates delivered her report as follows:

The first Coffee with a Cop event was held on Wednesday, November 11 from 5:30-7:00 P.M. and was a success.

Bates asked that the spending limit be raised to at least \$25,000.00 to reduce the amount of legislation required to make purchases without Council approval.

Wintrow suggested Council raise the amount to \$30,000.00.

Simms suggested that the amount should be that allotted by the State of \$50,000.00.

Bates stated that absent an emergency, she would not expend that amount without going before Council.

Askeland asked why the increase is needed if there is an emergency clause allowing spending if necessary. Bates cited expediency.

Bates stated that the Greene County Park District will be removing inflicted ash trees along the bike path soon.

CLERK REPORT

The Clerk noted an upcoming Clerk Training to be held in the Village, and reminded Council that swearing in of new and returning members will occur on December 21.

STANDING REPORTS

Simms reported on Planning Commission activities regarding the decision made on Norah Burns's request for a Conditional Use. The Planning Commission ruled to the greatest extent of its ability to permit the use with the following conditions:

- The use is limited to 40 persons on one day per week.
- Parking is accommodated via either Tomsø or the Corner Cone parking lots.
- The space is approved based upon the fact that the use is limited to 4 hours per week.
- There can be a maximum of one volunteer and any family members to serve as assistants.
- Any State or County regulations must be met.

There was some discussion regarding how Norah Burns should proceed in her request to increase the number over 40 per week, Simms stated.

MacQueen commented that Environmental Commission is working on the Wellhead plan and is discussing an ordinance that would permit native plantings on lawns and raingardens as water mitigation options.

With regard to the HRC, MacQueen noted that the Yellowspringshelp.org website has stalled out with no solution at this point. There were three requests for funding. MacQueen stated that the HRC will likely work on internal guidelines for making decisions on funding.

Housh stated that he had attended the Energy Board meeting, which had discussed its 2016 goals and projects, including a discussion on funding.

Arts and Culture Commission is now taking nominations for the Spring VIDA, and is discussing 2016 goals. He noted an application to exhibit in the Bryan Center Gallery in the pipeline from an artist who works with mental health issues.

Housh stated that the CAP is going well, and noted the Station Manager's report. The group is making a list of immediate technological needs. Springs-Net will be bringing its white paper on community broadband to a meeting early next year.

Wintrow reported that the Chamber has three potential new members. Chamber elections will be held in December.

Wintrow noted regarding the surface for new trees along the streetscape area, that Bob Moore was hired to loosen the soil and mulch around the new trees. He also planted daffodil bulbs.

Wintrow noted that MVRPC passed its Regional Bike Plan and is reaching out with new services.

FUTURE AGENDA ITEMS

Dec.7 (6:30pm) Regular Session:

Emergency Reading of Ordinance 2015-18 Approving Supplemental Appropriations for the Fourth Quarter of 2015 and Declaring an Emergency
Second Reading and Public Hearing of Ordinance 2015-27 Approving the 2016 Budget for the Village of Yellow Springs and Declaring an Emergency
Second Reading and Public Hearing Ordinance 2015-28 Repealing Old Section 1282.05 Nonconforming Lots Of Record Of Chapter 1282 Nonconforming Uses, Buildings And Lots Of Title Four Zoning Of Part Twelve Planning And Zoning Of The Codified Ordinances Of The Village Of Yellow Springs, Ohio And Enacting New Section 1282.05 Nonconforming Lots Of Record
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Second Reading and Public Hearing of Ordinance 2015-31 Repealing Old Section 1262.08 Specific Requirements Of Chapter 1262 Conditional Use Requirements Of Title Four Zoning Of Part Twelve Planning And Zoning Of The Codified Ordinances Of The Village Of Yellow Springs, Ohio And Enacting New Section 1262.08 Specific Requirements
First Reading of Ordinance 2015-32 Extending Yellow Springs Police Powers to Village Owned Properties Located Outside the Village Limits
First Reading of Ordinance 2015-33 Raising the Discretionary Spending Limit of the Village Manager to \$30,000.00
Reading of Resolution 2015-52 Expressing Appreciation for Outgoing Council Member Lori Askeland
Reading of Resolution 2015-53 Adjusting the Annual Rate of Pay for the Village Manager
Reading of Resolution 2015-54 Requesting Withdrawal of the Village from Participation in ACE Task Force

Dec. 10 (6pm) Special Meeting of Council for Presentation from Finalists for Water Plant Design/Build

Dec. 21(6:30pm) Regular Session

Swearing-in of New and Returning Council Members and the Mayor
Second Reading and Public Hearing of Ordinance 2015-32 Extending Yellow Springs Police Powers to Village Owned Properties Located Outside the Village Limits
Second Reading and Public Ordinance 2015-33 Raising the Discretionary Spending Limit of the Village Manager to \$30,000.00
Resolution 2015-56 Approving a Design-Build Contractor for the New Water Treatment Plant
Resolution 2015-57 Authorizing Cooperative Agreement between the Village of Yellow Springs, Ohio and the Ohio Water Development Authority for Construction of a New Village of Yellow Springs Water Plant
Resolution 2015-58 Contract with the Clerk of Council for 2016

Jan. 4 (7pm)

I. EXECUTIVE SESSION

At 9:56 p.m., Simms MOVED to ENTER EXECUTIVE SESSION for the Purpose of Discussion of Pending Litigation and the Village Manager's Annual Review.

Housh SECONDED and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

At 10:38 p.m., Simms MOVED and Housh SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 5-0 ON A VOICE VOTE.

II. ADJOURNMENT

At 10:39 p.m., Simms 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 minutes is available for viewing in the Clerk of Council's office between 9am and 3pm Monday through Friday.

Karen Wintrow, President

Attest: Judy Kintner, Clerk