

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

Council Chambers @ 6:00 P.M.

Tuesday, September 6, 2022

CALL TO ORDER

Vice President of Council Kevin Stokes called the meeting to order at 6:15pm.

ROLL CALL

Present were Vice President Kevin Stokes and Council members Carmen Brown, Gavin DeVore Leonard and Marianne MacQueen. Also present was Village Solicitor Amy Blankenship.

EXECUTIVE SESSION

At 6:16, MacQueen MOVED and Brown SECONDED a MOTION TO ENTER EXECUTIVE SESSION for the Discussion of the Employment of a Public Official. The MOTION PASSED 4-0 ON A ROLL CALL VOTE. The Solicitor was present for the session. Housh joined the session at 6:24pm.

At 7:01pm, Stokes MOVED and MacQueen SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 5-0 ON A VOICE VOTE.

ANNOUNCEMENTS

Mitzie Miller announced successful clearing of sidewalks by a volunteer group.

Salmeron noted the success of the Touch-a-Truck event. He thanked pool staff for a successful summer season.

Salmeron noted that the sidewalk project has run into delays, but should conclude this week. The parking lot on Cemetery Street should be completed by Street Fair, he stated.

Salmeron noted that he has reached out to the EPA for a status report on the Vernay cleanup, but has not received a response as of yet.

Facilitators Laura Curliss and XX announced Porchfest upcoming on September 17th, noon until 7pm. All bands have local ties, and there will be 83 acts performing on 35 porches across the Village.

CONSENT AGENDA

1. Minutes of August 15, 2022 Regular Session

Housh MOVED and MacQueen SECONDED a MOTION TO APPROVE THE MINUTES OF August 15, 2022. The MOTION PASSED 5-0 ON A VOICE VOTE.

REVIEW OF AGENDA

MacQueen asked that an Ellis Pond update be added to Old Business.

DeVore Leonard requested a conversation regarding Work Sessions which was added to New Business.

PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

GCPH re: Disconnect to Connect
Paul Abendroth re: Trim Vegetation

Barbara Mann re: Noise Ordinance
Marianne MacQueen re: Recovering America's Wildlife Act
Brian Housh re: Article on Non-Citizen Voter Prosecution

Stokes reviewed the materials received.

Regarding the Recovering America's Wildlife Act, MacQueen received the consent of Council to send that letter to Senators Brown and Portman. The Clerk will facilitate that mailing.

Housh commented on the article he had submitted regarding LaRose, noting that LaRose is "baiting the base" and cautioning non-citizen Village residents not to vote lest they are prosecuted.

PUBLIC HEARINGS/LEGISLATION

First Reading of Ordinance 2022-31 Establishing a Public Utility for Stormwater by Enacting New Chapter 1049 of the Village of Yellow Springs Codified Ordinances. Devore Leonard MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Salmeron explained the need for a dedicated revenue stream to support ongoing improvement needs for the stormwater system. He noted that the single greatest contributor to impact on the sanitary system is stormwater.

Salmeron stated that the end goal is attaching the amount of the fee to the extent a property contributes to stormwater runoff.

MacQueen requested a minor change, which will be added for the second reading.

In response to queries from Stokes, Salmeron responded that there is deferred maintenance in the stormwater system which needs to be addressed. Once those issues are addressed, he said, the Village will be better able to strategize for future needs. Increases, he noted, will need to come back for Council approval.

John Hempfling commented that there should not be "user fees" for this utility, and suggested raising property or income taxes as an alternative that would be "less regressive".

Jessica Thomas, Yellow Springs News, asked a number of questions.

Salmeron responded that the "coordinator" will work with the PW Director. He commented that the method laid out for assessing fees is reasonably simple and easy to implement. Regarding increased labor, Salmeron opined that there would be little increase in work for utility billing but some money to set up.

Thomas asked whether the fee is comparable to other like-sized communities.

Salmeron responded that he would provide that information for the second reading.

Housh commented that the ordinance is proactive and should make a difference. He declined to call a vote on the first reading.

Emergency Reading of Ordinance 2022-32 Approving Supplemental Appropriations for the Third Quarter. Stokes MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Salmeron explained the amounts being requested.

DeVore Leonard received confirmation that the only draw down—amount not previously approved or pending through grant fund receipts—is \$155,500.00.

Housh OPENED THE PUBLIC HEARING. There being no comment, Housh CLOSED THE PUBLIC HEARING AND CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading of Resolution 2022-56 Accepting Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor. Stokes MOVED and MacQueen SECONDED a MOTION TO APPROVE.

The resolution was explained as an annual housekeeping measure following submission of the 2023 Tax Budget for acceptance by the County Auditor.

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

Reading of Resolution 2022-57 Approving an Agreement between the Yellow Springs Police Department and the Greene County Educational Services Center.

Salmeron addressed a question from MacQueen, stating that placement of a Youth Outreach Officer (YOO) at the Greene County Learning Center (GCLC) comes at the request of the Superintendent (Terri Streater).

MacQueen MOVED TO TABLE. Brown SECONDED.

Housh commented that perhaps any urgency in the matter could be addressed.

Stokes commented that the matter seems like a “win-win”.

Salmeron stressed that the interaction is meant as a relationship-building project, given that there are frequent calls for service to the GCLC.

Blankenship noted that the agreement was meant to come at the start of the school year, and had been delayed due to the transition in the solicitor position.

MacQueen expressed the need to discuss the matter, and rescinded her motion to table.

Council then discussed the matter, indicating an overall need for further information.

Salmeron pointed out that the GCLC has identified the need and made the request.

COS Florence Randolph stated that the impetus comes out of a mandate at the State level that there be threat assessment in that facility. The mandate is funded, she said, and can be made to cover not only the mandated threat assessment but also relationship-building measures such as having a YOO. The position has to be fulfilled by a police officer, she clarified.

DeVore Leonard commented that he is not sure this is a scenario he is comfortable with, given the potential for misuse of a police presence in a school setting.

Randolph responded that it is not about whether or not the officer is armed, but is about the type of interaction that can occur between those employees or students at the GCLC and the YOO. She reiterated that the threat assessment has been mandated.

Jessica Thomas commented that the YOO is “part of an institution that is inherently racist.”

Stokes MOVED and Housh SECONDED a MOTION TO APPROVE.

Housh CALLED THE VOTE, and the MOTION FAILED 2-3, with Housh and Stokes voting in favor.

DeVore Leonard commented that he had not had enough information at hand to be able to pass the resolution, and would be amenable to seeing the resolution again if it were accompanied with full information.

CITIZEN CONCERNS

Mitzie Miller spoke in favor of more housing options but cautioned against passing any zoning reforms as requested by “Neighbors for More Neighbors” without careful scrutiny.

SPECIAL REPORTS

Village Solar Project Options Update. Salmeron commented that the Village has been working on a number of solar projects for the Village, but stated that without a “flagship” solar project generating at utility grade, the smaller projects were not financially feasible.

Salmeron noted Sutton Farm as the ideal location for several reasons, but stated that he is still trying to work with Tecumseh Land Trust (TLT) to try to work around a conservation easement which currently prevents a solar array. He stated that he will provide a PowerPoint to Council after he is able to show it to TLT and move that dialogue further.

Council commented on solar projects and offered opinions on the topic.

DeVore Leonard asked for more information from the Village Manager regarding a community solar project in an upcoming meeting.

MANAGER’S REPORT

Salmeron reported the following:

The storm drain reroute has been moved to after Streetfair, and the parking project is set to be completed prior to Streetfair.

MacQueen asked where the Village currently stands on pesticide policy.

Salmeron stated that he will follow up with members of the Environmental Commission.

MacQueen received assurance that the CASP MOU will be ready by the end of the week.

DeVore Leonard asked for an update on a previously discussed benefit to employees who might require abortion services.

Salmeron responded that funding these measures through the employee’s HSA is the best option currently, and can be addressed in more depth during the budget process.

OLD BUSINESS

Finance Committee Ongoing Conversation: Inflation, Taxation and Affordability. Housh noted that a joint meeting of YS School Board, Miami Township Trustees and Council is set for September 29th at the firestation. He encouraged Council members to forward any ideas for agenda items to him.

NEW BUSINESS

Ellis Pond Update. MacQueen reported a discussion among EC members regarding volunteer options. She asked that communication between EC members and staff be facilitated, pointing out that “this issue is not resolved.”

MacQueen noted strategies discussed by EC members.

Brown asked to bring a volunteer plan to Council. She noted both short and long term strategies favored by EC, commenting that volunteers would do much of the work involved.

Housh suggested that Brown present at the next meeting regarding the volunteer plan.

Brown commented that she is discussing alternatives to dredging with one of the volunteers.

Funding Request for Porchfest. Council reviewed the request for \$900.00 for Port-a-Johns and informally moved approval, with all Council members indicating approval. DeVore Leonard commented that he looks forward to having a clearly established budget for events rather than dealing with them individually.

Presentation of Potential Therapy Dog Program for YSPD. Salmeron noted that the opportunity has been jump-started by the Greene County Mental Health and Recovery Board, which has offered funding for the project.

Katheryn Hitchcock, who works in the field of mental health services, spoke in favor of a therapy dog program. She described it as a community asset, noting that the benefit of the program to individuals in crisis can be significant.

Kate Hamilton spoke as an observer and as one whose child has benefitted from the calming effects of animals, particularly therapy trained animals for children.

Jessica Thomas, Yellow Springs News, asked a number of questions regarding who would be in charge of the dog.

Salmeron stated that any handler would be trained, and he has not yet identified who the handlers will be within the department. He commented that all ongoing costs should be covered through donations.

Housh asked for Council indication for support for bringing a resolution to Council in support of a therapy dog program, and four Council members stated “aye,” with DeVore Leonard remaining silent.

Nomination. MacQueen NOMINATED Johanna Schultz Herman for full membership in the EC. Brown SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Work Sessions. DeVore Leonard commented that there are often issues that warrant deeper engagement than is possible in the context of a meeting, and he suggested work sessions as a way to facilitate these conversations.

Housh noted that Council had held work sessions in the past, and does hold these for budget sessions.

MacQueen expressed interest in the idea.

Brown commented that being able to exchange ideas and information

DeVore Leonard referenced public safety philosophy and housing issues as good topics for work sessions in the near future. He will bring a suggestion regarding specifics for such a session on the 19th.

FUTURE AGENDA ITEMS

- Sept. 19:** **Second Reading and Public Hearing of Ordinance 2022-31** Establishing a Public Utility for Stormwater by Enacting New Chapter 1049 of the Village of Yellow Springs Codified Ordinances
 First Reading of Ordinance 2022-33 Repealing and Replacing Chapter 634 “Noise”
 Resolution 2022-59 Authorizing the Yellow Springs Police Department to Develop and Administer a Therapy Dog Program
 Volunteer Policy Proposal
 Work Session Proposal
 CRB Review Update
 Zoning Reform Presentation
- Sept 26:** Council Work Session: Goals and Priorities for 2023 Budget (6-8:30pm)
- Oct. 3:** **Busking Guidelines**
- Oct. 10:** Council Work Session: 2023 Budget Session #1 (5:30-8pm)
- Oct. 17:**
- Oct. 27:** Council Work Session: 2023 Budget Session #2 (6-8:30pm)
- Nov. 2:** Council Work Session: 2023 Budget Session #3 (5:30-8pm)
- Nov. 7:** Draft: Amending the Personnel Policy Manual to Incorporate Anti-Discrimination Language per OCRC Settlement
 Ordinance Approving Final Plat for DDC Development
- Nov. 21:** First Reading of 2023 Budget Ordinance
- Dec. 5:** Second Reading/Public Hearing of 2023 Budget Ordinance

ADJOURNMENT

Stokes MOVED TO ADJOURN. Brown SECONDED, and the MOTION PASSED ON A VOICE VOTE at 9:24pm.

Brian Housh, Council President

Attest: Judy Kintner, Clerk of Council