

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

In Council Chambers @ 7:00 P.M.

Monday, May 18, 2015

CALL TO ORDER

President of Council Karen Wintrow called the meeting to order at 7:17 pm. She noted that no decisions will be made, that the work session is discussion only.

ROLL CALL

Present were President Karen Wintrow, Vice President Lori Askeland, Gerry Simms, Brian Housh and Marianne MacQueen. Village Manager Patti Bates was present, as were Assistant Village Manager John Yung and Chief David Hale. Village Solicitor Chris Conard was also present.

ANNOUNCEMENTS

International Fellow Ratih from Indonesia announced the community presentation that she and her fellow intern, Nadia, plan to present on May 28th, 7-9pm, Bryan Center Rooms A&B.

PETITIONS & COMMUNICATIONS

Askeland reviewed the communications received.

The Clerk will receive and file:

Mayor's Monthly Report

Dan West re: Police Department

John Yung re: International Fellows' Presentation

Melissa Vanzant re: Understanding Your Bill Seminar (with handout)

Patti Bates re: Efficiency Smart Summary Results

Susan Gartner re: Station Manager Report

CITIZEN CONCERNS

There were no Citizen Concerns.

SIDEWALKS REPORT

Yung gave an overview of the sidewalk situation, noting the history of sidewalks in general, and in Yellow Springs in particular.

Yung noted the best practices in terms of width, noting the American Planners Association standards, ADA standards, and minimum acceptable standards.

Yung estimated cost based upon replacement of all existing sidewalks, including installing curb cuts, over the next 30 years. He based his figures upon the cost per square foot paid for sidewalk replacement at Mills Lawn in 2014.

Yung presented three possible strategies to apply to the sidewalk situation:

- Pass a Tax Levy. This would need to be a 10.20 mil levy: 1 mil/year for 5 years. The cost for a taxpayer with a \$100,000.00 home per year under this option would be about \$357.00. Yung cited pros and cons of this approach based upon several case studies.
- Return Responsibility to Property Owners. Yung stated that he would not recommend this option without exploring development of a cost sharing or bid-buy in program. Yung noted that the Village would remain responsible for curb cuts.
- No Changes. Yung estimated that it would take about 96 years to replace all sidewalks in town under the current policy, and that the sidewalks would deteriorate faster than the Village's ability to repair them.

Yung presented several funding options, including the levy, an increase in taxes, or bonds. Yung noted that there would be little way to justify the bonds, however. Another option would be a fee-in-lieu fee, for which Yung cited an example.

Yung stated that if maintenance is returned to the property owner, a sidewalk assessment would need to be undertaken. Yung noted that this would need to be balanced with incentives.

Yung described a self-assessed property tax, wherein the property owner voluntarily assesses his or her liability for the sidewalk. Yung did not have complete information on this option, and was asked by Council to bring further detail to the June 15th Work Session.

Yung described several cost sharing options, and answered questions regarding a variety of cost-splits from Council. Yung will follow up with more information regarding the application for shared cost, and how that would work.

Wintrow asked for more detail on the regulatory process for sidewalk assessment.

Yung described grant options, and described the funded area of the Village covered by Safe Routes to School.

Yung noted Community Block Grant funds as an option.

Following a comment from Wintrow, Bates concurred that the Village should have been eligible for grant funding for Streetscape.

Yung noted several other grant options as possibilities, all of which are dependent upon Federal decisions.

Yung described the method he used to arrive at the cost of maintenance programs for existing sidewalks. He noted time for completion and cost at 96-, 30- and 5-year time frames, and noted that cost increases as the time period expands.

Yung weighed the sidewalk options against Council Goals, legal liability, funding feasibility and equity to create a matrix for assessing the options, and Council discussed these, indicating that different scores could be obtained depending on the assumptions that are made.

Bates asked Yung to look further into the question as to whether property owners must replace their sidewalks with ADA compliant sidewalks if responsibility is entirely that of the property owner.

Regarding next steps, Yung stated that the Village will need to begin a complete inventory of the Village sidewalks. This effort will be aided by new GIS technology, which will allow Yung to better locate and track sidewalk sections in need of repair. Yung noted that this effort can begin as Council is formulating a decision and/or working on funding options.

Yung noted the need to update the standards for sidewalk construction via ordinance, and stated that this should go first to Planning Commission.

Yung noted that the next conversation should move in the direction of choosing an option for the Village.

Housh asked for detailed analysis for costs associated with liability for lawsuits.

MacQueen suggested looking into alternative materials such as crushed limestone, asphalt or permeable concrete as a potential savings.

Yung commented that permeable concrete meets ADA specifications, is environmentally friendly, but is a little more expensive.

Wintrow noted the need for snow removal, which would eliminate some options, and noted that weed maintenance would require chemicals for some of the options.

MacQueen suggested that there are streets in the Village that can be used for pedestrian, wheelchair and bicycle traffic as well, urging that money not be spent if it is not necessary to do so.

Simms noted that the Village is becoming an aging community, noting the difficulty of getting around in a wheelchair, particularly along main thoroughfares. Simms asked that Council respond to this need.

Yung stated that a standard of the APA is the ability to walk to nearby sites, particularly for seniors, who are considered to be aging in place.

Housh stated that the YS Bike Committee could support this initiative.

Bates noted that now is that time that the Village is gearing up to make sidewalk improvements.

MacQueen stated that regardless of what is done, someone will pay the cost of the total, whether it's the Village or taxpayers, which, she opined, is all taxpayer money.

Housh asked if there is a way to financially support those persons who wish to enroll in a fast fix program.

Yung asked whether there would be a format that would help citizens, e.g. explanations, facilitation.

Housh noted the availability of fast fix, and asked that more be done to flesh this out as a good option for those Villagers motivated to voluntarily maintain their walkways.

Dan Carrigan agreed with MacQueen regarding her suggestion that some streets can be used in lieu of sidewalks. He asserted that there are no clear criteria for sidewalk assessment, and that that should be a first step. In response to a question from MacQueen, Carrigan stated that the only streets for which sidewalks should be required and maintained are main thoroughfares.

Paul Abendroth commented that costs would be the same for citizens whether the Village pays or citizens pay. He suggested that streets should be rated in terms of which need two, one or no sidewalks, based upon the use of the sidewalk. He asked that simple, easy fixes be enacted on an ongoing basis. Abendroth questioned the assertion that sidewalks add value to the property.

Dan Reyes commented that the earlier "no maintenance" plan has created the existing problem. He advocated for pursuing grant funding. Reyes asked for a report on the current condition of sidewalks for a overall picture as to the level of need, and urged attention to the problem.

Reyes urged use of interns where possible as a money saving strategy.

Dan Carrigan recalled that the Safe Routes to School Engineer had rejected the scale used to rate sidewalks, which had been developed by the previous Planner, as too vague. Carrigan suggested using the requirement of a sidewalk approval certification upon sale of property to assure that some of the ongoing maintenance is accomplished as a matter of course.

MANAGER'S REPORT

Bates noted that the street trees will be planted next week, and will have tree bags and be mulched to assure their good health.

STANDING REPORTS

Simms attended Planning Commission for Askeland, and noted that the application for a street vacation by Antioch has been continued due to the introduction of new issues during the course of the meeting. Simms stated that Antioch rejected a previous agreement with the Village, and that this would need to be renegotiated.

Wintrow stated that on a very strong vote, the Greene County Commissioners agreed to let Greene County Regional Planning Commission (GCRPC) remain an independent entity. Wintrow stated that she is working to try to have fees reduced for municipalities who do not use GCRPC for services as a way to increase membership.

Simms stated that Community Resources did not meet, Mediation and Library Commission have meetings in June.

Housh noted that the Charter Review Committee is on track, and will present at the June 1st Council meeting.

The Public Art Commission, Housh reported, has made a decision on the recipient of the first VIDA (Village Inspiration and Design Award), which will be announced at the Art Stroll on June 19th.

Housh stated that the final concrete pour has been completed for the YS Skate Park, which will open officially on June 13th.

Springs-Net, which has been working with the Community Access Panel, is prepared to report on the Fiber Forum. Housh noted the Station Manager report, included in the packet.

MacQueen noted that the Energy Board hosted Carl Andre from Efficiency Smart at a recent meeting, and discussed that program and strategies to reach more citizens. EB would like to review the Village's rate structure.

MacQueen reported that the Environmental Commission discussed the Climate Action Plan and Wellhead Protection, and a training Nadia Malarkey provided to Staff regarding pesticides.

The HRC, stated MacQueen, has disbursed three small grants. The group also discussed Mayor's Court. Housh agreed to attend the HRC meeting on June 4th.

Housh noted that Kabbeh has prepared signature pages for Roles and Responsibilities for each Council Member and all Commission members.

Wintrow reported that Oberlin had reported on their Energy Efficiency programs at a recent DRG3 meeting.

FUTURE AGENDA ITEMS

- Second Reading of 2015-10 Second Quarter Supplemental Appropriations and Declaring an Emergency (6-1-15)
- Solid Waste RFP (6-1-15)
- Charter Review Report (6-1-15)
- Environmental Commission Report Back re: Climate Action Plan (6-1-15)
- Village Manager Evaluation (Executive Session) (6-1-15)
- Boards and Commissions Ordinance (6-1-15)
- Fiber Forum Report
- Policing Process Discussion (6-1-15)
- 2016 Tax Budget (7-6-15)
- Village Manger Evaluation (7-6-15)
- WORK SESSION: Sidewalks (7-20-15)
- NO MEETING AUGUST 3
- July Work Session: Policing Policy
- 2016 Budget Presentation (8-17-15)
- Discussion Regarding Amending Tap-In Fees
- Direction for Economic Sustainability Commission

ADJOURNMENT OF WORK SESSION

At 9:28 pm, 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