

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

Council Chambers @ 6:30 P.M.

Monday, February 6, 2023

CALL TO ORDER

President of Council Brian Housh called the meeting to order at 6:34pm.

ROLL CALL

Present were President Housh, Vice President Kevin Stokes and Council members Marianne MacQueen, Gavin DeVore Leonard and Carmen Brown.

EXECUTIVE SESSION

At 6:35pm, Stokes MOVED and MacQueen 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.

REGULAR SESSION

At 7:07, DeVore Leonard MOVED TO REJOIN THE REGULAR MEETING. Stokes SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

ANNOUNCEMENTS

Housh expressed appreciation for those Villagers shoveling their walks.

Housh noted Celebrate Trails Day and Earth Week coming up in April. MacQueen noted that the Bryan Center will provide the location for the focus of the Earth Day activities.

Housh noted the Strongest Town competition deadline approaching and suggested the Village apply again after reaching the finals in 2022. He stated that while he will help, he does not want to drive the effort. The deadline is February 26th.

Housh noted that YSCF is promoting use of Village Mediation. He noted availability of "Ohio Peacekeeper" grants.

May 10th is "Ohio Tourism Day".

Housh noted birthdays of Burns and Mark Heise.

CONSENT AGENDA

1. Minutes of January 17, 2023 Regular Session
2. Minutes of January 26, 2023 Special Meeting: Retreat; Village Goals

MacQueen MOVED and Brown SECONDED a MOTION TO APPROVE THE MINUTES of January 17, 2023. The MOTION PASSED 5-0 ON A VOICE VOTE.

Brown MOVED and Stokes SECONDED a MOTION TO APPROVE THE MINUTES OF January 26, 2023. The MOTION PASSED 5-0 ON A VOICE VOTE.

REVIEW OF AGENDA

There were no changes made.

PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

Marcia Wallgren re: Parking (2)
Susan Stiles re: Utility Increases
Kate Mooneyham re: Parking
Greene County Public Health re: Radon
YS Home, Inc. re: Funding Request
Marianne MacQueen re: Thank You Rose Pelzl

Stokes reviewed the materials received.

PUBLIC HEARINGS/LEGISLATION

First Reading of Ordinance 2023-02 Repealing and Replacing Section 1048.05 Service Charges of Chapter 1048 Sewers and Sewage of Title Four Public Utilities of Part Ten Streets, Utilities and Public Services of the Codified Ordinances of the Village of Yellow Springs, Ohio. Stokes MOVED and Brown SECONDED a MOTION TO APPROVE.

Salmeron discussed the rate increases across all three enterprises. He stated that as a result of public and staff input, along with provision of updated revenue information, he worked with consultant John Courtney to adjust the five-year increases to require a lower initial increase. The increases, he stated, are needed to cover deficits in these utilities due to infrastructure improvement needed as well as increasing inflation.

Housh added that the Village had consciously elected not to increase utility rates during the pandemic. He added that he had been surprised by a letter to Council asking whether all internal due diligence had been done, stating that these efforts have been done very transparently.

Housh addressed another letter that questioned a practice of “subsidizing businesses,” asking Salmeron to clarify.

Housh noted that the Village will factor any new housing of significant size into the rate structure, since these can lower water and sewer rates.

Specific to the Electric utility, Salmeron noted a 9.5% increase in power costs along with a drop in overall Village customer consumption.

Salmeron noted that only the power cost is affected by the 3% increase. He then provided a sample cost increase calculation.

Burns both clarified the “subsidizing businesses” statement made in the letter referenced earlier, stating that businesses pay a demand charge in addition to the KWH charge, bringing business charges on equal footing with residential charges.

Salmeron noted that the increase for the water utility is 5% for the next five years and affects both the Readiness for Service and Consumption. He presented a calculation representing the increase to the average household annually.

Regarding the sewer enterprise, Salmeron stated that the 8% increase for the next five years affects both Readiness for Service and Consumption. He presented a calculation representing the increase to the average household annually.

Housh noted the additional cost associated with ownership of a water plant, pointing out that this was a priority for many villagers.

Mark Heise commented that he appreciates notification from the Village for potential leaks.

Anthony Salmonson pointed out that the increases will build upon one another for the next five years.

Salmeron stated that he will provide a five-year projection chart for the next packet. He addressed a question from Salmonson, stating that revenue for each utility goes only to that specific utility fund.

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

First Reading of Ordinance 2023-03 Repealing and Replacing Section 1046.02 Service Charges; Exemption of Chapter 1046 Water of Title Four Public Utilities of Part Ten Streets, Utilities and Public Services of the Codified Ordinances of the Village of Yellow Springs, Ohio. Stokes MOVED and MacQueen SECONDED a MOTION TO APPROVE.

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

First Reading of Ordinance 2023-04 Repealing and Replacing Section 1042.01 Electric Service Charges of Chapter 1042 Electricity; Municipal Light and Power of Title Four Public Utilities of Part Ten Streets, Utilities and Public Services Code of the Codified Ordinances of the Village of Yellow Springs, Ohio. Stokes MOVED and MacQueen SECONDED a MOTION TO APPROVE.

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

First Reading of Ordinance 2023-05 Amending Chapter 432.45 Concerning Regulation of Text Based Communication While Driving of the Codified Ordinances of the Village of Yellow Springs. Stokes MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Burge explained that this allows YSPD to stop motorists for distracted driving as a primary offence and to cite that offense into Mayor's Court.

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

First Reading of Ordinance 2023-06 Repealing and Replacing Appendix A to Section 1272.04 of the Yellow Springs Zoning Code Establishing Permit Fees. Stokes MOVED and Brown SECONDED a MOTION TO APPROVE.

Stokes offered an apology to Swinger for his "no" vote on the last reading. He stated that he had misread Swinger's report and had voted "no" on the basis of incorrect understanding. He stressed that the error was his and apologized for implying, with his previous vote, that Swinger may have provided incorrect information.

Swinger stated that she had met with the Village Manager and Housh and had increased some of the proposed fees based upon cost to the Village for advertising and mailing. She also increase some of the proposed fined.

Housh expressed appreciation for the "deeper dive."

DeVore Leonard suggested putting regular increases on a schedule so that they do not fall behind actual costs.

Salmeron agreed that every five years is reasonable, and these increases might go through the Finance Committee as a starting point.

Salmeron responded to a question from Stokes, stating that having rate studies done by an outside entity provides information not fully available in-house.

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

First Reading of Ordinance 2023-07 Amending Section 242.01 “Composition; Classification” of the Codified Ordinances of the Village of Yellow Springs, Ohio to Add the Position of “Deputy Chief”. Stokes MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE.

Salmeron commented that this action is based upon several years of discussion and research into increasing efficiency for the Police Department. Salmeron stressed that the addition of the position is “cost neutral” since there is a second Sergeant position that has been unfilled for some time and will remain unfilled if the position of Deputy Chief is filled. He noted that Burge has been working overtime for months to maintain adequate staffing levels in the absence of a second Sergeant, stating that this is not sustainable.

Anthony Salmonson received reassurance that the addition of the position is indeed cost neutral.

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

First Reading of Ordinance 2023-08 Amending Section Amending Section 252.01 “Personnel: Classification of the Codified Ordinances of the Village of Yellow Springs, Ohio to Add the Position of “Lineworker” and Adjusting Pay Levels. DeVore Leonard MOVED and Stokes SECONDED a MOTION TO APPROVE.

Salmeron explained that the ordinance delivers on several changes that were discussed during Council goals sessions as ways to improve efficiency and reward specific skill sets for several job areas within the Village structure.

Blankenship added that all of the position changes fall under Section 252, which Council is seeing as a redline.

Housh asked Burns for clarification as to how the changes will add to cost savings and efficiency for the second reads.

Reading of Resolution 2023-10 Approving 2023 Village Goals. Stokes MOVED and Brown SECONDED a MOTION TO APPROVE.

Housh commented that the goals document does a good job of adding staff goals, but noted that staff are integral to all of the goals. He stressed that all goals should have action plans, and commented that these goals essentially note a green light to those items. This does not mean, however, that items cannot be added, he said.

MacQueen offered to create an action plan for Housing. She asked for action steps or plans from staff.

DeVore Leonard asked for a tracking capacity for the goals.

Salmeron commented that this is done on the staff end.

Brown received confirmation that Council cannot work on documents on a shared platform.

MacQueen asked that Village plans for infrastructure be available online.

Housh asked that the Goals document be linked online.

Burns asked that more photos be made available showing projects underway and completed as opposed to being buried in reports.

DeVore Leonard commented that Council needs to assure that they are allocating funds for projects, which necessitates knowing about those plans and projects.

DeVore Leonard offered to create a document to disseminate project information and goals activities to Council.

Stokes expressed appreciation for staff attention to project completion but commented that he would like to see more publicity for these projects.

Mark Heise expressed appreciation for the collaborative approach of the goals.

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

CITIZEN CONCERNS

Anthony Salmonson asked whether the Village is taking steps to recover a purported 3 million dollar deficit.

SPECIAL REPORTS

Planning Commission End of Year Report. Susan Stiles, PC Chair, presented the Planning Commission End of Year Report.

MANAGER'S REPORT

Salmeron noted that the stormwater project is beginning in the downtown area. He stated that business owners are being communicated with regarding parking and any potential disruptions.

Salmeron announced that the front lawn of the Bryan Center will need to remain off limits for a year as grass is replanted. The Village is working with event coordinators to relocate events that would previously have been held in that location.

Salmeron stated that he will be returning to Council with a recommendation for a charge for EV charging stations.

Salmeron reported that he has been working on a gas aggregation program.

Housh noted that he, MacQueen and Mark Heise are assisting with the aggregation effort.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Review of CASP Goals. MacQueen stated that she would like to involve senior VYS staff and a representative from Agraria in the next week, and so would like to move the topic to the first meeting in March.

Review of Proposed Action Plan for Volunteer Policy. Brown noted the action plan included in the packet, and stated that the Village needs a written policy and application. She pointed out the requirement in several examples of a BCI/FBI background check, and commented that there needs to be a way that that cost not be passed on to volunteers.

There was a general conversation regarding background checks, and MacQueen questioned the need for background checks if a volunteer is not working with children.

Housh noted that this should come in a final form at the second meeting in March.

Housing Workshop Agenda. Housh talked through the proposed agenda for that meeting, scheduled for February 17th, making suggestions for packet materials.

Brown commented on several items she sees as high-level.

Housh suggested shifting any discussion on Lawson Place to another meeting.

MacQueen agreed with one of Brown's priorities, that being identification of developable Village-owned property to target for housing.

There was general agreement that this workshop should identify a charge for a housing committee.

Housh responded to a question from DeVore Leonard, stating that he will chair the workshop.

Salmeron stated that he will provide the concept plans for several properties.

Housh commented on the fact that Council is taking on a lot of additional time for meetings, and expressed his appreciation for this effort.

FUTURE AGENDA ITEMS

Feb. 21: **Second Reading and Public Hearing of Ordinance 2023-02**
 Second Reading and Public Hearing of Ordinance 2023-03
 Second Reading and Public Hearing of Ordinance 2023-04
 Second Reading and Public Hearing of Ordinance 2023-05
 Second Reading and Public Hearing of Ordinance 2023-06
 Second Reading and Public Hearing of Ordinance 2023-07
 Second Reading and Public Hearing of Ordinance 2023-08
 Committee Structure Proposal Update
 Next Steps In Village Policing Review
 PACC EOY Report
 EC EOY Report
 YS Home, Inc. Request for Funding

March 6: Fourth Quarter Financials
 Treasurer's Report
 CASP Goals
 Ordinance Amending Reciprocal Tax

March 20: **Ordinance** 2023-0X Amending the Personnel Policy Manual to Incorporate Anti-Discrimination Language per OCRC Settlement

ADJOURNMENT

At 9:28pm, Brown MOVED TO ADJOURN. Stokes SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Brian Housh, Council President

Attest: Judy Kintner, Clerk of Council