

**COUNCIL OF THE VILLAGE OF YELLOW SPRINGS
REGULAR COUNCIL MEETING
AGENDA**

IN COUNCIL CHAMBERS @ 7:00 P.M.

Monday, April 16, 2018

Comments from the Public are welcomed at two different times during the course of the meeting: (1) Comments on items not on the Agenda will be heard under Citizens Concerns, and (2) Comments on all items listed on the Agenda will be heard during Council's consideration of said item. A Sign-In sheet will be made available on the small table at the rear of the Council Chambers. Please write your name and the topic you wish to discuss.

CALL TO ORDER

ROLL CALL

SWEARING IN OF NEW PEACE OFFICER

Officer Paul Raffoul.

ANNOUNCEMENTS (7:05)

CONSENT AGENDA (7:10)

1. Minutes of April 2, 2018 Regular Meeting

REVIEW OF AGENDA

I. PETITIONS/COMMUNICATIONS (7:15)

The Clerk will receive and file:

Vectren re: Intent to Increase Rates
VYS re: Spring Clean Up
GCCHD re: Free Infant Feeding Classes

II. PUBLIC HEARINGS/LEGISLATION (7:20)

Second Reading and Public Hearing of Ordinance 2018-09 Amending Pool Rates
Second Reading and Public Hearing of Ordinance 2018-10 Repealing Section 1250.02
"Schedule of Uses" of the Codified Ordinances of the Village of Yellow Springs, Ohio and
Enacting New Section 1250.02 "Schedule Of Uses"
Second Reading and Public Hearing of Ordinance 2018-11 Repealing Section 1262.08
"Specific Requirements" of the Codified Ordinances of the Village of Yellow Springs, Ohio and
Enacting New Section 1262.08 "Specific Requirements"
Second Reading and Public Hearing of Ordinance 2018-12 Repealing Section 1258.01
"District Uses" of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting
New Section 1258.01 "District Uses"
First Reading of Ordinance 2018-14 Amending the Employee Personnel Manual to Add One
Holiday to the Recognized Holiday Calendar
Reading of Resolution 2018-11 Approving a Full Tap Waiver and Zoning Fee Waiver to Home,
Inc. for the Forest Village Homes Project
Reading of Resolution 2018-12 Opposing Action on the Part of the Ohio Division of Wildlife to
Permit Legal Trapping of the Ohio Bobcat

III. CITIZEN CONCERNS (7:35)

IV. SPECIAL REPORTS

V. OLD BUSINESS (7:40)

Tobacco 21 (Reporter: 5 min)
Utility Affordability (Kreeger 15 min)
Designated Community Investment Corporation (Housh 15 min)
Village Incentive Policy (Kreeger: 10 min)
Review of Diversity Hiring Practices (Hempfling: 15 min)
Housing Initiative Update (MacQueen: 5 min)
Board and Commission Document Review (Clerk: 10 min)

VI. NEW BUSINESS (8:55)

Utilization of the Village's Social Media Capacity (Bates: 5 min)

VII. MANAGER'S REPORT (9:00)

VIII. CHIEF'S REPORT (9:05)

IX. SOLICITOR'S REPORT (9:10)

X. CLERK'S REPORT (9:15)

VI. BOARD AND COMMISSION REPORTS (9:20)

Report from Representatives:

MacQueen	Planning Commission (Kreeger)
Kreeger	Economic Sustainability Commission (Stokes)
Stokes	Community Access Panel (Housh)
Kreeger	Arts and Culture Commission (Housh)
Judith Hempfling	Energy Board (Stokes)
Judith Hempfling	Library Commission (Stokes)
Judith Hempfling	Justice System Task Force (Kreeger)
Marianne MacQueen	Village Mediation Program (Kreeger)
Marianne MacQueen	School Board Liaison (Housh)
Stokes	Human Relations Commission (MacQueen)
Marianne MacQueen	Environmental Commission (Kreeger)
Marianne MacQueen	Beaver Management Task Force
Housh	Greene County Regional Planning Commission
Housh	Miami Valley Regional Planning Comm.

VII. FUTURE AGENDA ITEMS (9:25)

May 7: **Second Reading of Ordinance 2018-14** Amending the Employee Personnel Manual to Add One Holiday to the Recognized Holiday Calendar
Glass Farm Management Committee Resolution
May 21: JSTF Proposal
Fees for Event Services Discussion

EXECUTIVE SESSION

ADJOURNMENT

The next regular meeting of the Council of the Village of Yellow Springs will be held at 7:00 p.m. on **Monday, May 7, 2018** in Council Chambers, John Bryan Community Center, 100 Dayton Street.

The Village of Yellow Springs is committed to providing reasonable accommodations for people with disabilities. The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the Village Clerk of Council's Office at 767-9126 or via e-mail at clerk@yso.com for more information.

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

In Council Chambers @ 7:00 P.M.

Monday, April 2, 2018

CALL TO ORDER

President of Council Brian Housh called the meeting to order at 7:00pm.

ROLL CALL

Present were Housh, Vice President Marianne MacQueen and Council members Judith Hempfling, Kevin Stokes and Lisa Kreeger. Also present were Village Manager Patti Bates, Assistant Village Manager Melissa Dodd, Village Solicitor Chris Conard, Planner Denise Swinger, Streets, Parks and Electric Superintendent Johnnie Burns and Chief of Police Brian Carlson.

ANNOUNCEMENTS

MacQueen announced four Community Conversations meetings upcoming. Housh stated that he could help follow up on child care for the April 4th meeting if needed. At the April 5th meeting, a Mills Lawn fourth grade class will present their PBL display related to housing.

MacQueen announced the Coretta Scott King Center Legacy Luncheon to be held April 25th at the Dayton Racquet Club.

Housh announced April 7th (11-2) as Opening Day for Trails, with giveaways and free hotdogs. MTRF and YSPD will be in attendance, as will Greene CATS personnel. The YS Brewery is a main sponsor of the event. This is a good time and place to participate in the Active Transportation Plan information gathering effort.

Housh announced that Yellow Springs is in the running for a "Main Street" contest through social media, and that the prize, \$25,000.00, could be used to support the Wheeling Gaunt sculpture in the works for the downtown area.

The Clerk noted that Stokes had wanted it announced that Thursday night is "school night" at the Little Art Theater this week, as the schools are sponsoring reduced cost admission to Black Panther. A 365 Project discussion will follow the movie.

CONSENT AGENDA

1. Minutes of March 13 Special Council Meeting: Work Session
2. Minutes of March 19, 2018 Regular Meeting
3. **Resolution 2018-06** Authorizing the Village Manager to Renew Health Insurance for Village Employees 2018-2019 Plan Year
4. **Resolution 2018-07** Authorizing the Village Manager to Renew Dental Insurance for Village Employees 2018-2019 Plan Year

MacQueen MOVED and Stokes SECONDED a MOTION TO APPROVE. The MOTION PASSED 5-0 on a voice vote.

REVIEW OF AGENDA

Dodd noted that Council may wish to allocate funds for pool repairs in the 2018 Supplemental, and stated that that presentation is scheduled after Legislation. Council moved the presentation in front of that legislation.

MacQueen added the topic of reporting of sidewalk and street repair needs to Old Business.

MacQueen added a discussion of a "Bobcat Resolution" to New Business.

MacQueen added discussion of the request for a tap fee waiver from Home, Inc to Old Business.

Hempfling added Hiring Process for the Finance Director position to New Business.

Hempfling added an Energy Board educational event to New Business.

Kreeger added the Hiring of a Public Employee to the Executive Session.

PETITIONS/COMMUNICATIONS

MacQueen reviewed communications received as follows:

Greene County Combined Health District re: Annual Report and Suicide Prevention Training
Laura Curliss re: Special Event Funding
Mayor's Monthly Report
Marianne MacQueen re: Bobcat Resolution
Emily Seibel re: Home, Inc. Request

PUBLIC HEARINGS/LEGISLATION

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. MacQueen MOVED and Kreeger 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.

Housh OPENED THE PUBLIC HEARING.

Dorothee Bouquet received clarification that the ordinance covers accidents or natural disasters.

Hempfling asked for explanatory information to precede legislation in the packet as a means to greater understanding and clarification.

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

Prior to the reading of ordinance 2018-07, Dodd and Burns presented a PowerPoint presentation detailing deferred maintenance needs for the Gaunt Park pool. The presentation was extensive and noted dollar estimates for each area of concern.

Dodd stressed that these are estimates.

Housh stated firmly that he is committed to opening the pool this summer. He commented that he would like to differentiate between those items which are general maintenance and those with safety implications.

In response to a question from Hempfling, Dodd stated that there is currently \$405,750.00 in the Parks and Recreation Fund, which receives funding annually from Council. There are small projects that use the Parks and Recreation Capital Improvement funds, such as improvement of the softball fields, but no money is currently appropriated from the Parks and Recreation Fund to the Capital Improvement line.

Kreeger noted that these issues are long-term deferred maintenance, and in some cases are the result of poor decision making with regard to the method of repair. Kreeger expressed relief that there has been no injury or incident to this point, and stated her approval for funding the needed repairs.

In response to a question from MacQueen, Dodd suggested appropriating more than is projected for the repairs so that Council does not have to return with another Supplemental Appropriation.

Burns stated that, given the number of projects his crews are currently responsible for, he would like all pool projects contracted out.

MacQueen asked to appropriate \$150,000.00.

Housh highlighted the lack of attention to maintenance, which has resulted in the current problematic situation. Attention to maintenance is the purview of the Village Manager, he commented, as well as her staff, and this fact should be noted.

Ted Donnell commented that the various projects will need to go out to bid, and he urged the Village to hire an architect to design the repairs and rebuilds to assure that all are completed in a manner proper to a pool facility with regard to materials, etc.

Burns responded that the repairs will require multiple contractors.

Donnell commented that there is a layer of responsibility assumed by the design professional, in that while a contractor will build or repair according to the request of the purchaser, when the contractor is working to the specifications requested by the architect or designer, that individual is ultimately

responsible for any liability with regard to the structure. It is the responsibility of the Village, Donnell said, to assure that a design professional is the liable party.

Emergency Reading of Ordinance 2018-07 Approving First Quarter Supplemental Appropriations and Declaring an Emergency. MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Dodd noted the appropriations as a housekeeping measure she needed to get done before her departure so that the Village is prepared for upcoming expenditures.

Dodd noted that most expenses are within the purview of Burns, given that he is overseeing all non-office based Village departments currently.

Dodd reviewed the proposed expenditures.

Dodd noted that there is an influx of funds coming into the General Fund from the Army Corps of Engineers reimbursement, and that Council may want to consider what they wish to do with this.

Dodd added the \$150,000.00 proposed for the pool.

Dodd noted that a cost incurred for the road for Cresco will be reimbursed, but that the expenditure has to be allocated.

Kreeger asked for the total of real appropriations, once reimbursements are subtracted out.

This figure was calculated to be \$78,000.00, before the pool allocation.

MacQueen MOVED to amend the Supplemental Appropriations Ordinance to include \$150,000.00 for pool repairs. Housh SECONDED, and the MOTION PASSED 5-0 on a voice vote.

Housh asked about the topic of projects not budgeted for and Bates explained this as various office moving within the Bryan Center as well as improvements to the Bryan Center Gym, the Yellow Springs Station and John Bryan Community Pottery.

Housh asked how decisions are being made regarding John Bryan Community Pottery, and whether that group contributes to any improvements.

Bates noted that the building is the responsibility of the Village.

Housh expressed concern about making repairs and/or improvements without any reporting structure (as is the case for the Library building).

Housh asked that the JB Community Pottery group present to Council.

Hempfling noted that the Pottery group has committed to providing classes at lowered cost as a public resource.

Kreeger commented that she is unclear as to why there are maintenance needs that are not appropriated for in advance.

Dodd noted that the Bryan Center fell under a previous superintendent who may have had a different approach.

Housh stressed that there has to be a process for making repairs in a timely and transparent fashion.

Bates commented that this is an area in which staff and she are working to improve.

(See Below)* Housh CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Emergency Reading of Ordinance 2018-08 Approving First Quarter Transfers and Declaring an Emergency. Kreeger MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Dodd commented that the ordinance moves the funds just appropriated with the supplemental appropriation into the proper budget lines for expenditure.

Karen Wintrow pointed out that she did not believe a vote had been called on the motion to approve the supplemental appropriation.

The Clerk confirmed this, and Council returned to Ordinance 2018-07 for a vote (see above).*

Council returned to Ordinance 2018-08.

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

First Reading of Ordinance 2018-09 Amending Pool Rates. MacQueen MOVED and Stokes SECONDED a MOTION TO APPROVE.

Dodd commented that the only change to the ordinance is the addition of an "Adult-plus-one" fee line.

Bates confirmed that the "Swim For All" program will continue, and is essentially a half-cost option for those who qualify on the basis of income.

Dodd noted that the Yellow Springs Community Foundation assists in funding the program and has already donated \$500.00 for the 2018 costs.

Housh CALLED THE VOTE and the MOTION PASSED 5-0 on a ROLL CALL VOTE.

Swinger presented a report on all three ordinances related to food trucks as follows:

Currently food trucks are allowed in the B-1, Central Business District, E-I, Educational Institution District, I-1, Mixed Industrial District, and I-2, Industrial District.

Planning Commission reviewed and approved this text amendment at its February 12, 2018 meeting.

Swinger noted having checked with Karen Wintrow regarding the reason why the revised zoning code had not included food trucks in the B-2. She stated that Wintrow had opined that perhaps there was a concern that there could be competition with existing restaurants.

Swinger noted that this is more likely in the B-1, where food trucks are currently permitted, and stated that Planning Commission had vetted this concern during its hearing on the matter at its February meeting.

Housh then asked that all ordinances be read in at the same time and considered at the same time.

First Reading of Ordinance 2018-10 Repealing Section 1250.02 "Schedule of Uses" of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1250.02 "Schedule Of Uses".

First Reading of Ordinance 2018-11 Repealing Section 1262.08 "Specific Requirements" of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1262.08 "Specific Requirements".

First Reading of Ordinance 2018-12 Repealing Section 1258.01 "District Uses" of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1258.01 "District Uses".

MacQueen MOVED and Stokes SECONDED a MOTION TO APPROVE.

There was no vote, as the vote and public hearing will take place at the second reading.

Emergency Reading of Ordinance 2018-13 Enacting New Section 1021.041 Entitled "Areas Designated Solely for Undergrounding" of the Codified Ordinances of Yellow Springs, and Declaring an Emergency. MacQueen MOVED and Stokes SECONDED a MOTION TO APPROVE.

Conard introduced the legislation, stating that the legislation creates a regulatory framework for the installation of small cells regarding municipal public way usage law. Specifically, HB 478 includes the following guidelines regarding small cell technology:

Proponents of the Bill contend that HB 478 strives to modernize Ohio's wireless infrastructure. However, with that modernization, the Village of Yellow Springs needs to be prepared with codified standards to retain certain control over its public right of ways.

HB 478 passed the Ohio House of Representatives and, currently, is in the Senate. Originally, it was thought that HB 478 would be approved by the Senate with little pushback. However, the Senate has held three hearings with requests for additional changes to the Bill by the industry. The Senate has been resistant to the proposed changes, but it is still unclear what the final version of the Bill will be. Once the Bill passes the Senate, it will be submitted to the Governor for review and signature. As of today, it is predicted that the Bill will go into effect at the end of July, 2018.

Accordingly, the Village needs to be prepared to approve legislation with a target effective date of July 31, 2018, that complies with the requirements of HB 478 in regard to the permit process for small cell facilities, application fees and design requirements. Staff has been monitoring the overall situation through the Miami Valley Regional Cable Council and will be prepared to move forward with legislation once the Senate approves the final Bill.

House Bill 478 also has requirements regarding underground designations in public areas, and authorizes the Village to designate underground-only areas as it relates to all utility services if the Village establishes that designation at least three months prior to any application for a small cell facility in the proposed area.

Conard noted that the version of the bill has no aesthetic standards for the towers. The ordinance the Village is considering can control only what goes underground with regard to the small cell towers.

Conard commented that the version of the bill now moving through the Ohio legislature, if it passes, will go into effect 90 days following passage. This means that the Village must have any responsive legislation in place and in effect prior to that time, which is speculatively set at June or July of 2018.

To that end, Ordinance 2018-13 is written as emergency legislation. The purpose of this ordinance is to ensure that the Village timely designates underground-only areas in the likely event that HB 478 passes and is enacted as Ohio Law.

In response to questions from Council, Swinger noted that the Village has to provide alternative sites within a 100-foot range if it challenges the right of the utility to place the tower where it requests.

With regard to fees, Conard commented that while the municipality can charge fees, these are likely to be nominal.

Burns commented that the Village would also not be able to work on its own utilities on its own poles without the permission of the cell provider.

It was also noted that areas yet to be developed cannot be listed for undergrounding on the provided map, but that Village ordinances require that all new developments have underground utilities, so these areas should be covered moving forward.

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

Reading of Resolution 2018-08 Supporting Climate Action Priorities and Actions Curtailing Climate Change and Encouraging Carbon Footprint Reduction. MacQueen MOVED and Hempfling SECONDED a MOTION TO APPROVE.

Duard Headly presented information regarding climate actions proposed for the Village based upon those areas in which the Village might most readily make a significant impact.

Headly affirmed that the Village has done very well in terms of its reduction in the use of fossil fuels to create electricity, given its green-oriented energy portfolio.

Headly identified opportunities to reduce carbon footprint via a reduction in transportation and the things we buy.

Hempfling commented that the Energy Board is working on an early education program for school-agers and has some leads in this area.

Bates noted that she too has been working in this direction.

Headly commented that Villagers tend to be highly engaged, but that engagement tends to be very individualized. He opined that this energy can best be captured by providing information about how to reduce the carbon footprint to citizens and letting them address this in their own ways.

Housh commented that the resolution will help to incentivize conservation in terms of energy use reductions.

Housh CALLED THE VOTE, and the MOTION PASSED 5-0 on a voice vote.

Reading of Resolution 2018-09 Creating a Permanent Glass Farm Conservation Area Management Committee. MacQueen MOVED and Stokes SECONDED a MOTION TO APPROVE.

MacQueen stated that the Beaver Management Task Force was started to manage the beaver population and the water issues therefrom on the Glass Farm. Ongoing maintenance of the area, including the educational area formed by the grant, is now needed, she stated.

MacQueen stated that the ongoing maintenance of the area requires formation of a management committee.

Housh commented that he would like more outreach about the asset to occur.

This was debated, with cautionary language used regarding any attempt to draw large numbers of people to the area, it being a somewhat fragile ecosystem.

Ted Donnell remarked that development is “massively disruptive” and in most communities there are plans in place aimed at protecting natural areas in the event of construction activity with regard to stormwater management, utility placement, distance from the area of any development, erosion control, etc.

Donnell commented that the area is a constructed wetland, which is a very important term, given that it receives runoff from a number of areas. If the area cannot receive an increased volume of water because the basin cannot be altered under the terms of the conservation easement, that becomes a significant problem, Donnell said.

Donnell opined that the resolution should state that the area is a constructed wetland, and that its purpose is for stormwater management in the watershed. Terms of any expansion to the retention basin should then be delineated, he commented.

Donnell stated that any management group needs to understand the role of the wetland as a constructed wetland, since, he reasoned, if the group is formed to protect the area, it will protect it from any disruption or development, and this will affect any attempt to develop the Glass Farm area.

The matter was discussed briefly, with Hempfling asking that the resolution be tabled while the concerns Donnell raised are addressed.

Hempfling MOVED TO TABLE Resolution 2018-09.

Duard Headly commented that his recollection of the conservation easement is that it permits some modification of the wetland.

MacQueen asked that the current BMTF be permitted to continue work regarding ongoing maintenance while the matter is being decided.

Housh SECONDED THE MOTION TO TABLE. The MOTION PASSED 5-0 on a voice vote.

Reading of Resolution 2018-10 Adopting a Wellhead Protection Plan Update and Encouraging Sourcewater Protection Education and Activities. MacQueen MOVED and Hempfling SECONDED a MOTION TO APPROVE.

Environmental Commission member Diana Newsom delineated the process whereby the commission addressed the update to the original wellhead protection document.

Newsom noted that the group reviewed one- and five-year time of travel issues as well as educational outreach issues in depth. The original geographic approach to the time of travel was carefully vetted, including a look at Morris Bean and any potential threats posed or recommendations needed.

Newsom noted that the time of travel information is based upon the underlying hydrogeology and the volume of water pulled from the wells, neither of which has changed since the initial Wellhead Protection Plan (WPP). Newsom stated that the EC had also not identified any new sources of pollutants.

The education plan was determined to be outdated, and the group came up with a list of recommendations based upon this need.

Newsom reviewed the EC's list of recommendations based upon its research, one of which was to update the plan every five years. The group also recommends re-delineating the geographic area with regard to potential pollutants.

The EC recommended testing of the monitoring wells more frequently, and testing more strategically.

The group has also asked Morris Bean to conduct sinkhole surveys more frequently, and to add the Village Manager to its emergency contact list.

Bates noted a tri-fold pamphlet the group has created as an educational tool.

Housh CALLED THE VOTE, and the MOTION PASSED 5-0 on a voice vote.

CITIZEN CONCERNS

There were no Citizen Concerns.

SPECIAL REPORTS

Planning Commission Annual Report. Swinger delivered the annual report.

Swinger noted 2018 goals for the commission as follows:

- Reviewing the Housing Needs Assessment recently completed by Council
- Updating the Comprehensive Land Use Plan
- Amending the Planning/Zoning code with the Complete Streets policy

Brian Housh presented service certificates to Ted Donnell (BZA, 15 years) and Matt Reed (Planning Commission, 10 years).

Reed exhorted Council to use the Planning Commission to aid in developing a plan for the Glass Farm

Donnell commented that the revised zoning code has done a great job of defining Village priorities, and has resulted in far fewer BZA hearings over the last five years.

Donnell commented further that Planning Commission could and should be used to vet projects being contemplated by Council. He used the earlier raised example of the wetlands as a case in point, opining that if PC had been able to vet the idea, it would have been able to put in place some of the caveats necessary.

OLD BUSINESS

Housing Initiative Update. MacQueen reiterated the information regarding the upcoming Community Conversations.

MacQueen stated that the Housing Advisory Board will focus upon gathering information during April.

Kreeger asked about the timeline for the HAB as a board as opposed to morphing into a permanent commission or a task force.

MacQueen stated that the HAB needs to continue its mission for about another year. She stated that she wants to address the role of Planning Commission in the housing process.

Hempfling argued that PC is not an elected body and stated that Council should be making decisions around housing goals.

MacQueen commented that Council should provide the vision, and the HAB should gather strategies for Council to consider. She commented that she expects a firm plan by the end of this summer.

Stokes commented that community members need to inform Council as to their opinions before Council moves forward. We are representatives, he noted. He commented that he hoped Council will learn from the process of the community conversations. He commented that the foundation from which Council moves should be the Housing Needs Assessment.

Home, Inc Tap Fees. Emily Seibel, Executive Director of Home, Inc., requested an increase in the tap fee waiver amount approved by Council in 2017, given that the Village has increased those fees in the intervening months.

Hempfling MOVED TO APPROVE THE STATED REQUEST. MacQueen SECONDED.

Council was informed that the matter would need to return as a resolution.

Bates stated that she would instruct Swinger to proceed with issuance of the tap permits so that there would be no delay in the project.

Bates commented that the Village budgets for tap fees annually, and that this would simply show as a lack of revenue.

Bates will write the resolution for the next meeting.

Sidewalk Repair Reporting. In response to a question from MacQueen, Bates noted various entities to whom repair needs can be reported.

Bates commented that the repair needs pointed out by Ellen Hoover will be addressed as soon as the rain abates.

NEW BUSINESS

Infrastructure Report. Burns delivered his report as follows:

Historically, the Village has not been as proactive as it could in terms of maintenance and repairs. This could be due to a number of reasons including staffing and funding. Burns stated that he, along with current staff, has been working diligently to create a plan for moving forward to address these needs.

Burns noted that he is working on creating a list of projects that are in order of priority. These will be divided into the following categories of concern: Critical, Severe and Moderate. This can be presented to Council at a future meeting once complete.

Primary areas of concern at this point based on staff assessments are related to the electric distribution system, water distribution system, sewer collection system, the pool, and the lift station generator.

The Ohio Environmental Protection Agency is requiring the Village to complete an asset management evaluation as it relates to Village infrastructure. This is due October 1st. The Village anticipates that the OEPA will have feedback as it relates to improvements that will need to be made. This could potentially have a large impact on prioritization of projects.

In addition to the above concerns, there are numerous smaller projects related to building maintenance, parks & recreation and streets.

Burns stated that he is working to put together information on costs and prioritizing each of the projects, and that it is his hope to have this list finalized by June when it will be presented to the Village Manager for further consideration. This list will continue to be updated as needs arise.

Burns responded to the earlier noted concern regarding purchase of a new door for John Bryan Community Pottery. He stated that the door threshold had rotted out and that water was impacting the interior as a result. He added that change in leadership of the group had also necessitated a change of locks. The new door, he stated, has a combination lock built in, and will also resolve the issue with the rotted threshold, thus addressing two needs for less than the cost to simply re-key the old door and issue new keys.

Burns stressed that his approach will be to repair and replace properly rather than cover items with temporary solutions. He committed to communicating with Council regularly regarding these activities and needs, and offered several examples as to how he intends to enact this effort of being proactive.

Kreeger stated that it will be critical for Council to have a clear understanding of the level of need for catching up on deferred maintenance in dollar amounts.

Burns remarked that reclosers and a third circuit are critical upcoming infrastructure needs, as are pole replacements.

MacQueen noted the importance of a connection and clear communication between Council and staff.

Bobcat Resolution. MacQueen asked that a resolution opposing trapping of the Ohio bobcat be brought to the next Council meeting. This was met with approval.

Hiring of Finance Director. Hempfling expressed concern that diversity practices were not yet in place for this hire. She expressed concern that there is no person of color on the hiring committee.

Bates stated that she was happy to include a member of Council in the interview process if Council so desires. And, it was decided that Stokes and Housh would be members of the hiring committee.

MANAGER’S REPORT

Bates reported on the following:

Sgt. Naomi Watson will be receiving the David P. Eckert Outstanding Law Enforcement Service Award for her outstanding commitment to victims of crime. The nomination comes from the Prosecutor’s Office and the award will be given on April 9th in a brief ceremony.

ASSISTANT VILLAGE MANAGER/FINANCE DIRECTOR REPORT

Dodd bade the Village and Council farewell. In assuring a smooth transition, Dodd passed along upcoming needs with regard to Sutton Farm, as follows:

Dodd stated that as a result of a meeting with Johnnie Burns who explained a number of facility needs that will likely need to be addressed in 2018, they outlined each project and an estimated cost as shown here:

SUTTON FARM	
Project Description	Estimated Project Cost
Heating and lighting in new barn	\$20,000
Garage door openers for heavy doors	\$6,000
Old barn structural repairs	\$40,000
Secure fence	\$15,000
TOTAL ESTIMATED SUTTON FARM COSTS	\$81,000

BRYAN CENTER HVAC	
Project Description	Estimated Project Cost
Heating and AC controls and various issue fixes	\$70,000*
*does not include air handling unit in boiler room	

Dodd noted changed hours for the Utility office.

Finally, Dodd reviewed a checklist of actions for homeowners so that they are not taken by surprise by utility bills.

Dodd affirmed that she will be willing to assist the Village in hiring and orientating the new Finance Director.

CHIEF’S REPORT

The Chief noted with pleasure the start of the new Outreach Specialist in the Police Department.

SOLICITOR’S REPORT

There was no Solicitor’s Report.

CLERK’S REPORT

The Clerk noted business as usual and expressed appreciation for Dodd.

AGENDA PLANNING

- April 16: **Second Reading of Ordinance 2018-09** Amending Pool Rates
 Second Reading and Public Hearing of Ordinance 2018- 10 Adding Mobile Vending Food Trucks to B-2 General Business District
 Second Reading and Public Hearing of Ordinance 2018-11 Adding Mobile Vending Food Trucks to B-2 General Business District
 Second Reading and Public Hearing of Ordinance 2018-12 Adding Mobile Vending Food Trucks to B-2 General Business District

Ordinance 2018-14 Amending the Employee Personnel Manual to Add One Holiday to the Recognized Holiday Calendar
Resolution 2018-09 re: Sourcewater Protection
Tobacco 21
Proposal re: JSTF
Utility Affordability Discussion
Designated Community Investment Corporation Discussion
Fees for Event Services Discussion
Village Incentive Policy
Review of Diversity Hiring Practices
May 7: **Second Reading of Ordinance 2018-14** Amending the Employee Personnel Manual to Add One Holiday to the Recognized Holiday Calendar
Community Conversations Feedback

EXECUTIVE SESSION

At 10:24pm, Hempfling MOVED to Enter Executive Session for the Purpose of the Discussion of the Potential Discipline of a Public Employee and the Hiring of a Public Employee. Kreeger SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

At 11:05pm, Kreeger MOVED and Housh SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 5-0 on a voice vote.

ADJOURNMENT

At 11:06pm, Kreeger MOVED and MacQueen 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 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



Legislation Summary

April 16, 2018

Ordinance 2018-14 Amending the Holiday Schedule

This legislation amends Section 304 of the Personnel Manual to add December 24th to the Observe4d Holidays of the Village. As previously discussed at Council, this day is generally exceptionally quiet at the Village, with many employees taking vacation days and virtually no citizens coming in for assistance.

Resolution 2018-11

This resolution is replacing the previous resolution forgiving tap fees and zoning fees for Home, Inc.'s Forest Village Homes. This resolution provides full forgiveness of tap and zoning fees for up to 6 water, sewer and electric taps and all zoning fees. **Please note** that I did include electric tap fees in the forgiveness. While this was not specifically discussed, they were included in the \$6,600 figure that Ms. Seibel noted in her request. Since Council's decision was for full forgiveness, I included them. If Council wishes to do something different, we can table the resolution and bring an amended version to the next meeting.

Resolution 2018-12 Protecting the Endangered Ohio Bobcat

Including previous brief from Councilperson MacQueen.

Late yesterday I received emails from a colleague in Athens Ohio who has been working on the preservation of the bobcat in Ohio. The Ohio bobcat - Lynx Rufus - is the only cat native to Ohio and had been on the Ohio Endangered and Threatened Species list until less than four years ago. Recently the Ohio Department of Natural Resources has proposed that the bobcat be added to the list of trappable fur-bearing animals. The population of bobcats is uncertain and ODNR itself is half way through a four year study population study. This new move by ODNR is in conflict with its own protocol. As given recent as last October an ODNR bulletin noted that the viability of the species was unclear.

The challenges of climate change and biodiversity are intertwined and we depend on the health and vitality of our natural environment. Healthy ecosystems are resilient systems. For these reasons and because of concerns specifically about the bobcat, Athens city council as well as Nelsonville have passed resolutions opposing the ODNR proposal to allow trapping of the bobcat. I request that Yellow Springs pass a similar resolution at its April 16th meeting. I have attached the Athens resolution. Written testimony must be received by April 23rd. It should be sent to Ohio Wildlife Council President Paul Mechling at wildlife.council@dnr.state.oh.us and also wildinfo@dnr.state.oh.us.

For more information on the Ohio bobcat go to www.saveohiobobcats.com. I can provide additional information from Heather Cantino in Athens if Council would like that.

Thank you for considering this, Marianne MacQueen

VILLAGE OF YELLOW SPRINGS

ORDINANCE 2018-09

REPEALING AND REPLACING SECTION 1064.02--RATES, ADMISSIONS AND SEASON HOURS OF CHAPTER 1064--MUNICIPAL SWIMMING POOL OF PART TEN--STREETS, UTILITIES AND PUBLIC SERVICES OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY
ORDAINS THAT:**

Section 1. Existing code section 1064.02 Rates, Admission and Season Hours is hereby repealed in its entirety.

Section 2. The new section 1064.02, Rates, Admission and Season Hours is hereby enacted to read as follows:

a.)

Single Daily Admissions	
Description	Rate
Persons under the age of 4	Free*
Persons 4-18 years	\$3.50
Persons 19-61 years	\$5.00
Persons 62 and over	\$3.50

b.)

Village Resident Season Pass	
Description	Rate
Persons under the age of 4	Free*
Persons 4-18 years	\$65
Persons 19-61 years	\$95
Persons 62 and over	\$65
Adult + 1 minor	\$110
Household of 5 or fewer	\$125
Each additional member	\$15

c.)

Miami Township (Greene County, Ohio) Resident Season Passes	
Description	Rate
Persons under the age of 4	Free*
Persons 4-18 years	\$80
Persons 19-61 years	\$122
Persons 62 and over	\$80
Adult + 1 minor	\$155
Household of 5 or fewer	\$170
Each additional member	\$20

d.)

Non-Resident Season Passes	
Description	Rate
Persons under the age of 4	Free*
Persons 4-18 years	\$95
Persons 19-61 years	\$140
Persons 62 and over	\$95
Adult + 1 minor	\$200
Household of 5 or fewer	\$215
Each additional member	\$20

*No charge with paying adult

e.)

Pool Rentals (after 8:00 pm)	
Description	Rate
One Hour	\$170
Two Hours	\$230
Three Hours	\$290
Four Hours	\$350

f.)

Swimming Lessons	
Description	Rate
Yellow Springs Residents	Free
Non-Residents	\$15

g.)

Pool Hours:

Open Swim:	1:00 p.m. – 7:00 p.m.	(All days)
Lap Swim	11:00 a.m. – 1:00 p.m.	(Monday-Friday)
	Noon – 1:00 p.m.	(Saturday & Sunday)
	7:00 p.m. – 8:00 p.m.	(All Days)

Section 3. Grandparents shall be permitted to purchase an Adult Plus One Minor Season Pass or Household Season Passes and list grandchildren who are visiting them during the swimming pool season. All grandchildren shall be considered a separate member of the household and a pass shall not be transferable from one grandchild to another.

Section 4. The Village Manager is authorized to enter into an agreement with the Yellow Springs Sea Dogs Swim Team regarding the use of the pool by said swim team. Seadogs agree to pay for the services of any lifeguards required for home swim meets.

Section 5. The Village Manager is authorized to implement the new rates at the beginning of the each of the swimming pool seasons as authorized by this ordinance.

Section 6. The Village Manager is authorized to implement the “Swimming for All” program pursuant to Ordinance 2011-17, to provide access to the pool for low income Village residents as resources allow.

Section 7. Village Resident is one who either resides and/or works in the Village. Acceptable proof of such is either a pay stub or a utility bill. Acceptable proof of Miami Township residency is mail addressed to the purchaser which shows residence within Township boundaries.

Section 8. This ordinance shall be in full force and effect at the earliest time permissible by law.

Brian Housh, Council President

Passed:

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh _____ Marianne MacQueen _____ Judith Hempfling _____
Kevin Stokes _____ Lisa Kreeger _____



STAFF REPORT

MEETING DATE: Monday, March 19, 2018

RE: Text Amendment to the Zoning Code for Mobile Vending (Food Trucks)

ZONING DISTRICT: B-2, General Business District

LOCATION: 1300 to 1600 block of Xenia Avenue/Brookside Drive/Kahoe Lane

The Village of Yellow Springs is applying for a text amendment to mobile vending (food trucks) in the General Business District.

Currently food trucks are allowed in the B-1, Central Business District, E-I, Educational Institution District, I-1, Mixed Industrial District, and I-2, Industrial District. The zoning code states that the B-2 District *“accommodates general retail and/or auto-dependent businesses. Uses within this district typically require high visibility, major arterial frontage, good access and ample parking. While these uses are provided for, the B-2 District is intended to be limited to a confined area so as to prevent the creation of a commercial strip and a proliferation of uses that would detract from the central business hub of the community.”*

The Planning Commission has reviewed and approved this text amendment at their February 12, 2018 meeting.

In the section titled Food, Drink, Entertainment and Hospitality of Table 1250.02 Schedule of Uses: Business Districts, the following are allowed in both B-1 and B-2: Bars, taverns, clubs and restaurants serving alcoholic beverages, brew pubs and similar establishments, farmer’s markets, and restaurants, excluding drive-in or drive-thru facilities. In the section titled Accessory Uses, outdoor patio seating in conjunction with a permitted restaurant is also allowed in both B-1 and B-2. The only use relating to food and drink that is different is mobile vending (food trucks), which is not allowed in B-2.

Allowing mobile vending (food trucks) will support businesses, like the Yellow Springs Brewery, who invested in the community with the purchase of the former bowling alley at 1475 Xenia Avenue for their YSB Private Party brew pub. The zoning code allows food trucks in the B-1, Central Business District, where numerous food and drink establishments are located. In my opinion, allowing food trucks in B-2 should not detract from the Central Business District’s numerous established restaurants and bars any more than the food and drink uses currently allowed in B-2.

There are three sections in the zoning code which will be affected by this proposed change. They are:

Text Amendment – Table 1250.02 Schedule of Uses: Business Districts – adding mobile vending (food trucks) to B-2 (Exhibit 2)

Text Amendment - Table 1258.01 Schedule of Uses by District – adding mobile vending (food trucks) to B-2, General Business District (Exhibit 3)

Text Amendment – Chapter 1262.08 (d) (1) – adding mobile vending (food trucks) to B-2, General Business District (Exhibit 4)

Respectfully submitted,

Denise Swinger
Zoning Administrator

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2018-10**

**REPEALING SECTION 1250.02 “SCHEDULE OF USES” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING
NEW SECTION 1250.02 “SCHEDULE OF USES”**

Whereas, Codified Ordinance Section 1250.02 of the Village of Yellow Springs, Ohio establishes a schedule of uses for Business Districts;

Whereas, Village Council seeks to allow mobile vending (food trucks) as a conditional use in the B-2 General Business District; and

Whereas, Village Council has determined that allowing mobile vending as a conditional use in the B-2 General Business District will not detract from the Central Business District of the Village, and it would be in the best interest of the Village to adopt new Section 1250.02 entitled “Schedule of Uses” of the Codified Ordinances of the Village of Yellow Springs.

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 1250.02 of the Planning and Zoning Codified Ordinances of the Village of Yellow Springs entitled “Schedule of Uses” be repealed.

Section 2. A new Section 1250.02 of the Planning and Zoning Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded** and deleted language in ~~strike through~~, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Brian Housh, President of Council

Passed:

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh _____ Marianne MacQueen _____ Judith Hempfling _____
Kevin Stokes _____ Lisa Kreeger _____

Exhibit A

1250.02 SCHEDULE OF USES.

Buildings or land shall not be used and buildings shall not be erected, except for the following specified uses, unless otherwise provided for in this code. Land and/or buildings in the districts indicated at the top of [Table 1250.02](#) may be used for the purposes denoted by the following abbreviations:

- (a) Permitted Use (P). Land and/or buildings in this district may be used by right.
- (b) Conditional Use (C). Land and/or buildings in this district may be permitted only if conditional use approval is granted, upon a finding that the general requirements of [Chapter 1262](#) are met.
- (c) Specific Conditions. Indicates requirements or conditions, as listed in [Chapter 1262](#), are applicable to specific uses.

<i>Table 1250.02 Schedule of Uses: Business Districts</i>			
<i>Use</i>	<i>B-1</i>	<i>B-2</i>	<i>Specific Conditions</i>
Food, Drink, Entertainment and Hospitality			
Art galleries, museums and similar cultural facilities	P		
Assembly and performance halls	C		
Bars, taverns, clubs and restaurants serving alcoholic beverages	C	C	
Bed and breakfasts	C		Section 1262.08(e)(2)
Brew pubs and similar establishments	C	C	
Community centers and senior centers	P		
Cultural buildings	C		
Farmers' market	C	C	
Hotels and motels	C	C	
Indoor commercial recreation such as theaters, bowling lanes and skating rinks	C	C	
Internet sweepstakes café	C		
Mobile vending (food trucks)	C	C	Section 1268.08(d)(1)
Outdoor commercial recreation such as mini-golf and		C	Section 1262.08(d)(3)

batting cages			
Restaurants, excluding drive-in or drive-thru facilities	P	P	

(Ord. 2013-19. Passed 9-16-13.)

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2018-11**

**REPEALING SECTION 1262.08 “SPECIFIC REQUIREMENTS” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING
NEW SECTION 1262.08 “SPECIFIC REQUIREMENTS”**

Whereas, Codified Ordinance Section 1262.08 of the Village of Yellow Springs, Ohio provides for additional requirements that may be applicable to specific conditional uses;

Whereas, the Village Council seeks to allow mobile vending (food trucks) as a conditional use in the B-2 General Business District; and

Whereas, the Village Council has determined that it would be in the best interest of the Village to adopt new Section 1262.08 entitled “Specific Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio to allow mobile vending (food trucks) as a conditional use in the B-2 General Business District.

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 1262.08 of the Planning and Zoning Codified Ordinances of the Village of Yellow Springs entitled “Specific Requirements” be repealed.

Section 2. A new Section 1262.08 of the Planning and Zoning Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded** and deleted language in ~~strike through~~, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Brian Housh, President of Council

Passed:

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh _____ Marianne MacQueen _____ Judith Hempfling _____

Kevin Stokes _____ Lisa Kreeger _____

Exhibit A

1262.08 SPECIFIC REQUIREMENTS.

In addition to the general standards of Section [1262.03](#) applicable to all conditional uses, additional requirements may be applicable to specific conditional uses and shall be satisfied in order to obtain approval. Conditional uses for which added requirements apply are:

(a) Commercial.

(1) Drive-through businesses, excluding restaurants.

A. The drive-up or drive-through facility must be attached to a building, except that an automated teller machine may be in a stand-alone structure with a canopy or similar roof to protect users from the elements.

B. The facility shall be screened from any adjacent residential district or use and lighting shall be limited and fully shielded to prevent glare and light trespass.

C. Drive-through and stacking lanes and parking lot access shall be clearly identified and delineated.

D. A drive-through shall have an escape lane to allow a vehicle to pass those waiting to be served.

E. All drive-through service windows shall be located on the side or rear of the building to minimize visibility from any abutting street.

F. Amplified speakers and sound equipment shall be located at least 50 feet from any adjoining residential property. Additional landscaping and fencing shall be installed between such equipment and the adjoining residential property to minimize associated noise impacts.

G. At least three stacking spaces shall be provided per each drive-through lane.

(2) Mortuaries and funeral homes.

A. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any residential district or use.

B. Minimum lot area shall be one acre and minimum lot width shall be 150 feet.

C. An off-street vehicle assembly area shall be provided to be used in support of funeral processions and activities. This area shall be in addition to the required off-street parking and its related maneuvering area.

D. Access driveways shall be located no less than 100 feet from the centerline of the intersection of any street or other driveway.

(3) Retail of 10,000 square feet or more.

A. The building and site design shall be compatible with and complementary to the established character of the district with respect to scale, height, bulk, setbacks, building materials and pedestrian and bicycle transportation amenities.

B. Off-street parking areas shall be designed to minimize their visibility and obtrusiveness from the adjacent street(s).

C. No new driveways or other means of vehicular access shall be permitted on Xenia Avenue between Limestone and Corry Streets.

(b) Industrial.

(1) Chemical manufacturing and storage.

A. As part of the conditional use application, the applicant shall provide documentation, reports, studies and other materials required by the Village specifying the materials to be handled, safety measures, existing soil conditions, methods of protecting ground water and all other information required by the Village in the course of reviewing the proposed use and its location.

B. The facility shall at all times operate according to all applicable local, Greene County, State of Ohio and Federal regulations.

C. Adequate safety measures shall be implemented and in use at all times.

D. There shall be no storage of hazardous materials outdoors, except in tanks or containers designed for that purpose that are inaccessible to anyone not authorized to process or handle such materials, and that meet all applicable safety regulations.

E. The applicant shall provide a disaster mitigation plan and fire pre-plan, approved by the appropriate authorities, as part of the application for a conditional use.

F. Truck routes to and from the facility shall be subject to approval.

(c) Public/Quasi-Public.

(1) Churches, places of worship, schools (elementary, middle and high).

A. The use shall have frontage on and direct access to an arterial or collector street. Secondary access to a local street may be permitted if the applicant provides evidence satisfactory to the Planning Commission that the added traffic will not have a negative impact on the surrounding neighborhood.

B. All outdoor activity, parking areas and recreational space shall be screened from adjacent property in any residential district.

C. Exterior lighting shall be 90-degree style cut-off fixtures, directed away from adjacent property and the public right-of-way.

D. Parking areas shall not be located within the required front setback area and the building setback shall be consistent with the established average setback of adjacent properties, as provided in Section [1260.02\(a\)](#).

(d) Recreation/Food/Entertainment.

(1) Mobile vending (food trucks).

A. Food trucks may be permitted to operate within the B-1, **B-2**, E-I, I-1 and I-2 zoning districts.

B. The food truck shall be located only within an approved off-street parking lot; provided, the food truck shall not displace any required parking spaces.

C. The food truck shall not be located closer than ten feet to any driveway.

D. Outdoor seating may be permitted; provided, written permission is obtained from the property owner and the seating area does not displace any required parking spaces.

E. Amplified sound and free-standing signs shall not be permitted.

F. The food truck shall be stationary at all times when open for business.

G. The owner or an employee shall be present within the vehicle at all times while open for business.

H. Access to restroom facilities must be available.

I. The owner or operator of the food truck shall provide trash receptacles, other than public receptacles.

J. All equipment, other than outdoor seating, shall be inside, attached to or within three feet of the food truck.

K. Evidence of Greene County health department approval shall be provided.

L. Disposal of wastewater shall be into the sanitary sewer system. The use of storm drains or any other form of discharge is prohibited.

M. The conditional use approval shall be reviewed annually by the Village Manager to ensure compliance with all standards of this section and any other conditions that may have been imposed upon the original approval.

(2) Internet sweepstakes café.

A. A license shall be obtained in accordance with Village Ordinance 2011-12.

B. An internet sweepstakes café shall be located no closer than 500 feet from any school, church, public park, library or other internet sweepstakes café, as measured from nearest property line to nearest property line.

C. Hours of operation shall be limited to 9:00 a.m. to 11:00 p.m., Monday through Saturday.

(3) Outdoor commercial recreation.

A. The front, side and rear yard minimum setbacks shall be 50 feet for all buildings and outdoor components of the recreational facility.

B. The parking setback shall be 20 feet from lot lines in the front, side and rear yards in nonresidential zoning districts and 50 feet from lot lines in residential districts.

C. Building design and materials shall be compatible with the existing or intended character of the surrounding area.

D. An operations plan describing the nature of the use, hours of operation, etc. shall be provided.

E. The Planning Commission may also establish conditions to minimize negative impacts on nearby uses and traffic operations along public streets, such as, but not limited to hours of operation, noise buffering and location of waste receptacles.

(4) Restaurants, drive-through.

A. Sufficient vehicular stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of eight stacking spaces for each service ordering station shall be provided. Stacking spaces shall be located so as not to interfere with vehicular circulation, parking spaces and egress from the property by vehicles not using the drive-through portion of the facility.

B. A minimum of two parking spaces shall be provided in close proximity to the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders.

C. Public access to the site shall be located at least 100 feet from any intersection or other driveway on the same side of the street, as measured from the nearest right-of-way line to the nearest edge of the access.

D. Internal circulation and access to egress from the site shall not substantially impair the movement of other modes of transportation, such as bicycles and pedestrians, to and through the site.

E. Amplified speakers and sound equipment shall be located at least 50 feet from any adjoining residential property. Additional landscaping and fencing shall be installed between such equipment and the adjoining residential property to minimize associated noise impacts. Noise levels must comply with the Village noise ordinance ([Chapter 634](#)).

(5) Sexually oriented business.

A. Intent. In the development and execution of these zoning regulations, it is recognized that some uses, because of their very nature, may have serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances, thereby causing a deleterious effect upon the adjacent areas. The proximity of sexually oriented businesses to certain uses considered particularly susceptible to the negative impacts of the concentration of sexually oriented uses tends to erode the quality of life, adversely affect property values, disrupt business investment, encourage residents and businesses to move or avoid the community, increase crime, and contribute to a blighting effect on the surrounding area. There is convincing documented evidence of the deleterious effect that sexually oriented

businesses have on both existing businesses around them and the surrounding residential areas to which they may be adjacent. Therefore, the following intents are served by these regulations:

1. This subsection describes the uses regulated and the specific standards necessary to ensure that the adverse effects of these uses will not contribute to the deterioration of the surrounding neighborhood, to prevent undesirable concentration of these uses, and to require sufficient spacing from uses considered most susceptible to negative impacts.

2. These provisions are not intended, nor shall they have the effect of, imposing a limitation or restriction on the content of any communicative materials including, but not limited to, sexually oriented materials that are protected by the First Amendment to the United States Constitution.

3. Additionally, it is not the intent of the provisions of this section, nor shall it have the effect of, restricting or denying access by adults to sexually oriented materials that are protected by said Federal and State constitutions.

4. Further, it is not the intent of these provisions, nor shall they have the effect of, denying access by the distributors and exhibitors of sexually oriented entertainment to their target market.

5. These regulations shall not be interpreted as intending to legitimize any activities that are prohibited by Federal or State law, or by any other code of the Village.

B. Uses regulated. The following uses are regulated by this subsection and defined for purposes of regulating sexually oriented businesses:

1. Adult arcade.
2. Adult book store.
3. Adult cabaret, club, bar or lounge.
4. Adult motel.
5. Adult motion picture theater.

C. Regulations.

1. No sexually oriented business shall be permitted in a location in which any principal building or accessory structure, including signs, is within 1,320 feet of any principal building or accessory structure of another sexually oriented business.

2. No sexually oriented business shall be established on a parcel within 500 feet of any parcel in a residential district or any parcel used for a single-family, two-family or multiple-family residence, public park, school, child care facility, church or similar place of worship, public library, Village office, police department or fire department, youth center, or commercially operated school attended by children such as, for example, dance schools, gymnastic centers, etc. The distance between a proposed sexually oriented business and any such zoned area or existing use shall be measured in a straight line from the nearest property line upon

which the proposed sexually oriented business is to be located to the nearest property line of that zoned area or existing use.

3. Any sign or advertising for the sexually oriented business must comply with the provisions of this code. No sign or advertising may include photographs, silhouettes, or drawings of any specified anatomical areas or specified sexual activities, or obscene representations of the human form and may not include animated or flashing illumination.

4. The entrances to the proposed sexually oriented business at both the exterior and interior walls, in a location visible to those entering and exiting the business, must be clearly marked with lettering at least two inches in height stating:

- a. "Persons under the age of 18 are not permitted to enter the premises;" and
- b. "No alcoholic beverages of any type are permitted within the premises."

5. No product or service for sale or gift, or any picture or other representation of any product or service for sale or gift, shall be displayed so as to be visible by a person of normal visual acuity from the nearest adjoining roadway or a neighboring property.

6. Hours of operation shall be limited to 9:00 a.m. to 11:00 p.m., Monday through Saturday.

7. All off street and on-site parking areas shall comply with this code, based on the primary use (i.e., retail, assembly, etc.) and shall additionally be illuminated at all times.

8. Any booth, room or cubical available in any sexually oriented business that is used by patrons for the viewing of any entertainment shall:

- a. Be unobstructed by any door, lock or other entrance and exit control device;
- b. Have at least one side totally open to a public, lighted aisle so that there is an unobstructed view at all times from the adjoining aisle of any occupant;
- c. Be illuminated such that a person of normal visual acuity looking into the booth, room or cubical from its entrance adjoining the public lighted aisle can clearly determine the number of people within;
- d. Have no holes or openings in any side or rear wall not relating to utility, ventilation or temperature control services or otherwise required by any governmental code or authority.

D. Conditions of approval. Prior to granting approval for the establishment of any sexually oriented business, the Planning Commission may impose any conditions or limitations upon the establishment, location, construction, maintenance, or operation of the sexually oriented business which is necessary for the protection of the public interest. Any evidence, bond, or other performance guarantee may be required as proof that the conditions stipulated in connection therewith will be fulfilled.

E. Access to minors. No person operating a sexually oriented business shall permit any person under the age of 18 to be on the premises of the business as an employee, customer, or otherwise.

(e) Residential.

(1) Accessory dwelling units.

A. An accessory dwelling unit may be located within a principal single-family detached dwelling or a detached accessory building on the same lot as a principal dwelling.

B. The accessory dwelling unit shall share all public utilities (water/ sewer/electric) with the principal dwelling unit. Accessory dwelling units will not be separately metered.

C. A minimum of one off-street parking space shall be provided on the lot for the accessory dwelling unit in addition to the off-street parking spaces required for the principal dwelling unit.

D. The accessory dwelling unit shall be limited in size to a maximum of 66% of the total living area of the principal dwelling or 800 square feet of the total living area of the principal dwelling or 800 square feet, whichever is less.

E. The accessory dwelling shall contain a living area, one bath and a kitchenette (including a refrigerator, microwave oven, stove and sink) and may contain not more than one bedroom.

F. No more than two adults shall occupy the accessory dwelling unit.

G. No new access points or driveways shall be created or installed for access to the accessory dwelling unit.

(2) Bed and breakfasts.

A. A bed and breakfast shall not provide more than six guest rooms plus a common area for use by all guests.

B. A bed and breakfast establishment shall be located only in a detached single-family dwelling, designed and constructed for single family use, which shall contain at least 1,500 square feet of useable floor area. For each guest room in excess of two, an additional 100 square feet of floor area shall be required.

C. The bed and breakfast shall be the principal residence of the owner or manager, who shall reside there when the bed and breakfast is in operation.

D. Meals shall be limited to breakfast and evening snack, and shall be served only to guests of the facility and members and guests of the owner's family.

E. There shall be at least one off-street parking space provided for each guest room, in addition to the parking spaces required to serve the principal residence.

F. One sign, not exceeding four square feet, shall be allowed for identification purposes only and shall either be mounted on the front wall of the dwelling or placed within the front yard no closer than ten feet to the front lot line. Sign lighting shall be indirect and shielded from view off-site. Internally lighted signs are not permitted.

G. Cooking facilities shall not be permitted in bed and breakfast guest rooms.

H. Exterior refuse storage facilities shall be screened from view on all sides by a six-foot solid decorative fence, wall, vegetation or similar visual barrier.

I. In addition to the site plan required by this chapter, a floor plan of the dwelling unit and the use of each room shall be submitted with the conditional use application.

(3) Boarding houses.

A. The boarding house shall front on and have direct access to an arterial or collector street.

B. A maximum of ten guest rooms may be permitted.

C. Off-street parking shall be provided at a ratio of one space per guest room. The parking area shall be located in the rear yard and screened from adjoining properties.

D. One sign, not exceeding four square feet, shall be allowed for identification purposes only, and shall either be mounted on the front wall of the dwelling or placed within the front yard no closer than ten feet to the front lot line. Sign lighting shall be indirect and shielded from view off-site. Internally lighted signs are not permitted.

(4) Dwelling units on upper floors with nonresidential at street level.

A. Dwelling units shall not be located on the street level of a mixed use building.

B. Nonresidential uses, including storage, shall not be located on the same floor as a dwelling unit.

(5) Home occupation.

A. Permit. Application for a home occupation permit shall be made to the Zoning Administrator, together with payment of such fee as may be established by Village Council. The requirement for a permit shall be waived if all of the following conditions apply to the home occupation: the proposed home occupation will not employ any persons other than residents of the dwelling; the home occupation is such that it will not generate customers, clients or visitors to the home; there will be no sign on the property identifying the home occupation and all other provisions of this section shall be met.

B. If the Zoning Administrator cannot determine if the home occupation conditional use requirements are met, in his or her sole discretion the Zoning Administrator may refer the matter to the Planning Commission for a conditional use hearing in accordance with the procedures of this chapter.

C. The use shall be conducted entirely within the dwelling, with the following exception(s):

1. The use may be conducted entirely within a garage or accessory building unattached to the dwelling in property zoned R-A, or R-B or R-C as long as the use is not prohibited in a Planned Unit Development, recorded deed restrictions or other similar applicable recorded restrictions upon the parcel.

2. Any dwelling, garage or accessory building used in the home occupation shall comply with all other applicable Village ordinances and requirements and shall not be nonconforming with respect to lot, width and dimensional requirements.

D. The use shall be carried on only by the residents of the dwelling and not more than one other person.

E. The use of the dwelling for a home occupation must be clearly accessory, incidental and subordinate to the permitted principal residential use, and shall not utilize more than 20% of the usable floor area of the principal dwelling or its equivalent if conducted within an accessory building, or 250 square feet, whichever is less.

F. The appearance of the dwelling shall not be altered, nor shall the occupation within the dwelling be conducted in any manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting or the emission of sounds, vibrations or light that carry beyond the premises.

G. No outdoor storage, activities or displays shall be permitted.

H. No combustible, toxic or hazardous materials may be used or stored on the premises, except in a safe manner and in full compliance with all Federal, State and other governmental requirements concerning the use, handling, transport, storage and disposal of any such materials.

I. There shall be no activity that would interfere with radio or television transmission in the area, nor shall there be any offensive noise, vibrations, smoke, dust, odors, heat or glare noticeable at or beyond the property line. The use shall not create a nuisance for the public and any surrounding property.

J. Traffic generated by the combined home and home occupation shall be compatible with traffic normally expected in a residential district. Vehicles used in the home occupation or making deliveries shall be no larger than utility vehicles commonly used for noncommercial purposes, i.e, pick-up trucks, vans, panel trucks and the like and parcel package delivery trucks.

K. The home occupation shall not entail more than eight client visits per day or 40 per week. The operator of the home occupation is responsible for maintaining a log of such visits.

L. Parking of motor vehicles shall be limited to one vehicle used for the home occupation per parcel. Parking generated by the conduct of the home occupation shall be provided for on the lot's driveway, which shall meet the minimum size requirements for off-street parking set forth in [Chapter 1264](#). Parking of motor vehicles generated by the home occupation are not allowed on the street or on any unpaved area of the lot.

M. In the event any of the above conditions or other conditions required by the Planning Commission are not met, the revocation process as set forth in Section [1262.06](#) shall take place.

(6) Short-term rentals.

A. Permit. Upon approval of the conditional use, the owner shall submit to the Zoning Administrator the name and emergency contact information for the owner or property manager who can be contacted and will respond within a reasonable time period to any complaints, violations, emergencies or other concerns related to the short-term rental property or tenants.

B. Location. The Planning Commission shall consider the proposed location relative to its proximity to other such uses in the vicinity in order to avoid an undue concentration that could have a negative effect on the surrounding neighborhood.

C. Maximum occupancy. The maximum number of tenants permitted shall be determined by applicable Health Department requirements.

(f) Storage and Distribution.

(1) Cartage, express and parcel delivery facilities, freight terminals, warehousing and storage.

A. The site shall have a minimum area of ten acres, provided the Planning Commission, may reduce the site area to no less than five acres where it is demonstrated to its satisfaction that the truck terminal operation will be compatible with other surrounding uses.

B. All ingress and egress from the site shall be directly onto an arterial street.

C. The site shall be designed so all vehicles are able to enter and leave the site without having to back out onto the street. Driveways shall be curbed for their full length in the front yard.

D. The Planning Commission shall determine that traffic will be no more hazardous nor the volume of traffic any greater than the capacity for the street involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and adequacy of intersections. All access to the site shall be from arterial streets built to a standard to accommodate heavy trucks.

(2) Mini-warehouse and self-storage facilities.

A. The minimum size of the site shall be not less than two acres.

B. All ingress and egress from the site shall be directly onto an arterial or collector street.

C. No storage of combustible or flammable liquids, combustible fibers, or explosive materials, as defined in the Fire Prevention Code, or toxic materials, shall be permitted within the self-storage buildings or upon the premises. However, storage of recreational vehicles containing fuel and other automotive fluids is permitted.

D. The use of the premises shall be limited to storage of personal items and business items and shall not be used for operating any other business, maintaining or repairing vehicles or for any recreational activity or hobby.

E. Limited retail sales of products and supplies incidental to the principal use, such as packing materials, packing labels, tape, rope, protective covers, locks and chains shall be permitted.

F. All yards abutting a street shall be screened from view in accordance with the requirements of Section [1270.02\(b\)](#).

G. A security manager may be permitted to reside on the premises. A minimum of two parking spaces shall be provided for the dwelling unit.

H. This use shall not be permitted within the Gateway Overlay District.

(g) Utility.

(1) Wireless communication facilities.

A. Required approvals. The placement of wireless communications facilities and towers shall meet the following approval requirements:

1. Installation of new antenna. The installation of new antenna(s) on existing towers, including legal nonconforming towers, and existing alternative structures (such as water towers, buildings, or church steeples) may be approved by the Zoning Administrator, subject to all requirements of this section. Any new antenna that will add either 10% or 20 feet, whichever is less, above the highest point of any existing tower or alternative structure shall be subject to the provisions of this chapter for the installation of new towers as described below.

2. Installation of new accessory structures. The installation of new accessory structure(s), such as equipment buildings, to support the installation of additional antennas on existing towers or alternative structures may be approved by the Zoning Administrator.

B. Removal. Any tower unused or left abandoned for 12 consecutive months shall be removed by the property owner at his or her expense. Regardless of the tower ownership, the property owner shall be responsible for removal. Upon the request of the Zoning Administrator, the operator of any facility to which this provision applies shall provide documentation of the use of that facility for the purpose of verifying any abandonment.

C. Interference with public safety facilities. No new wireless communications facilities or tower shall result in any interference with public safety telecommunications.

D. Required documentation for all facilities. In addition to the requirements provided in this chapter for the receipt of conditional use approval, applications for new towers, new antenna, and new related facilities shall include the following: Where the equipment is mounted on an existing building, the comparable information for that structure shall be provided.

1. Engineer's report. A report from a professional engineer licensed in the State of Ohio that:

a. Describes the height and design of any new tower and/or antenna including a cross-section, latitude, longitude, and elevation;

b. Describes or updates (in the case of new antenna) the tower's capacity, including the type and number of antennas it can accommodate;

c. Certifies compliance of the construction specifications with all applicable building codes (including but not limited to the foundation for the tower, anchors for the guy wires if used, co-location, and strength requirements for natural forces: ice, wind, earth movements, etc.);

d. Certifies that the facility will not interfere with established public safety telecommunication facilities; and

e. Includes the engineer's seal and registration number.

2. Letter of intent. A letter of intent committing the tower owner, property owner, antenna owners, and their successors to allow the shared use of the tower.

3. Proof of compliance. Copies of any required approvals from the Federal Communications Commission (FCC), Federal Aviation Administration (FAA) and all other appropriate State and Federal agencies.

4. Removal affidavit. A letter committing all parties, including the property owner and his or her successors, to remove the tower and all related accessory structures, fences, landscaping, and equipment if the tower is abandoned (unused for a period of 12 consecutive months). The removal affidavit shall be recorded in Greene County, with a copy of the recorded affidavit provided to the Zoning Administrator.

E. Determination of new tower need. Any proposal for a new telecommunications tower shall only be approved if the applicant submits verification from a professional engineer licensed in the State of Ohio that the antenna(s) planned for the proposed tower cannot be accommodated on any existing or approved towers or other structures within a two-mile radius of the proposed tower location due to one or more of the following reasons:

1. Existing public site. There are no existing publicly- owned towers or sites suitable to accommodate the proposed tower or antennas.

2. Inadequate structural capacity. The antenna(s) would exceed the structural capacity of an existing or approved tower or other structure.

3. Interference. The antennas would cause interference impacting the usability of other existing or planned equipment at the tower site.

4. Inadequate height. The existing or approved towers or structures within the search radius cannot accommodate the planned equipment at the height necessary.

5. Land availability. Additional land area is not available (when necessary).

F. Design requirements for new towers and related facilities. All telecommunications facilities shall meet the following design requirements:

1. Lighting. Tower lighting shall only be as required for safety or security reasons or as required by the FAA or other Federal or State authority. All ground-level security lighting shall be oriented inward so as not to project onto surrounding properties, and shall have 90-degree cut-off luminaries (shielded down lighting).

2. Co-location. All telecommunication towers shall be designed, and engineered structurally, electrically and in all other respects to accommodate both the applicant's equipment and at least one additional user for every 50 feet in total tower height in excess of 75 feet.

a. Each additional user shall be assumed to have an antenna loading equal to that of the initial user.

b. Towers must be designed to allow for rearrangement of antennas and to accept antennas mounted at varying heights.

3. Height. All towers and antenna shall conform to FAA tall structure requirements. The maximum height of accessory structures shall be 15 feet.

4. Signs. Signs for all telecommunications facilities shall be permitted up to a total of four square feet per user and mounted on the fence.

G. Site requirements for new towers and related facilities. All telecommunications facilities shall meet the following site requirements:

1. Vehicular access. Vehicle access drives may be gravel or paved and shall be located within an access easement that is a minimum of 20 feet in width. Any portion of the entrance located in a public right-of-way shall meet the applicable public street design, construction, and pavement requirements.

2. Site area. The lot (or lease area) where the tower is located shall be large enough to accommodate all future anticipated accessory structures needed by future antenna users. The size of the site shall also be of sufficient area to allow the location of one additional tower and associated support facilities.

a. The arrangement of the initial tower and the topography of the site shall be considered in determining the sufficiency of the site area.

b. At a minimum, the width and depth of the tower site shall be a distance equal to the tower height. The tower shall be placed within the property so it is no closer to any lot line than one-half the tower height.

c. All tower supporting and stabilizing wires shall be located within the site area.

3. Setback. The required setbacks for the tower and related facilities shall be as follows:

a. Side and rear setback. The minimum side and rear setback for all facilities, including the security fence, shall be 25 feet.

b. Front setback. The minimum front setback for all facilities shall be as specified by this code for the zoning district in which it is located. No part of a wireless telecommunications facility, including the security fence, and any required guide wires or bracing shall be permitted in the required front setback.

c. Additional setback from residential districts. No facility shall be placed closer than one and one-half times the total height of the tower or 200 feet, whichever is greater, to any property included in a residential district.

d. Additional landscaping. Landscape screening, in addition to the requirements of this chapter, may be provided in the setback area.

4. Encroachment. No part of any telecommunications facility nor associated lines, cables, equipment, wires or braces shall at any time extend across or over any part of a public right-of-way, sidewalk, or property line.

5. Fencing. An eight-foot high security fence shall completely surround the tower and accessory equipment building site. Any deterrents, such as barbed wire, shall be at least eight feet above grade.

a. An area ten feet in width shall remain outside of the fence for the purpose of providing the landscape screening described in subsection (g)(1)H., below.

b. In the residential districts, the required security fence enclosing the facility shall be 100% opaque and of wood, brick, or stone construction. Opaque, eight-foot-tall gates shall be provided for access. In no instance shall the use of chain link fencing or gates with screening inserts be considered as opaque.

H. Landscape screening. Evergreen buffer plantings shall be located and maintained around the outermost perimeter of the security fence of all wireless communications facilities. The landscape plan for the site shall provide plants in a number and design to provide a screen of the fence, all equipment and the base of the tower, as determined by the Planning Commission.

1. If evergreen shrubs are used they shall be planted a maximum of five feet apart on center.

2. If evergreen trees are used they shall be planted a maximum of ten feet apart on center.

(h) Vehicle and Transportation.

(1) New and used vehicle sales.

A. The minimum lot size shall be one-half acre with a minimum lot width of 200 feet.

B. Signs shall conform to the requirements of [Chapter 1266](#). Flags, pennants, balloons, ribbons, or other attention getting devices are not permitted.

C. Temporary or portable structures are not permitted.

D. Outdoor display.

1. Vehicles, for sale or otherwise, shall be parked on approved hard surfaces.

2. Vehicle display areas shall meet the setback requirements for parking areas as required in the B-2 District.

3. Vehicle display or storage shall not be allowed in areas required for visitor, employee or service parking, as required by [Chapter 1264](#).

4. All other merchandise available for sale, including, but not limited to, clothing, accessories, collectibles etc. shall be sold and displayed within an enclosed building.

E. All service work, including car washing, repair and general maintenance, shall be conducted entirely within an enclosed building.

F. Audible paging systems or outdoor speakers are not permitted.

G. The use of spotlights or similar equipment is prohibited.

(2) Vehicle repair, major.

A. All main and accessory structures shall be set back a minimum of 75 feet from any residential district.

B. There shall be a minimum lot frontage of 100 feet or the zoning district requirement, whichever is greater, on an arterial or collector street, and all access to the property shall be from that street.

C. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway.

D. A raised curb of six inches in height shall be constructed along the perimeter of all paved and landscaped areas.

E. Overhead doors shall not face a public street or residential district. The Planning Commission may modify this requirement upon a determination that there is no reasonable alternative and the poor visual impact will be diminished through use of building materials, architectural features and landscaping.

F. All maintenance and repair work shall be conducted completely within an enclosed building.

G. There shall be no outdoor storage or display of vehicle components and parts, materials, commodities for sale, supplies or equipment.

H. Storage of wrecked, partially dismantled, or other derelict vehicles, or overnight parking of any vehicle except a tow truck shall be permitted up to 30 days in a designated area. Such area shall be screened from public rights-of-way by a solid, sight-obscuring fence or wall six feet in height.

I. If the use includes installation of oil or other automotive fluids except for fuel, the applicant shall submit a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent ground water contamination caused by accidental spills or leakage of gasoline or other hazardous materials, such as special check valves, drain back catch basins, and automatic shut-off valves, as approved by the Fire Department.

(3) Vehicle repair, minor.

A. A building or structure shall be located at least 40 feet from any side or rear lot line abutting a residential district.

B. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway.

C. Equipment, including hydraulic hoists, pits, and lubrication, greasing, and other automobile repairing equipment shall be located entirely within an enclosed building. Outdoor storage or display of merchandise, such as tires, lubricants and other accessory equipment is not permitted.

D. All activities shall occur inside a building. No vehicle may be stored outside on the property for more than five days.

E. Storage of gasoline, liquefied petroleum gas, oil or other flammable liquids or gas above ground shall not be permitted.

F. Floor drains shall not connect to the sanitary sewer system.

G. The minimum required lot frontage shall be on an arterial or collector street and all access to the property shall be from that street.

H. If the use includes installation of oil or other automotive fluids except for fuel, the applicant shall submit a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent ground water contamination caused by accidental spills or leakage of gasoline or other hazardous materials, such as special check valves, drain back catch basins, and automatic shut-off valves, as approved by the Fire Department.

I. If the use includes fuel sales, the requirements for a vehicle service station shall also be met.

(4) Vehicle service stations.

A. There shall be a minimum lot area of one acre and minimum lot width of 150 feet on an arterial street.

B. Only one driveway shall be permitted from each street, unless the Planning Commission determines additional driveways will be necessary to ensure safe and efficient access to the site. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway.

C. Pump islands shall be a minimum of 30 feet from any public right-of-way or lot line. Tanks, propane, and petroleum products shall be set back at least 15 feet from any lot line.

D. Overhead canopies shall be setback at least 20 feet from the right-of-way and constructed of materials consistent with the principal building. The proposed clearance of any canopy shall be noted on the site plan. All signs, logos, or identifying paint scheme shall be in accordance with [Chapter 1266](#). The canopy shall not exceed 18 feet in height. Lighting in the canopy shall be recessed, fully shielded, and directed downward to prevent off-site glare.

E. If the use includes installation of oil or other automotive fluids except for fuel, the applicant shall submit a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent ground water contamination caused by accidental spills or leakage of gasoline or other hazardous materials, such as special check valves, drain back catch basins, and automatic shut-off valves, as approved by the Fire Department.

F. In the event that a service station use has been abandoned or terminated for a period of more than 12 months, all underground gasoline storage tanks shall be removed from the premises, in accordance with State requirements.

G. A vehicle service station may be combined with other uses, such as convenience store, vehicle wash, and/or restaurants; provided all requirements, including parking, are met for each use and the most restrictive requirements applicable to any single use shall apply.

(5) Vehicle wash facilities.

A. All washing activities must occur inside a building.

B. The building exit for washed vehicles must be at least 75 feet from the entrance drive that accesses the site.

C. Required stacking spaces for waiting vehicles shall not be located within a public or private right-of-way and shall not conflict with maneuvering areas, parking spaces and other activities. Stacking lanes shall be designed to prevent vehicle queues from extending beyond the property.

D. Wastewater must be recycled, filtered or otherwise cleansed to minimize discharge of soap, wax and solid matter into public sewers. All such water shall be discharged only into the public sanitary sewer system.

E. Only one driveway shall be permitted from any street, unless the Planning Commission determines additional driveways will be necessary to ensure safe and efficient access to the site.

F. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway.

G. For automated drive-through wash facilities, a by-pass lane is required that allows bypassing waiting vehicles.

H. Overhead doors shall not face a street, except if approved by the Planning Commission in these circumstances:

1. When the doors of a through garage are located at the front and rear of a building; or
2. When a garage is located on a corner or through lot; or
3. When determined that a rear garage door would negatively affect an abutting residential use or district.

I. A vehicle wash facility building and any accessory buildings and uses, including vacuums, shall be located at least 50 feet from a street right-of-way line and 100 feet from any residential district boundary.

J. The property owner or operator must comply with all applicable noise regulations. Air handling equipment shall be located on a roof, be equipped with intervening noise reduction baffles, be in proper working condition and must also comply with this provision.

(Ord. 2013-19. Passed 9-16-13; Ord. 2016-04. Passed 4- 16-16; Ord. 2016-17. Passed 9-19-16.)

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2018-12**

**REPEALING SECTION 1258.01 “DISTRICT USES” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING
NEW SECTION 1258.01 “DISTRICT USES”**

Whereas, Codified Ordinance Section 1258.01 of the Village of Yellow Springs, Ohio establishes a schedule of uses for districts located within the Village;

Whereas, Village Council seeks to allow mobile vending (food trucks) as a conditional use in the B-2 General Business District; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt new Section 1258.01 entitled “District Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio to allow mobile vending (food trucks) as a conditional use in the B-2 General Business District.

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 1258.01 of the Planning and Zoning Codified Ordinances of the Village of Yellow Springs entitled “District Uses” be repealed.

Section 2. A new Section 1258.01 of the Planning and Zoning Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded** and deleted language in ~~strike through~~, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Brian Housh, President of Council

Passed:

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh _____ Marianne MacQueen _____ Judith Hempfling _____

Kevin Stokes _____ Lisa Kreeger _____

Exhibit A

1258.01 DISTRICT USES.

The following table summarizes the uses allowed within the respective zoning districts, either as permitted or conditional uses.

<i>Table 1258.01 Schedule of Uses by District</i>										
<i>Use</i>	<i>C</i>	<i>E - I</i>	<i>R - A</i>	<i>R - B</i>	<i>R - C</i>	<i>B - 1</i>	<i>B - 2</i>	<i>I - 1</i>	<i>I - 2</i>	<i>Specific Conditions</i>
Food, Drink, Entertainment and Hospitality										
Bars, taverns, clubs and restaurants serving alcoholic beverages		C				C	C	C		
Bed and breakfasts		C	C	C	C	C				1262.08 (e)(2)
Brew pubs and similar establishments		C				C	C	C		
Farmers market		P				C	C	C		
Hotels and motels		C				C	C			
Internet sweepstakes café							C			
Mobile vending (food trucks)		C				C	C	C	C	
Restaurants, excluding drive-in or drive-thru facilities		C				P	P	C		
Sexually oriented businesses								P		1262.08 (d)(3)

(Ord. 2013-19. Passed 9-16-13; Ord. 2016-05. Passed 4-18-16; Ord. 2016-19. Passed 9-19-16.)

Village of Yellow Springs, Ohio
Ordinance 2018-14

**REPEALING SECTION 304 PAID HOLIDAYS
OF THE VILLAGE OF YELLOW SPRINGS PERSONNEL POLICY MANUAL
AND ENACTING A NEW SECTION 304 PAID HOLIDAYS, THEREBY
AMENDING THE PERSONNEL POLICY MANUAL**

WHEREAS, the Village of Yellow Springs, Ohio has established a personnel policy for its employees; and,

WHEREAS, that personnel policy is detailed in the Village of Yellow Springs Personnel Policy Manual; and

WHEREAS, Section 304 Paid Holidays of that manual notes the holidays for which Village employees will be compensated with a paid day off from work; and,

WHEREAS, Council for the Village of Yellow Springs wishes to add December 24 to the list of holidays for which Village employees will be compensated with a paid day off;

NOW, THEREFORE, BE IT ORDAINED BY COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO THAT:

SECTION 1. Section 304 Paid Holidays of the Village of Yellow Springs Personnel Policy Manual is hereby amended to read as follows:

304 Paid Holidays

The Village of Yellow Springs will grant holiday time off to all regular full-time employees, regular part-time employees, and probationary employees on the following holidays:

- New Year's Day (January 1)
- Martin Luther King Jr. Day (third Monday in January)
- Presidents' Day (third Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in May)
- Thanksgiving (fourth Thursday & Friday in November)
- **Winter Holiday Eve (December 24)**
- Winter Holiday (December 25)
- Floating Holiday (employee's choice) (Note: This day is calculated as a personal day on the employee's payroll check)

The following criteria will be followed when administering holidays:

1. If a holiday falls on a Saturday, the preceding Friday will be observed as the holiday. If the holiday falls on a Sunday, the following Monday will be observed as the holiday, unless otherwise designated by the Village Manager.
2. Holiday pay will be calculated based on the employee's straight time pay rate times the number of hours the employee would have normally worked on that day.

RESOLUTION 2018-11
VILLAGE OF YELLOW SPRINGS, OHIO

AUTHORIZING THE VILLAGE MANAGER TO FORGIVE YELLOW SPRINGS HOME, INC.
FOR ALL NECESSARY TAP FEES AND ZONING FEES FOR UP TO SIX (6) HOMES ON
TWO LOTS ON DAYTON-YELLOW SPRINGS ROAD FOR THE PROJECT KNOWN AS
FOREST VILLAGE HOMES

WHEREAS, Yellow Springs Home, Inc. ("Home, Inc.") provides sustainably affordable housing opportunities within the Village of Yellow Springs; and

WHEREAS, Home, Inc. has proposed a Townhome Housing Project to be located on two lots on Dayton-Yellow Springs Road in Yellow Springs; and

WHEREAS, Village Council had previously agreed to waiver of utility tap in fees, with a stated dollar amount to cover all expected costs, in order to demonstrate the Village's support of affordable housing; and

WHEREAS, Because in the intervening months, the Village has increased its tap fees, Home, Inc. has now made a request that Village Council donate support in the form of full tap fee forgiveness;

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS OF OHIO HEREBY RESOLVES THAT:

Section 1. Village Council hereby restates its belief that affordable housing is in the public interest and agrees to contribute six (6) water, sewer and electric taps and all zoning fees to the Forest Village Homes Project. This contribution will be in the form of fee forgiveness. Village Council hereby states its decision that this is a contribution to the public good.

Brian Housh, President of Council

PASSED:

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL:

Brian Housh _____ Marianne MacQueen _____ Judith Hempfling _____
Lisa Kreeger _____ Kevin Stokes _____

RESOLUTION 2018-12
VILLAGE OF YELLOW SPRINGS, OHIO

**OPPOSING ACTION ON THE PART OF THE OHIO DIVISION OF WILDLIFE TO
PERMIT LEGAL TRAPPING OF THE OHIO BOBCAT**

WHEREAS, the Ohio Division of Wildlife (DOW) is proposing a bobcat trap-kill season that would start in fall 2018 in southeast Ohio, with a decision to be made by May 2, 2018 by the Ohio Wildlife Council; and

WHEREAS, the plan will allow an unlimited number of permits to be sold for \$5 each; and

WHEREAS, the species, Ohio's only native wild cat, was taken off the threatened and endangered list less than four years ago; and

WHEREAS, the DOW itself wrote in October 2017 that "the rate of expansion and the area currently occupied by bobcats as well as population size are still unknown" and the population's "viability is unclear... Little is known about the density and distribution of bobcats in Ohio, as well as the population trajectory, and which areas act as source populations,"; and

WHEREAS, the same report states, "Such information is critical before decisions are taken to open a trapping season and the maximum yearly take"; and

WHEREAS, the same DOW report states that it will take four years to collect and analyze data to establish population viability, and has just funded a four-year Ohio University (OU) study to estimate abundance, density and population viability, which use "non-invasive monitoring" not carcasses from trap-kills; and

WHEREAS, the OU study does not require such killing or carcass study; and

WHEREAS, there may be fewer than 500 bobcats in Ohio; and

WHEREAS, allowing trap-killing of 40 in one critical region and 20 in a region where population is likely not yet reproductively viable, with potentially many more than 60 to be killed before authorities can halt the killing, appears to be premature and irresponsible given that the species is still recovering from extirpation, is poorly understood, and may already be compromised by road kill and "incidental" and illegal trapping, and given that the DOW's own new Bobcat Management Plan (pg. 26) cites research that says mortality rates of over 20 percent can impact population viability; and

WHEREAS, this is a level that may have been reached by the 94 known bobcat deaths in 2017 from vehicles and "incidental" trapping; and

WHEREAS, according to scientists, bobcats do not overpopulate, since like all wild cats their populations are self-regulating, and bobcats cannot take advantage of lowered population to repopulate quickly; and

WHEREAS, trap killing is inhumane and Ohio's plan particularly cruel in allowing trap-killing during a season in which kittens are out hunting but still dependent upon their mothers; and

WHEREAS, the mission of the Division of Wildlife is to manage wildlife for all; and

WHEREAS, southeast Ohio will be most directly impacted by this bobcat trap-kill season and needs to be given ample time and opportunity to weigh in on this decision, and the only public hearing scheduled will be held in Columbus; and

WHEREAS, this Council finds this plan barbaric and out-of-step with 21st century wildlife management principles to protect native predators and support building a healthier ecosystem,

NOW, THEREFORE, BE IT RESOLVED that Council for the Village of Yellow Springs does hereby

Section 1. Strongly oppose the Ohio Department of Wildlife's proposal to allow the trapping of bobcats in southeast Ohio, and hereby calls on the Ohio Division of Wildlife to cancel the proposal.

Section 2. Urge the State of Ohio to declare the bobcat a protected species and ban all hunting and trapping of this native animal for all Ohioans now and in the future.

Section 3. Call on the public, our state representative Rick Perales and Governor John Kasich to contact the Division of Wildlife and voice their opposition to this proposal.

Section 4. This Resolution shall be in full force and effect at the earliest date permitted by law upon its passage.

Brian Housh, President of Council

Passed:

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL:

Brian Housh _____

Marianne MacQueen _____

Judith Hempfling _____

Kevin Stokes _____

Lisa Kreeger _____



Tobacco 21 in Ohio Why not in Yellow Springs/ Greene County?



Who do we still need to reach?



Race/Ethnicity

21.9% American
Indians/Alaska Natives
16.6% white



Education level

34.1% GED
3.6% Graduate
degree



Poverty status

26.1% Below
poverty line
13.9% At or above
poverty line



Health insurance coverage

27.8% Medicaid
27.4% Uninsured
11.1% Private



Disability/limitation

21.5% Yes
13.8% No



Sexual orientation

20.6% Lesbian/Gay/
Bisexual
14.9% Heterosexual



Serious psychological distress

40.6% Yes
14.0% No

ARE TOBACCO, ALCOHOL AND MARIJUANA GATEWAY DRUGS?

“... every drug is a gateway drug if used during adolescence or young adulthood while brain development is still under way. Whether it’s nicotine, alcohol, marijuana or opioids, **it is the age of the person initiating use** – not the specific substance itself – that increases the risk of using other addictive substances and developing addiction.... While the areas of the brain associated with memory, learning, judgment, decision-making, risk-taking, reward, emotion and stress are maturing, they are uniquely vulnerable to the damage that addictive substances such as nicotine, alcohol and other drugs inflict on these critical brain functions. That damage to the brain not only makes the individual more susceptible to addiction, but it also further impairs the skills needed to make good decisions and sound judgements, heightening the risk of future substance use and addiction.”

<https://www.centeronaddiction.org/the-buzz-blog/what-today%E2%80%99s-parents-should-know-about-gateway-drug-theory>



YOUTH AND TOBACCO USE

Youth use of tobacco in any form is unsafe.



If smoking continues at the current rate among youth in this country,
5.6 million of today's Americans younger than 18 will die early from a smoking-related illness.¹



Nearly **9 out of 10 cigarette smokers first tried smoking by age 18**, and 99% first try smoking by age 26.^{1,3}



Each day, about **2,500 kids** in the United States **try their first cigarette**, and another 400 additional kids become new regular, daily smokers.²

1. The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General. Atlanta: HHS, CDC, NCCDPHP, OSH, 2014.

2. Bach, Laura. "Smoking and Kids." Washington, D.C.: Campaign for Tobacco-Free Kids, June 20, 2017. <https://www.tobaccofreekids.org/research/factsheets/pdf/0001.pdf>

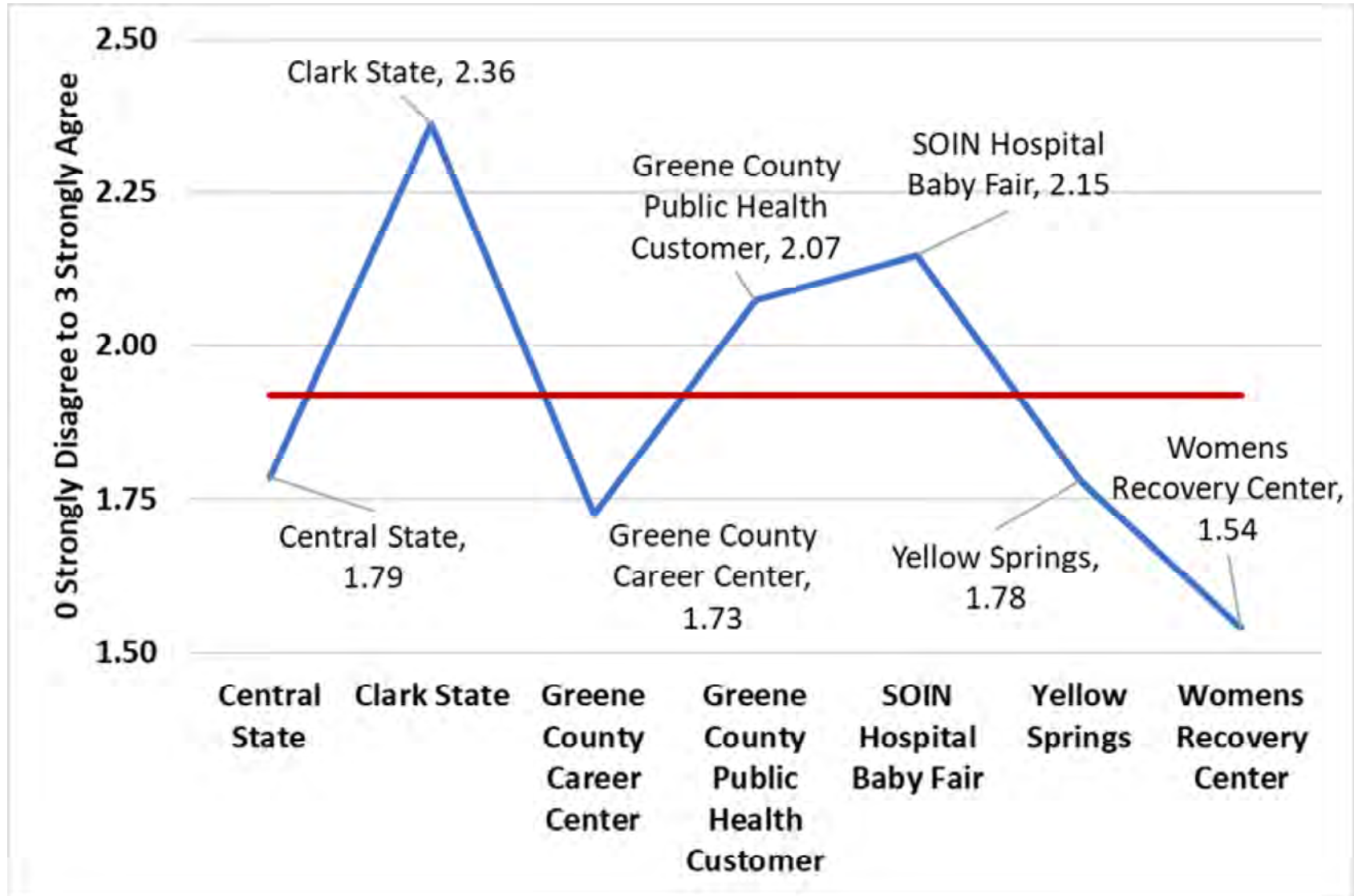
3. Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. Atlanta: HHS, CDC, NCCDPHP, OSH, 2012.

Tobacco 21 in Your Community: Model Legislation

Recommendations to be Included in Any Legislation to Raise the Minimum Age of Sale to 21:

- *Covers all tobacco products, including electronic cigarettes.*
- *Provides public education, training, and technical assistance to retailers.*
- *Implements measures for active enforcement, such as retailer licensing and penalties, including license suspension and revocation.*
- *Does not create new categories of products, which would exempt them from other tobacco control laws.*
- *Does not penalize youth.*
- *Does not preempt other jurisdictions from passing strong tobacco control laws.*

Greene County Survey sites



YS /High School Survey Results

Table. Average Responses of the 2018 Tobacco Survey by Locations in Greene County, Ohio.

Survey Questions	Central State	Clark State	Career Center	Public Health Customer	SOIN Hospital Baby Fair	Yellow Springs	Women's Recovery Center	Overall Average
Tobacco use by adults should not be allowed on school grounds or at any school events.	2.39	2.48	2.05 ^{a,b}	2.47 ^B	2.53 ^A	2.30	2.23	2.28
Tobacco use should not be allowed on college or university campuses or at any college-sponsored events.	2.03	2.32 ^A	1.81	2.14 ^B	2.03	1.67 ^{a,b}	1.59 ^a	1.9
Smoking should not be allowed in multi-unit housing residences or any living quarters where secondhand smoke infiltration may occur.	1.96	2.35 ^A	2.13 ^B	2.21	2.30 ^C	2.10	1.71 ^{a,b,c}	2.14
Smoking should not be allowed in outdoor public spaces.	1.25 ^a	2.24 ^A	1.40 ^{a,b,c,D}	1.91 ^B	1.83 ^C	1.32 ^{a,b,c}	0.89 ^{a,b,c,d}	1.52
Tobacco use of any kind should not be allowed in outdoor public spaces.	1.32	2.06 ^A	1.40 ^{a,b,c}	1.83 ^C	1.67 ^D	1.21 ^{a,c}	0.92 ^{a,b,c,d}	1.48
E-cigarettes and other electronic vaping products should be treated the same as regular cigarettes in terms of tobacco laws and policies.	1.60	2.20 ^A	1.35 ^{a,b,c}	1.86 ^B	2.12 ^C	1.64 ^a	1.31 ^{a,c}	1.64
Tobacco companies should not be allowed to advertise any tobacco products.	1.46 ^a	2.34 ^A	1.58 ^{a,b}	1.84	2.06 ^B	1.76	1.32 ^{a,b}	1.73
Tobacco companies should not be allowed to advertise any tobacco products towards youth.	2.53	2.76 ^A	2.20 ^{a,b}	2.45	2.64 ^B	2.32 ^a	2.28	2.38
The minimum age of purchase and possession of tobacco products should be raised to 21.	1.53 ^a	2.50 ^A	1.61 ^{a,b}	1.95	2.15 ^B	1.70 ^a	1.60 ^a	1.8

Note 1: Responses weighting: Strongly Disagree=0, Disagree=1, Agree=2, Disagree=3.

Note 2: Analysis of Variance Pairwise Post Hoc Tests: A > a, B > b, C > c, D > d; p < .05.

Tobacco 21:

“ Why is a local policy important?

- . The national Monitoring the Future+survey reports that two thirds of 10th grade students found cigarette access to be fairly easy or very easy+
- . The most recent retailer compliance rate survey found that one in ten retailers sell to kids aged 14-17
- . Retailers county wide are not fined or suffering any consequences when found to sell to youth
- . It is critical that age of sale laws are created and enforced to ensure compliance and deter youth initiation to tobacco products
- . Public perception+of Yellow Springs
- . GCPH receives calls from local schools to conduct interventions with students found with tobacco products and paraphernalia (including vapes, chewõ)



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Attracting a young audience through music

The Swisher Sweets website states that the Artist Project is “an ongoing initiative to provide unique opportunities for artists to create, share and pursue their passion” and allows fans to be “at the forefront of what’s new and emerging in the world of music, arts and entertainment.” The project also makes these cigars appear glamorous and increases exposure to tobacco branding, according to the report.



The Artist Project features two types of events:

Swisher Sweet Pack Nights and Convenience Store Sessions. For Swisher Sweet Pack Nights, music artists like Cardi B, Machine Gun Kelly and Travis Porter perform at concerts for “Swisher fans.” Tickets for some pack nights locations included a voucher for packs of certain Swisher Sweets cigars and cigarillos. At other pack night locations, attendees could get special gear and giveaways.



**“THE NATIONAL ACADEMY
OF MEDICINE CONCLUDED
THAT INCREASING THE AGE
OF SALE TO 21 IS LIKELY TO
DELAY INITIATION AND
REDUCE TOBACCO USE.”**

TOBACCO ~~eighteen~~ twenty-one

Including
5 with
Statewide
T21 laws

270+ Cities & Counties in **18** States



Source: Preventing Tobacco
Addiction Foundation.
<http://tobacco21.org>.
Accessed November 8, 2017.

Tobacco 21 in Your Community: Common Arguments

#1: Local businesses will suffer huge losses and potentially be forced to close their doors.

- . In actuality, the loss of revenue for tobacco retailers is minimal, especially when measured against the benefits.
- . 2-3% annual decrease in tobacco sales (*not* in overall sales)
- . Bottom line: 18-to-20-year-old smokers make up 3.06% of the total adult smoking population but account for just 2.12% of cigarette consumption.



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American Heart Association | American Stroke Association®
life is why™

Tobacco 21 in Your Community: Common Arguments

#2: If you're old enough to join the military, you're old enough to make your own decision about smoking.

- . Military leaders recognize the toll tobacco takes on troop readiness and on the military health system and fully support Tobacco 21 efforts.
- . They are actively taking steps to reduce tobacco use in the military.
 - ◆ Tobacco use reduces a soldier's physical fitness and endurance and is linked to higher rates of absenteeism and lost productivity.
- . Tobacco use is not a rite of passage or a sign of adulthood.
 - ◆ Age 18 is not the age of majority for everything . from buying alcohol, casino gambling, running for certain political offices, etc.



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Tobacco 21 in Your Community: Common Arguments

#3: Electronic cigarettes are safer than traditional cigarettes and should be carved out of Tobacco 21 laws.

- . The FDA deemed e-cigarettes a tobacco product and therefore they should be included in new smoke-free laws.
- . While it is still an open scientific question whether e-cigarettes might be able to help adult smokers give up cigarettes, kids should not be using any tobacco product, including e-cigarettes.
- . It's unclear if e-cigarettes serve as a gateway to nicotine addiction and use of other tobacco products for new users, including kids.



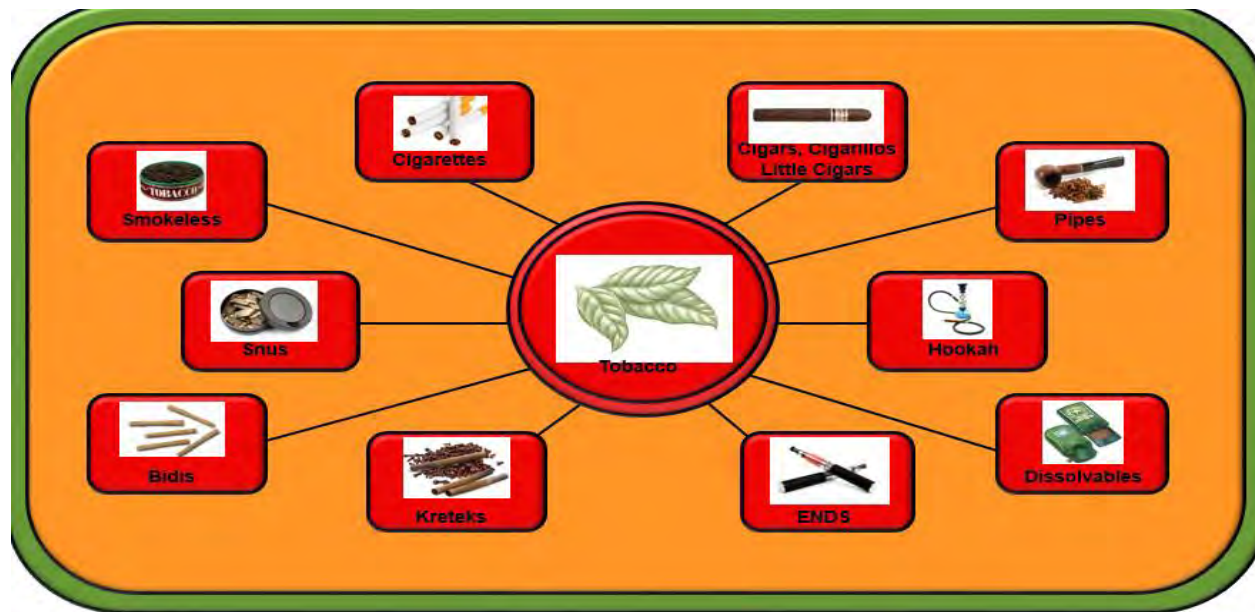
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Tobacco 21 in Columbus: Model Policy Implementation

About the Law:

- “ The new law will prohibit tobacco sales, inclusive of all products and paraphernalia including hookah, e-cigarettes, pipes, rolling papers, etc. to anyone under the age of 21.



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Tobacco 21 in Columbus: Model Policy Implementation

What are the Tobacco 21 requirements for tobacco retailers in the City of Columbus?

- “ The new law prohibits the sale of tobacco as well as tobacco product paraphernalia, without a retail tobacco sales license (or a temporary retail tobacco product paraphernalia sales license) issued by Columbus Public Health.
- “ It prohibits sales to anyone under the age of 21.
- “ ID checks must be performed for anyone under age 30.
- “ Tobacco 21 signs provided to tobacco retailers by Columbus Public Health are required for points of transaction and display cases to further notify customers of the law.

Tobacco 21 in Columbus: Model Policy Implementation

The following are included in the Tobacco 21 age restriction:

- “ Electronic smoking devices including, but not limited to: e-cigarettes, e-cigars, e-pipes, vape pens, and e-hookah.
- “ Product paraphernalia including, but not limited to: pipes, rolling papers, and electronic cigarette cases.
- “ Tobacco products including, but not limited to: any product that is made from or derived from tobacco and is intended for human consumption, or is likely to be consumed using a method such as smoking, chewing, inhaling, or ingestion.
- “ Tobacco products including, but not limited to: cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, snus, electronic smoking devices, filters, rolling papers, pipes, and liquids, with or without nicotine, used in electronic smoking devices.

Tobacco 21 in Columbus: Model Policy Implementation

All of the items pictured below ARE RESTRICTED:

<https://www.columbus.gov/publichealth/programs/Tobacco-21/Tobacco-21/>



Tobacco 21 in Columbus: Model Policy Implementation

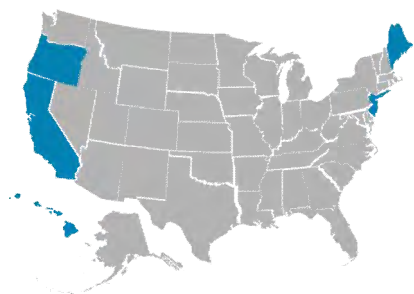
Retailer Signage

- “ Signs must be posted at points of transaction which include, but are not limited to: cash registers and sales counters.
- “ Signs need to be posted on display cases of tobacco products and tobacco product paraphernalia.
- “ Signs must be in view of the customer and obscuring signs is prohibited.
- “ Columbus Public Health provides signage to all licensees.

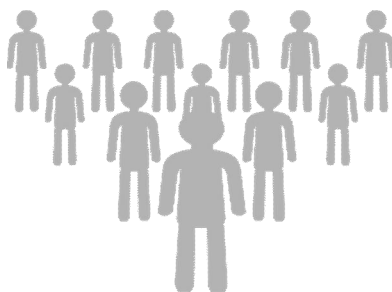


Tobacco 21 in Your Community:

November 2017 Statistics



5
States



80,413,373
Population Covered



278
Municipalities Passed

Will you be next?

Tobacco 21 in Ohio:

Cities That Have Passed Policy

- ” Upper Arlington
- ” Bexley
- ” Grandview Heights
- ” New Albany
- ” Cleveland
- ” Columbus
- ” Euclid
- ” Powell

Tobacco 21 in Ohio:

Cities That Are Considering Policy

- " Summit County*
 - " Cincinnati
 - " Dayton
 - " Athens
 - " Nelsonville
 - " Toledo
 - " Canton
 - " Worthington
 - " Hilliard
 - " Dublin
 - " Grove City
 - " Westerville
 - " Delaware
 - " New Carlisle
- " H.R. 4273 . Bill to raise tobacco age to 21 nationwide

Tobacco 21 in Yellow Springs ☺

Thank You!

Shernaz Reporter

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es por la vida™

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Report to Council Utility Affordability and Round Up Program

Background:

This report is a follow up to a report filed on February 28, 2018.

At that time, three guiding principles were identified for this initiative:

- Affordability is a #1 focus for the Council at all times.
- Council will take action to address aspects of affordability that are within our scope of control.
- The Village will work to identify safety nets for citizens who are encountering challenges with utility costs.

At that time, a two-pronged approach was proposed to simultaneously advance the (1) promote utility affordability and (2) develop a Round-Up Program (RUP).

Update: The Finance Advisory Committee has met frequently over the past weeks to analyze data and formulate recommendations.

- The focus has been on electric utility costs as these have been of particular concern to citizens.
- A variety of budget scenarios were considered that took into account upcoming infrastructure needs.
- As of 3/31 the relevant fund balances were:
 - 305 Electrical Capital Improvement
 - Unexpended balance: \$537,918.39
 - Encumbrance YTD: \$181,852.00
 - Fund ending balance \$356,066.39
 - 601 Electrical Operating Fund
 - Unexpended balance: \$2,506,217.29
 - Encumbrance YTD: \$2,280,318.17
 - Fund ending balance \$225,899.12
- It must be stressed that a 3rd electric circuit is needed. The recommendations take this into account.

Special thanks to Melissa Dodd for all the invaluable analysis work during her final weeks as the Village Finance Director.

Based on the scenarios and balances, the recommendations are:

- 1) Reduce residential customer rates by including 50 kWh in the basic charge.
 - a) Financial impact on Village budget: \$118,503 (22,680 bills per year x 50 kWh per bill x \$0.11 per kWh x 95%)
 - b) Financial impact for citizens based on average usage calculation:
 - i) 8.6% for a 2 person household (Average usage is 579 kWh)
 - ii) 4.3% for a 4 or more person household (Average usage is 1150 kWh)
- 2) Introduce a tiered system for residential customers that creates the opportunity for citizens to have more control over their costs by taking action to conserve

- a) Specific tiers are pending financial impact. A condition for this change is that the impact will not increase the total financial impact by >\$200K total when combined with recommendation #1
- 3) Eliminate the 5% late fee for the first late utility payment each year
 - Add the option to postpone landlord notification of a late payment until the second notification to a future Council agenda to gather feedback from landlords and tenants.
 - The tenant / landlord relationship is very important and the first notification has the potential to erode that relationship. Postponing notice gives the tenant the opportunity to pay a bill that was simply overlooked in error or a bit of privacy with the opportunity to get back on track. This postponement could still provide ample opportunity for landlord engagement if there is an issue. Most recent supporting evidence in favor of this sort of considerations is a new study / book: Evicted: Poverty and Profit in the American City by Matthew Desmond.
- 4) Implement a Round-Up Program with two options: 1) opt-in round up to the next dollar, plus 2) Write in contribution of a larger amount
 - a) Standards to guide administration of the program are needed (see Recommendation #6-a)
 - b) Round up should not be mandatory
 - c) Revenue from RUP was estimated by Melissa Dodd at \$1,115.00 if all households opt in. For planning purposes, estimate that 50% will opt in. The utility office estimates that the amount of need is approximately \$1250.00/month (~5 people per month on average needing \$250/month). This demonstrates the need for a 'write in option' to generate funds that match needs.
 - d) There has been citizen support of both options. Some individuals have come forward with offers to make monthly contributions to this fund.
 - e) The new software system has the capability to manage these processes.
 - f) Once established, more innovative use of these funds can be considered to produce longer term solutions to utility affordability (e.g. actions to conserve costs, coordination with landlords who should be improving their properties).
- 5) Identify and spread the word about assistance programs (was suggested on 2/28 that HRC might take the lead on this aspect)
 - a) Propose how an RUP would be best designed and administered to meet utility affordability needs of citizens. Included in this work would be decisions including, but not limited to, criteria for participation, equity, frequency of access, application process.
 - b) Identify individuals and 501c(3) organizations to share a focus on utility affordability education and action. Opportunities to address: What can individuals do? What can landlords do?

Thank you. Lisa Kreeger

Additional background information from previous 2/28 report (if helpful)

(1) Utility Affordability

Working in close collaboration with Village staff....

	Action	Who
1.1	Re-evaluate budget scenarios to evaluate fiscal implications of rate changes (e.g. reduction or future increases)	Advisory Finance Committee
1.2	Identify structural changes for utility charges that could promote affordability (e.g. life-line services, 'readiness to serve' + initial usage)	Advisory Finance Committee
1.3	Identify individuals and 501c(3) organizations to share a focus on utility affordability education and action. Opportunities to address: a. What can individuals do? b. What can landlords do?	Human Relations Commission

(2) Round-Up Program (RUP)

Working in close collaboration with Village staff....

	Action	Who
2.1	Understand and define an action plan to address barriers to RUP implementation (fiscal, public information, legal, system, etc.)	Advisory Finance Committee
2.2	Quantify the scope and pattern of utility-related economic need in the Village 1. At what income levels is assistance needed? 2. Is there a pattern of need (e.g. households, seasonal, etc.)	Advisory Finance Committee
2.3	Document the financial case 1. Identify how much revenue is needed for an effective RUP 2. Identify how much revenue would be generated by different RUP designs (e.g. opt in, all in, nearest dollar, etc.)	Advisory Finance Committee
2.4	Propose how an RUP would be best designed and administered to meet utility affordability needs of citizens.	Human Relations Commission

This report is an update on the bolded elements in the table.

Energy Costs Assistance

The HRC has identified two local organizations that share a focus on utility affordability, education, and action. These organizations have programs that help all homeowners and renters reduce energy costs. They also offer free services to homeowners and renters who meet the income requirements.

Weatherization is one of the offers that has the potential to save participants 25% - 35% on their utility bills. These programs may also be used in combination with other assistance programs.

HOME WEATHERIZATION ASSISTANCE PROGRAM (HWAP)

This program offers free services, equipment rebates, and education. Individuals who meet the income requirements* can visit the website and fill out an application for free services. A representative from CAP is willing to make a presentation to council.

Local Agency: Community Action Partnership

Website: <https://capdayton.org/weatherization/>

Phone: (937) 341-5000 (ext. 226)

Email: info@capdayton.org

Application: <https://development.ohio.gov/files/is/2017-2018%20HEAP%20Application.singlepage.pdf>

***For 2017-2018, the income levels are:**

Size of Household	Total Household Income 12 Months
1	up to \$24,120.00
2	up to \$32,480.00
3	up to \$40,840.00
4	up to \$49,200.00
5	up to \$57,560.00
6	up to \$65,920.00
7	up to \$74,280.00
8	up to \$82,640.00

VECTREN

Vectren customers can use Vectren.com to analyze individual usage, apply for upgrade rebates, and find savings solutions. There is also a section with DIY tips and how-to videos.

Website: <https://www.vectren.com/savings/oh-home>

Phone: 1-800-277-3176

SOLICITOR'S REPORT

March 5, 2018

Revolving Loan Fund Discussion

This report is not intended to be a complete summary of Ohio law on the formation and function of Community Improvement Corporations. The summary is intended to provide Village Council with requested background information to facilitate a discussion centered on the creation and implementation of a Village funded revolving loan fund for economic development within the Village.

Ohio law authorizes the creation of "Community Improvement Corporations," commonly known as a "CIC." A CIC may be formed for two general purposes: economic development or land reutilization. As Council is exploring the creation of a revolving loan fund as an economic development tool, the discussion necessarily centers on the formation and organization of a CIC for economic development purposes.

Generally, CICs assist with the promotion and financing of economic development by providing loans to individuals and businesses, buying selling and leasing real and personal property for economic development purposes and by entering into contracts with state and local governments. CICs have the ability to be flexible and move quickly on various economic development transactions, including acquiring, selling or leasing property, or other real property owned by the CIC. Land transactions can be made by the CIC and are exempt from competitive bidding requirements.

An economic development CIC is a not for profit corporation formed for the purpose of: "advancing, encouraging, and promoting the industrial, economic, commercial and civic development of a community or area."¹

The CIC shall have the following general powers:

1. Borrow money by means of loans, lines of credit, or other instruments including bonds and notes whether secured or unsecured;²
2. To make loans to any person, firm or partnership or cooperation and to establish and regulate the terms and conditions of such loans.³
3. A CIC may not approve any application for a loan unless the applicant shows that the person has been denied for the loan through ordinary banking or commercial channels.⁴

¹ Ohio Revised Code Sec. 1724.01(B)(1).

² Id. at 1724.02(A)(1)(a).

³ Id. at 1724.02(A)(2).

⁴ Id.

4. A CIC may purchase, hold, manage, lease, lease purchase, or otherwise acquire to sell, convey, transfer, lease etc. real and personal property.⁵

The CIC must incorporate under Ohio law with Articles of Incorporation filed with the Secretary of State and with approval of the Attorney General for legal compliance. Upon approval the Attorney General returns the Articles to the Secretary of State for recording. The Board of Director shall be comprised of not less than two-fifths of Council or other appointee of Council.⁶ A Board could be comprised of three directors.⁷

The CIC must adopt a Code of Regulations, books, records, and meeting minutes must be maintained and a verified statement of continuing existence filed. The territory for the CIC must be identified where economic development will occur. Only one CIC within a jurisdiction may be “dedicated.”

In the context of the CIC discussion the question has been posed what is a “Dedicated CIC?”

A Dedicated CIC is the agent of the political subdivision, in this case the Village. Generally, the advantage of a Dedicated CIC as an agent of a political subdivision is that the CIC can obtain forms of financing and funding not otherwise available to a non-dedicated CIC in the form of industrial development fund bond financing (“IDB”). However, even without designation, a CIC may still be used to expedite financing programs of the Ohio Development Services Agency (“ODSA”).⁸ The ODSA is an economic development arm of the state using public incentives to attract, and drive expansion of business toward the creation of jobs. The ODSA is charged with assuring that commitments are met.

A Dedicated CIC Board of Directors is subject to the protection of sovereign immunity. A Designated CIC is also generally subject to Ohio public records and sunshine laws with limitations that are significant in regard to business and economic development. For example, when a CIC is acting as an “agent” of the political subdivision:

Any financial and proprietary information submitted by or on behalf of an entity or held or kept by a CIC for an entity related to the relocation, location, expansion, improvement, or preservation of the business of that entity is “confidential information and is not subject to section 149.43 of the Revised Code.”⁹

Any other information submitted by or for an entity and held or kept by a CIC which is related to the relocation, location, expansion, improvement, or preservation of the business of that entity “is confidential information and is not a public record subject to section 149.43 of the Revised Code.” ... But in this case, the information is confidential only until the entity commits, in writing, to

⁵ Id.

⁶ Id. 1724.10(B)(1)

⁷ Id.

⁸ For additional information on the ODSA, go to <https://development.ohio.gov>.

⁹ Id. at 1724.11(A)(1).

proceed with the relocation, location, expansion, improvement, or preservation of its business.¹⁰

In conclusion, a CIC has broad power and discretion to promote economic development. Whether to create a Dedicated CIC is a function of the purpose(s) the municipality is seeking to form the CIC.

¹⁰ Id. at 1724.11(A)(2).



The Economic Sustainability Commission provides information and makes recommendations to Council regarding economic development for the Village of Yellow Springs, identifying primary opportunities for economic development in the Village and strategies to support these efforts and facilitating a forum for incubating ideas and networking among diverse groups working on economic development in the Village.

April 10, 2018

Report from the Economic Sustainability Commission

Designated Community Improvement Corporations

Members: Saul Greenberg (Chair), Lisa Kreeger (Council Rep), Gerry Simms, Karen Wintrow (Secretary), Henry Myers, Emily Seibel, Kat Walter (representing Susan Jennings), Mark Crockett (Township Ex Officio Rep), Steve McQueen (School Board Ex Officio Rep)

Village Council asked the Economic Sustainability Commission (ESC) to advise them on the formation of a Designated Community Improvement Corporation (DCIC) for the Village of Yellow Springs. To educate ourselves about DCIC's, the ESC invited Fairborn City Manager Rob Anderson, who has a great deal of experience working with DCIC's to our April 4 meeting. Mr. Anderson met with the group for an hour and twenty minutes providing great insight into how the DCIC in Fairborn, Fairborn Development Corporation (FDC) and DCIC's in general operate.

Anderson informed us that a DCIC can be crafted to be whatever is wanted or needed in a particular community. The FDC consists of 10 members: two City Council members selected by all council members; Council appointment from Planning Commission; City Manager; 6 Business/Community Reps one of whom by charter is the Executive Director of the Fairborn Chamber. FDC staff includes the Assistant City Manager as Executive Director and the Economic Development Director as Administrative Assistant. He recommended real estate, finance and business management expertise on the board. The City of Fairborn chose less than majority control of the FDC to provide greater autonomy for a DCIC. They operate under Sunshine Law with advertised, open meetings and records maintained by City Staff.

DCIC's are 501c3 organizations whose operation is dictated by Ohio Revised Code. Each DCIC has their own bylaws governing their operation.

The FDC deals primarily in real estate transactions. For 4 years, the City of Fairborn donated \$250,000 per year to the FDC but now it is only \$100,000 and it is expected to be eliminated entirely next year. They've used those funds to purchase property including the Roush Restaurant downtown which is currently being renovated for a kitchen incubator with the City providing funding and hiring staff to manage it.

The FDC also operates several business initiatives:

- Come to Fairborn – funding to move a business from outside to Fairborn
- Pivot – Quick turnaround for a building retrofit
- First Steps – Fairborn will recommend an architect or help fund the business owners architect to enable a new business to get an occupancy permit. Has been used only with small downtown businesses.

DCIC's can receive private funds. Grow Piqua Now is a DCIC that receives revenue from memberships from local businesses, organizations and institutions. DCIC's can also operate Revolving Loan Fund (RLF) as does the Troy Development Council and other DCIC's. When operating a RLF, Anderson recommended using an outside financial institution to review and administer loans to ensure financial confidentiality and professional vetting of the recipients.

The ESC is prepared to assist Village Council in the formation of a DCIC for Yellow Springs.

Tasks envisioned for a Yellow Springs DCIC:

- Administer the Revolving Loan Fund and grant programs
- Collect and distribute net profits taxes anticipated from the Cresco operation
- Market the CBE and promote Yellow Springs as a business location
- Fund infrastructure projects including the fiber network
- Provide technical assistance to local businesses including development of an incubator/co-working space
- Fund residential development
- Act as a strategic planning body for the village, township and school board

Recommended Board Membership (total 13):

2 Council Members (appointed by Council)

1 Planning Commission Member (appointed by Council)

1 Village Manager (standing position per bylaws)

1 Yellow Springs Chamber Executive Director (standing position per bylaws)

1 Miami Township Trustee (appointed by Township Trustees)

1 YS School Board Member (appointed by YS School Board)

1 Antioch College Representative (appointed by AC Board)

1 Antioch University Midwest Representative (appointed by AUM Board)

4 At Large Business Representatives (initially appointed by Council but subsequently by DCIC Board)

Staff Support:

Planning and Zoning Administrator/Economic Sustainability Liaison *

Finance Director

Village Solicitor

*This would be the primary staff support for the DCIC with the other staff serving on an as needed basis.

The Process to form a Designated Community Improvement Corporation for Yellow Springs:

Develop bylaws including a name (ESC reps, Village Council and Village Solicitor)

Incorporate in the State of Ohio (Village Manager)

File with the IRS to become a 501c3 (ESC reps, Village Manager and Village Solicitor)

Begin operation as a DCIC

Timeline:

April 16 Village Council Meeting– Village Council to discuss and decide on path forward for a DCIC.

May 2 ESC Meeting – ESC to review feedback from VC and assign tasks with a schedule for each.

June 6 ESC Meeting – Chris Conard to attend ESC meeting to discuss bylaws, 501c3 status, etc.

June 18 Council Meeting – ESC to report on progress to Village Council and confirm schedule

June 19-29 - Develop bylaws

July ESC Meeting – Review bylaws

July 16 Council Meeting – Present bylaws

August 6 Council Meeting – Approve bylaws

After Bylaws are approved –

- Develop Articles of Incorporation and File for State of Ohio Incorporation
- Begin 501c3 filing process which can take between 2-12 months
- Establish DCIC Board and meet with MT and YS Schools to present



The Economic Sustainability Commission provides information and makes recommendations to Council regarding economic development for the Village of Yellow Springs, identifying primary opportunities for economic development in the Village and strategies to support these efforts and facilitating a forum for incubating ideas and networking among diverse groups working on economic development in the Village.

VILLAGE OF YELLOW SPRINGS INCENTIVE POLICIES

The Village of Yellow Springs encourages investment in the community by for profit and non-profit entities. That investment can take many forms such as commercial expansion; new housing construction; activity that supports business, job, or tax base growth and retention, or projects that contribute to improving the quality of life in the community by supporting Village Values and Goals.

VILLAGE VALUES

The Yellow Springs Village Council strongly believes in the following values around which annual goals are written and policy decisions are made:

Value #1 - Deepen decision-making processes with active citizen participation and effective representative governance.

Value #2 - Be an excellent employer and provider of services within a responsible fiscal framework.

Value #3 - Be a welcoming community of opportunity for people of diverse races, ages, sexual orientations, cultures and incomes and abilities.

Value #4 - Pursue a strong economy that provides diverse employment, a stable tax base and supports the values of the community.

Value #5 - Seek, in all our decisions and actions, to reduce the carbon footprint of the community and encourage sound ecological practices throughout.

Value #6 - Provide careful, creative and cooperative stewardship of land resources.

INCENTIVE OPPORTUNITIES

Incentive requests that support Village Values include but are not limited to the following:

- Low interest loans or grants
- Abatement/credit of income or property tax
- Land sale or swap
- Utility easements or extensions
- Other Infrastructure
- Fee waivers
- Other as deemed appropriate

QUALIFYING CRITERIA

Applicant must identify and support how their project will achieve one or more of the following:

- Job creation/retention with a good faith effort to hire Yellow Springs/Miami Township residents
- Construction of new or expanded facilities, equipment or residential units
- Expanded operations with a focus on innovation
- Generation of additional property and/or income tax
- Meeting a community goal within the guidelines of the Village Values
- Leveraging of additional resources by incentive award

AWARDING OF INCENTIVES

Following is the process and requirements to be awarded an incentive:

Cost/Benefit Analysis: Applicants must provide a cost/benefit analysis addressing all factors of the project, both tangible and intangible. It is a general policy to expect a positive cost/benefit analysis.

Review of the Request: The project proposal and cost/benefit analysis will be presented to the appropriate entity for review and recommendation to Council who will then make the final decision on awarding an incentive.

Project Success: The applicant must demonstrate that they have the necessary experience and capacity to complete a successful project.

Regulatory Compliance: Every proposed project shall be in compliance with zoning/building/health/fire codes, air quality codes, plus any other applicable statute and regulation. The applicant will not have other outstanding findings and orders that would threaten the success of the proposed project.

Outstanding Fines and Bills: There shall be no outstanding, unpaid environmental fines, orders, taxes (including income, payroll and property taxes), Village utility bills or fines, for the applicant either at this project's location or at other locations.

Prohibited Costs for Funding: Local incentive programs will not be used to provide funds for operating funds, refinancing, or lobbying and political donations.

Prior Incentives Awarded: The request for the incentive will include a statement regarding the terms and project outcome of any past awards of incentives to ensure equitable distribution of incentives and successful project completion.

INCENTIVE COMPLIANCE REQUIREMENTS

Entities that are awarded an incentive must adhere to the compliance requirements following:

Terms: Incentives granted should have a general term of no more than five (5) years unless there are circumstances demonstrated by the cost/benefit analysis.

Annual Reporting: Any project awarded an incentive will report within 30 days of project completion or annually during the term of the incentive to the appropriate entity with a statement of the factors for which the applicant's incentive was awarded, for example – a report of the jobs created and retained by position, a report of the building project or investments, an accounting of payments. The project and its accomplishments will be reviewed and a report made to Council with final recommendations regarding continuation or compliance concerns.

Accountability: The applicant will be legally held accountable for compliance with the terms of an incentive. Typically, the applicant benefiting from the incentive must be the same firm that commits the investments, creates/retains jobs, etc.; a third party cannot comply except under circumstances that are agreed upon at the time of the award.

Penalties: An applicant could be subject to a payback of the incentive if it is partially or completely non-compliant to all the promises agreed to as part of the incentive, or at a minimum, suspension of the incentive could be recommended, subject to review and action by Village Council.



Current Hiring Process

Submitted by Ruthe Ann Lillich and Patti Bates

April 16, 2018

As we approach the discussion on diversity in the workplace in relation to our current hiring practices, we thought it may be helpful to have a refresher on our current hiring practices. Below are listed the two primary sections of the Village of Yellow Springs Personnel Policy Manual related to hiring:

103 Equal Employment Opportunity

Effective Date: 08/20/2014

In order to provide equal employment and advancement opportunities to all individuals, employment decisions will be based on merit, qualifications and abilities. The Village does not discriminate in employment opportunities or practices on the basis of race, color, religion, national origin, ancestry, handicap/disability, sex, sexual orientation, gender identity, genetic information, or veteran or military status. The Village will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue burden.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, the Village Manager or the Human Resource Officer. Any employee can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including discharge.

111 Job Posting

Effective Date: 08/20/2014

The Village's primary goal in filling vacant positions is to find the most qualified candidate. Whenever a position becomes available at the Village, the Village Manager will determine whether to post the job internally, externally, or both. When a position is posted internally, the Village will provide existing employees with an opportunity to indicate their interest in the open position within the organization according to their skills and experience.

When a position is posted only internally, the position information and deadline for applying will be posted on employee bulletin boards, and will normally remain open 5 weekdays. There may be instances

where the posting remains open for a shorter period. If the internal posting fails to provide a qualified internal candidate, the position will then be posted externally.

When a position is being posted both internally and externally, current employees may apply for the position any time during the public posting period and are not limited to just the internal posting period. Other recruiting in conjunction with internal recruitment will be used to fill open positions.

To apply for an open position, submit a job posting and application to the department head for which the position is offered. Regardless of whether a position is posted internally, externally, or both, all positions will be filled based on merit and fitness alone.

In considering internal applicants for vacant positions, the Village will take into account the employee's performance and discipline records, attendance record, and the skills and job knowledge demonstrated by the applicant.

Internal postings are issued in the manner noted in the manual.

External postings follow this procedure:

- Job description reviewed for accuracy and current needs
- Job posted (internally and) externally in the following manners:
 - Yellow Springs News
 - Ohio Municipal League
 - Dayton Daily News (includes Monster.com)
 - Springfield News
 - Village website
 - Village Facebook
 - Posted on bulletin boards at John Bryan Center and in each department
- Depending on the nature of the particular position, it may also be posted in other places in addition to those listed above.
 - Police officer postings: Sinclair Community College and Greene County Career Center Academies
 - Higher executive level positions: International City/County Management Association, Ohio City/County Management Association, Ohio Chiefs of Police Association, National Chiefs of Police Association
 - Seasonal positions: Job and Family Services, temporary agencies, YS News, Village website and FB page

Once the posted deadline has passed, all applications are reviewed by the Human Resources Officer and the head of the Department hiring for the position, to determine which applicants will proceed in the

process to an initial interview. After the initial interview, again, dependent upon the position, the process varies. Police officers must take a written test and a physical fitness test and attain a minimal scores on both to proceed in the process. Successful candidates then have a second interview, at which point one applicant is chosen to proceed to background check, polygraph and psychological examinations. If all steps are completed successfully, the Chief recommends the candidate to the Village Manager for final interview. If, after that interview, the Village Manager approves the hiring of the candidate, they are sent for a final physical examination and drug screen and are formally hired if they successfully pass both.

If the position being hired is a supervisory level position (Finance Director, Assistant Village Manager, Chief of Police, Department Head), candidates are chosen from the applicants for interview, based upon qualifications. The interview panel varies dependent upon the position. For instance, the Chief of Police hiring process has been very inclusive of citizens and Council members. For some other positions, such as Finance Director, the panel has included those other staff members who will work directly with the person being hired, such as other department heads and Utility Department staff, as well as two Council members. The successful candidate here must also pass a drug screen and, possibly, a physical examination or DOT physical to be hired.

If the position being hired is a public works/electric/water/sewer position, the candidates are initially interviewed by the Human Resources Officer and the Department Head and whomever else they deem appropriate. Once a successful candidate(s) is chosen, they are interviewed by the Village Manager. If the Village Manager agrees with the choice, they must then successfully pass a drug screen and physical examination or DOT physical to be hired.

Best Practices for Hiring a Diverse Workforce

by Kathryn Ullrich

Oct 13 2015

Heidrick & Struggles is actively engaged in helping companies with attracting and retaining diverse workforces. This in turn leads to clients' increased financial performance since results are overwhelmingly positive for companies with a diverse board, diverse executive team and diverse employee base.

Through our work and conversations with corporations, we have seen the following best practices used effectively as companies address the issue of hiring, developing and retaining a diverse workforce.

Start with Commitment at the Top



Having a diverse workforce starts with commitment at the top, not just initiatives in human resources. Intel has embraced this with their CEO pledging \$300 million in spending over the next five years toward

improving workforce diversity.

Create Diversity Strategies That Work

McKinsey's study, Unlocking the Full Potential of Women at Work, found two strategies of 'fat' funnel or 'steady' pipeline in the more successful gender-diverse companies. Some companies filled the talent pipeline with women candidates and this percentage stayed intact as the pipeline matured. Other companies retained an equal mix of women keeping the levels steady as careers progressed.

Hold Business Units Accountable

Diversity objectives need to be embraced throughout the entire organization. A financial services client has implemented a successful practice requiring each business unit to have quarterly diversity events partnering with local diversity organizations, whether women executives, STEM, black, Hispanic, LGBTQ, etc. Business unit executives commit to attending and speak on current topics in the industry.

Set Goals and Measure

The best way to get results is to set goals for diversity and then measure and publicize the results. Silicon Valley companies are taking heed to this advice with the visibility of workforce diversity data.

Interview at Least One Diverse Candidate

Diversity recruiting often cites the Rooney Rule requiring National Football League teams to interview minority coaches which dramatically improved minority hiring. When a major technology company implemented "interview at least one woman" for a highly technical group, it doubled the hiring of women and women now represent 50 percent of this group.

Include Diversity in the Interview Panel

Interviewing can be subjective with people tending to hiring candidates like themselves. A leading technology company preferred to hire a woman for a critical controller position; they had two women and two men with equal qualifications on the short list of candidates and selected the latter. The entirely male interview panel could easily have included a female board member leading the audit committee. Add different perspectives to the jury and listen to the input.

Introduce Diverse Role Models Early in the Interview Process

Candidates want to come into an environment where they see others like themselves. Clients have seen increased acceptance rates by diverse candidates when similar role models are introduced early in the interview process.

Improve Performance Evaluation Processes

Gender bias research by NYU professor Madeline Heilman and others shows that in traditionally male roles, women are evaluated as lower performers than male peers even when their performance is better. In addition, men are often promoted on potential while women are promoted based on competence in the next role. Companies should establish subjective performance reviews and provide equal career progression opportunities.

Provide Opportunities to Meet Sponsors and Leadership

Sponsors and opportunities to interact with executive leadership are critical in accelerating career advancement as Catalyst research identified. Client organizations have invited diversity talent to key meetings and special events with company executives to provide exposure for advancement.

Create a Culture for Inclusion

Robin Hauser Reynold's documentary, CODE: Debugging the Gender Gap, discussed the "thousand cuts" in a company's culture that eventually cause women to opt out of technical roles and companies. Corporations should diagnose their culture and unfreeze the behaviors contributing to this while applying and reinforcing elements for an inclusive culture.

Think about implementing these practices so your organization can take to increase diversity of thinking for a competitive advantage in the marketplace.

Categories:

Diversity,
Executive Education and Training,
Executive Women in Business,
General Executive Interest,
Management and Leadership

About the author



Kathryn Ullrich is a Partner in Odgers Berndtson's Silicon Valley office and a member of the Technology and HR Practices. She focuses on senior executive searches for major corporations and venture-capital-backed companies in software, systems and services, and has specific expertise in autonomous vehicle technology, cloud, cyber security, data analytics, Internet, IoT, and SaaS. Prior to joining Odgers Berndtson, Kathryn spent nearly twenty years building her executive search practice at several firms including Heidrick & Struggles, Russell Reynolds Associates and her own boutique search firm. Earlier in her career, Kathryn worked in software product marketing at Siebel Systems (now Oracle), strategy consulting at Accenture, and engineering at GTE (now Verizon) and Motorola. She is the founder of a Silicon Valley non-profit for women in technology and actively works with clients on increasing diversity in technology. Kathryn has a B.S. cum laude in electrical engineering from University of Michigan and an MBA with top honors from UCLA Anderson School of Management.

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Diversity in the Workplace: Benefits, Challenges and Solutions

by Josh Greenberg

Workplace diversity refers to the variety of differences between people in an organization. That sounds simple, but diversity encompasses race, gender, ethnic group, age, personality, cognitive style, tenure, organizational function, education, background and more.

Diversity not only involves how people perceive themselves, but how they perceive others. Those perceptions affect their interactions. For a wide assortment of employees to function effectively as an organization, human resource professionals need to deal effectively with issues such as communication, adaptability and change. Diversity will increase significantly in the coming years. Successful organizations recognize the need for immediate action and are ready and willing to spend resources on managing diversity in the workplace now.

Benefits of Workplace Diversity

An organization's success and competitiveness depends upon its ability to embrace diversity and realize the benefits. When organizations actively assess their handling of workplace diversity issues, develop and implement diversity plans, multiple benefits are reported such as:

Increased adaptability

Organizations employing a diverse workforce can supply a greater variety of solutions to problems in service, sourcing, and allocation of resources. Employees from diverse backgrounds bring individual talents and experiences in suggesting ideas that are flexible in adapting to fluctuating markets and customer demands.

Broader service range

A diverse collection of skills and experiences (e.g. languages, cultural understanding) allows a company to provide service to customers on a global basis.

Variety of viewpoints

A diverse workforce that feels comfortable communicating varying points of view provides a larger pool of ideas and experiences. The organization can draw from that pool to meet business strategy needs and the needs of customers more effectively.

More effective execution

Companies that encourage diversity in the workplace inspire all of their employees to perform to their highest ability. Company-wide strategies can then be executed; resulting in higher productivity, profit, and return on investment.

Challenges of Diversity in the Workplace

Taking full advantage of the benefits of diversity in the workplace is not without its challenges. Some of those challenges are:

Communication - Perceptual, cultural and language barriers need to be overcome for diversity programs to succeed. Ineffective communication of key objectives results in confusion, lack of teamwork, and low morale.

Resistance to change - There are always employees who will refuse to accept the fact that the social and cultural makeup of their workplace is changing. The “we’ve always done it this way” mentality silences new ideas and inhibits progress.

Implementation of diversity in the workplace policies - This can be the overriding challenge to all diversity advocates. Armed with the results of employee assessments and research data, they must build and implement a customized strategy to maximize the effects of diversity in the workplace for their particular organization.

Successful Management of Diversity in the Workplace - Diversity training alone is not sufficient for your organization’s diversity management plan. A strategy must be created and implemented to create a culture of diversity that permeates every department and function of the organization.

Recommended steps that have been proven successful in world-class organizations are:

Assessment of diversity in the workplace - Top companies make assessing and evaluating their diversity process an integral part of their management system. A customizable employee satisfaction survey can accomplish this assessment for your company efficiently and conveniently. It can help your management team determine which challenges and obstacles to diversity are present in your workplace and which policies need to be added or eliminated. Reassessment can then determine the success of your diversity in the workplace plan implementation.

Development of diversity in the workplace plan - Choosing a survey provider that provides comprehensive reporting is a key decision. That report will be the beginning structure of your diversity in the workplace plan. The plan must be comprehensive, attainable and measurable. An organization must decide what changes need to be made and a timeline for that change to be attained.

Implementation of diversity in the workplace plan - The personal commitment of executive and managerial teams is a must. Leaders and managers within organizations must incorporate diversity policies into every aspect of the organization's function and purpose. Attitudes toward diversity originate at the top and filter downward. Management cooperation and participation is required to create a culture conducive to the success of your organization's plan.

Recommended diversity in the workplace solutions include:

Ward off change resistance with inclusion. - Involve every employee possible in formulating and executing diversity initiatives in your workplace.

Foster an attitude of openness in your organization. - Encourage employees to express their ideas and opinions and attribute a sense of equal value to all.

Promote diversity in leadership positions. - This practice provides visibility and realizes the benefits of diversity in the workplace.

Utilize diversity training. - Use it as a tool to shape your diversity policy.

Launch a customizable employee satisfaction survey that provides comprehensive reporting. - Use the results to build and implement successful diversity in the workplace policies.

As the economy becomes increasingly global, our workforce becomes increasingly diverse. Organizational success and competitiveness will depend on the ability to manage diversity in the workplace effectively. Evaluate your organization's diversity policies and plan for the future, starting today.

About the Author: Josh Greenberg is President of AlphaMeasure, Inc. located in Boulder, Colorado.

For additional employee surveying resources go to <http://www.alphameasure.com>.

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AlphaMeasure provides organizations of all sizes a powerful web based method for measuring employee satisfaction, determining employee engagement, and increasing employee retention.

The AlphaMeasure Employee Survey System is fully-customizable and allows you to target the organizational topics and challenges facing your staff today. Designed by HR professionals from the ground up, the AlphaMeasure Employee Satisfaction Survey System provides an affordable, feature rich solution for deploying fully-customized employee satisfaction or employee engagement surveys.

Click here to learn more about the [AlphaMeasure Employee Survey System](#).

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Submitted by Judith Hempfling 4-13-18

Source Unknown

PROMOTING FROM WITHIN

By Aaron Green, *11/19/2007*

Although I'm a staffing firm owner who profits when our clients hire new employees from my firm, I feel compelled to say that many times businesses are better off if they promote from within.

Here's why. Often internal or current employees can make the best available candidates because they are already familiar with your company and successful within your culture. The most common reason I hear for not promoting a current high-performing employee is that the employee does not have enough of the right experience and/or has a certain flaw or two. That leaves hiring managers with two choices:

- 1) Hire a proven quality employee who fits into your company culture but who has a couple of known flaws or gaps in his or her experience; or
- 2) Hire an unproven employee who interviews well but who may have a couple of flaws that you don't yet know about.

I am surprised at how often hiring managers choose the latter. Not always, but in my experience more often than not, hiring managers would be better off investing time in closing the gaps in experience of the existing employees as they promote these people.

The baseball world offers a great example of the differences between investing in young talent versus bringing in "hired guns." Consider the Red Sox' development of Jonathan Papelbon and Jacoby Ellsbury, for example, versus the acquisitions of Eric Gagne and Matt Clement. Most would agree that the first pair of players, groomed by the team's minor league system, has had far more success in the organization than the two brought in from the outside. Some franchises, like the Red Sox, realize it's smarter to channel their payroll toward developing younger players and prospects instead of overpaying veterans for splashy, "quick fix" signings.

Benefits of promoting from within

In the business world, promoting from within can provide benefits in several areas:

- **Recruiting** - Being known as an employer who offers opportunities for career advancement is attractive to prospective hires. Interviewees are impressed when they meet employees who've steadily moved up the ranks.
- **Retention** - When new employees see that opportunities exist for them and that there's a track record of hiring from within, they tend to stay longer with your company.
- **Cost savings** - The cost of recruiting, interviewing, and onboarding new employees can outweigh the cost of training current employees for certain new skills. It can take internal candidates much less time to become effective in a new position because they are already familiar with the company culture and its goals.

- **Flexibility** - Newly promoted staff can assist with training their replacements. They are available for questions and can occasionally fill in at their old position if needed in emergencies.
- **Culture fit** - Existing employees fit in with the company culture (or else I assume you would not be promoting them). Conversely, despite the most probing interview questions, you're never positive about whether a new hire will be a good culture fit or not.

Making it part of your hiring strategy

To incorporate promoting from within as a part of your company's hiring strategy, consider taking the following steps:

- **Encourage a promoting-from-within culture** - Promoting from within can take on a momentum of its own. Employees who've moved up the ranks are more likely to want to promote other internal candidates and this approach becomes part of your company culture. Empower employees who have been promoted to talk about "where they came from" and to encourage new employees to aspire to be promoted.
- **Build a process to make promoting from within successful** - Offer opportunities for training and development and mentor relationships. Make sure you regularly discuss performance and career goals and offer compensation that matches these goals.
- **Educate managers on the benefits of promoting from within** - Hiring managers may have the burden of helping the newly promoted employee learn new skills, or perhaps they will need to retain certain aspects of the job while the newly promoted employee comes up to speed. Accordingly, it pays to have managers bought into the hiring approach.
- **Proactively identify prospects for promotion** - Look at job performance as well as ambition, teamwork, and motivational skills.
- **Consider internal candidates first** - Start your job searches by considering internal candidates first, before you look outside your organization.
- **Take a chance** - Offering a promotion to a quality employee who may not have all of the right experience but who has proven him/herself in their current job is often a chance worth taking.

While promoting from within isn't the answer 100 percent of the time, it tends to be underutilized as an effective solution for candidate shortages. Giving current employees more opportunities for advancement can be a win-win situation for everyone.



Sunshine Law Basic Training

For Village Board and Commission Members

- Why Did I Sign Up For This? Who volunteers and what are your responsibilities as a representative of Village Government.
- General Overview of Public Records Act. Examples of requests and of interesting predicaments.
- Is My Board or Commission Really a Public Body?
- Sunshine Law Explained
- Why Do I Have To Follow Sunshine Law? I'm One of the Good Guys!
- How Sunshine Law Pertains to You/Your Commission
- Examples and Questions
- Pop Quiz
- Run 6 Miles Holding 3 Sets of Minutes Over Your Head

This training is offered quarterly: THIRD WEEK of April, June, September and December on TUESDAY AND WEDNESDAY at 9am; noon and 2pm.

PLEASE E-mail or CALL me to SIGN UP: clerk@vil.yellowsprings.oh.us or 767-9126

This is a 60-90 minute training depending upon the number of participants.

If you absolutely cannot participate in a daytime meeting, please contact me, and I can arrange for an evening or Saturday training.



YELLOW SPRINGS VILLAGE COUNCIL COMMISSION/BOARD MEMBER GUIDELINES

Village Council values the expertise of citizens and recognizes the time commitment necessary for engaging in research and project development as well in making informed decisions regarding local government activities that are important to our community. Council appoints citizens to its commission, boards, panels, committees and task forces (hereinafter collectively referred to as “commissions”) who have the interest and commitment to further Village goals. These groups function as advisory bodies, as review boards for new ideas and as capacity builders. Council may task commissions to work on particular projects as provided for the by the Village Charter and the Yellow Springs Code of Ordinances. Commissions may also make recommendations to Council on particular issues.

As the elected officials of the Village, Council members are ultimately responsible for any major projects that commissions undertake. Commission members should seek Council approval before involving Village staff in any significant time commitment, and all requests of staff shall first be made to the Village Manager.

The Council Clerk is available to answer procedural questions and to provide limited administrative support. Unlike other members of Village staff, the Clerk works directly for Council, and can therefore be contacted with concerns or questions without the need for Council approval.

Because commissions function as extensions of Village Council, there are certain expectations placed on commission members. These expectations relate to the efficacy of commissions as advisory bodies and to how individual commission members represent the Village both during and outside of commission meetings. Council expects that commission members will:

- Make every effort to attend regular and special commission meetings.
- Be timely and prepared and notify the commission Chair if unable to attend a meeting.
- Agree to work with other commission members, understanding that differing opinions can strengthen a commission if members are respectful.
- Follow the agreed upon meeting process and vote on important decisions.
- Understand Sunshine Laws through completion of the online training at <https://sunshinelaw.ohioattorneygeneral.gov> and submission of the certificate of completion to the Council Clerk.
- Uphold the “Guidelines for Members of Boards and Commissions” (see reverse, Attachment A).

By signing, I acknowledge that I have read and understand this document, as well as all other materials provided to me as a new or returning Board or Commission member.

Signature: _____ Date: _____

Print Name: _____

Commission or Board: _____ Term Ends: _____



Guidelines for Members of Boards or Commissions of Council

(Yellow Springs Village Council Commission/Board Member Roles & Guidelines – Attachment A)

Members of boards and commissions are appointed by Council to further the goals of Council and are considered therefore to share the ethical and public responsibilities of Council. For this reason, board and commission members shall agree to abide by the following while engaged as local government representatives:

- Become familiar with and abide by Sunshine Law.
- Understand and refrain from voting on issues for which there is an actual or perceived conflict of interest.
- Refrain from public statements that may be considered to be inflammatory, derogatory or slanderous with regard to Village Government or Staff, to fellow commission members or to the work of the commission.
- Treat fellow commission members, Village Staff and Council members with respect and refrain from name calling, blaming or assigning negative motives during public meetings.
- Refrain from statements regarding the decisions or discussions of the board or commission on social media.
- Understand that personal opinions do not necessarily represent the Village's position and do not allow the inference that they do.
- Refrain from knowingly using false or inaccurate information to support a position.

Process for Public Disagreement

- Speak first with the Council Liaison about the concern.
- Should that not resolve the issue, go next to the Council President.

Grounds for Removal

- Council reserves the right to sanction any commission member who does not abide by commission guidelines, including the right to remove the commission member from the position. In the case of the latter, the Council Liaison and Alternate will first meet with the commission member to discuss the situation.
- If the Council Liaison believes that a commission member is not adequately fulfilling the role, the Liaison shall work with that person to help them become more effective. If this does not resolve the issue, the Liaison shall consult with the Council President. If both the President and the Liaison agree, they will present this recommendation to Council for approval. Should Council approve the decision, a replacement member will be selected through the usual process.

Last Updated: March, 2018

Revised 03/2018



March, 2018

Best Practices for Commissions/Board Members and Council Liaisons

Boards and Commissions - any body with a Council-approved charter or membership roster shall be a public body. All Boards and Commission as so defined shall operate in accordance with the Open Meetings Act (O.R.C. 121.22), the Public Records Act (O.R.C. 149.43), and Ohio Ethics Laws (O.R.C. Ch. 102) and related statutes (O.R.C. Ch. 2921). All Boards and Commissions of the Village of Yellow Springs are considered public bodies and shall operate in accordance with the Open Meetings Act (O.R.C. 121.22), the Public Records Act (O.R.C. 149.43) and Ohio Ethics Laws (O.R.C. Ch. 102) and related statutes (O.R.C. Ch. 2921).

Communication with Council:

1. Minutes from commission, committee and board meetings will be provided to the Clerk of Council as soon as they are approved. A good practice is to provide the Clerk with a draft agenda and approved minutes immediately following the monthly meeting.
2. The Council liaison will report any unusual or time-limited information from a meeting she/he has attended that needs to be known before the second Council meeting of each month. So communicate with your Council liaison!

Role of Council Liaison with Respect To Citizen Members:

1. Council liaison should generally not serve as the Chair of any commission, committee or board. The possible exception to this best practice would be during the inception of a new board or commission or in the restarting of an existing board or commission.
2. Council acknowledges as a best practice that family members not serve on the same board or commission, and Council Liaisons will abide by this guideline in nominating applicants to boards and commissions.
3. The liaison should take questions and special decisions to Council if a Council response is desired. This includes any projects the Commission/Board may be contemplating.
4. The liaison should report to the Commission anything pertinent from the most recent Council meeting, including responses to any suggestions made by that Commission/Board.
5. The liaison makes sure the Commission abides by Sunshine Law, and asks the Chair or Secretary to notify the Clerk of Council of meeting times, changes in meetings, etc.
6. The liaison, along with another Council member, interviews applicants for open seats on his/her commission or board, then brings recommendations to Council and leads discussion on the merits of each candidate. This process includes any current member who wishes to renew their term—those members should apply by means of a letter of interest sent to the Clerk of Council.



March, 2018

7. Each Council liaison should be a voting member of the commission, committee or board; unless otherwise stated in the Codified Ordinances.

Council Expectations of Commissions, and vice-versa.

1. Commissions, committees and boards will conduct meetings with the same rules under which Council operates. This includes members reading and signing a Roles and Guidelines document which references ethical standards for public officials. New members are also sworn in, and receive training regarding sunshine law and best practices.
2. If Council asks a Commission for specific guidance, the expectation is that that body will do their best to respond in a timely manner.
3. Commission, Committee and Board meetings will be open to the public at announced times and places.
4. Renewal of Commission Terms: If a commission member wishes to remain on the commission for a second or third term, he or she shall notify the Council Liaison and write a note to that effect to the Clerk of Council. The Liaison and Alternate will meet with the member to review their interests and activities on the commission, and that person will be considered along with any new applicants. The Liaison and Alternate will nominate new and/or renewing members during Council's regular session for a vote of Council.
5. Inactive Commissions: Should commission members and the Liaison, or Council, determine it is appropriate, a commission can become inactive until such time that there is work it needs to do. Alternatively, a commission may decide to meet less frequently if its work load has decreased.

Minutes

1. Secretary takes minutes at each meeting and reproduces them for all. Those minutes should be approved by the commission, committee or board at their next meeting and then immediately forwarded to the Clerk of Council.

Implementing Directives and Initiating Projects

1. Council requests for direction take priority over the other tasks Commission members have set for themselves. Otherwise, Commissions will initiate projects about which they collectively generate ideas (see above).
2. If a Board or Commission is asked to provide information to Council on a specific project or topic, that information is expected to be publically presented to Council prior to any other form of dissemination.



March, 2018

Sunshine Law, Process & Procedures

1. Each commission, committee and board should have a copy of the Sunshine Law, a list of proper processes and procedures, and follow them. The Council Clerk is available to help answer Sunshine Law questions, should they arise, and provides quarterly training on this topic.

Attendance Policy

1. Council may remove members of commissions, committees and boards, for failure to attend any three meetings during the calendar year (January to January).

Role of Council Clerk and Commissions

1. Clerk is responsible for taking and transcribing minutes of Planning Commission, BZA, and Village Council. All other minutes are the responsibility of the Board or Commission Secretary.
2. If requests are to be made of the Clerk by board members, they must be made through their Chairperson or liaison

Public Service Values for Local Government Officials

(Yellow Springs Village Council Commission/Board Member Best Practices)

Fairness

I make decisions based on the merits of issues.

I honor the law's and the public's expectation that agency policies will be applied consistently.

I support the public's right to know and promote meaningful public involvement.

I am impartial and do not favour those who are in a position to help me.

I promote equality and treat all people equitably.

Vision

I work to improve the quality of life in my community.

I am proactive and innovative when setting goals and considering policies.

I maintain consistent standards, but am sensitive to the need for compromise, thinking outside the box and improving existing paradigms.

I promote intelligent innovation to forward the agency's policies and services.

I consider the broader regional and statewide implications of the agency's decisions and issues.

Compassion

I recognize government's responsibilities to society's less fortunate.

I consider exceptions to the agency's policies when there are unintended consequences or undue burdens.

I realize that some people are intimidated by the public process and try to make their interactions as stress-free as possible.

I convey the agency's care for and commitment to its community members.

I am attuned to and care about the needs of the public, officials and staff.

Public Trust

I remember that my role is to serve the community.

I consider the interests of the entire community in reaching my decisions.

I support merit-based processes for the award of public employment and public contracts.

I promote the efficient use of the agency's resources.

I do not accept gifts or other special considerations because of my public position.

I do not use my position for personal gain.

Responsibility

I come to meetings prepared.

I do not discuss confidential information without proper legal authorization.

I represent the official positions of the agency to the best of my ability when authorized to do so.

I explicitly state that my personal opinions do not represent the agency's position and do not allow the inference that they do.

I refrain from any action that might appear to compromise my independent judgement.

I take responsibility for my own actions, even when it is uncomfortable to do so.

I do not use information that I acquire in my public capacity for personal advantage.

I do not represent third parties' interests before my agency.

Integrity

I am truthful with my fellow elected officials, the public and others.

I do not promise that which I have reason to believe is unrealistic.

I am prepared to make unpopular decisions to further the public's interest.

I credit others' contributions in moving our community's interest forward.

I do not knowingly use false or inaccurate information to support my position.

I excuse myself from decisions when my or my family's financial interests may be affected by my agency's action.

I disclose suspected instances of impropriety to the appropriate authorities.

Respect for Others

I treat fellow officials, staff and the public with courtesy, even when we disagree.

I focus on the merits in discussions, not personalities, characters or motivations.

I gain value from diverse opinions and build consensus.

I follow through on commitments, keep others informed and make timely responses.

I am approachable and open-minded, and I convey this to others.

I listen carefully and ask questions that add value to discussions.

I am engaged and responsive.

I involve staff in all meetings that affect agency decisions.

From The Institute for Local Self Government



Public Distribution of Materials

Prepared by Judy Kintner and Patti Bates

April 16, 2018

On tonight's agenda is discussion of Utilization of Village Social Media Capacity. To assist in the discussion, we have created a list of various materials that should regularly distributed to the public on both the Village website and the Village Facebook page, along with the person normally responsible for the distribution. Some materials, such as videos of Council meetings and works sessions, Planning Commission and Board of Zoning Appeals, will also be posted on the Village YouTube Channel.

- Agendas of Council, Planning Commission, Board of Zoning Appeals and Boards/Commissions, as available – Judy
- Packets of various meetings, as available – Judy
- Meetings minutes for all meetings where available – Judy
- Videos of Council, Planning Commission, Board of Zoning Appeals meetings/work sessions – Spencer
- Additional informational documents (such as Wellhead Protection update, press releases, job postings, social events/pictures, etc.) – Patti/Ruthe Ann in most instances, although others may post also



Manager's Report, April 16, 2018

Finance Director Position

We did extend the close date for the Finance Director position by one week, so it did not close until Thursday, April 12. Brian, Kevin, Ruthe Ann and I met to review the applicants and will be moving forward with interviews as quickly as possible.

Staffing Levels

We are currently reviewing staffing levels in all departments to determine how to better utilize the positions we have and make recommendations to Council on potential changes. We will keep you posted.

Crew Quarters

Demolition is complete, the concrete has been poured and the building is framed for the new crew quarters. Expected completion date is July.

Spring Clean Up

Spring Clean Up is the week of May 7th for the Village. You can put an unlimited number of large items at the curb **on your regular trash pick-up day** and Rumpke will remove them at no additional charge to you. Restrictions on items with refrigerant and items like carpet apply. Please see below.

SPRING CLEAN-UP WEEK IN THE VILLAGE BEGINS MAY 7TH

During the week of May 7-11, household items large and small that are placed at the curb with your regular trash pick-up will be removed for free by Rumpke. This service is for Village solid waste customers only. If you have any general questions, please call 937-767-7202 x221.

Rumpke Bulk Items Rules:

- Glass . must be broken out of window frames, shower doors, storm doors, etc. by customer
- Construction Items . 6 cans of construction or 2 full hoppers is the limit
- Freon Containing units . Freon must be removed from item by customer
- Mattresses should be wrapped and marked/the frame broken to indicate the presence of bed bugs
- Limbs and brush, as well as old tires, are not accepted.

I am happy to answer any questions. Thank you! Patti Bates

Planning & Zoning Monthly Report

	Jan-2018	Feb-2018	Mar-2018	Apr-2018	May-2018	Jun-2018	Jul-2018	Aug-2018	Sep-2018	Oct-2018	Nov-2018	Dec-2018			
Single-Family Dwelling		2	1												
Two-Family Dwelling			1												
Single-Family Attached			1												
Multi-Family/Commercial			1												
Accessory Dwelling Unit			1												
Accessory Structure	1	1	2												
Addition		1													
Fence		1	2												
Sign		3	1												
Minor Subdivision															
Replat		1	1												
Conditional Use Hearing		2	1												
Variance Hearing															
Change of Use	2		1												
PND/PUD/Subdivision															
Transient Guest Lodging	14	8	1												
Working in the ROW	1														
Map/Text Amendment															
Zoning Compliance	1														
Meetings	21	24	14												
Violations	0	22	1												
GC Recorder Filings															
Other		1	1												
Total Permits	18	17	12												

22 letters sent in Feb. re: snow removal on C

feb-ROW March-solarIC

Total Meetings-to-date	59
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Total Permits-to-date	47
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Total Violations-to-date	23
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2 signs issued under 1 permit

2018 Mayor's Court & Traffic Violations Bureau

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Total Charges from PD	34	23	19										76
Charges sent to MC	20	19	15										54
Percentage sent to MC	59%	83%	79%										71%
Offenses	20	19	15										54
Traffic	8	12	5										25
Criminal	1	3	2										6
Parking	11	4	8										23
Payments	\$ 830.00	\$ 1,778.00	\$ 1,360.00										\$ 3,968.00
Traffic/Criminal	\$ 395.00	\$ 1,738.00	\$ 1,215.00										\$ 3,348.00
Parking Tickets	\$ 335.00	\$ 40.00	\$ 95.00										\$ 470.00
Weddings	\$ 100.00	\$ -	\$ 50.00										\$ 150.00
Costs to State/Other	\$ 78.00	\$ 400.00	\$ 293.00										\$ 771.00
Victims of Crime	\$ 18.00	\$ 99.00	\$ 63.00										\$ 180.00
Drug Law Enforcement	\$ 7.00	\$ 31.50	\$ 24.50										\$ 63.00
Indigent Defense Support Fund	\$ 50.00	\$ 255.00	\$ 195.00										\$ 500.00
Indigent Drivers Alcohol Treatment	\$ 3.00	\$ 14.50	\$ 10.50										\$ 28.00
Total to Village	\$ 752.00	\$ 1,315.69	\$ 1,067.00										\$ 3,134.69
Computer Fund	\$ 29.00	\$ 100.00	\$ 80.00										\$ 209.00
Other	0	\$ (62.31)	0										\$ (62.31)
General Fund	\$ 723.00	\$ 1,278.00	\$ 987.00										\$ 2,988.00

*Other - 2/9/2018 \$62.31 for deposit slips through US Bank

First Quarter Highlights from Mayor Pam Conine:

Highlights of Mayor's first quarter: Attended 2-day Mayor's Court training in Columbus Jan. 18-19, hired Ann Poortinga as clerk and attended clerk training with Ann March 8-9, settled into the new mayor's office following the switcheroo with the offices of council clerk, court clerk and mayor.

In the last 3 months, the mayor has attended many public events. Here are some examples: judging gingerbread houses at Mills Lawn School (can Mayor's Court be any more difficult?), co-MC-ing a senior center fundraiser at the Mills Park Hotel with retired Mayor Foubert, speaking to 2 high school classes, assisting with McKinney School chili cookoff, attending 3 events at Mills Lawn School, knocking on doors and passing out fliers at Lawson Place for the Dayton Food Bank that visits YS monthly, joining Dementia Friendly Village advisory board, taking a 10-week Saturday morning course in Non-Violent Communication, attending McKee Association Founders Award dinner and Top 10 African American Male Luncheon honoring Gerry Simms, being a group leader in Greene County Jail "Story Chain" project.

The mayor has participated in 3 ribbon cutting ceremonies, performed 4 weddings with 3 more on the calendar, and has held 6 Mayor's Courts. Both the clerk and the mayor have established regular office hours—the clerk more so than the mayor (given the mayor's necessarily flexible schedule). What seems to be working thus far are M-W-F afternoons for the mayor and M & F afternoons and Wed. mornings for the clerk. While the learning curve continues, being an ambassador for the village has thus far been a delight.

Until next month,
Mayor Pam Conine

Yellow Springs Police Department Activity Report

	Jan-2018	Feb-2018	Mar-2018	Apr-2018	May-2018	Jun-2018	Jul-2018	Aug-2018	Sep-2018	Oct-2018	Nov-2018	Dec-2018
Total Calls	586	563	547									
Village Policing Calls	15	21	33									
Stolen Property Value	\$400.00	\$817.00	\$15.00									
Recovered Property Value	\$0.00	\$0.00	\$15.00									
Domestic Violence	0	0	0									
Domestic Disputes	1	0	1									
Property Damage Crashes	2	1	0									
Injury Crashes	1	0	0									
Hit/Skip Crashes	2	0	0									
Drug Overdoses	1	0	0									
Narcan Uses	2	0	0									
Total Offenses Reported	125	135	109									
Total Citations Issued	63	64	64									

Total Calls Year-to-Date	1696
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May 16th 2018

The Police Department is pleased to announce:

We are excited that we have a new full time officer.
Mr. Paul Raffoul will begin with the department on April 25th.

Our COS Ms. Florence Randolph has been busy creating a database of contacts for the department detailing all the available social service agencies within Greene and our surrounding counties. Florence will be out all next week taking CIT training in Montgomery County.

I am happy to answer any questions.

Regards,

Brian Carlson,
Chief of Police
937-767-7206
chief@yso.com

4-16-2018

To: Council

From: Judy Kintner

Re: Clerk's Report

Not much new in the Clerk's office. It's still busy. Spring is arriving, most wonderfully. There is a misguided cardinal who, at regular intervals all day long whops into the windows on the north side of the building. Kids are out on the basketball courts and skate park in droves, and spring peepers are waking up near the YS Creek. It's a great thing to be in a small town, in a small office with windows that open and people who walk in to say hello or to look at the art in the hallways. These are great things to remember when the work gets difficult.

--Judy Kintner



0412/18

Housing Advisory Board Report

The Housing Advisory Board has held its first three Community Conversations on Housing – April 4th, 5th and 9th – with an average attendance at each of 25-30 people. In addition, Shannon Wilson's Mills Lawn 4th grade class attended the Senior Center Conversation and made delightful and informative brief presentation of their PBL affordable housing project. The Conversations have been going well and we are getting a good response in terms of concerns and ideas. The last scheduled Conversation will occur at the Bryan Center on Saturday 21st at 2 pm. We need to make a final push to encourage attendance at that one. HAB meets next on Tuesday, April 17th when we will reflect on citizen feedback at the Conversations and discuss next steps. I anticipate that the HAB will have a report from the Conversations for the next Council meeting on May 7th as well as recommendations for next steps.

Planning Commission Report

Planning Commission met on April 9th and approved a request for a food truck at the location of the future Trail Town Brewery (Corry and Dayton Streets) until the Brewery can be up and running. PC approved a number of text amendments for the purpose of adding greater clarity. Denise Swinger pointed out a lack of clarity in the zoning code impacting lot splits and has asked PC to weigh in this. We will be discussing this at the next PC meeting. The Commission will begin the process of reviewing and updating the Comprehensive Plan and is using the Tipp City Plan as a model to begin. The first work session will be held Tuesday April 24th at 6 pm after which a subgroup will be formed to move the work along. The first tasks will be to review the Plan, decide how to organize the work load, look at what pieces are outdated and what additional areas may need to be included. It is anticipated that it may take a year for the complete review and revision. I suggest that Council discuss how it wishes to be involved in this process.

Environmental Commission Report

EC won't meet until the 19th. Our work includes continuing our environmental risk assessment process to decide our next goals. Other agenda items include reviewing the Glass Farm Management document, discussion of the biodigester and a proposal for waste reduction process.



Economic Sustainability Commission

Monthly Report

March, 2018

In March the ESC presented an annual report and 2018 goals to Council.

The ESC is working on the following old business:

Village Incentive Policies

The Commission is looking forward to feedback from Council on the proposed policy that was submitted for the 3/19 meeting. The Commission anticipates that the Council will have questions. In particular, there will be process decisions to make. There was discussion about the ESC being the proper venue to vetting applications.

New Business

In March the ESC fielded the request from Council to take a role in the decision making regarding a D-CIC. The members were concerned with their capacity to be able to assist given the legal intricacies and agreed that 1) some education is needed so that the Commission can understand more about D-CICs and 2) more information about expectations of council was needed. A separate document related to this has been provided as part of the packet.



Arts & Culture Commission

Monthly Report

March, 2018

The Arts & Culture Commission presented an annual report and announced that Brittany Baum will be the new Commission President. John Fleming will be Secretary.

Commission members send thanks Council for approving the 2018 budget request in support of the work of the Commission. We also want to thank Johnnie Burns and his crew for their work with the Kind Ness banners despite all kinds of wind, hail, tornado warnings, and snow.

Focus of work:

Old Business

- Nancy Mellon has shared some wonderful ideas to promote team building and awareness of the John Bryan Community Gallery art among those who work and spend time in the JBCC. Ideas included
 - “Staff Picks” (staff will pick their favorite pieces and a photograph of the staff member along with a description explaining why it’s their favorite will be hung near the piece). Watch for the first of the “Staff Picks” to be posted very soon.
 - “Staff Picks show” (JBCC staff would actually curate the show by picking their favorite pieces to be displayed),
 - “Youth Picks/Youth Picks Show” (same concept as staff picks but for youth that spend time in the building.
 - Nancy also explained a game where participants complete a ‘art scavenger hunt’ to identify the artwork from a small detail. Activities are being planned for both youth and those who work in the JBCC.
- New nominations for the VIDA award

The new business that we are exploring in April includes:

- A meeting is planned between representatives of the John Bryan Community Pottery and members of the ACC. We will be exploring how to increase visibility and linkages. For example, a representative from the Pottery could join the Commission or, at minimum, provide a quarterly update that ACC could integrate with our reports.
- Luciana Lieff has donated a piece of art to the permanent collection. This will initially be hung at Antioch MidWest and then come to the John Bryan Community Gallery in 2019.
- A public art project that involves placing pianos at select locations in the downtown area



Board Report for Community Access Panel – April 2018

Submitted by Kevin D. Stokes, Village Council Member, Commission Liaison April 13, 2018

- Commission is still on hiatus
- Efforts are being made to recruit new members
- Discussions are underway to consider options for moving forward if a quorum of members is not reached
- A Village Manager Advisory Group will convene soon



Board Report for Human Relations Commission – April 2018

Submitted by Kevin D. Stokes, Village Council Member, Commission Liaison April 15, 2018

- Commission met on April 5, 2018

Member present: Jessica Thomas, Nick Cunningham, Kevin Stokes. Also present was Village Manager, Patti Bates

- Approval of Minutes
- Group discussed affordability information request from Council
 - There was some push-back as the request seemed like busy work since HRC originally introduced the idea of
- Grant Requests
 - Jalyn Roe and Jenn Berman requested funds for the next Restorative Justice Symposium
 - Funds were approved
 - Aliya B. Edwards, Sandy King, and MJ Gentile-Patti presented to request funds for a Be Present Retreat
 - Funds were approved
- EOY Report Status: Report should be done. Steve McQueen has previously committed to present but was not present at this meeting

Details can be found in the official minutes of the meeting

Yellow Springs Environmental Commission

Meeting Minutes

February 15, 2018

5:45-7:00 PM

Council Chambers, Bryan Center

Attendance: Marianne MacQueen, Deanna Newsom, Duard Headley, Bettina Stolsenberg, Tom Dietrich, Nadia Malarkey, Lisa Kreeger, Megan Bachman

- I. Welcome, Introduction of Guests
- II. Agenda Review, 1 minute
- III. Announcements
 - a. Marianne—Matthew Lawson, resident, is presenting at a meeting on Feb 28th at 7 pm, to discuss organic waste management
 - b. Need to interview Nadia and Tom to re-up commission membership
 - c. Need to discuss timing of Annual report—suggested report to Council on march 19th.
- IV. Approve January Retreat Minutes, 3 minutes (or add this to Risk Assessment discussion if approval is not necessary)
 - a. Clarifications from Deanna via email—
 - i. August: Aimee Maruyama's first name is spelled incorrectly
 - ii. December: I did not meet with Richard from the village water treatment plant, that was George alone.
 - iii. Deanna's name is missing from the top of December and January's list of attendees
 - b. One change from Marianne
 - i. October minutes— section V.c-- incomplete sentence fixed)
 - c. Marianne made motion to adopt minutes from August, October, December and January
 - d. Duard seconded
 - e. Ayes: 6; nays; 0
- V. Megan Bachman to discuss Morris Bean re: our wellfield, 15 minutes
 - a. Sent information via email (5 documents) as background, including communications from Ohio EPA
 - b. Concern that Morris Bean has demonstrated a pattern of not being proactive in compliance efforts. Wants to encourage EC to be active in some oversight and encouraging compliance.
 - c. Megan noticed a potential sinkhole forming near the bikepath
 - d. Question if there is a clear, definitive correlation between observation of VOCs at village wellhead to Morris Bean site. Some evidence, but may need additional effort to confirm or deny.
 - e. Duard—question about if Village has tested for VOCs at the wellhead recently (discussed at a recent meeting—October?) Marianne said she'd follow up with Patti Bates.
 - f. Megan recommended getting Morris Bean to commit in writing to additional inspections (per EC recommendations). Also suggested potential testing of

Village wells. Also suggested asking a hydrogeologist about potential connections between Morris Bean and the wellfield.

- g. Megan offered to write an article in the YS News either before or after Council meeting when EC recommendations are presented.
- VI. Review Annual Report, 10 minutes
- a. New deadline for delivering the report-- March 19, 2018 Council meeting
 - b. Tom to send template from last year
 - c. EC members to provide info to Tom by February 28th
 - d. Tom to compile and send back to EC for review by March 9th or sooner, if possible.
 - e. EC members to review and be ready to discuss at March 15th EC meeting. Submit to Village Clerk for council packet by March 16th.
- VII. Risk Assessment, 10 minutes
- a. Discussed results compiled by Deanna
 - b. Deanna commented from reviewing results that the top 10 generally captured the sentiments of the individual members. Tom asked if anyone felt that a specific barrier was very important and not addressed. No one spoke up, but members will review the scores again before next meeting.
 - c. Question of how to move forward with this information? Marianne suggested reviewing the list individually and consider which issues resonate and ideas of how to address. EC members to bring specific ideas of the top 5-10 to next meeting.
- VIII. Marianne to brainstorm the ongoing management of the Glass Farm Wetlands, 5 minutes
- a. The Beaver Management Team was expected to be a one year pilot. So, what is proposed for moving forward? At last Beaver team meeting, it was suggested to expand the responsibility of the team to managing the whole Glass Farm Conservation Area. Suggested name: Glass Farm Conservation Team and Beaver Welcoming Committee
 - b. EC agreed that the site need long term oversight and management. So some sort of team of neighbors/village residents, EC members (1-3), Vickie Hennesey, one Village staff person (open right now), Antioch Staff, High School teacher. EC agreed the Beaver Management Team should have expanded responsibilities beyond beaver management to include invasive removal, site maintenance, education and research.
- IX. Report updates on existing goals, 30 minutes total – 6 minutes each
- a. Glass Farm—
 - i. Signs to be installed
 - ii. Bridge installation postponed
 - iii. Rock to be added by the outlet structure
 - iv. Grass to be seeded on path
 - b. Climate Action Plan
 - i. Ended up as a sort of “climate action suggestion list”
 - ii. Duard coordinating with Patti to get info to post on Village website. This content was recently provided to the EC and is to be reviewed by EC at next meeting and presented to Council for approval.

- iii. We can suggest info to post including updates on our progress
 - c. Waste—no update
 - d. Pesticide reduction
 - i. 43 attendees at Pollinator Regeneration presentation on 2/7/2018
 - ii. 38 people signed up for mailing list for follow up actions
 - iii. Nadia sent email to the group to encourage people to promote the attendance at the upcoming workshops on organic lawn care March 1st.
 - iv. Door hangers to promote organic lawn care have arrived. Maybe add stickers to promote the workshops.
 - v. Suggest we send a letter to the editor to encourage attendance. Nadia will send a draft for EC to review and comment.
 - e. Wellhead protection plan
 - i. Info sent to Patti for inclusion in utility bills. Deanna will send this draft for EC to review and approve at next meeting.
 - ii. Drafts in email sent earlier today to review.
- X. Next Meeting date, Chairperson, and draft agenda, 1 minute
 - I. Introduction of guests 5:45 PM
 - II. Agenda Review 5:45-5:50 PM
 - III. Approve November Meeting Minutes 5:50-5:55 PM
 - IV. Discuss and Approve Climate Action Plan 5:55-6:05 PM
 - V. Discuss and Approve Source Water Protection Plan 6:05-6:15 PM
 - VI. Discuss and Approve Annual Report 6:15-6:25 PM
 - VII. Discuss 2018 Priorities with Consideration from the Risk Assessment Exercise 6:25-6:40 PM
 - VIII. Glass Farm Management Proposal 6:40-6:50
 - IX. Updates (Brief overview of each project and next steps) 6:50-7:00 PM
 - a. Pollinator Habitat and Pesticide Use Reduction
 - b. Glass Farm
 - c. Climate Action Plan
 - d. Source Water Protection Plan
 - e. Waste Reduction

Meeting Date-- 2018	Chairperson
February 15	Bettina
March 15	Duard
April 19	Nadia
May 17	Marianne
June 21	Deanna
July 19	Bettina
August 16	Duard
September 20	Nadia
October 18	Marianne
November 15	Deanna
December 20	Bettina

*Note: Retreat meeting. All other meetings on 3rd Thursday of the month

Energy Board Minutes

December 12, 2017

Members present: Rick Walkey (Chair), Eric Johnson (Secretary), Alan Brunzman, Franklin Halley, Judith Hempfling (Council Representative – arrived at 6pm),

Members Absent: Dan Rudolf, Bob Brecha,

Others Present: Wendi Van Buren (Ohio Bureau of Natural Resources)

The minutes from November 14th were adopted.

Wendi, an expert in tree management, attended the meeting to discuss ways she could assist in any projects that the Energy Board might consider.

Rick share the mandate of the Energy Board for Wendi.

Wendi shared the link for “Energy Saving Trees” [https://energysavingtrees.arboday.org/- Home](https://energysavingtrees.arboday.org/-Home) which uses Google Maps to assist in determining how planting trees can save energy by providing shade during the summer.

Wendi said that trees in Yellow Springs provide a pretty good canopy, although there has been some interest in replacing elm trees and ash trees. In urban areas, trees have many benefits reporting lowering ADHD, crime, increasing carbon capture and providing cleaner air.

Some communities provide a subsidy discount to encourage residents to plant additional trees. Wendi shared a complete list of all trees that are native to Greene County.

Eric asked Wendi how big a threat exists to other tree species. Wendi said there is a major effort to contain the Asian Long Horn Beetles in Clermont County. The beetles are relatively large so they are easy to spot and to identify where they have planted eggs.

Wendi suggested that perhaps we could pick some properties to demonstrate how trees can help with energy efficiency. She said although the Village has a lot of trees, not all neighborhoods have mature trees. The USDA website iTreetools.org (<https://www.itreetools.org/>) provides a tool which allows users to simulate the impact of planting a tree for municipalities.

Franklin suggested we could provide a bulk purchase discount for people who want trees. Wendi said a good place for bulk trees is “Woody’s Warehouse” in Indiana.. <http://www.woodywarehouse.com/>.

Rick suggested Wendi’s email to Patti be added to the minutes. Two PDF documents will be attached to this email. Here is her email:

I am very pleased to learn that the Energy Board is interested in partnering with the Tree Committee. You know me, I have quite a few ideas. How do you feel about me throwing out a couple of options and then if any of them feel right to your Energy Board, then I can offer you more information?

- 1. Energy Saving Trees Program - <https://energysavingtrees.arborday.org/>. Planting the right tree in the right place is key to maximizing the energy-saving benefits that trees provide. When planted properly, a single tree can save a homeowner up to 20% on energy costs. We could use the program to plant trees in the right place around public buildings and promoting the use for residents and businesses.*
- 2. Planting Woods on Vacant Lots. To save on gas and time to mow, plant native tree seedlings on turf areas to increase canopy coverage which then in turn helps with carbon sequestration, heat island effect, etc.*
- 3. Tree of the Year Tree Sale. Choose Yellow Springs theme tree like a historic tree or other tree that you would like to see planted more. You could pick say. Yellow Springs Yellowwood and then do marketing and education on what a great tree it is and then offer an ordering sale where people can purchase a yellowwood and plant them at their homes. This would help the Village reach industry standard of 50% canopy coverage.*
- 4. Plant the Entrance Roads into Yellow Springs into allee and create a sense of place. Plant trees on 68 (north and south), 27, Dayton-Yellow Springs Rd, Yellow Springs. Fairfield, etc. Fully stocked streetscape also helps with stormwater load, air quality, property values, etc.*
- 5. Parking Lot Improvement & Shaded parking lots improve air quality, fuel usage, etc. Studies measure the difference in parking lot microclimate resulting from the presence or absence of shade tree cover. Microclimate data from contrasting shade regimes were then used as input to a motor-vehicle emissions model. Model results were used to estimate the potential for regional increases in parking lot tree cover to reduce motor-vehicle hydrocarbon and nitrogen oxide (NOx) emissions."*
- 6. Bike Trail Improve health of habitat along bike trail and improve experience of bikers through Yellow Springs. The bike trail is a highly used corridor and could use some invasive removal, pruning, hazard tree removal, and replanting of native plants/trees.*

*What do you think?
Wendi Van Buren*

Rick thanked Wendi. Franklin asked to talk about the "peak shaving savings" we had last year. He asked how the savings would be used?. Judy suggested Alan and Franklin submit a letter requesting information from Patti.

The new solar panels are expected to greatly improve next year's peak shaving due to the fact that they follow the sun and will efficiently produce power in the afternoon during peak load hours, assuming the day is sunny as well as hot.

The meeting adjourned at 6:55.

Energy Board Minutes

February 8, 2018

Members present: Rick Walkey (Chair), Eric Johnson (Secretary), Franklin Halley, Dan Rudolf, Judith Hempfling (Council Representative)

Members Absent: Bob Brecha, Alan Brunsman,

Others Present: Patti Bates, Johnnie Burns

Ideas were discussed for future activity.

Dan suggested more solar on Glass Farm, but Patti said that had no chance with Council. Franklin asked about what is being done with the money saved from the success of peak shaving. Patti said the money shows up in savings with the power cost adjustment. Eric asked if we could do more to inform people but Patti and Johnnie said a lot had been done previously which led to its success.

Patti said there was a \$1 per year increase for readiness to serve.

The meeting time was discussed. The third Tuesday at 6 will be the scheduled time for the near future.

Dan asked Johnnie about the Tesla charger installation. Johnnie said there was one last hurdle but it would be done very soon.

Go Sustainable proposal.

Generally people agree that \$8,100 for a proposal was more than we would want to spend.

Dan suggested we put a solar field at the new water plant. Johnnie said the trees would be a problem unless you wanted to cut a number of them down.

Patti – Maybe expand to other utilities such as providing low-flow shower heads. Maybe use rebates to promote programmable thermostats.

Dan – What we could use Go Sustainable for is education. They have contacts. We could offer thermostats and LED lightbulbs on our own.

Franklin asked about improving housing code for energy efficiency. Apparently, that avenue has gone a long way recently. Cresco has had to appeal some regulations for their greenhouse to make it viable. Dan said the new standards are very strict.

Johnnie said Cresco will max out the current circuit and with Dayton Mailing Services planning to expand (they are behind their proposed schedule). The water plant is also on that circuit so at some

point we will have to deal with that. Cresco will be breaking ground this week and plans to be operational by September.

Johnnie said the induction light fixtures for the street lights seem to be failing just as the warranties are expiring. Luckily they paid for themselves and then some. New LED lamps will be installed. LED lighting prices have dropped considerably since then so the new lights will be more reliable and more efficient.



The Economic Sustainability Commission provides information and makes recommendations to Council regarding economic development for the Village of Yellow Springs, identifying primary opportunities for economic development in the Village and strategies to support these efforts and facilitating a forum for incubating ideas and networking among diverse groups working on economic development in the Village.

Economic Sustainability Commission Minutes

Wednesday March 7, 2018; 7 pm

Council Chambers, John Bryan Community Center

Attendees: Saul Greenberg, Henry Myers, Lisa Kreeger, Mark Crockett, Gerry Simms, Emily Seibel, Karen Wintrow, Brian Housh, Kat Walter (representing Susan Jennings)

The meeting was called to order at 7:03 by Greenberg. Gerry Simms was welcomed as a new member of the ESC.

Minutes

Minutes from February accepted with no corrections. (Myers/Kreeger)

Citizen Concerns

None

Old Business

Village Incentive Policy

The ESC reviewed the incentive policy and application presented by Wintrow. There was general approval of the documents but some revisions were suggested by members. Greenberg suggested adding a mentoring program as part of the incentive policy but members agreed that the need for such a program was more directly related to the Revolving Loan Fund.

Members agreed that Wintrow, Kreeger and Seibel would collaborate to finalize the document for presentation at the March 19 Council meeting. Per Kreeger, the Incentive Policy is listed as a separate agenda item from the Annual Report presentation.

New Business

2017 ESC Annual Report

Members reviewed the 2017 Annual Report developed by Wintrow and Greenberg. Revisions were suggested including removing the ESC Plan from the 2018 Goals as our goals were already ambitious and there didn't seem to be an urgency to update the plan at this time. A goal of Researching and Advising Council on the formation of a designated CIC was added to the 2018 goals.

Members agreed that Wintrow, Kreeger and Seibel would collaborate to finalize the document for presentation at the March 19 Council meeting. The 2017 Annual Report was approved as amended (Simms/Myers).

Designated Community Improvement Corporation

Per Kreeger, Council would like the ESC to review and decide if we can assist them on the development of a Designated CIC. Supporting documents in the packet included a report from Village Solicitor Chris Conard on the purpose and function of a CIC and an email from Richard Lapedes supporting the concept as a means to strategize and collaborated among the Village, Township and School Board.

Members were concerned with our capacity to be able to assist given the legal intricacies of a CIC. Wintrow suggested bringing an expert to our next ESC meeting to educate the group on what a CIC does and how it might impact economic development in the Village. Members agreed to that strategy and Wintrow volunteered to find an appropriate expert.

Members also decided to formulate questions that would be presented back to Council so we could better understand how they see our role in the CIC discussion.

Kreeger has asked Conard for more information on CIC's which she will share with the ESC when she receives it.

Laura Curliss Recommendations

Members appreciated appreciation for and interest in a list of suggestions related to economic development provided by Laura Curliss. Wintrow indicated that she prepared a document with more details on the recommendations including current status of initiatives that are already underway. Members asked her to share that which she will. Wintrow also volunteered to send a message of appreciation to Curliss for her interest.

Proposed Agenda for April 4 meeting

Discussion of CIC with expert to be determined

Adjournment at 8:40 (Simms/Seibel)

Next meeting April 4, 2018 at 7pm in Council Chambers



The Arts & Culture Commission advises Village Council on issues that affect use, appearance and experience of Village property. The Commission takes into consideration the respect for all users of public space to promote and support improvement, beautification, growth and creativity of our community.

Art & Culture Commission 3/14/18 Minutes

Members Present: Lisa Kreeger, Nancy Mellon, Catherine Roma, Kathy Moulton, Brian Housh, Brittany Baum

- Minutes from 2/14/18 ACC meeting were approved.
- 2017 Annual Report Draft was approved with edits.
- More discussion regarding home for second set of Hidden Figures photograph. Nancy is going to talk to Stewardship a little more and Cathy is going to reach out to a contact at the public library. Right now, the feeling is that a second set of photographs would be nice in order to display to the public outside of Mills Lawn; however, the Arts Council is not sure the Permanent Collection is the proper home for this exhibit as it has more of a historic significance than an art significance. Other options such as the 365 Project and Historical Society were also mentioned as possible homes.
- Catherine Roma shared some questions regarding activism in how it relates to this group's mission and vision. Some of the questions she asked aligned with the 2018 Goals of the YS Village Council. She was asked to write down her questions and email the group, so they could be discussed in more detail at an upcoming meeting.
- ACC is proposing that KIND NESS banners are hung annually on Good Friday and remain up in between other YS events. Essentially, when there is no upcoming event to promote, KIND NESS banners should be put up. KIND NESS banners would come down for the winter.
- John Fleming has decided to renew his membership with the Commission; however, he would like to move to a Co-Chair or Secretary position. Brittany Baum was suggested to become the current Chair. All approved these membership decisions.
- Nancy Mellon shared updates regarding the Permanent Collection. They have recently acquired five new books from local authors and one new photograph.
- Nancy also shared some ideas on how to help the JBCC staff feel good about the Permanent Collection. Ideas included ~~%Staff Picks+~~ (staff would pick their favorite pieces, get their photographs taken with them, and a description explaining why it's their favorite), ~~%Staff Picks show+~~ (JBCC staff would actually curate the show by picking their favorite pieces to be displayed), ~~%Youth Picks/Youth Picks Show+~~ (same concept as staff picks but for youth that spend time in the building. Nancy also explained a game that has been used in the past where folks must match the piece of artwork to a small detail from the artwork. She said this game has been very successful at getting folks involved in the past.
- Nancy requested financial backing to purchase a clear acrylic top for the Jim Rose puppet in the Collection. She expected it to cost approximately \$360. It was determined that the 2018 ACC budget could cover this purchase as long as the budget is approved on Monday, March 19th.

**Planning Commission
Regular Meeting Minutes**

Council Chambers 7:00pm

Monday, March 12, 2018

CALL TO ORDER

The meeting was called to order at 7:00 P.M.

ROLL CALL

Planning Commission members present were Vice-Chair, Rose Pelzl, serving as Chair, Council Representative Marianne MacQueen, Frank Doden, Susan Stiles and Ted Donnell. Also present were Denise Swinger, Zoning Administrator, and Chris Conard, Village Solicitor. AJ Williams was present in the audience as Alternate.

REVIEW OF AGENDA

There were no changes made.

REVIEW OF MINUTES

Minutes of February 26, 2018 were reviewed. MacQueen MOVED to ADOPT THE MINUTES AS Amended. Doden SECONDED and the MOTION PASSED 5-0.

VOTE FOR VICE CHAIR

Pelzl CALLED THE VOTE on the MOTION MADE February 26, 2018 to elect Doden Vice Chair. The MOTION PASSED 5-0 on a Roll Call vote.

VOTE FOR CHAIR

Pelzl CALLED THE VOTE on the MOTION MADE February 26, 2018 to elect Pelzl Chair. The MOTION PASSED 5-0 on a Roll Call vote.

COMMUNICATIONS

Pelzl noted a letter from the Antioch “Ad Hoc Fells Renovation Committee”.

COUNCIL REPORT

MacQueen stated that she would like to know where the Urban Service Boundary for the western border lies. This is significant in working with Tecumseh Land Trust, she opined, in that land should not be conserved within that boundary, but should be conserved outside of the boundary.

She asked that Planning Commission weigh in on the location of the boundary, and affirm the idea of conserving outside, rather than within the boundary.

Donnell commented that conservation is clear, since it depends upon what properties run into the watershed, which need to be conserved.

Swinger stated that she will provide a clearer map.

MacQueen noted a Housing Needs Assessment presentation and subsequent meetings of the Housing Advisory Board. She noted upcoming meetings which will elicit public opinion and input on the matter of Housing availability and planning for the Village.

MacQueen urged Planning Commission members to commit to attending at least one session of the Community Conversations.

CITIZEN COMMENTS

Peter Townsend of the Antioch College “Ad Hoc Fells Renovation Committee” informed the Planning Commission of a concept paper the group has produced that suggests turning the Fels building into an apartment building.

Swinger suggested to Townsend that they may not need to rezone the property, and offered to meet with Townsend to go over options available.

PUBLIC HEARINGS:

Donnell noted that he is an adjacent neighbor and has known the Holyokes for many years. He stated that he does not believe that this would affect his ability to be impartial with regard to the hearing, but left the decision up to the Planning Commission.

Pelzl polled the Commission, and there was no objection to Donnell remaining at the table.

Conditional Use Application – Andrew and Elizabeth Holyoke, owners of 107 Cliff Street in the R-C, High Density Residential District, are seeking approval for an accessory dwelling unit. Parcel ID # F19000100110024800.

Swinger explained the hearing in question as follows:

Mr. and Mrs. Holyoke want to construct a garage/second floor accessory dwelling unit with a post and beam structure with straw bale infill, a building method they've used successfully in other locations around Yellow Springs.

The property meets the minimum lot area requirements of 4,800 sq. ft. with a 0.172 acre or 7,492 sq. ft. lot.

The property meets the minimum lot width of 40 feet, with two front lot lines, one measuring 54.80 feet abutting Railroad Street and the other measuring 144.21 feet abutting Cliff Street.

The maximum lot coverage for this property of all structures is 50% or 3,746 sq. ft.

The property contains the principal dwelling at 1,242 sq. ft. With the proposed garage/ accessory dwelling unit at 560 sq. ft., the total square feet of all structures will be 1,802 sq. ft., representing 48.1 percent of the allowable lot coverage.

Donnell commented that the request fits the intent of the zoning code.

Donnell MADE A MOTION TO APPROVE THE CONDITIONAL USE AS PRESENTED. MacQueen SECONDED.

Andy Holyoke responded to a question from Swinger, stating that he and his wife do potentially plan to move into the ADU at a later point.

Holyoke noted a letter from a neighbor in support, commenting that he didn't think he needed to present it, given the general support for the application.

PC and Holyoke discussed the requirement in the code that all ADU's provide a microwave oven.

Holyoke expressed agreement with a condition exempting him from providing a microwave.

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

Planning Commission discussed the motion on the floor.

Pelzl MOVED TO APPROVE THE CONDITIONAL USE WITH THE CONDITION THAT A MICROWAVE IS NOT REQUIRED. Stiles SECONDED.

DONNELL ASKED THAT THE ORIGINAL MOTION BE AMENDED TO REQUIRE EITHER A STOVE OR A MICROWAVE, BUT NOT BOTH. STILES SECONDED THE REQUEST FOR AN AMENDMENT.

Pelzl CALLED THE VOTE ON THE AMENDED MOTION. The MOTION PASSED 5-0 on a roll call vote.

OLD BUSINESS

Comprehensive Land Use Plan (CLUP). PC discussed how best to approach the rewrite effort.

Doden advised that the effort should not begin with the "small stuff", such as appendixes, etc., but should begin with an overview of the entire document.

Doden suggested deciding which sections should remain and which should be added and where as a start. Once that is determined, he stated, individual sections can be attempted.

Donnell commented that the index needs to be reworked for a more linear and logical presentation, with a broad overview moving to the specifics. The current document, he commented, is "all over the place".

Donnell commented that more visual attachments would be useful, maps in particular.

Donnell asked that the document be re-indexed to begin.

PC agreed to add the CLUP to the agenda for the April meeting, with the idea of a work session special meeting at a later point.

Doden asked PC members to review the CLUP and make comment regarding content and organization as a preparation for the next meeting.

Donnell asked that the Bicycle Enhancement Committee document and map be included, along with the latest sidewalk study.

The Clerk agreed to make available any requested documents.

Donnell asked what properties around the Village are already under conservation easement.

Pelzl asked for a document listing all of the conditional use hearings and approvals. This was discussed briefly.

Swinger commented that a list of potentially developable land would be useful.

MacQueen asked for a map as to where businesses are located within the Village.

Donnell commented that the CLUP is a policy document, as different from the zoning code.

Donnell commented that walkability and bike-ability should be prominent in the document.

NEW BUSINESS

There was no New Business.

AGENDA PLANNING

Swinger noted that PC will discuss the CLUP at their April meeting.

ADJOURNMENT

At pm, 7:52 Stiles MOVED and Doden SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A VOICE VOTE.

Rose Pelzl, Chair

Attest: Judy Kintner, Clerk

Please note: These minutes are not verbatim. A DVD copy of the meeting is available at the Yellow Springs Library during regular Library hours, and in the Clerk of Council's office between 9 and 3 Monday through Friday.

This Justice System Task Force (JSTF) report is intended to describe “the current landscape” for the ongoing law enforcement training and law enforcement resources that the Yellow Springs Police Department (YSPD) utilize in their professional development mission.

This is an update to a 2017 report and is based on discussions in March 2018 with the JSTF and with YSPD Sergeants Josh Knapp and Naomi Watson. It includes updates to State-mandated requirements and programs as well as record of current training initiatives and resources. The document also summarizes any next steps that could be considered by the JSTF related to previous policy recommendations to Council. Hopefully, this document can clarify all of the ways that the Yellow Springs department is extremely professional, as well as identify a few of the unresolved issues brought forward from various citizen-based groups

Hiring and Recruiting

The Ohio Peace Officer Training Commission sets basic Ohio Requirements:

- Be a United States citizen
- Be a high school graduate or have a GED at a minimum. Correspondence or mail-order high school diplomas are not accepted.
- Be at least 21 years old when testing for the civil servants exam.
- Have no felony convictions.
- Pass a polygraph test

Yellow Springs candidates for a job opening in the department must possess an Ohio Peace Officer Training Certificate from an Ohio Peace Office Training Academy (OPOTA) accredited school.

At this training, students are taught the basics of policing from trained instructors.

- The Greene County Career Center's Peace Officer Basic Training 750-hour program provides the training for an individual to become a Commissioned Peace Officer and meets the requirements of the Ohio Revised Code Section 109.77 for Peace Officer Certification.

One recommendation from several sources is the idea of community-sponsorship of a potential officer in the local academy with the idea that the sponsored individual who knows the community would commit to X period of time in the village.

NEXT STEPS FOR JSTF: The concept was considered, and is a very positive intention, but the committee feels that such an initiative is too complex and expensive for the village to carry out. However, interest remains in this

project and it may be developed further through the Village Managers' office.

Yellow Springs Hiring Policy and Practice

In addition to the requirements listed above, the village contracts with a private vendor who carries out testing for psychological profiles of finalist candidates in order to identify any problem areas such as a history of violence. The village has added specific modules to the testing in response to community concerns. For instance, the psychological testing includes methodologies such as police officer interview, personal history questions, firearm response inventory (to gauge how quickly an officer may pull his/her weapon in a given situation), activity preference assessment (to determine how comfortable an officer may be with what we want to be normal activities for our officers), situational response inventory, oral communications skills assessment.

Additionally, the written test each officer is required to pass includes not only measures of cognitive abilities (such as deductive reasoning, flexibility of closure, problem sensitivity, verbal expression and 6 other areas), but also non-cognitive measure-integrity in the areas of anti-social behavior, positive outlook, orderliness/diligence and socialization. Candidates are further vetted through interviews and a drug screening.

The 365-group report offered additional language for Policy General Order 3.6 to strengthen the search for new officers whose values fit the village concept of community policing. The village has responded by making a concerted effort to make sure that officers can adapt to the Yellow Springs Village Policing Values.

Trend to Associate Degrees Police officers looking to move up in the ranks may need a college degree or military experience to advance. It's becoming increasingly common in larger communities that police departments want their officers to have at least an associate's degree. The majority of Ohio's Community Colleges offer an associate degree in corrections. Locally, both Sinclair Community College and Clark State College offer the degree. Yellow Springs does not require a two-year degree at this time.

New Officer Orientation and Training

An ongoing concern has been the community orientation the department offers to new officers. There are two concerns, Field Training and Orientation to the village culture and values.

The department has updated Field Training requirements for all new hires, regardless of previous policing experience, to a nine-week minimum and sixteen week maximum. At nine weeks, a new officer is evaluated to determine the need for continued training. Previously, experienced officers have been able to skip this training which covers Taser protocols, Case Preparation for the courts and several weeks of shadowing other officers on patrol, with a senior officers offering general

background and protocol information. Yellow Springs has three officers who are state-qualified to conduct training on several topics including Taser use.

The new officer orientation to community values and the concepts of community policing tend to be both formal through reading departmental policies and informal through observation and dialogue with other officers. The department has felt frustrated in their attempts to introduce new officers to the community through “drive along”, “coffee with a cop” and other program that attempt to pair officers with community members for local tours. The community response has been very limited. One officer reported that the only one to show up for his time at “coffee with a cop” was a gentleman from Springfield! The other issue is that we have a fairly small department running three shifts. This means limited free time for officers as well.

NEXT STEPS FOR JSTF: An ongoing concern is what is the best method of community orientation for new officers? JSTF can continue this conversation with Chief Carlson and also try to create dialogue with other groups-Human Relations, Mediation and 365 to generate ideas.

Continued Professional Training -- Ohio Requirements

Following reports of police killings of unarmed black men in Ohio (Tamir Rice, John Crawford III, Samuel DuBose), Ohio created statewide law enforcement reform committees. Governor Kasich established the Ohio Collaborative Community-Policing Advisory Board in April 2014 to implement recommendations from the Task Force on Community Police and Ohio Attorney General Mike DeWine’s Advisory Group on Law Enforcement.

Beginning in 2016, 11 hours of continuing professional training was required by the Ohio Peace Officer Training Commission of all full time officers in Ohio Police departments including training in community-police relations, crisis de-escalation with a focus on the mentally ill; constitutional use of force, human trafficking and general law enforcement. The number of hours of required training was almost doubled for 2017 to 20 hours of Continuing Professional Training (CPT) for each peace officer. **However, Ohio has basically run out of funds for the training and recalled any mandated training hours. Individual local departments are required to fund and carryout their own training agendas.**

Under the previous program, Yellow Springs’ officers did complete these required courses in 2016-17:

- Trauma Informed Policing (6 hours)
- Practical Application of Force (4 hours)
- Officer & Community Wellness (4 hours) – choose or *Blue Courage (4 hours)
- Legal Update (2 hours)
- **General Law Enforcement (4 hours)

* Blue Courage is a “Transformational Leadership program,” personal development and stress reduction.

The YSPD responded to state changes by contracting with the online vendor, **Lexipol**. Lexipol provides state-specific policy management resources for law enforcement.

“Lexipol offers a customizable, reliable and regularly updated online policy manual service, daily training bulletins on your approved policies, and implementation and management services to allow us to manage the administrative side of your policy manual.” (<http://www.lexipol.com>) This has been an important resource for updating the Policy Manual in addition to offering useful training modules related to Policy.

General Law Enforcement is Agency Directed.

CIT Training has taken priority in the last two years, and currently there is an YSPD officer who has completed this training present on each shift. The recent hire of a Community Outreach individual will also support the YSPD when they need to respond to troubled individuals.

Deadly Force-Ohio’s State standards on deadly force passed the Ohio Collaborative in August of 2015 and were required to be adopted and implemented by 2017 throughout Ohio. Our policy (General Order 1.3) was issued in May 2015 and numbers 27 pages. The policy covers every aspect of this complex issue and Yellow Springs meets the state requirements.

However, the primary training on use of force raises questions about aligning village values with this policy. One obvious example is the liberal interpretation of the use of Tasers in the past. The YSPD has worked with the Village Justice System Task to write modifications of the Taser use guidelines in the Use of Force policy. The YS Council has approved the changes.

Ongoing Training includes “Bulletins” from the online resource, Lexipol Each officer receives between 10-15 email alerts a month. Each one offers a scenario related to policy that officers examine and respond to with self-paced tests.

NEXT STEPS FOR JSTF: The YSPD has responded openly to any previous JSTF Training recommendations to Council and is utilizing Lexipol to offer current training related to policy. In addition the department has sponsored officers for individual workshops or classes from its own budget.

Implicit Bias Training

Implicit Bias has been identified in current research as an issue for police departments of any size and a critical element of police reform programs. In June of 2017, The Department of Justice announced that it would train all of its law

enforcement agents and prosecutors to recognize and address implicit bias as part of its regular training curricula.

Implicit Bias Training for the YSPD has been recommended by the Human Relations Council (August 2016) and by the 365 organization's Special Committee on Police Reform (fall 2016) and by the JSTF, 2017. Currently, Council member, Kevin Stokes, is recommending Bias training for ALL village staff.

It is noted that research on Implicit Bias concludes that this unconscious prejudice is a problem in all professions from Day Care providers to SWAT teams. It is also malleable, meaning it can be unlearned. It is important that everyone, including officers understand that it is not equated with explicit bias. However, it is critical to community policing that it is understood.

As part of the OPATA course, "Policing in the 21st Century," Inherent Bias is well defined. However, the straightforward description of the issue does not actually offer any remedy or training per se. In 2017, the YSPD held a one-day workshop on Bias presented by Toney Police Consulting. This event heightened awareness, but was only a starting point. **An Implicit Bias training for all village staff, including YSPD officers is being proposed for 2018 by Council member, Kevin Stokes.**

The Ohio Collaborative includes a Policy Statement on Bias that expects training related to the Standard. See Appendix A.

NEXT STEPS FOR JSTF: JSTF will support any efforts of the Council to address Bias, and is also willing to support discussion with the YSPD on what insights can be gained by examining data analysis for Bias.

Training Options Related to Special Needs of the Community

Yellow Springs Police Logs in the Yellow Springs News show a need for responding to the mentally ill, to juveniles, and families in crisis, and many "social work" issues. The department is also participating in the "Dementia Friendly Village" training. **This awareness led to the recent hiring of an outreach specialist with social work background. This new team member will support officers in this aspect of their work.**

NEXT STEPS FOR JSTF: The newly hired Outreach Coordinator will be able to identify resources as needed for working with troubled situations.

The Village has recently subscribed to the on-line police consulting company, Lexipol, for support for both policy development and training related to policies. Scenario-based *Training Bulletins* support policies. This resource will be very useful regarding newer policy standards like the use of Body Cameras.

Drug Control Issues

The JSTF charge in Resolution 2016-25 suggests that the committee can research “Alternative Municipal policing practices to drug control.” In general officers are required to carry out Ohio Law. Exactly what the options are for “Alternative Policing” has not been researched by the JSTF. Responding to drug-related problems is a complicated issue to report on. After leaving the Combined Greene County Drug Task Force there has been a perception by some that it is difficult for the YSPD to have the information they need to address serious issues like drug overdoses or drug trade. Yet, these issues remain a challenge for the Yellow Springs Officers who do deal with the heroin epidemic, including overdose incidents. There is also a concern in that the Federal Department of Justice under the current administration has once again emphasized “tough” approaches to minor drug offenses, a stance in conflict with this community.

NEXT STEPS FOR JSTF: Ongoing Discussion and possible research are options for the future.

APPENDIX A

FROM OHIO COLLABORATIVE

Bias Free Policing

Purpose

Law enforcement agencies must prohibit the use of any bias based profiling in its enforcement programs.

Standard

Agencies shall establish a written policy governing biased based profiling that includes the following provisions:

- A prohibition against biased based profiling in traffic contacts, field contacts, and in asset seizure and forfeiture efforts.
- **Training all agency enforcement personnel in biased based profiling issues and the relevant legal aspects.**
- Corrective measures if biased based profiling occurs.
- The collection of data on all self-initiated traffic contacts to include, at a minimum, the race and gender of the driver of the vehicle stopped. For agencies that employ fewer than 35 sworn full time police officers, the collection of data does not have to occur until the year 2020.
- A documented annual administrative review of agency practices, data collected, and citizens' concerns. This review shall be made available to the public. **Commentary** Criminal Profiling, in itself, can be a useful tool to assist law enforcement officers in carrying out their duties. Officers shall not consider race/ethnicity to establish reasonable suspicion or probable cause, except that officers may take into account the reported race/ethnicity of a potential suspect(s) based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). Law enforcement agencies should prohibit the use of any bias based profiling in its enforcement programs, as it may lead to violations of the constitutional rights of the citizens served, undermine legitimate law enforcement efforts and may lead to claims of civil rights violations. Additionally, bias based profiling alienates citizens, fosters distrust of law enforcement by the community and may result in media scrutiny, legislative action and judicial intervention. Law enforcement personnel should focus on a person's conduct or other specific suspect information. Annually, the agency should include profiling related training that should include field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination and community support.



SPRING CLEAN-UP WEEK IN THE VILLAGE BEGINS MAY 7TH

During the week of May 7-11, household items large and small that are placed at the curb with your regular trash pick-up will be removed for free by Rumpke. This service is for Village solid waste customers only. If you have any general questions, please call 937-767-7202 x221.

Rumpke Bulk Items Rules:

Glass . must be broken out of window frames, shower doors, storm doors, etc. by customer

Construction Items . 6 cans of construction or 2 full hoppers is the limit

Freon Containing units . Freon must be removed from item by customer

Mattresses should be wrapped and marked/the frame broken to indicate the presence of bed bugs

Limbs and brush, as well as old tires, are not accepted.

Please visit www.co.greene.oh.us & click on Environmental Services for more information

Rumpke is proud to partner with The Village of Yellow Springs to keep our community clean and green!



ANDREW J. CAMPBELL
Direct: 614.224.3973
campbell@whitt-sturtevant.com

April 3, 2018

Dear Ohio elected official:

On February 21, 2018, Vectren Energy Delivery of Ohio, Inc. (VEDO) provided you with notice of its intent to file an application to increase rates with the Public Utilities Commission of Ohio (PUCO). On March 30, 2018, VEDO filed that application with supporting materials, in Case Nos. 18-0298-GA-AIR and 18-0299-GA-ALT.

In supplementation of that notice, VEDO is also providing you with contact information for the Office of the Ohio Consumers' Counsel (OCC), which follows:

Office of the Ohio Consumers' Counsel
65 East State Street, 7th Floor
Columbus, Ohio 43215-4213
1-866-898-7622 (toll-free in Ohio) or 614-466-8574

OCC is an agency representing the interests of residential customers in proceedings before the PUCO, and may be able to assist your constituents if they have questions about VEDO's application.

Sincerely,

/s/ Andrew J. Campbell
Andrew J. Campbell, Attorney for
Vectren Energy Delivery of Ohio, Inc.



Greene County Public Health

Melissa A. Howell, MS, MBA, MPH, RN, RS, Health Commissioner

Robert P. Dillaplain, MD, Medical Director

Press Release

For Immediate Release

April 2, 2018

Contact: Laurie Fox, Public Information Officer

937-374-5669/866-858-3588; lfox@gcph.info

Greene County Public Health WIC Program Continues to Offer Free Infant Feeding Classes for Pregnant Women

XENIA, OH—The WIC (Women, Infants & Children) program at Greene County Public Health has announced the availability of free infant feeding classes designed for pregnant women. These classes are open to all pregnant women, not just WIC participants! If you are trying to decide how best to feed your newborn when he or she arrives, this class will provide you with valuable information to help make the best choice for the health of your baby.

The classes, offered monthly at both the Xenia (360 Wilson Drive) and Fairborn (600 Pierce Drive) WIC offices, will cover how to feed your baby, getting started with breastfeeding, how to know if your baby is getting enough to eat, how to make infant formula, offer a bottle, and so much more. Morning and late afternoon/evening classes are available, and **you only need to register for one class (not a series)**. The classes are open to pregnant women and their support people. Spouses, partners, and all other support people are strongly encouraged to attend. Classes available in **April and May** are as follows:

- Thursday, April 12, 10:00am, Fairborn
- Wednesday, April 25, 10:45am, Xenia
- Thursday, May 10, 10:00am, Fairborn
- Thursday, May 10, 5:15pm, Xenia
- Wednesday, May 23, 10:45am, Xenia

Registration for all listed classes above is required. Please call the WIC office at 937-374-5642 to get registered or to find out more.

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