COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS
REGULAR COUNCIL MEETING
AGENDA

IN COUNCIL CHAMBERS @ 7:00 P.M. **Monday, November 19, 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. NOTE: Agenda items may be changed at the pleasure of Council during Review of Agenda. This is done with attention to the need to give the public time to engage, and is kept to a minimum.

CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS

CONSENT AGENDA (7:10)

1. Minutes of October 31, 2018 Special Council Meeting: Budget Work Session
2. Minutes of November 5, 2018 Regular Meeting

REVIEW OF AGENDA (7:15)

I. PETITIONS/COMMUNICATIONS (7:20)

The Clerk will receive and file:

Greene County Combined Health re: HIV Cases
Environmental Commission re: Letter to OEPA

II. PUBLIC HEARINGS/LEGISLATION (7:25)

Second Reading and Public Hearing of Ordinance 2018-47 Mandating that the Use of Any Form of Surveillance Technology by Village of Yellow Springs Entities be Approved by Village Council

Second Reading and Public Hearing of Ordinance 2018-48 Repealing and Replacing Sections 1042.01(i)(1)(2)(3)&(4) of the Codified Ordinances of the Village of Yellow Springs, Ohio and Thereby Eliminating the Kilowatt-Hour Tax Adjustment Portion of the Compensation for Customers Supplying Energy to the Village from On-Site Solar or Wind Generators

First Reading of Ordinance 2018-49 Adding a New Chapter 290 of the Codified Ordinances Thereby Establishing a Justice Commission of Council

Reading of Resolution 2018-41 Approving the Yellow Springs Arts Council Request for Placement of Permanent Sculpture on Village Property and Establishing Conditions

III. CITIZEN CONCERNS (7:45)

This time is held for citizens wishing to comment upon items NOT listed on the agenda. Comments are limited to 3 minutes, please.

IV. SPECIAL REPORTS (7:55)

Review of General Fund with Suggested Changes for Council Final Approval (Harris: 30 min.)

V. OLD BUSINESS (8:25)

Update on Yellow Springs Community Improvement Corporation (Kreeger: 10 min.)
Draft Village Manager Search Timeline (Housh: 10 min.)

Open Council Seat Presentations from Candidates (20 min.). The following candidates will present in random order: Gerald Simms; Leo Brandon; Dan Reyes; Andrea Carr; Kineta Sanford; Dino Pallotta.

VI. NEW BUSINESS (9:05)

Draft Ordinance Establishing an Affordable Housing Budget Line (Housh: 15 min.)
Brief Introduction of Resolution Establishing a Welcoming Community (MacQueen: 15 min.)

VII. MANAGER'S REPORT (9:35)

VIII. SOLICITOR'S REPORT (9:40)

IX. CLERK REPORT (9:45)

VI. BOARD AND COMMISSION REPORTS (9:50)

Report Outs from Council Liaisons (Alternate Liaison in parenthetical):

MacQueen	Planning Commission (Kreeger)
Kreeger	Economic Sustainability Commission (Stokes)
Stokes	Community Access Panel (Housh)
Kreeger	Arts and Culture Commission (Housh)
Hempfling	Energy Board (Stokes)
Hempfling	Library Commission (Stokes)
Hempfling	Justice System Task Force (Kreeger)
MacQueen	Village Mediation Program (Kreeger)
MacQueen	School Board Liaison (Housh)
Stokes	Human Relations Commission (MacQueen)
MacQueen	Environmental Commission (Kreeger)
MacQueen	Glass Farm Conservation Management Committee (Kreeger)
Housh	Greene County Regional Planning Commission (MacQueen)
Housh	Miami Valley Regional Planning Commission (Bates)

VII. FUTURE AGENDA ITEMS (9:55)*

Dec. 3: **Second Reading and Public Hearing of Ordinance 2018-49** Adding a New Chapter 290 of the Codified Ordinances Thereby Establishing a Justice Commission of Council
Reading of Ordinance Approving the 2019 Budget for the Village of Yellow Springs and Declaring an Emergency
ESC Special Report

Dec. 17: **Emergency Reading of Ordinance 2018-** Approving a Supplemental Appropriation for the Third Quarter of 2018
Reading of Resolution 2018- Adjusting Village Employee Wage Scales
Council End-of Year Review
Council's 2019 Draft Goals
Housing Advisory Board End-of-Year Review

January 7: Authorizing the Sale During Calendar Year 2018 of Municipally Owned Personal Property which Is Not Needed for Public Use, or Which is Obsolete or Unfit for the Use for which it was Acquired, by Internet Auction, Pursuant to Ohio Revised Code Section 721.15(D)

*Future Agenda items are noted for planning purposes only and are subject to change.

EXECUTIVE SESSION (9:50)

For the Purpose of Discussion of the Qualifications of the Council Open Seat Candidates.

VOTE ON OPEN SEAT CANDIDATE (10:10)

ADJOURNMENT

The next regular meeting of the Council of the Village of Yellow Springs will be held at 7:00 p.m. on **Monday, December 3, 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
Work Session Minutes

In Council Chambers @ 9:00 A.M. **Wednesday, October 31, 2018**

CALL TO ORDER

President of Council Brian Housh called the meeting to order at 9:02 am.

ROLL CALL

Present were President Housh, Vice President Marianne MacQueen and Council members Judith Hempfling, Kevin Stokes and Lisa Kreeger. Also present were Village Manager Patti Bates, Public Works Director Johnnie Burns and Finance Director Colleen Harris. YSPD Chief Brian Carlson and Sergeant Naomi Watson joined the meeting for the patrol car request.

Observers were Gerald Simms and Kineta Sanford.

BUDGET SESSION

Review of Enterprise and Special Revenue Funds Budget
Review of Capital Budgets
Review of General Fund Budget
Review of Any Suggestions for Change to Discretionary Lines
Review of Council Requests for Funding Not Currently Included in GF Budget

Harris reviewed the Enterprise Funds budgets, noting that all Enterprise Funds had transfers for Capital Improvements, as was decided during the 2017 budget process as a best practice.

Discussion regarding the recommendation on the part of Harris to budget for 10% across all departments/funds in the salaries lines to cover any potential need for an employee pay-out was discussed at several points in the process.

All Council members felt that this amount was excessive, and would limit investment potential for opportunities based on a worst-case scenario.

The amount of withholding suggested varied by Council member, but Council eventually agreed to ask Harris to budget for a 4% across all departments/funds in the salaries lines for their review.

There was a brief discussion regarding the characterization of funds allotted to various entities, with MacQueen and Housh expressing that they prefer the terms “partner” or “investment” over the term “donation”, which implies a gift with no promise of return.

MacQueen asked that Bates’ “Donations Brief” be rewritten with this in mind.

Stokes asked that as “partners” the “donees” offer a forecast of future activities projecting at least a year out, as well as an annual report.

Housh noted that the contributions should be considered economic development.

Council discussed the Economic Development Fund, with Housh asking that the Revolving Loan Fund be pulled out as a separate line.

Bates noted during the discussion of the Green Space Fund that Council had committed $200,000.00 over the next four years, but that the obligation will not be called upon unless requested for a specific project coming from Tecumseh land trust.

Housh suggested sharing equipment costs across different departments within the Enterprise Funds, and asked if this could be explored.

Chief Carlson and Sergeant Watson joined the meeting for the discussion of a request for a new cruiser.

The cruiser, a police staff car, and a general employee staff car were all discussed at length.

Council agreed to the purchase of a new cruiser to replace the failing 2016 cruiser.

Increases in the Planning and Zoning area were briefly discussed, with note given to the increase in the workload in that area over the last several years.

Hempfling asked that staffing be reviewed for the Police Department to determine the most effective manner to staff that area.

MacQueen asked for funds for a geotechnical assessment of the Glass Farm.

Bates stated that she will contact a provider and get an estimate for this.

Burns reviewed his infrastructure recommendations, noting several areas where he is combining uses for equipment to make the equipment more useful and lower cost in any one line.

During discussion of infrastructure projects, the high repair needs for the Pottery Shop were discussed, with general agreement that the users of that facility will need to contribute to the cost of repairs.

Kreeger and Housh agreed to follow up with the group.

Housh asked where the funds for the Skatepark might be located, as well as well as funds for the Ellis Park bridge.

Burns commented that he did not think it is the Village's responsibility to create a break room, but is the Village's responsibility to create a unisex bathroom at the Library. This reduced the expenditure for that line.

Burns gave a report on equipment sharing and his strategy for repair and repurposing of vehicles wherever possible.

Burns gave justification for his requests for camera work in the sewer lines and for several vehicle upgrades.'

Council discussed the addition of a new line for Affordable Housing.

Bates cautioned that this takes time, since any new fund has to be done by ordinance and then receive approval from the State Auditor.

Housh asked for a total across the board cost for legal fees for 2018, and noted that the fees are capped for 2019.

There was some discussion regarding the uses for the Lodging Tax, and discussion as to where to place those funds.

ADJOURNMENT

At 12:44 pm, Stokes MOVED and Kreeger 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

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Attest: Judy Kintner, Council Clerk

Council for the Village of Yellow Springs
Regular Session Minutes

In Council Chambers @ 7:00 P.M. **Monday, October 15, 2018**

CALL TO ORDER

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

ROLL CALL

Present were President Housh, Vice President Marianne MacQueen and Council members Judith Hempfling, Kevin Stokes and Lisa Kreeger. Also present were Village Manager Patti Bates, Finance Director Colleen Harris, Planning Administrator Denise Swinger and Village Solicitor Chris Conard.

ANNOUNCEMENTS

Kreeger announced that YSHS teacher Kevin Lidy is working with students to produce banners of notable Village women for Women's History Month, and they are soliciting suggestions from citizens. Kreeger read a list of women honored in the past.

Housh exhorted Villagers to vote on Tuesday.

Housh also noted that the Village is set to receive about $22,000.00 from Greene County, which must be used for an Economic Development or Infrastructure-related project.

Housh asked citizens to simply let folks know if they see a post on Village Facebook that seems accidental, rather than posting it to Open Discussion.

Housh made note of "No-Shave November", in which he is participating in an effort to support funding for cancer research.

Colleen Harris described how to participate in the Utility Round Up Program for persons who are signed up for ACH. Contact the Utility Office for a form to fill out.

Stokes noted that he was one of the beta-test group, and the bills seem in order and ready to go.

Housh asked that the Utility Round Up information be placed on Facebook.

CONSENT AGENDA

1. Minutes of October 15, 2018 Regular Meeting

Stokes MOVED and MacQueen SECONDED a MOTION TO APPROVE the Consent Agenda. Housh CALLED THE VOTE, and the MOTION PASSED 5-0 on a voice vote.

REVIEW OF AGENDA

Stokes added the topic of Transient Guest Lodging to New Business.

PETITIONS/COMMUNICATIONS

MacQueen reviewed communications received as follows:

Rachel McKinley re: Quarterly Treasurer's Report
Arnold Adoff re: JSTF
Marcia Wallgren re: EPA/Vernay Information
Marianne MacQueen re: Welcoming Community Resolution (2017-13 Draft and Final)
Mitzie Miller re: Home, Inc.
Judith Hempfling re: Budget /Partnerships/Council Open Seat Process
ACLU re: Surveillance Technology Ordinance

PUBLIC HEARINGS/LEGISLATION

Reading and Public Hearing of Ordinance 2018-39 Approving a Supplemental Appropriation for the Third Quarter of 2018. Stokes MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Harris reviewed the Supplemental, noting the areas in which supplements were being requested.

Housh OPENED THE PUBLIC HEARING. There being no comment from those present, Housh CLOSED THE PUBLIC HEARING and CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Ordinances 2018-40-2018-46. Swinger introduced the series of ordinances by explaining the need for amendments to the existing zoning code as follows:

Following the 2013 update to the Village of Yellow Springs zoning code and the results of the visioning process directing growth through infill development, staff noticed an increase in inquiries from residents asking what they could do with their properties. Each inquiry had its own unique circumstances and staff began a discussion with the Planning Commission in April, 2018 on sections of the zoning code in need of further clarification. This process stretched over a six month period as amendments to one section of the zoning code often required amendments to other sections. Presented in the following amendments is an interpretation that will allow property owners to subdivide their properties using the already established lot requirements for Residential A, B and C in the zoning code, as well as the existing requirements for uncommon lot configurations, minor subdivisions and replats in the planning code.

Swinger described the changes represented in each of the ordinances, and the reason these are being brought forth. Description of each ordinance has been placed with that ordinance for clarity.

Reading and Public Hearing of Ordinance 2018-40 Repealing Section 1284.09 "Definitions: T-U" of the Codified Ordinances of the Village Of Yellow Springs, Ohio and Adopting New Section 1284.09 "Definitions: T-U". MacQueen MOVED and Stokes SECONDED a MOTION TO APPROVE.

This ordinance adds the definition of tiny homes to the zoning code.

Housh OPENED THE PUBLIC HEARING. There being no comment from those present, Housh CLOSED THE PUBLIC HEARING and CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading and Public Hearing of Ordinance 2018-41 Repealing Section 1260.04 "Uses" of the Codified Ordinances of the Village of Yellow Springs, Ohio and Adopting New Section 1260.04 "Uses". Kreeger MOVED and MacQueen SECONDED A MOTION TO APPROVE.

Swinger noted that the following two changes occur to Chapter 1260.04 in this ordinance:

Chapter 1260.04 (a) (13) below was removed and added to 1260.03 (a) (1) D – Driveway Standards.

(13) Residential access driveways shall be at least three feet from side property lines and construction shall ensure that drainage is sloped away from adjacent properties.

Chapter 1260.04 (h) Tiny Home. This amendment to the zoning code was added as the result of numerous inquiries. Along with two Planning Commission members, staff met with the Greene County Building Regulations Department staff to understand what is required when a person purchases a tiny home.

Housh OPENED THE PUBLIC HEARING. There being no comment from those present, Housh CLOSED THE PUBLIC HEARING and CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading and Public Hearing of Ordinance 2018-42 Repealing Section 1260.03 "Parking And Storage" of the Codified Ordinances of the Village of Yellow Springs, Ohio and Adopting New Section 1260.03 "Driveway Standards, Access Easements, Parking And Storage". MacQueen MOVED and Stokes SECONDED A MOTION TO APPROVE.

Swinger explained the changes entailed in this ordinance as follows, noting that as part of the clarification of Minimum Lot Frontages, driveway standards were added to ensure private driveways or private streets were constructed so that they would be accessible for essential services and utilities. Staff requested input from the Fire Chief, which he provided to ensure these access driveways or private streets to land-locked lots were wide enough and capable of supporting up to 40,000 lbs. gross vehicle weight. The zoning code currently addresses only the driveway setback to a property line, driveway requirements for a single or two-family dwelling (parking strip and parking apron) and standards for parking lots.

Access easement language was also added requiring access easements be recorded on the deed of all properties subject to the easement, and the illustration showing several ways in which the minimum lot frontage on an access easement can be shown..

Also in this section of the zoning code, the issue of recreational vehicle parking is addressed. Although the language has been added to the general offenses code, the Planning Commission didn't delete it from the zoning code because of the provision allowing for recreational vehicle parking on lots in residential districts:

(bc) Recreational Vehicle Parking. It shall be unlawful for any person to park or cause to be parked any mobile home or recreational vehicle on any street, alley, highway, or other public place in the Village, and to use the same as a dwelling, except for the expeditious loading and unloading of the vehicle. This provision shall not prohibit the temporary occupancy for periods up to 72 hours of a recreational vehicle; provided the recreational vehicle contains sleeping accommodations, is parked on a lot in a Residential District, and is for the use of the owner of that lot or guests of the owner.

Housh OPENED THE PUBLIC HEARING. There being no comment from those present, Housh CLOSED THE PUBLIC HEARING and CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading and Public Hearing of Ordinance 2018-43 Repealing Section 1260.02 "Dimensional Provisions" of the Codified Ordinances of the Village Of Yellow Springs, Ohio and Adopting New Section 1260.02 "Dimensional Provisions". Hempfling MOVED and Stokes SECONDED A MOTION TO APPROVE.

Swinger explained that this amendment to the zoning code clarifies the use of private streets or access easements to reach an existing lot or a newly created lot.

Housh OPENED THE PUBLIC HEARING. There being no comment from those present, Housh CLOSED THE PUBLIC HEARING and CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading and Public Hearing of Ordinance 2018-44 Repealing Section 1226.11 "Minor Subdivisions" of the Codified Ordinances of the Village of Yellow Springs, Ohio and Adopting New Section 1226.11 "Minor Subdivisions". MacQueen MOVED and Stokes SECONDED A MOTION TO APPROVE.

Swinger explained that this amendment to the planning code will allow for the subdivision of land located along a private street or access easement if certain requirements are met. The amendment will also add an additional 10 days to allow staff time to prepare a report for minor subdivisions that require Planning Commission approval. Neighbors will also be noticed of any proposed subdivision that requires Planning Commission approval.

Housh OPENED THE PUBLIC HEARING. There being no comment from those present, Housh CLOSED THE PUBLIC HEARING and CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading and Public Hearing of Ordinance 2018-45 Repealing Section 1226.12 "Replats" of the Codified Ordinances of the Village of Yellow Springs, Ohio and Adopting New Section 1226.12 "Replats". Kreeger MOVED and Stokes SECONDED A MOTION TO APPROVE.

Swinger noted that this amendment to the planning code will allow for the replat of land located along a private street or access easement with the same requirements as in Chapter 1226.11.

Housh OPENED THE PUBLIC HEARING. There being no comment from those present, Housh CLOSED THE PUBLIC HEARING and CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading and Public Hearing of Ordinance 2018-46 Repealing Section 1226.13 "Subdivision Fees" of the Codified Ordinances of the Village of Yellow Springs, Ohio and Adopting New Section 1226.13 "Subdivision Fees". MacQueen MOVED and Stokes SECONDED A MOTION TO APPROVE.

Swinger explained that this amendment to the planning code will require a fee of $100 if a minor subdivision or a replat requires approval by the Planning Commission. This fee will offset costs for the notification process. It also raises the fee for a replat from $10 to $25 when Planning Commission approval is not required.

Housh OPENED THE PUBLIC HEARING. There being no comment from those present, Housh CLOSED THE PUBLIC HEARING and CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2018-47 Mandating that the Use of Any Form of Surveillance Technology by Village of Yellow Springs Entities be Approved by Village Council. MacQueen MOVED and Stokes SECONDED A MOTION TO APPROVE.

Hempfling read a portion of a letter received from the American Civil Liberties Union of Ohio supporting the measure.

Conard introduced the legislation by stating that technology represents a new area in which civil right may be affected, and the arena changes daily. Conard noted that the purpose of the legislation is to protect individuals from governmental intrusion into their privacy; to make government accountable for how technology is used and why the technology is necessary, and to control how data is deleted.

In order to use surveillance technology, a Village entity must make a request to Council in a public meeting to both fund (if funds need to be appropriated) and approve the use. In addition, Village entities will be required to submit an annual report to Council to ensure data collected through the use of surveillance technology is not being shared or used for improper or unapproved purposes.

Fundamentally, Conard stated, the ordinance is intended to accomplish broad overarching purposes that can be defined as protecting citizens from existing and emerging technology that the government could use to violate individuals' rights.

Ellis Jacobs commented upon the ordinance, noting that all changes requested by staff were made without watering down the intent. Jacobs commented that citizens "will never be surprised" by any use of surveillance technology in the Village due to this process. Jacobs noted that surveillance technology "is only as good as the policy governing it."

Housh asked whether there are any uses being grandfathered-in, and was told that there are not.

Housh asked whether there are use policies for existing technologies.

Bates stated that there is likely policy in the General Orders Manual, but that she would look into the matter.

In answer to a question from Hempfling, Conard commented that license plate readers are not being used by the Police Department.

Council discussed "publicly used facilities", with Hempfling stating that she would like this to come before Council if cameras were considered.

Jacobs commented that this phrase could encompass light poles, streets, etc.

Conard suggested defining "building" for this purpose.

Housh asked for assurance that the Village would not be held liable if a third party did not wish to abide by the Village ordinance.

Conard stated that this would have to be a "wait and see" issue.

Jacobs noted that only the Village is limited to use of surveillance technology: an outside agency could enter the Village with that technology.

Megan Bachman, Yellow Springs News, asked about policies regulating the use of Cruiser Cams and what had changed from inception to end product of the ordinance.

Bates responded that the policy governing the cruiser cams is in the general orders manual.

Conard noted that nothing of great substance had been changed in the process of crafting the ordinance.

Housh CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2018-48 Repealing and Replacing Sections 1042.01(I)(1)(2)(3)&(4) of the Codified Ordinances of the Village of Yellow Springs, Ohio and Thereby Eliminating the Kilowatt-Hour Tax Adjustment Portion of the Compensation for Customers Supplying Energy to the Village from On-Site Solar or Wind Generators. Stokes MOVED and MacQueen SECONDED A MOTION TO APPROVE.

Bates explained that the current ordinance reads that a resident will be credited for each kWh of energy produced in excess of their needs, and that they will be credited $.11/kWh plus the power cost adjustment plus the kWh tax. However, crediting the resident the kWh tax creates a situation in which the Electric Fund is debited twice for the tax; once to the resident and once when the tax is transferred, by law, to the General Fund.

Investigation of other municipalities who own their own electric grid indicate that most do not credit the resident for the excess energy produced in any way, it is simply supplied back to the grid with no credit to the resident's account.

Staff, along with Village energy consultant, John Courtney of Courtney and Associates, recommend the repeal of the kWh (excise) tax to these residents.

Kreeger received confirmation that the ordinance would not have any chilling effect upon users who may want to engage in installing alternative energy, since the amount is a few dollars a month for a residential user.

Housh CALLED THE VOTE. The MOTION PASSED 5-0 ON A VOICE VOTE.

Reading of Resolution 2018-39 Approving Recommended Housing Goals. MacQueen MOVED and Stokes SECONDED A MOTION TO APPROVE.

MacQueen noted that Council is in the midst of a multi-year housing plan, and that following these goals will be a more substantive recommendation from the Housing Advisory Board.

Housh asked that the word "affordable" be eliminated from the first sentence of the resolution.

Marie Miller asked whether a proposed housing unit for seniors would generate tax income.

MacQueen responded that any such unit would generate tax revenue: the owner of the facility would pay the taxes.

Conard confirmed the latter.

Kreeger asked whether a reevaluation period should be built in.

MacQueen responded that the Housing Plan would cover this issue.

Loren Miller asked whether housing rehab would occur.

MacQueen stated that the number given in the resolution includes rehabbed properties, although those are more difficult to obtain funding for. She noted that the strategy portion of the effort would be addressed in the Housing Plan.

Dan Carrigan asked what type of towns would have similar resolutions.

Hempfling stated that destination towns have greater housing challenges and that would be the type of town needing such a resolution.

MacQueen noted that many other towns have been examined for their policies and housing issues in the process.

Housh noted that goals are reviewed annually, and that the housing goals would be reviewed as a matter of course.

Housh MOVED to APPROVE THE RESOLUTION WITH THE SUGGESTED AMENDMENT. Stokes SECONDED and the MOTION PASSED 5-0 ON A VOICE VOTE.

Reading of Resolution 2018-40 Approving the Annual Distribution of Flour and Sugar to Village Widows and Widowers. Kreeger MOVED and Hempfling SECONDED A MOTION TO APPROVE.

Kreeger asked whether the resolution identifies gender with regard to the nature of the relationship.

The Clerk noted that gender is not identified, but the stipulation of marriage is so specified.

Housh CALLED THE VOTE. The MOTION PASSED 5-0 ON A VOICE VOTE.

CITIZEN CONCERNS

Lori Strober lodged a complaint that a conversion van is parked at the end of North College Street, and that her understanding was that this would be covered in the ordinance limiting RV parking on the street.

Bates explained that the ordinance does not identify vans and that a van is subject only to general parking requirements.

Strober characterized the van as unsanitary and unsafe, stating that she considers it a threat to her safety, an affront to tax-paying citizens, and asked that there be some remedy for regulating such vehicles so that persons are not able to live on the street in those vehicles.

Council asked that the matter be placed on a future agenda.

Loren Miller asked that Council members not predict their vote, as this indicates a lack of openness. Miller commented that the PUD would be causing future problems.

Pat Dewees asked that Council consider a new resolution declaring Yellow Springs a Sanctuary Village by "revisiting the Welcoming Community" resolution. She asked that the phrase "immigration status" be added to the list of protected persons. She asked also that a statement limiting local police action be inserted. Dewees argued that other cities have taken on the challenge despite threats from the Trump administration.

MacQueen asked that a draft resolution be brought for consideration.

Athena Fannin stated that Council should not criminalize homelessness by targeting vehicles that may be used as shelter by those individuals. Fannin then alleged that Sergeant Watson had acted wrongly in a tasing incident. She claimed to have evidence that she has or will post on Facebook. Fannin then alleged that Officer Meister was being unfairly treated in that he was more harshly judged within the department than was Watson.

SPECIAL REPORTS

Enterprise and Special Revenue Fund Presentation and Review of General Fund Suggested Changes. Harris presented, reviewing funds in both Enterprise and Special Revenue, and participating in conversation regarding proposed changes to the General Fund budget.

In response to a question from MacQueen, Bates commented that not increasing rates as scheduled in the Electric Fund in 2020 will result in difficulty down the line.

Kreeger commented that the Finance Sub-committee has contemplated not implementing increases scheduled for the Electric Fund for 2020. She stated that there is a balance between what is in the reserves and what needs to be done with regard to infrastructure. She asked that the amount held in reserve be carefully balanced against investment in projects or infrastructure.

Harris noted a buyout possibility for the solar field possible in year eight of the contract which will require a large amount of capital.

Housh commented that the next five years needs to be directed, but that projecting out too far may tie up funds unnecessarily.

Harris confirmed that she has budgeted at a 4% across the board increase for wages to create a buffer should employees leave and require payout.

Harris commented that all funds are balanced for 2019 as presented.

Housh requested that the Economic Development Fund be separated into three separate areas: Community Development; Revolving Loan and Combined Economic Community Development.

Hempfling asked that proposals be brought forward so that they can be voted upon at the following meeting.

Housh made the proposal that Lodging Tax income go towards community development.

MacQueen requested $30,000.00 for a consultant for Planning Commission for the Comprehensive Land Use plan.

MacQueen asked for $30,000.00 go to Home, Inc. in response to their request for a donation to the Pocket Neighborhood Development project.

MacQueen asked that a geotechnical study of the Glass Farm be funded for 2019 in the amount of $20,000.00.

Housh suggested that the requested $2,500.00 for Glass Farm Management be taken from the Boards and Commissions budget.

Housh suggested that Council identify an amount for Boards and Commissions, to be reserved until about April, in the amount of $2,500 per commission, and if no proposals are submitted or funds requested after that point, the pot opens up.

MacQueen demurred on the subject of starting an "Affordable Housing Fund".

Bates suggested bringing an ordinance to this effect.

Housh asked that a draft be brought, stating that he is not yet prepared to commit funds towards the Home, Inc. ask.

Hempfling asked for more information regarding the Police Department Consultant proposal brought by Kreeger.

Housh stated that if the consultant was able to assist in right-sizing the Police Department (PD) budget, that would be compelling to him.

Kreeger noted that when an area lacks a particular capacity, in some key instances it is beneficial to bring in a professional to assess and give guidance with expertise and neutrality. She argued that many have a passion regarding policing, but that there is a particular kind of expertise needed. She stated that she does not have detail currently because she wanted to get it into the budget immediately for further vetting in the coming months.

Hempfling cautioned that the budget "is in the red" and that "staff are already on overload" in opining that the effort should not be undertaken. She stated that "priorities have to be made. . . . and now is not the time." Policing is "not about expertise, it is about values," Hempfling stated.

MacQueen offered to work with Kreeger to strengthen the request.

Housh asked that half of the expenses for several areas be flagged and set aside, in anticipation that those entities would raise the other needed half.

Bates responded to a question from Kreeger, stating that the staff vehicle has been removed from consideration, and staff will use the decommissioned PD car.

OLD BUSINESS

Draft EPA Letter from Environmental Commission. MacQueen received the go-ahead to have Environmental Commission update the letter and have it sent. Housh asked that the safety issues be moved up to the start of the letter to highlight their importance.

Justice Commission Discussion. Hempfling read the ordinance language and presented the case for continuing the commission on a permanent.

Housh stressed the need for capacity, noting Kreeger's earlier budget request and stating that he sees the need for a body to process the information provided.

Stokes pointed up changes in the commission proposal which invite ex officio participation on the part of the Manager, Police Chief and Mayor in the commission, commenting that he is "less in support" if those pieces are not in place.

Stokes questioned whether the current expertise would carry over into a new commission, given the prevailing feeling on the part of many current members that they are not interested in continuing their membership.

Bates noted that when the Task Force was formed, the Chief and Manager were not invited to participate, and stated that they would be interested in participation.

Housh commented that Beth Crandall may wish to continue, and that her son, Vaughn Crandall holds a high level of expertise in justice issues and may be interested in serving. He noted the need for a diversity of membership and a "targeted look at what is needed for that commission."

Stokes asked why it would not be expected that the Chief and Manager participate.

Housh responded that this cannot be mandated.

David Turner commented that it is clear that there should be a group charged with assisting in implementing recommendations. He stated that there should be a period of reflection and assessment prior to consideration of a permanent commission. Turner stated that there is confusion among the members of the current Task Force about what should or will happen, and that assessment is needed to avoid a "piecemeal response." There needs to be some resolution of the tension between the police force and the community before some of these things can be dealt with, Turner said.

Turner asked that Council identify priorities and goals for the group before moving forward.

Housh commented that the document presented at the prior meeting did address Turner's issues.

Stokes questioned whether another two year appointment is appropriate or whether a permanent commission is needed.

Hempfling MOVED that Council create a Justice System Commission. Housh SECONDED. Housh CALLED THE VOTE, and the MOTION PASSED 4-0, with Stokes abstaining.

Open Council Seat Process Discussion. Housh queried Council regarding the proposed process, with the result of the discussion that Council would like candidates to have three minutes to speak, that there be no Q&A session and no direction given regarding the statement.

NEW BUSINESS

Transient Guest Lodging. Stokes asked that the matter come before Council at a future meeting. Conard offered to address the topic at that time.

MANAGER'S REPORT

Bates noted that she has provided a draft transition plan.

Stokes noted that he will work further on the transition plan.

Housh stated that he is comfortable budgeting for a four week overlap of managers.

Housh offered to provide a draft timeline for the search/hiring process for the next meeting.

SOLICITOR'S REPORT

There was no Solicitor's report.

CLERK'S REPORT

There was no Clerk Report.

FUTURE AGENDA ITEMS

Nov. 19: **Ordinance 2018-49** Establishing a Yellow Springs Community Improvement Corporation
Second Reading and Public Hearing of Ordinance 2018-47 Mandating that the Use of Any Form of Surveillance Technology by Village of Yellow Springs Entities be Approved by Village Council
Second Reading and Public Hearing of Ordinance 2018-48 Revising Sections 1042.01(I)(1)(2)(3)&(4) of the Codified Ordinances of the Village of Yellow Springs, Ohio and Thereby Eliminating the Kilowatt-Hour Tax Adjustment Portion of the Compensation for Customers Supplying Energy to the Village from On-Site Solar or Wind Generators
Reading of Resolution 2018- Approving the Yellow Springs Arts Council Request for Placement of Permanent Sculpture on Village Property and Establishing Conditions
Candidate Personal Statements with Council in Open Session

Executive Session re: Council Open Seat Candidate Discussion
Budget Workshop with Revisions
DCIC Update
Sanctuary City Discussion
Taser Incident Update

Dec. 3: **Second Reading and Public Hearing of Ordinance 2018-49** Establishing a Yellow Springs Community Improvement Corporation
Emergency Reading of Ordinance 2018-50 Approving the 2019 Budget for the Village of Yellow Springs and Declaring an Emergency
Active Transportation Plan

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT

At 10:31pm, Hempfling MOVED and Kreeger 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

VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2018-47

ENACTING NEW CHAPTER 607 ENTITLED "USE OF SURVEILLANCE TECHNOLOGY" OF THE CODIFIED ORDINANCES OF YELLOW SPRINGS, OHIO

Whereas, surveillance technologies are being implemented by law enforcement departments across the United States that could have a significant impact on civil rights and civil liberties;

Whereas, Village Council has determined it is in the best interest of the Village of Yellow Springs to require a public hearing before any such technology is acquired or used by the Village;

Whereas, Village Council finds it is essential to have an informed public discussion about decisions related to surveillance technology and the impact on privacy, the potential of governmental intrusion into people's lives and the impact such technologies may have on civil rights and civil liberties, including those rights guaranteed by the Ohio and United States Constitutions, and the First, Fourth, and Fourteenth Amendments to the United States Constitution;

Whereas, Village Council finds that legally enforceable safeguards, including transparency, oversight, and accountability measures, must be in place to protect civil rights and civil liberties before surveillance technology is deployed by the Village; and

Whereas, Village Council finds that annual surveillance technology reports should be provided by Village staff to Village Council for the purpose of providing information on the use of such technologies to the public;

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

Section 1. A new Chapter 607 entitled "Use of Surveillance Technology" of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth in Exhibit A, which is attached hereto and incorporated herein.

Section 2. This Ordinance is hereby authorized under the Village's home rule powers as set forth in Article I Section 3 of the Charter of Yellow Springs, Ohio, necessary for the benefit of the health, safety, and welfare of the Village, including the protection of individuals' privacy rights.

Section 3. This ordinance shall take effect at the earliest date allowed 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 to Ordinance 2018-47

607.01 Purpose

(a) The purpose of this chapter is to:

(1) Establish legally enforceable safeguards, including transparency, oversight, and accountability measures, to protect civil rights and civil liberties before Surveillance Technology is deployed by the Village;

(2) Ensure that a public hearing is held before any such technology is sought, acquired, or used by the Village; and

(3) Establish data reporting measures regarding the use and implementation of Surveillance Technology by the Village.

607.02 Definitions

Within this chapter words with specific defined meanings are as follows:

(a) "Discriminatory" shall mean (1) disparate treatment of any individual(s) because of any real or perceived traits, characteristics, or status as to which discrimination is prohibited under the Constitution or any law of the United States, the constitution or any law of the State of Ohio, or the Village Charter or any law of the Village of Yellow Springs, or (2) disparate impact on any such individual(s) having traits, characteristics, or status as described above in subsection (1).

(b) "Disparate impact" shall mean an adverse effect that is disproportionately experienced by individual(s) having any traits, characteristics, or status as to which discrimination is prohibited under the Constitution or any law of the United States, the constitution or any law of the State of Ohio or the Village Charter or any law of the Village of Yellow Springs than by similarly situated individual(s) not having such traits, characteristics, or status.

(c) "Surveillance Data" shall mean any electronic data collected, captured, recorded, retained, processed, intercepted, analyzed, or shared by Surveillance Technology under Village control.

(d) "Surveillance Technology" shall mean any electronic surveillance device, hardware, or software under Village control that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, or similar information or communications specifically associated with, or capable of being associated with, any specific individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance device, hardware, or software.

(1) "Surveillance Technology" includes, but is not limited to: (a) international mobile subscriber identity (IMSI) catchers and other cell site simulators; (b) automatic license plate readers; (c) electronic toll readers; (d) closed-circuit television cameras; (e) biometric surveillance technology, including facial, voice, iris, and gait-recognition software and databases; (f) mobile DNA capture technology; (g) gunshot detection and location hardware and services; (h) x-ray vans; (i) video and audio monitoring and/or recording technology, such as surveillance cameras, wide-angle cameras, and wearable body cameras; (j) surveillance enabled or capable light bulbs or light fixtures; (k) tools, including software and hardware, used to gain unauthorized access to a computer, computer service, or computer network; (l) social media monitoring software;

(m) through-the-wall radar or similar imaging technology; (n) passive scanners of radio networks; (o) long-range Bluetooth and other wireless-scanning devices; (p) radio-frequency I.D. (RFID) scanners; and (q) software designed to integrate or analyze data from Surveillance Technology, including surveillance target tracking and predictive policing software. The enumeration of Surveillance Technology examples in this subsection shall not be interpreted as an endorsement or approval of their use by any Village entity.

(2) "Surveillance Technology" does not include the following devices or hardware, unless they have been equipped with, or are modified to become or include, a Surveillance Technology: (a) routine office hardware, such as televisions, computers, and printers, which will not be used for any surveillance function; (b) Parking Ticket Devices (PTDs); (c) manually-operated non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used secretively and whose functionality is limited to manually capturing and manually downloading video and/or audio recordings; (d) surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles; (e) Village agency databases that do not and will not contain any data or other information collected, captured, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology; (f) cameras maintained to protect Village-owned buildings, parking facilities, and the public and employees while using them; and (g) manually-operated technological devices that are used primarily for internal Village entity communications and are not designed to secretively collect Surveillance Data, such as radios and email systems.

(e) "Viewpoint-based" shall mean targeted at any community or group or its members because of their exercise of rights protected under the First Amendment of the United States Constitution.

(f) "Village entity" shall mean any government, agency, department, bureau, division, or unit of the Village of Yellow Springs, Ohio.

607.03 Application for Surveillance Technology Funding, Acquisition, or Use

(A) A Village entity must obtain Village Council approval, after a Village Council hearing at which the public is afforded an opportunity to provide input before the Village engages in any of the following actions:

(1) Seeking funds for new Surveillance Technology, including but not limited to applying for a grant, or soliciting or accepting state or federal funds or other donations;

(2) Acquiring new Surveillance Technology or borrowing unapproved Surveillance Technology, whether that acquisition is made through the exchange of monies or other consideration;

(3) Using new or existing Surveillance Technology for a purpose or in a manner not previously approved by the Village Council in accordance with this Act, including the sharing of Surveillance Data therefrom; or

(4) Entering into an agreement with any other person or entity to acquire, share or otherwise use Surveillance Technology or Surveillance Data.

(B) As a part of the process of seeking Village Council approval, pursuant to 607.03(A), to fund, acquire, or use Surveillance Technology or to enter into an agreement concerning such funding, acquisition, or use, a Village entity shall submit to the Village Council and make publicly available a surveillance use policy ("Surveillance Use Policy") concerning the technology at issue.

(1) No use of Surveillance Technology by a Village entity pursuant to 607.03(A) shall be permitted without the Village Council's express approval of the related Surveillance Use Policy submitted by the Village entity.

(2) Prior to approving or rejecting a Surveillance Use Policy, the Village Council may request revisions be made by the submitting Village entity.

(C) A Surveillance Use Policy shall be a publicly-released written policy governing the Village entity's use of the Surveillance Technology that, at a minimum, includes and addresses the following:

(1) Purpose: Describes the Surveillance Technology, the fiscal impact of the technology, and the specific purpose(s) the Surveillance Technology is intended to advance.

(2) Authorized Use: Details what specific capabilities and general uses of the Surveillance Technology authorization is being sought;

(3) Adverse Impact Safeguards: Details any adverse impacts the use of the Surveillance Technology may have on civil rights and liberties, and

(a) What safeguards to prevent such impacts that will be implemented; and

(b) What potential uses of the Surveillance Technology will be expressly prohibited.

(4) Data Collection and Review:

(a) What types of Surveillance Data will be collected, captured, recorded, intercepted, or retained by the Surveillance Technology;

(b) How and under what circumstances the data collected, captured, recorded, or intercepted by the Surveillance Technology will be analyzed and reviewed; and

(c) How inadvertently collected Surveillance Data will be expeditiously identified and deleted.

(5) Data Retention: Insofar as the privacy of the public can be severely compromised by the long-term storage of mass Surveillance Data, the Surveillance Use Policy shall identify what rules shall govern the retention and deletion of captured Surveillance Data. Such rules may be adopted from an existing section of the Village's Record Retention policy or may be proposed as an amendment to the Record Retention policy. Along with stating the governing rules, the rationale for selecting the chosen rules, including why the chosen rules are the most appropriate for the specifically implicated Surveillance Data, shall be provided in the Surveillance Use Policy.

(6) Surveillance Data Sharing: If a Village entity is seeking authorization to share access to Surveillance Technology or Surveillance Data with any other governmental agencies, departments, bureaus, divisions, or units, it shall detail:

(a) With which governmental agencies, departments, bureaus, divisions, or units it is seeking approval to (i) share Surveillance Technology, and (ii) share Surveillance Data;

(b) How such sharing is necessary for the stated purpose and use of the Surveillance Technology.

(7) Oversight: What mechanisms will be implemented to ensure the Surveillance Use Policy is followed.

(8) Citizen Concerns. At the time of submission of an application for Surveillance Technology funding, acquisition or use, such application shall include the process by which citizens may ask questions or register complaints about a specific Surveillance Technology and how the Village will respond to questions and complaints.

(9) Once approved by Council, a Surveillance Use Policy may only be amended with Council approval pursuant to this Chapter.

607.04 Standard for Approval

Before approving a request to fund, acquire, or use a Surveillance Technology, Village Council shall determine that the benefits of the Surveillance Technology outweigh its costs, that the proposal properly safeguards civil liberties, privacy rights, and civil rights, and that the proposed uses and deployments of the Surveillance Technology will not be based upon discriminatory or Viewpoint-based factors or have a disparate impact on any community or group. To assist the public in participating in such an analysis, all approved Surveillance Use Policies shall be made available to the public, at a designated page on the relevant Village entity's public website, for as long as the related Surveillance Technology remains in use. An approval for the funding, acquisition and/or use of a Surveillance Technology by the Village Council, where a risk of potential adverse impacts on civil rights or civil liberties has been identified in the Surveillance Use Policy pursuant to 607.03(C)(3), shall not be interpreted as an acquiescence to such impacts, but rather as an acknowledgement that a risk of such impacts exists and must be proactively avoided.

607.05 Review of Preexisting Uses Mandatory

(a) No later than one hundred twenty (120) days following the effective date of the passage of the ordinance, any Village entity seeking to continue the use of any Surveillance Technology that was in use prior to the effective date of this, or the sharing of Surveillance Data therefrom, must commence a Village Council approval process in accordance with this Chapter unless the use is specifically exempted in subsection (b) below. If the Village Council has not approved the continuing use of the Surveillance Technology, including the Surveillance Use Policy, within one hundred eighty (180) days of their submission to the Village Council, the Village entity shall cease its use of the Surveillance Technology and the sharing of Surveillance Data therefrom until such time as Village Council approval is obtained in accordance with this Act.

(b) Exceptions

(1) Police cruiser cameras, including audio obtained therefrom, shall be deemed an approved Surveillance Technology requiring no additional approval from Village Council; however, any changes to the existing policy shall be presented to Village Council pursuant to this ordinance;

(2) Emergency audio recording shall be deemed an approved Surveillance Technology requiring no additional approval from Village Council;

(3) Utility meters insofar as they are used for billing purposes.

607.06 Emergency Use of Surveillance Technology

Where (A) a state of emergency has been declared by an authorized local or county official, the Ohio Governor, or President of the United States, and such an emergency presents an imminent risk to life or property or (B) the chief of police, Village Manager and the President of Council determines that the use of unapproved Surveillance Technology is necessary because of the imminent risk to life or property, the unapproved technology may be used without Council approval for a period of not more than 96 hours following the declaration of such an emergency, provided that doing so is consistent with all other governing laws and regulations. In such instance, a report will be provided to full Council with ten (10) days of the succession of the use.

607.07 Annual Reporting

(A) A Village entity that obtains approval for the use of a Surveillance Technology must submit to the Village Council, and make available on its public website, an annual surveillance report ("Annual Surveillance Report") for each specific Surveillance Technology used by the Village entity within twelve (12) months of Village Council approval, and annually thereafter on or before March 15 each year. The Annual Surveillance Report shall, at a minimum, include the following information for the previous calendar year:

(1) A summary of why the Surveillance Technology was used, how the data/information was collected, and what other public agency the information was shared with unless the disclosure of such information would compromise a specific ongoing investigation or is otherwise deemed confidential by operation of law;

(2) Whether and how often collected Surveillance Data was shared with any external persons or entities, the name(s) of any recipient person or entity, the type(s) of data disclosed, under what legal standard(s) the information was disclosed, and the justification for the disclosure(s);

(3) A summary of complaints or concerns that were received about the Surveillance Technology;

(4) The results of any internal audits, any information about violations of the Surveillance Use Policy, and any actions taken in response;

(5) An analysis of any Discriminatory or other adverse impact(s) the use of the Surveillance Technology may have had on the public's civil rights and civil liberties, including but not limited to those guaranteed by the First, Fourth, and Fourteenth Amendments to the United States Constitution and the Ohio Constitution; and

(6) Total annual costs for the Surveillance Technology, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year.

(B) Within 60 days of submitting and publicly releasing an Annual Surveillance Report, the Village Council shall place the subject of the report on the Council agenda for discussion at a public meeting and allow for public comment. The public will also be encouraged to submit written comments or questions which will be addressed at the public input session.

(C) Based upon information provided in the Annual Surveillance Report, the Village Council shall determine whether each Surveillance Technology identified in response to 607.06 has met the standard for approval set forth in 607.04. If it has not, the Village Council shall direct the use of the

Surveillance Technology be discontinued or shall require modifications to the Surveillance Use Policy that will resolve the observed failures.

(D) Not later than June 15 of each year the Village Council or its designee shall post on its public web site all Annual Surveillance Reports, along with a summary which states, for the prior year, the number of requests for approval submitted to Village Council under this chapter for funding, acquisition, or use of technology, the number of times the Village Council approved such requests, the number of times such requests were approved after requested modifications, and the number of times such requests were rejected.

607. 08 Prohibitions

(a) It shall be a violation of this Chapter for the Village or any Village entity to enter into any contract or other agreement that conflicts with the provisions of this chapter, and any conflicting provisions in such contracts or agreements, including but not limited to non-disclosure agreements, shall be deemed void and legally unenforceable as permitted by law. Any contracts or agreements signed before the enactment of this Chapter that violate this Ordinance must be terminated as soon as legally possible.

607.09 Severability

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter or any part thereof.

607.10 Penalties

Any Village employee who knowingly violates this Chapter shall be subject to appropriate discipline pursuant to the procedures set forth in the Village Employee Personnel Manual and a report shall be made to Village Council.

VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2018-48

REPEALING SECTIONS 1042.01(i)(1)(2)(3)&(4) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTIONS 1042.01(i)(1)(2)(3)&(4)

Whereas, Sections 1042.01(i)(1)(2)(3)&(4) of the Codified Ordinances of the Village of Yellow Springs currently provide that Customers supplying energy to Village from on-site solar or wind generators will receive a credit for each KWH supplied to the Village during the billing period that includes the excise (kilowatt-hour) tax adjustment set forth in Section 1042.01(g)(4); and

Whereas, the Village of Yellow Springs is only required to pay kilowatt-hour tax on energy delivered to end users connected to its Electric Distribution System, and is not required to pay kilowatt-hour tax on energy supplied to the Electric Distribution System; and

Whereas, compensating Customers supplying energy to the Village from on-site solar or wind generators for kilowatt-hour tax results in the Village incurring an unrecoverable cost; and

Whereas, the Village's utility rate consultant, the Village Manager and the Public Works Director recommend that the kilowatt-hour tax adjustment portion of the compensation for Customers supplying energy to the Village from on-site solar or wind generators be eliminated from Sections 1042.01(i)(1)(2)(3)&(4) of the Codified Ordinances of the Village of Yellow Springs.

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

Section 1. Sections 1042.01(i)(1)(2)(3)&(4) of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. New Sections 1042.01(i)(1)(2)(3)&(4) shall be enacted as set forth on Exhibit A, 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 to Ordinance 2018-48

1042.01 ELECTRIC SERVICE CHARGES.

(a) Residential Electric Rate; Rate Number One.

(1) Availability. This rate is available to all single-family residential units and single apartment units located within the Village's service area for all uses.

(2) Type of service. Single-phase, 60 hertz, at seller's standard secondary voltages. A bi-directional meter will be used to measure the flow of electricity in both directions. On-site generating capacity will be limited to 25 KW or the customer's estimated peak load, whichever is less. When on-site generating capacity exceeds 25 KW (kilowatts) of solar generation or three KW of wind generation, service will be provided pursuant to Village's General Service Rate, Rate Number Three (see Section 1042.01 (c)).

(3) Billable KWH (kilowatt hours). If the current meter reading is less than or equal to the highest previous meter reading, there are no billable KWH for the current month. Otherwise, the difference between the current meter reading and the highest previous meter reading is the billable KWH.

(4) Net rate - monthly

A. Customer Charge: Ten dollars ($10.00) per month. The customer charge shall be increased by $1 per month each year for five years (2017 - 2021), effective with bills rendered in January.

B. Energy Charge: $0.110 per KWH (Based on Billable KWH)

(5) Delayed payment charge - gross. Five percent shall be added to the net bill if service charges are not paid by the fifteenth day of the month of rendition of the bill for such service.

(6) Monthly minimum charge.The applicable customer charge and subject to the delayed payment charge.

(7) Power supply cost and excise (kilowatt-hour) tax adjustment. Billing for energy delivered under this schedule will be adjusted as provided in Section 1042.01 (g).

(b) Commercial Lighting and Power Rate; Rate Number Two.

(1) Availability. This rate is only available to consumers that are receiving service under this rate at the time this rate becomes effective.

(2) Type of service. Single-phase or three-phase, 60 hertz, at seller's standard secondary voltages. A bi-directional meter will be used to measure the flow of electricity in both directions. On-site generating capacity will be limited to 25 KW or the customer's estimated peak load, whichever is less. When on-site generating capacity exceeds 25 KW (kilowatts) of solar generation or three KW of wind generation, service will be provided pursuant to Village's General Service Rate, Rate Number Three (see Section 1042.01 (c)).

(3) Billable KWH (kilowatt hours). If the current meter reading is less than or equal to the highest previous meter reading, there are no billable KWH for the current month. Otherwise, the difference between the current meter reading and the highest previous meter reading is the billable KWH.

(4) Net rate - monthly.

A. Customer Charge:

Single phase: $15.00 per month

Three-phase: $15.00 per month

The single-phase Customer Charge shall be increased by $1.00 per month each year for five years (2017-2021), effective with bills rendered in January.

The single-phase customer charge shall be increased by $2.00 per month each year for five years (2017-2021), effective with bills rendered in January.

B. Energy charge: $0.115 per KWH (based on billagle KWH).

(5) Delayed payment charge - gross. Five percent shall be added to the net bill if service charges are not paid by the fifteenth day of the month of rendition of the bill for such service.

(6) Monthly minimum charge. The applicable customer charge and subject to the delayed payment charge.

(7) Power supply cost and excise (kilowatt-hour) tax adjustment. Billing for energy delivered under this schedule will be adjusted as provided in Section 1042.01 (g).

(c) Large Power Rate; Rate Number Three.

(1) Availability. This rate is available to all consumers within the Village's service area for all uses.

(2) Type of service. Three-phase, 60 hertz, at seller's standard secondary voltages. A bi-directional meter will be used to measure the flow of electricity in both directions. On-site generating capacity will be limited to 25 KW or the customer's estimated peak load, whichever is less. When on-site generating capacity exceeds 25 KW (kilowatts) of solar generation or three KW of wind generation, the billing KWH (kilowatt hours) will be based on the metered KWH delivered to the customer, and the billing capacity will be equal to the billing capacity that would have been billed absent the on-site generation.

(3) Billable KWH (kilowatt hours). If the current meter reading is less than or equal to the highest previous meter reading, there are no billable KWH for the current month. Otherwise, the difference between the current meter reading and the highest previous meter reading is the billable KWH.

(4) Net rate - monthly.

A. Customer Charge:

Single Phase: $15.00 per month

Three-Phase: $15.00 per month

The Single-Phase Customer Charge shall be increased by $1.00 per month each year for five years (2017-2021), effective with bills rendered in January.

The Single-Phase Customer Charge shall be increased by $2.00 per month each year for five years (2017-2021), effective with bills rendered in January.

B. Demand Charge:$10.00 per KW

C. Energy Charge: 7.0¢ per KWH (based on billable KWH)

(5) Delayed payment charge. Five percent shall be added to the net bill if service charges are not paid by the fifteenth day of the month of rendition of the bill for such service.

(6) Power supply cost and excise (kilowatt-hour) tax adjustment. Billing for energy delivered under this schedule will be adjusted as provided in Section 1042.01 (g).

(7) Measurement of energy and determination of billing capacity. Energy supplied under this schedule will be delivered through not more than one polyphase meter. The billing capacity shall be the highest average KW used by the consumer for any period of thirty consecutive minutes during the month for which the billing is rendered.

(d) Large Power Rate; Rate Number Four.

(1) Availability. This rate is available to all consumers within the Village’s service area for all uses.

(2) Type of service. Three-phase, 60 hertz, at seller's standard secondary voltages. A bi-directional meter will be used to measure the flow of electricity in both directions. On-site generating capacity will be limited to 25 KW or the customer's estimated peak load, whichever is less. When on-site generating capacity exceeds 25 KW (kilowatts) of solar generation or three

KW of wind generation, the billing KWH (kilowatt hours) will be based on the metered KWH delivered to the customer, and the billing capacity will be equal to the billing capacity that would have been billed absent the on-site generation.

(3) Billable KWH (kilowatt hours). If the current meter reading is less than or equal to the highest previous meter reading, there are no billable KWH for the current month. Otherwise, the difference between the current meter reading and the highest previous meter reading is the billable KWH.

(4) Net rate - monthly.

A. Customer Charge: $50.00 per month

B. Demand Charge: $10.00 per KW

C. Reactive Charge: $0.50 per kVar

D. Energy Charge: 6.5¢ per KWH (based on billable KWH)

(5) Delayed payment charge. Five percent shall be added to the net bill if service charges are not paid by the fifteenth day of the month of rendition of the bill for such service.

(6) Power supply cost and excise (kilowatt-hour) tax adjustment. Billing for energy delivered under this schedule will be adjusted as provided in Section 1042.01 (g).

(7) Measurement of energy and determination of billing capacity and reactive capacity. Energy supplied under this schedule will be delivered through not more than one polyphase meter. The billing capacity shall be the highest average KW used by the consumer for any period of thirty consecutive minutes during the month for which the billing is rendered, but not less than 50 KW. The reactive billing capacity shall be the highest average kVar used by the consumer for any period of thirty consecutive minutes during the month for which the billing is rendered.

(8) Delivery voltage - optional primary voltage delivery. The consumer may, at his or her option, choose to accept delivery at an available primary transmission or distribution voltage. In this case the consumer shall, at his or her expense, own, operate and maintain all transformers and/or other apparatus needed for his or her utilization of the delivered primary voltage. When primary delivery is accepted, the total bill as computed in this schedule will be adjusted by multiplying it by 0.91.

(9) Metering voltage - optional metering at other than delivery voltage. Service will normally be metered at the delivery voltage. The seller reserves the option of metering on the primary for secondary delivery or metering on the secondary for primary delivery and adjusting the metered energy to correct for transformer losses.

A. In case of primary metering for secondary delivery, the metered KWH shall be multiplied by 0.95.

B. In case of secondary metering for primary delivery, the metered KWH shall be divided by 0.95.

(10) Term of contract. Contracts will be made for a period of five years with self-renewal provisions for successive periods of one year each until either party shall give at least thirty days written notice to the other of the intention to terminate the contract at the end of the yearly period.

(e) Private Outdoor Lighting Rate; Rate Number Five.

(1) Residential yard lights.

A. Availability. This rate is available for all-night outdoor lighting service for rear yards only to all residential electric customers where such service can be supplied by the installation of lighting fixtures supplied directly from existing secondary circuits.

B. Net Rate. For each lamp with luminaire, controlled automatically, and where an arm of not over six feet in length is required:

80 Watt Induction $5.90 per month
100 Watt Induction $6.50 per month

(2) Commercial-industrial-institutional yard lights.

A. Availability. This rate is available for all-night outdoor lighting service for the lighting of driveways, parking lots and other outdoor areas on private property to all commercial-industrial- institutional electric customers where such service can be supplied by the installation of lighting fixtures supplied directly from existing secondary circuits.

B. Net Rate. For each lamp with luminaire, controlled automatically, and where an arm of not over six feet in length is required:

100 Watt Induction $6.50 per month
250 Watt Induction $8.00 per month
Larger sizes, special ornamental fixtures and poles by special arrangements and contract.

(3) Installation.

A. Fixtures. Fixture(s), including lamp, luminaire and arm, if required, will be installed in accordance with the customer's designation or design, subject to the concurrence of the Village.

B. Rate.

Each fixture $50.00
Poles and wire will be billed at the Village's cost at the time of installation.

(4) Payment.

A. Bills for installation charges will be rendered separately and are due and payable within fifteen calendar days of rendition (mailing date).

B. Bills for service under this schedule are made a part of billings for other utility services, are due and payable at the same time, and are subject to a five percent delayed payment charge if not paid by the fifteenth day of the month of rendition.

(5) Term of contract. A utility service contract is required for this service with a fixed term of not less than two years, and for such time thereafter until terminated by either party giving thirty days written notice to the other.

(6) Terms and conditions. All equipment shall be owned by the Village. The Village will maintain the equipment and replace defective lamps. All service and necessary maintenance will be performed only during the regular working hours of the Village. The Village does not guarantee continuous lighting and shall not be liable to the consumer or anyone else for any damage, loss or injury resulting from any interruption in such lighting due to any cause. The Village shall be allowed forty-eight hours after notification by the customer to replace defective lamps. All lamps shall burn from dusk to dawn, burning approximately 4100 hours per annum.

(f) Backup Power Generation Credit.

(1) Availability. The backup power generation credit is available to all consumers within the Village's service area for all users who:

A. Are currently taking service from the Village and are not located in a residential district;

B. Have the ability to generate power through the use of their generation equipment; or

C. Are not delinquent in payment on their Village utility account.

(2) Type of service. Single-phase or three-phase, sixty hertz, at seller's standard secondary voltages.

(3) Monthly credit. Consumers who contract with the Village for the backup power generation credit shall receive a monthly credit based upon the following two components:

A. Available KW capacity of customer's generator credited at $2.00/KW/month; and

B. Any KWH generated through the operation of the generator, only when requested by the Village, credited pursuant to the following formula:

($0.15/KWH) x (the KW output of the generator) x (the number of hours of operation per month).

(4) Consumers who opt for this credit must provide all fuel costs and maintenance costs for the generator. Consumers are not allowed to sell the power generated by such generator to anyone else.

(5) The Village will not be required to pay for power generation in any hour that it has not requested a customer to generate such power. Only those customers who contract for the KW credit are obligated to run such power generation any time, upon request of the Village.
(Ord. 98-6. Passed 9-8-98.)

(g) Power Supply Cost and Excise (Kilowatt-hour) Tax Adjustment.

(1) Power supply cost adjustment. The Village's electric rates and charges are based upon the Village's average cost of power supply as furnished by American Municipal Power - Ohio (AMP-Ohio). In the event that said average power supply costs per kWh is increased or decreased, the electric rates, excluding the private outdoor lighting rate, will be adjusted as specified below.

(2) Base power supply cost. The overall base power supply cost to be used to determine that adjustment applicable to the Village's rate schedule shall be that included in the Village's retail rates of $0.0720 per kWh.

(3) Monthly determination of power supply cost adjustment. Each month, the Village's running three-month average power supply cost per kWh shall be determined by dividing (i) the sum of the previous two and current month's total power supply costs from all suppliers, plus the sum of the previous two and current month's costs associated with ownership and operation of generating facilities owned in whole, or in part, by the Village, plus the sum of the previous two and current month's transmission related charges and service fees, by (ii) the total energy delivered to the Village in the previous two months and current month. If said power supply cost per kWh is above or below $0.0720 per kWh (determination to four decimal places or $0.0000), the resultant differential shall be multiplied by 1.10 to compensate for system energy losses, and shall be applied to each customer's billable kWh.

(4) Excise (kilowatt-hour) tax adjustment. The electric rates and charges, including the private outdoor lighting rate, shall be adjusted by an amount equal to the excise (kilowatt-hour) tax imposed on the Village's electric distribution system under Ohio R.C. 5727.81. Said adjustment shall become effective with the bills that include May 1, 2001, as part of the usage period and shall thereafter be automatically adjusted to reflect any change in the kilowatt-hour tax imposed by Ohio R.C. 5727.81.

(h) Interconnection Agreement, Installation and Limitation of On-site Solar and Wind Generators.

(1) Application for interconnection and interconnection agreement. Prior to the installation and connection of any on-site solar and/or wind generator, the customer must first submit an application for interconnection to the Village for review and approval and, following approval of the application of interconnection, must enter into an interconnection agreement with the Village, as prescribed by the Village Manager.

(2) Application fee; Village to install bi-directional meter. The application fee will be the cost of the installation of a bi-directional meter plus forty dollars ($40.00) for installation. Village Electric Department Staff will be responsible for the installation of the bi-directional meter prior to or at the time of interconnection.

(3) Maximum production. The Village reserves the right to limit the aggregate amount of on-site solar and wind generation to not more than 1% of the Village's annual energy requirement for on-site generating capacity that does not exceed 25 KW (kilowatts) for solar generators or three KW for wind generators, and not more than 4% of the Village's annual energy requirement for on-site generating capacity that exceeds 25 KW (kilowatts) for solar generators or three KW for wind generators.

(i) Compensation for Surplus Energy Supplied by Customer to Village from On-Site Solar or Wind Generators. Customers supplying energy to Village from on-site solar or wind generators will receive a credit for each KWH supplied to the Village during the billing period as follows:

(1) For customers served under Residential Electric Rate; Rate Number One, the per KWH credit shall be equal to the sum of: (i) $0.110 per KWH; and (ii) the applicable power supply cost adjustment set forth in Section 1042.01(g) (1), (2) & (3).

(2) For customers served under Commercial Lighting and Power Rate; Rate Number Two, the per KWH credit shall be equal to the sum of: (i) $0.115 per KWH; and (ii) the applicable power supply cost adjustment set forth in Section 1042.01(g) (1), (2) & (3).

(3) For customers served under General Service Rate; Rate Number Three, the per KWH credit shall be equal to the sum of: (i) $0.070 per KWH; and (ii) the applicable power supply cost adjustment set forth in Section 1042.01(g) (1), (2) & (3).

(4) For customers served under Large Power Rate; Rate Number Four, the per KWH credit shall be equal to the sum of: (i) $0.065 per KWH; and (ii) the applicable power supply cost adjustment set forth in Section 1042.01(g) (1), (2) & (3).

(5) Annual settlement of accounts to reduce liability to the Village for any amounts owed for surplus power generated by customers. Once a year the Finance Director will determine whether the power-producing customer has credit on his/her/its account in excess of charges for power supplied by the Village. The Village will reduce any credits for any surplus power produced pursuant to Section 1042.01 (a)(2), (b)(2) and (c)(2) which are not needed to offset current usage charges to zero on December 31.

(Ord. 2001-13. Passed 8-20-01; Ord. 2007-09. Passed 5-7-07; Ord. 2012-14. Passed 6-18-12; Ord. 1013-18. Passed 7-15-13; Ord. 2015-09. Passed 5-18-15; Ord. 2016-08. Passed 4-18-16.)

VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2018-49

ENACTING A NEW CHAPTER 290 ENTITLED JUSTICE SYSTEM COMMISSION OF TITLE EIGHT BOARDS AND COMMISSIONS OF PART TWO ADMINISTRATION CODE OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO

Whereas, Village officials have undertaken a review of the roles and responsibilities of the Justice System Task Force; which was created in 2016 to "review and update the Village Justice System"; and,

Whereas, it is Village Council's intent to codify its continued commitment to ongoing review and research of best practices for a fair, responsive and forward thinking Village justice system; and,

Whereas, Village Council recognizes the importance of gathering and considering the experiences, insights and professional opinion of those employees tasked with communicating and carrying out policy respective to enforcement and justice in the Village, as well as that of qualified and committed citizens,

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

Section 1. A new Chapter 290 *Justice System Commission* of Title Eight *Boards and Commissions* of Part Two *Administration Code* of the Codified Ordinances of the Village of Yellow Springs, is hereby enacted, to read as set forth in Exhibit A, which is attached hereto and incorporated herein.

Section 2. 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 to Ordinance 2018-41

CHAPTER 290 Justice System Commission

290.01 Establishment and Purpose.

290.02 Membership and Procedure.

290.03 Powers and Duties.

290.04 Reports.

290.05 Compensation.

CROSS REFERENCES ***Power of Council to establish - see CHTR. § 17***

290.01 ESTABLISHMENT AND PURPOSE.

There is hereby established in and for the Village a Commission, which shall be known as the Justice System Commission. This Commission will assist Village Council and the Mayor in overseeing the Yellow Springs justice system and its efforts to preserve the safety of all persons in the Village, to provide respectful service in the interest of victims, to uphold civil liberties, to be proactively anti-racist and to fight the criminalization of poverty and mental illness. The Commission shall provide capacity regarding research on best practices, data analysis regarding current and future practices and their impacts, and other activities as directed by Village Council to support its justice system goals.

290.02 MEMBERSHIP AND PROCEDURE.

(a) The Justice System Commission will consist of five to seven members who are appointed by Council subsequent to submitting a letter of interest and resume and being interviewed and recommended by two Council members.

(b) One member shall be a Council Liaison, appointed to serve at the pleasure of Council, charged with coordinating Commission activities in line with Village goals and objectives and ensuring communication between Council and the Commission. The other members shall be appointed for three-year terms. At the outset, some members shall be assigned two-year terms, and some members shall be assigned three-year terms, after which all terms shall be three years in duration. Members shall serve until their successor is appointed by Council or they are no longer eligible to serve.

(c) Up to two members can be at-large members if there are no qualified Village resident candidates or there are other compelling reasons in line with the purpose of the Justice System Commission. However, the Justice System Commission will consist of a majority of Village residents, and non-resident members should only be appointed in exceptional circumstances.

(d) Each member of the Justice System Commission shall demonstrate experience, expertise and/or education that is relevant to the purpose, powers and duties of the Commission. The

members of the Justice System Commission shall be as broadly representative of the residents of the Village as possible. The Chief of Police or their appointee, a representative from the Mayor's office, and a representative appointed by the Village Manager will serve as ex officio members.

(e) The Justice System Commission shall annually select a Chair, Vice-Chair and Secretary. Except in unusual circumstances, the Council Liaison will not serve as an officer. The Chair with the Commission creates the agenda at the end of each meeting. The Chair leads the meeting. The Vice-Chair fills in for the Chair in their absence and takes on other responsibilities as appropriate. The Secretary is responsible for taking minutes and sending them to the Clerk of Council in a timely manner after approval.

(f) Generally, a Commission member shall serve no more than two full consecutive terms. However, Council may determine in certain situations that extending a Commission member's term is appropriate. In the event of the death or resignation of any member, a successor shall be appointed by Council to serve for the unexpired period of the term for which such member has been appointed.

(g) Council is authorized to appoint up to two alternate members to serve on the Justice System Commission. An alternate member shall be selected for a term of two years and shall be a resident of the Village. Alternate members are encouraged to attend Justice System Commission meetings, whether or not they are serving as a member of the Commission at that meeting. However, there is no requirement that an alternate member attend meetings at which they are not asked to serve as a Justice System Commission member. In any event, no alternate member shall cast a vote on a matter that was heard, in part or in full, at a prior meeting that the alternate member did not attend. If an alternate member is present as a Justice System Commission member and a vote is to be taken on a matter for which the alternate member was not present during part or all of the hearing on the matter, the alternate member shall not be considered as part of the quorum for purposes of determining a majority of the quorum of the Justice System Commission in deciding votes for and against matters. An alternate may apply to be a Commission member if a seat becomes open in the manner outlined in 290.02 (a).

(h) A majority of current Justice System Commission members shall constitute a quorum, and the concurring vote of a majority shall be necessary to take any action authorized by the Code.

(i) The Justice System Commission will have available to it through the Clerk of Council's office, without cost to its members, those things necessary to carry out its charge, such as a meeting room, copying/printing and postage. Any other expenditure of funds must be approved by Council.

290.03 POWERS AND DUTIES.

The Justice System Commission shall:

(a) Make recommendations to Village Council for policies and priorities that align the practices of the Yellow Springs Police Department (YSPD) and the Mayor's Court with community values. All such recommendations will consider input from staff regarding legal and practical concerns prior to coming to Council.

(b) Work to educate itself and the community on current Village practices and to research best practices.

(c) With the approval of Council, initiate public education activities related to its purpose;

(d) Conduct an annual planning process that results in priorities and specific activities centering on its purpose, which will include adopting rules and procedures (or otherwise following *Robert's Rules of Order*) to carry out its purpose that are consistent with the Village Charter and Ohio Sunshine Laws, approved by Council and filed with the Clerk of Council;

(e) Keep minutes of its proceedings that reflect the actions of the Justice System Commission, the reasoning behind those recommendations, and the vote of each member upon each question or, if absent or failing to vote, indicating as such. Minutes and the records of all official actions shall be approved and filed with the Clerk of Council and kept as a public record;

(f) Hold regular public meetings that are properly announced and provide a list of agenda items to the Clerk of Council a week before a regular meeting, which is available to interested citizens;

(g) Facilitate connections between organizations in the Village engaged in justice issues and trends, and maintain a list of such organizations and contact information;

(h) Carry out such other duties as may be assigned to it by Council.

290.04 REPORTS.

The Justice System Commission shall submit an Annual Report to Council concerning the activities and work of the Commission and from time to time shall submit such reports and recommendations as may be necessary to fulfill the purposes of this Chapter.

290.05 COMPENSATION.

The members of the Justice System Commission shall receive no compensation for their services as members thereof.

VILLAGE OF YELLOW SPRINGS
RESOLUTION 2018-41

APPROVING THE YELLOW SPRINGS ARTS COUNCIL REQUEST FOR PLACEMENT OF A PERMANENT SCULPTURE ON VILLAGE PROPERTY AND ESTABLISHING CONDITIONS

Whereas, Wheeling Gaunt has been chosen by a diverse set of leading Yellow Springs Community organizations to be remembered with a life-size bronze sculpture of his likeness as a reminder of his spirit and a tribute to his significant contributions to the AME Church, Wilberforce, and an early and integral member of the Yellow Springs community; and,

Whereas, the Village of Yellow Springs has a vibrant, active and talented artistic community dedicated to the production of original pieces across all artistic mediums; and,

Whereas, Yellow Springs Arts Council has requested permission to place the completed sculpture at the Hilda Rahn Park; and,

Whereas, Yellow Springs Arts Council has agreed to accept all responsibility for the care and maintenance of the sculpture,

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

Section 1: Yellow Springs Arts Council shall, in cooperation and consultation with the Yellow Springs Village Manager, place aforementioned Wheeling Gaunt sculpture at the Hilda Rahn Park in the location agreed upon by the Arts Council and Village Council.

Section 2. Yellow Springs Arts Council shall be wholly responsible for the care and maintenance of the sculpture.

Section 3. Any future desire on the part of either Village Council or the Arts Council to alter, remove or move the sculpture shall be enacted in cooperation with Village Council, the Village Manager and the Arts Council.

_____
Brian Housh, President of Council

PASSED:

Attest:_____
Judy Kintner, Clerk of Council

ROLL CALL:

Brian Housh ____ Marianne MacQueen ___ Judith Hempfling ___

Kevin Stokes___ Lisa Kreeger ___

YELLOW SPRINGS COMMUNITY IMPROVEMENT CORPORATION

A Non-Profit Designated Community Investment Corporation (DCIC)

The Village of Yellow Springs finds itself on the precipice of housing, business and economic development opportunities but without a unifying organization to pull projects and constituencies together for collaboration, planning and funding. A Designated Community Improvement Corporation (DCIC) could be the organization that provides the platform for broad and inclusive representation, overall strategic planning and innovative funding approaches.

The purpose of a DCIC, an organization recognized under section 501(c)(3) of the Internal Revenue Code, is to advance the economic, community and civic development of a community per Ohio Revised Code section 1724.10. DCICs are viewed primarily as economic development organizations to support new business development. However, DCICs have broad powers that can be defined by the local community to support their specific goals. DCICs are governed by Code of Regulations (bylaws), must be chartered as a corporation in the State of Ohio and must receive 501(c)(3) status from the Internal Revenue Service. A draft purpose statement for the Yellow Springs DCIC appears in Appendix A.

The proposed mission of a DCIC established in Yellow Springs is to serve as a coordinating and planning entity providing funding and oversight for projects that ensure the economic and cultural vitality of the Village of Yellow Springs for businesses, non-profits, residential and infrastructure development. The goal of increasing the tax base is a major reason to create a DCIC. The DCIC should be inclusive of the entire community and support the Village Values and Goals established by the Village of Yellow Springs as well as the values of key Village stakeholders. To demonstrate alignment, the Village Values and 2018 Village Goals as well as the vision/mission statements of key stakeholders appear in Appendix B.

DCICs are established by single or multiple political subdivisions (e.g. School Board, Township Trustees, Village Council). Not less than two-fifths of the governing board of a DCIC must be elected officials representing the participating political subdivisions. Consideration should be given to maintaining less than a majority of elected officials from any single political subdivision so that the Corporation can operate independently of a specific public body. It is critical that the DCIC maintain trust and transparency in the community, so record-keeping and communication protocols will be established in the Code of Regulations. The DCIC will operate under the Open Meetings Act and provide for citizen input to decision-making to ensure adherence to community values.

Building the DCIC starts with appointment of the representatives from the governmental entities and key Village stakeholders.

Possible DCIC membership is as follows with total membership potentially to be 11:

- Two representatives of the Village of Yellow Springs, appointed by Council (2

elected Council members);
- One representative of the Miami Township Trustees appointed by the MTT;
- One representative of the Yellow Springs Exempted School District appointed by the YSESD board;
- One representative from the Chamber of Commerce
- One representative from Antioch College
- One representative from the Yellow Springs Community Foundation
- Four at-large members from business and non-profit organizations that support economic and community development and bring skills or expertise to bear on the success of the corporation.

The inclusion of a diverse set of stakeholders supports better coordination of action and aligned strategic planning across entities.

The broad powers of a DCIC include: accepting, purchasing, leasing and selling real estate; insuring and incurring debt; financing improvements to land or structures within zoning regulations; and more as can be developed for the enhancement of our community. The following **possible** tasks for a Yellow Springs DCIC have been proposed:

1. Administer the Revolving Loan Fund, grant programs and other assets
2. Market the CBE and promote Yellow Springs as a business location
3. Invest and/or fund new infrastructure projects (e.g. broadband fiber network)
4. Provide assistance to advance the economic, community and civic development of Yellow Springs
5. Fund residential and commercial development
6. Function as a land bank to facilitate the transition of foreclosed and/or abandoned properties into viable, marketable properties

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

1. Develop a Code of Regulations including the DCIC name (ESC reps, Village Council and Village Solicitor)
2. Incorporate in the State of Ohio (Village Manager)
3. File with the IRS to become a 501c3 (ESC reps, Village Manager and Village Solicitor)
4. Begin operation as a DCIC

Appendix A: DRAFT Purpose Statement:

The Yellow Springs Community Improvement Corporation (YSCIC), an organization recognized under section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code, is established in the Yellow Springs community to serve, in conjunction with Yellow Springs Village Council, Miami Township Trustees, YS Schools Board and other relevant stakeholders, as a coordinating and strategic planning non-profit entity providing funding and oversight for projects to further the economic and cultural vitality of the Village of Yellow Springs for businesses, educational institutions, health/wellness organizations and non-profits as well as facilitate residential and infrastructure development. The YSCIC will advance economic, community, commercial and civic development in the Village of Yellow Springs to grow and strengthen the tax base. The YSCIC is a critical tool for furthering the Values and Goals of the Village of Yellow Springs, Miami Township, YS Schools and other stakeholders.

Note: As a next step, we intend to shorten this to a 'tag line' with supporting short bullet points.

Appendix B: Vision / Mission / Values Statements

Antioch College

Mission
The mission of Antioch College is to provide a rigorous liberal arts education on the belief that scholarship and life experience are strengthened when linked, that diversity in all its manifestations is a fundamental component of excellence in education, and that authentic social and community engagement is vital for those who strive to win victories for humanity.

Vision
Antioch College will be the place where new and better ways of living are discovered as a result of meaningful engagement with the world through intentional linkages between classroom and experiential education.

Miami Township

A message from the Board of Trustees---The people of Miami Township respect the past while planning for the future. With its history and economy rooted in agriculture, Miami Township has consistently been in the forefront in the effort to preserve farmland. No other Township in Greene County or for that matter, in the Miami Valley, can claim as many acres of Township land protected from development by the use of agricultural conservation easements. There are almost 3500 acres of protected land in Miami Township consisting of 1700 acres of public land such as John Bryan Park and Glen Helen as well as nearly 1800 acres of private property including the historic Whitehall Farm in the northern portion of the Township. In 1998, Miami Township, the Village of Yellow Springs, Greene County and an army of private individuals from as far away as California voted with their wallets to prevent the almost 950 acre farm from being broken up into building lots. In 2003, the Tecumseh Land Trust along with property owners and Miami Township have applied to the State of Ohio's Department of Farmland Preservation for a grant to obtain a possible additional 392 acres of protected farmland in the Township. Miami Township understands the need for balance in its economic sectors and as such is partnering with the Village of Yellow Springs in a Cooperative Economic Development Agreement or CEDA. The intent of this CEDA is to promote healthy economic growth that would benefit both the Village and the Township while protecting agricultural areas by keeping commercial areas within the municipal boundaries of the Village. In an effort to continue the practice of managed growth well into the future, Miami Township has begun work on a long-range comprehensive land use plan. With the adoption of such a plan, future decisions regarding zoning and development will reflect a direction previously set forth as a result of input by all the residents of Miami Township.

Yellow Springs Schools

The mission of The Yellow Springs Schools is to create a challenging educational environment where each student contributes to the intellectual and cultural richness of the community and is provided the skills and knowledge to become a socially responsible self-directed, life-long learner.

Yellow Springs Chamber of Commerce

The Mission of the Yellow Springs Chamber of Commerce is to encourage a vibrant business environment that drives the success of our members while enhancing the quality of life in our community.

Yellow Springs Community Foundation

Vision
Your giving to grow a legacy of local impact together, today and tomorrow.

Mission
Entrusted with the responsibility of enhancing community life, we are a catalyst and resource for local charitable giving and grant making.

Village Values and 2018 Goals

Village Values

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

Value #2 - Be a model employer actively practicing diversity hiring and a provider of services within a responsible and sustainable fiscal framework.

Value #3 - Be a welcoming community of opportunity for all persons regardless of race, age, sexual orientation, gender identity, ethnicity, economic status, physical & mental ability or religious affiliation.

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

Value #5 - Seek, in all decisions and actions, to reduce the community's carbon footprint, encourage sound ecological practices and provide careful, creative & cooperative stewardship of land resources.

Value #6 - Intentionally promote anti-racism, inclusion, equity and accessibility through all policies, procedures and processes.

2018 Village of Yellow Springs Strategic Goals

1. Provide an affordable community with a high quality of life that encourages a diverse resident base in terms of race, age, economic status, sexual orientation, gender identity, ethnicity, ability and religious affiliation.
2. Promote retention, rehabilitation and development of diverse types of rental and home-ownership housing to meet current and future needs with focus on low-income, workforce, and senior households to result in mixed-income, environmentally sustainable neighborhoods.
3. Complete protection of key properties in the Jacoby Greenbelt, protecting 1000 additional acres in sub-watersheds. Encourage conservation practices that protect soil and water. Preserve agricultural nature of the greenbelt and protect water resources surrounding the village.
4. Engage in continuous infrastructure development that promotes Dig Once, Complete Streets and other economic and strategic best practices to facilitate a more robust and resident/business friendly community.
5. Embody a Village culture that is welcoming to all, anti-racist and proactive about maintaining a diverse community.
6. Execute an economic sustainability strategy to support existing businesses and entrepreneurs and attract new opportunities that support the values of the community.
7. Establish a model Village Justice System that supports a just, safe and welcoming community across race, age, economic status, sexual orientation, gender identity, ethnicity, ability and religion.
8. Develop a high-quality integrated surface transportation infrastructure system that contributes to improved quality of life by promoting safety, recreation, environmental sustainability, health, equity/inclusion and economic development.

VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2018-50

APPROVING CREATION OF A FUND FOR THE FURTHERANCE OF AFFORDABLE HOUSING IN THE VILLAGE OF YELLOW SPRINGS

WHEREAS, Council for the Village of Yellow Springs recognizes the need to increase the availability of affordable housing in the Village, and

WHEREAS, Council for the Village of Yellow Springs has a goal to "Provide an affordable community with a high quality of life that encourages a diverse resident base in terms of race, age, economic status, sexual orientation, gender identity, ethnicity, ability and religious affiliation" and;

WHEREAS, Council for the Village of Yellow Springs believes that achievement of this goal would be furthered by the regular appropriation of funds to support endeavors directed towards the creation of affordable housing in the Village;

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

Section 1. The Finance Director is authorized to create the Affordable Housing Fund.

Section 2. The Finance Director is authorized to receipt monies into this fund as directed when they become available and to make expenditures as the law allows.

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

_____
Brian Housh, Vice President of Council

Passed:

Attest: _____
Judith Kintner, Clerk of Council

Roll call: Housh _____ MacQueen _____ Hempfling _____

Stokes _____ Kreeger _____

Draft

VILLAGE OF YELLOW SPRINGS, OHIO
RESOLUTION

Affirming the Village of Yellow Springs as a Welcoming Community for All Persons Regardless of Country of Origin, Ethnicity, Age, Gender Identity, Sexual Orientation, Income, Ability or Religion

WHEREAS, The Village of Yellow Springs identifies itself as a welcoming community of opportunity for people of any race, age, sexual orientation, gender identity, culture, income, ability or religion; and,

WHEREAS, the Village of Yellow Springs has long prohibited discrimination based on race, color, ethnicity, national origin or other protected characteristics in the provision of its services and intends to continue to make its services available to all its residents, regardless of their federal immigration status; and,

WHEREAS, The United States is a country founded by immigrants and enhanced by the contributions of immigrants; and,

WHEREAS, **Every US citizen, with the exception of Native American citizens, is descended from immigrants; and,**

WHEREAS, The current POTUS and his administration are instituting draconian tactics of rounding up and deporting undocumented immigrants and arbitrarily prohibiting others from entering the country; and,

WHEREAS, it is particularly essential to the mission of the Village's emergency services departments that victims report crimes or injuries, cooperate fully in investigations and summon help when needed; and,

WHEREAS, no other Village department inquires into the immigration status of individuals before making government services available to that individual; and,

WHEREAS, enforcement of federal immigration laws is the prerogative of federal enforcement agencies, not local law enforcement agencies; and,

WHEREAS, the threat of deportation or prosecution for no reason other than immigration status may discourage residents without legal immigration status or who have family members or friends without legal immigration status from reporting crimes or injuries, cooperating in investigations, seeking opportunities or their children living in this community, or summoning help when needed; and,

WHEREAS, federal law does not require local law enforcement or other local service providers to inquire into an individual's immigration status or respond to federal Immigration and Customs Enforcement (ICE) detainer requests so the principles of Sanctuary Cities are not inconsistent with federal law; and,

WHEREAS, these practices are generally considered to be "Sanctuary City" policies;

Draft

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

Section 1. Council for the Village of Yellow Springs supports and encourages local and regional efforts to welcome and offer sanctuary to immigrants and others who are being targeted on the basis of religion, nationality, culture, **gender identity** or race.

Section 2. Council for the Village of Yellow Springs is committed to the protection of law abiding Village residents from abuse, harassment, and harm regardless of their immigration or refugee status.

Section 3. Council for the Village of Yellow Springs directs that no Village department may use Village funds, equipment or personnel for the sole purpose of detecting or apprehending persons based suspected immigration status, unless in response to a court order. In furtherance of this policy, no Village office or employee shall request information about or otherwise investigate or assist in the investigation of a person's immigration status unless a warrant exists, a criminal violation was reported, or an arrest was made.

Section 4. No Village department or employee shall deny equal access to Village services based on immigration status, unless required by law or court order. Such denial of access shall include, but not be limited to, soliciting immigration status in any application for Village services; predicating the provision of services on the immigration status of any person; or delaying the provision of services based solely on immigration status.

Section 5. It shall be the policy of the Village of Yellow Springs to vigorously oppose any effort to require the use of local taxpayer resources for the enforcement of federal immigration policy.

Signed:_____
Brian Housh, President of Council

Passed:

Attest:_____
Judy Kintner, Clerk of Council

Roll Call:

Housh _____ MacQueen__ Hempfling ____

Stokes____ Kreeger____

Draft

Manager's Report, November 19, 2018

Tasing Incident

I was asked to address what seemed to be a discrepancy between the written report on the tasing incident of 10-13-18, which indicated two (2) efforts to subdue a suspect through the use of a taser, and the report from Taser Company, which indicated three (3) activations of the taser.

There were, in fact, three (3) activations of the taser. Two (2) of these were attempts to subdue the suspect. The third activation was an arc test of the taser to make sure it was operating properly, as it seemingly had no effect in helping to subdue the suspect. This arc test also shows as a "trigger," or activation, on the Taser Company report.

An examination of the suspect's back at the YSPD following the incident indicated no marks or abrasions, which should have been evident, had contact been made through the clothing. In response to being asked by the examining officer if he had felt the taser, the suspect stated that he had felt no effect.

Public Works Update

The installation of new ADA compliant curbs ramps is complete, except for crosswalk installations, which will be done in the spring when the weather breaks. This work is being done under an ODOT grant and has provided a curb-accessible circuit around the Village for everyone.

Gray's Tree Service is still trimming trees around Village electric lines.

Precision Concrete is grinding down sidewalk trip hazards in the downtown area.

Planning & Zoning

The Planning and Zoning Office continues to be exceptionally busy.

New walk-in office hours at the Planning & Zoning Office are Monday-Friday 10 AM to 2 PM. Other hours by appointment.

Evaluation Process

We have reviewed forms from several other agencies. A draft form is being developed with general evaluation criteria that apply to all employees. These general forms will be complimented by a form for each department with criteria specific to only that department. Each department is working on that separate, additional sheet. Another staff meeting to review what we have will be scheduled the week of November 26th.

Request for Proposals on Former Farm Leases

Public Works Director (PWD) Johnnie Burns has recommended that we let a farming lease on the Glass Farm, the Center for Business and Education and the bean field at Sutton Farm. We did not let any leases this year due to potential development of the properties. However, nothing has moved forward and the Village is required to maintain the properties. The conditions of the lease would require no use of pesticides without approval and use of organic pesticides when at all possible. The lease would also require a report to Council at the end of the year, detailing what was used. One lease would be let for all three properties. I hope to issue this RFP later this week.

Parking

PWD Johnnie Burns and I have been researching various paid parking alternatives for the Village, as well as additional areas to transition into parking areas. We had a conference call with the City of Ann Arbor on Friday and have solicited information from a few companies. We hope to prepare a staff report for Council within the next couple of months.

Library Update

One pressing issue at the YS Library is to convert one of the restrooms to handicapped accessible. PWD Burns and I have been in conversation with Karl Colon, Executive Director of Greene County Library, as well as the Library Commission. The current plan is to convert one restroom to handicapped accessible and make both bathrooms gender neutral. The Library would also like to convert and update the staff break room/storage space. Engineering and bidding for the project is slated to be completed in mid-2019 and costs split between the Village and the Library. The bid packages would go out for bid in late 2019, with time for the contract to be in the 2020 budget with hard numbers. The cost for renovation would, again be split between the Village and the Library.

REQUEST FOR PROPOSALS

VILLAGE OF YELLOW SPRINGS

FARMLAND LEASES

The Village of Yellow Springs requests proposals from qualified persons/entities for the use of various Village properties for agricultural production. All leases shall be let to one person/entity. The lease for the various properties shall include the following locations and acreages.

Glass Farm, Yellow Springs-Fairfield Road	approx. 18 acres
Sutton Farm, SR 343	approx. 12 acres
Property adjacent to AUM, Dayton-Yellow Springs Road	approx. 23 acres

Leases will be let for one (1) year with potential one (1) year renewal options. Lessee should be aware that all properties are potential development sites. While there are no plans for development in the immediate future, should an opportunity arise and development proceed before the harvest of a particular property, lease shall be compensated appropriately.

The Village of Yellow Springs is strongly committed to being good stewards of our land. As such, anyone farming Village-owned properties is required to use minimal pesticides, use organic compounds where possible, plant cover crops as needed and recommended, and use additional techniques as possible to minimize the impact of chemical compounds and stress on the properties. The successful bidder will be required to submit to the Village an end-of-year report addressing the items noted above in relation to previous year.

Proposals should include a per-acre price for each acreage. Narrative should include a brief synopsis of what compounds lessee intends to use on the properties. Payment for all properties and end-of-year report will be due November 1 of each year in which the lease is active. Sealed proposals must be submitted no later than 4:00 P.M. on Friday, December 28, 2018 to Patti Bates, Village Manager, 100 Dayton Street, Second Floor, Yellow Springs, Ohio 45387. Any questions should be directed to the Village Manager's Office at 937-767-1279 or pbates@vil.yellowsprings.oh.us

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	Sub Totals
Single-Family Dwelling	0	2	1	0	0	0	1	2	0	0			6
Two-Family Dwelling	0	0	1	0	0	0	0	0	0	0			1
Single-Family Attached	0	0	1	0	0	0	0	0	0	0			1
Multi-Family/Commercial	0	0	0	0	0	0	0	0	0	0			0
Accessory Dwelling Unit	0	0	1	0	1	1	0	0	0	0			3
Accessory Structure	0	1	1	0	4	2	3	1	2	1			15
Addition	0	1	0	1	1		0	1	0	0			4
Fence	0	1	2	1	7	2	4	5	0	1			23
Sign	0	2	1	1	2	0	0	0	0	0			6
Minor Subdivision	0	0	0	0	0	0	0	0	0	0			0
Replat	0	1	1	0	3	1	1	0	0	0			7
Conditional Use Hearing*	0	2	1	1	2	0	0	1	1	0			*8
Variance Hearing*	0	0	0	0	0	0	0	0	0	0			*0
Change of Use	2	1	1	0	0	0	1	1	0	0			6
PND/PUD/Subdivision*	0	0	0	0	0	0	0	1	0	1			*2
Transient Guest Lodging	14	8	1	0	2	2	2	0	1	1			31
Working in the ROW	1	0	0	5	3	3	1	5	2	4			24
Map/Text Amendment*	0	3	0	9	0	0	0	1	9	0			*22
Zoning Compliance*	1	0	0	0	0	0	0	0	0	0			*1
Meetings*	21	24	16	19	22	18	15	23	15	11			*184
Violations*	0	23	1	0	0	17	11	2	0	1			*55

GC Recorder Filings*	0	0	0	0	0	0	0	0	0				*0
Other**			1	1	0	2	0	1	0	2			*4 + **3
Total Permits	17	17	11	8	23	11	13	16	5	9			130

Total Meetings-to-date	173

Total Permits-to-date	121

Total Violations-to-date	54

* Means a Non-Permit Category

**Other – March- (1) solar IC agreement*, April-(1) WSU Intern Fair*, June-(2) Gentrification Seminar*, Groundwater Seminar*, August-(1) Home Occupation Permit, October-(2) General Permit, W/L Support Permit

Village of Yellow Springs

11-19-2018

From the Chief:

Last week I had the pleasure of attending a 40/hr course “Chief Executive Leadership” at the Southern Police Institute in Louisville Kentucky. The Institute is through The Department of Criminal Justice College of Arts and Sciences at the University of Louisville.

There were 42 law enforcement leaders representing many state and federal agencies across the country including a commander from Australia. I had the opportunity to work with law enforcement leaders from all different sizes and types of departments. Two departments in the class currently have an in house program in place to assist citizens in need beyond the scope of law enforcement and public safety and I am proud to be able to share the fact that the Yellow Springs Police Department was one of those departments.

The Police Department is excited to announce we will be implementing an extension of New World Systems called Brazos. New World Systems is our Police Reporting and Records Management software application. Please see the attached brief explaining the program and its many benefits.

I want to thank Sergeant Josh Knapp for his efforts in working on this project.

In moving forward I am excited to let you know that the police department will begin working on scenario based - de-escalation training. This will be specifically tailored to work within the Guidelines for Village Policing.

The Guidelines provide the template for the expectations of the community and we will create our own model for the specific style and techniques we want to establish.

We have our second full staff meeting on scenario based exercises scheduled for December 12th.

Winter is here so please be sure to give yourself a few extra minutes to get around and have a safe and wonderful Holiday Season.

Respectfully,

Brian

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

Memo: 10-16-2018

Patti,

In moving forward I am excited to let you know that the police department will begin working on scenario based - de-escalation training. This will be specifically tailored to work within the Guidelines for Village Policing.

The Guidelines provide the template for the expectations of the community and we will create our own model for the specific style and techniques we want to establish.

Current scenario based police training is critical but it still focuses on traditional policing methods. Traditional methods will always be the fundamental approach in keeping safety first but we need an extended, alternative approach in our methods. I want to reach beyond the basics and create training that brings us together providing the service that meets the community's expectations and giving officers a clear understanding of how we work with the citizens we encounter.

The recent model for CIT (Crisis Intervention Team) training offers a good example of how to approach a variety of complex calls for service using alternative techniques. These are tailored to assist officers in working with those we come in contact with suffering from mental illness, developmental disabilities and substance abuse. We will create a similar model and focus primarily on criminal and traffic activity.

CIT training currently offers a day of "acting out" specific situations where officers and citizens have the opportunity to discuss the scenario and offer options that may provide the most desirable outcome. This is how I will approach this training.

Our first meeting will consist of department staff discussing specifics like schedules, scenarios and our plan of action. This will take time to get rooted but I see this as our path forward in creating a department that responds accordingly and in a resolution oriented way, keeping all parties involved safe and within the law.

I have asked the team to provide me with specific calls for service that they would like to use. We will decide on a few of the suggestions and then have a four hour session working on different styles and techniques of approaching the call for service.

I like your idea of filming some of these scenarios providing us with an informative and recorded training guide that future members of the team can use.

Like everything in police work repetition or muscle memory is critical so this will need to be an ongoing training throughout the years to come.

I have asked for scenario ideas from the team by next Friday October 26th.
Our first meeting in house will be set for the week of November 12th to address scheduling and specifics. This should be no more than a two hour meeting.

Our first four hour session will be scheduled on or before December 14th.
Continuing sessions will be scheduled after the new year.

Thanks for your support with this project!

I will keep you up to date on the progress.

Brian

Brian
Chief of Police
Village of Yellow Springs Police Department

Village of Yellow Springs

To: Patti Bates, Village Manager.
From: Sgt. Josh Knapp
CC: Chief Carlson
Re: Brazos e-ticketing implementation with New World Systems

The Police Department is preparing to implement an extension of New World Systems called Brazos. New World Systems is our Police Reporting and Records Management software application. Brazos is an electronic ticketing solution that interfaces with the officers' mobile computing program and the department's records management system. This addition to New World gives us several advantages. Some examples would be: more accurate and streamlined input into our records system, reduction of errors in ticket completion and manual transposing/inputting the data into the records system, interfaces with the court system for electronic filing of paperwork, which will reduce the amount of time spent hand delivering documents to the court, and reduced officer time needed for completion of citations and warnings. The new process includes criminal and traffic citation templates, warning templates and vehicle tow forms. The program also allows for officers to electronically capture identification data which can then be imported into the officer's reports, reducing the amount of time spent on report writing. It will also reduce the amount of time for a typical traffic stop. The typical traffic stop takes 10-15 minutes to complete. This program will cut that time in half. In terms of cost effectiveness, we spent $1,250.70 on 40 books of traffic tickets and 40 books of warning tickets at the end of 2017 for the 2018 year. We are purchasing these approximately every 12-18 months. The criminal citations are the approximately the same cost as the traffic citations of $827.20 for a case of 40 books. This program will allow us to issue all types of tickets except parking citations. The paper needed for the e-ticket printers comes in cases of 36 rolls of thermal paper at a cost of $92 per case. The sales rep has indicated that 36 rolls will yield enough to cover a year or more on average. Even if we required two cases, the cost savings is still significant.

This system is being deployed by Fairborn PD, Beavercreek PD, Xenia PD and the Greene County Sheriff's office. By taking this opportunity to deploy at the same time, YSPD will save some of the expenses that this endeavor requires. The fees associated with the implementation that are collective are being distributed between each agency. This is not a blanket distribution but tailored to the size of each agency and if offers us an opportunity to pay a lower amount of the professional services and training fees versus us implementing the program later and encumbering those fees alone.

We are using the monies that were allocated for Body Cameras in the 2018 budget out of our State Trust Account. We had anticipated the cost of Body Cameras to be approximately $21,000.00. The Brazos addition is currently estimated to cost just under $20,000.00. This will permit us to deploy Brazos without an increase in the general operations budget for the PD. Additionally, the annual maintenance fee for Brazos e-ticketing service will be paid alongside the annual Public Safety Information Sharing Network User and Maintenance Agreement that we already have in place with Tyler Technologies (New World Systems) and the above-mentioned agencies. The cost increase of the annual agreement is $1,950.00 and will be incumbered in our professional services budget line.

Respectfully,
Sgt. Knapp

11-19-2018

To: Council

From: Judy Kintner

Re: Clerk's Report

It was a busy several weeks in the Clerk's office with regard to tasks, with the addition of second sets of minutes to prepare for Council and for Planning Commission due to work sessions for both of those entities.

Meetings in the past several months have been lengthy and have, as is often the case, dealt with the deeply held convictions of those involved. While these can be uncomfortable or frustrating for those involved, and sometimes frustrating or confusing to those watching, this is a necessary part of local government, and is a testament to the worth of public debate. I'd like to commend all those willing to speak up--and debate and listen--for engaging in the process of government. It isn't always a walk on the sunny side of the street.

Finally, boy have our Village Crews worked like crazy over the past week. We are incredibly lucky to get to have safe, salted streets and clean water and reliable electrical power. The ice storm presented multiple and repeated, as limbs kept falling, challenges. Many thanks to all of our Village employees who regularly jump out of bed or walk away from a meal to make sure that Villagers get to have what we need. You are deeply appreciated.

Economic Sustainability Commission

Kreeger - November, 2018

The ESC continues to focus on the goal to identify an attraction and marketing strategy for the land currently knowns as the Center for Business and Education (CBE).

Highlights, in addition to meeting minutes:

In October we continued work on the StrengthWeakness/Opportunity/Challenges (or Threats) (SWOT) analysis as a way to continue developing the story of Yellow Springs as a business location. You may find the meeting minutes interesting. Feedback is welcomed.

Upcoming work on this goal will focus on developing a plan for re-branding of the CBE and development of marketing materials (includes determining need for consultant / budget)

Prepared by Lisa Kreeger, Council Member
November 15,2018

Art & Culture Commission

November, 2018

Arts & Culture Commission

Housh attended this meeting to liason as Kreeger was not available.

Highlights in addition to meeting minutes:

- **Save The Date!**: December 12th festivities start at 5pm when we will ribbon cut the restored Jungle Mural and celebrate the Muralists of YS with the Village Inspiration & Design Award (VIDA) at The Emporium. If the weather is conducive, we will be in the courtyard (a.k.a. 'the power strip'); otherwise, we will be in the Cafe, listening to some cool jazz either way. There will also be warm drinks and holiday treats. Make it an evening by joining the YS Chamber Holiday Party at S&G Artisan Distillery and YS Brewery from 5:30-7:30pm! The ACC is judging the downtown holiday decorating contest again this year, and the winners will likely be announced at the event.
- **Banner Project**: Banners created by Mills Lawn students will hang in downtown YS to recognize Women's History Month (March, 2019). Please let Lisa Kreeger know if you have an idea for a woman to feature. I will communicate your ideas to the Mills Lawn Faculty.
- **Wheeling Gaunt Mural / Sculpture Project:** The proposed location of the Wheeling Gaunt statue is the Hilda Rahn Park, which surrounds the Yellow Springs Station. Thoughts about a location for the mural are welcome.
- **Village Amphitheater:** There were some initial discussions about rehabbing the outdoor amphitheater behind the Bryan Center, which has traditionally been used for community events, performances and celebrations (e.g. weddings). Council may remember that the Girl Scouts did a big clean up a few years back, and this remains an incredible Village asset that should be considered.
- **ACC Budget**: In November, the ACC confirmed that it would be supporting $1000 towards the Jungle Mural Restoration Project for which the YS Community Foundation has provided $3070.

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 (Approved as Amended 11/7/2018)
Wednesday October 3, 2018; 7:00 pm
Council Chambers, John Bryan Community Center

Attendees: Saul Greenberg, Henry Myers, Gerry Simms, Sammy Saber, Steve McQueen, Lisa Kreeger, Mark Crockett, Karen Wintrow, Susan Jennings Absent: Emily Seibel

The meeting was called to order at 7:01 by Greenberg.

Minutes
Minutes from September were unanimously accepted as amended with an abstention from Kreeger. Amendments as follows: 1) change of guest attendee to from Kineta Sanford to Jim Hammond, 2) addition of Jennings as second on approval of July minutes; 3) removal of item after adjournment time. (Simms/Jennings)

Citizen Concerns
None

Old Business
Designated Community Improvement Corporation
Kreeger reported that she and Council President Brian Housh had begun stakeholder outreach meetings by meeting with Malte Von Matthiessen, Richard Lapedes and Jeannamarie Cox. The presentation included the Village Values and the statement of purpose for the DCIC. The suggestion was made that to better articulate the purpose and benefits of the DCIC that an analysis be done of the values statements from the key institutions in the village to determine overlaps and better illustrate possible collaborations. Kreeger agreed to work on that piece and requested those values statements from Miami Township and YS Schools to which the representatives of each agreed.

CBE Marketing Plan
Kreeger reviewed the purpose and intention for the SWOT (Strengths/Weaknesses/Opportunities/Threats) analysis. Strengths and Weaknesses are viewed as internal influences while Opportunities and Threats are viewed as external influences. Per Kreeger, the focus topic of the SWOT is Yellow Springs as a business location.

The discussion was opened with Kreeger recording the input and 10 minutes for part of the SWOT.

STRENGTHS
- High quality of life (walkable, NPO's, value coherence)
- Strong Chamber of Commerce
- Variety of interests and activities (different choices, intellectual pursuits and support groups)
- Strong library and encouragement of reading
- A lot going on "Enriched place to live"
- As a parent, I chose to live here because of the schools, social environment, diversity, global reach, economy. Kids returned as parents for the same reasons.

- Safe (relatively)
- Examine why DMS chose to locate here
- Educated workforce
- Centralized location between Dayton, Cincy & Cbus with airports and highways
- Rural community with a cosmopolitan/urban vibe
- Progressive
- We cast a broader net than our small size would indicate
- Sense of community
- Entrepreneurial spirit
- Destination community
- Antioch College
- Small size (population and footprint)
- Walkability
- Historically rich
- Nurtures start-ups (pioneering spirit)
- Welcome tourists/visitors
- Rental space cost low in comparison to region
- Responsive Village staff
- Flexible zoning
- Bike trail
- Recreational spaces

WEAKNESSES

- Utility costs
- Property taxes
- Limitations of infrastructure
- Limited/long supply chain
- Over-regulated
- Anti-business (government and citizenry)
- High cost of living for employees
- Uncertain real estate market with many institutional properties in play
- Would need to build new at CBE
- Lack of rehab-able property
- High % of real estate owned by a few
- Afraid of change
- Limited population for those who want to live where they work
- Small work force/work ethic
- Limited business support services including consultants and space
- Expense of rehab
- Low rent doesn't generate enough revenue for property owners to maintain and do tenant upfits
- High aspirations with low/fixed capacity to implement (# of volunteers and funding)

OPPORTUNITIES

- Focus on localization as a philosophy
- Climate change and cost of living on the coasts is bringing people to the Midwest
- Strong regional support
- Proximity to agriculture
- Strong water source
- Identification as a cohesive community
- External polarization moves people inward
- Rural ambience
- WPAFB
- Many higher learning entities
- Trend toward simplicity
- Celebrity, metro cool attractors
- External focus on energy (groundbreaking work here)
- Medical access/alternative health
- Attracted to a liberal community

THREATS

- Other communities respond faster
- DPL and other private utilities can negotiate favorable rates for business (larger, think differently)
- Incentives offered by other communities
- Economic downturn in the region and entire Midwest
- We're in the "boonies"
- Low reputation (Blue dot in a red sea, drugs)
- Cheap and available real estate in region (Springfield Air Park)
- Available local property from institutional owners could create competition

Kreeger suggested the ESC gather information on potential consultants and other expenses for this marketing effort as Council budgeting for 2019 is on the horizon.

Agenda Planning

At the next meeting, the group will further distill and discuss the SWOT analysis. Wintrow will provide minutes and the SWOT analysis summary as quickly as possible so members are able to spend time reviewing in preparation for the next meeting.

Adjournment at 8:28 pm. (Simms/McQueen)

Next meeting November 7, 2018 at 7:00 pm in Council Chambers

Judy Kintner, YSO Village Clerk

From: Judith Hempfling
Sent: Thursday, November 15, 2018 5:36 PM
To: Judy Kintner, YSO Village Clerk
Subject: Commission Reports; Judith Hempfling

JSTF Monthly Report.
JSTF Justice System Task Force had its final meeting this month in which we discussed passing on documents and legislation reflecting research and recommendations developed by JSTF as well as our ideas about areas of followup and areas of work we were unable to even begin. A final report and list of work we have identified for the future will be shared with Village Council soon for use in your goals discussion and with the Justice System Commission when it is formed.

Energy Board.
Discussed request by Village Council
Judith asked for the Energy Board to put together an explanation for Council that would give the history of the decisions made regarding renewable energy contracts. Patti has already done a lot of research and has a hard copy of a report she wrote. Judith asked Rick if he could build upon that letter to make a report on historical decisions. Rick reviewed Patti's report and felt it was accurate.

Providing educational materials and assistance for those using the roundup program, to help them reduce their utility bill has not been done at this time.

The November meeting has been cancelled because of members being away for holiday. Explained to Rick that Village Council and Village Staff have significant demands on time and that recommendations from EB that caused more work for either would be unhelpful at this time. If there are activities that EB can do to provide more capacity for the Village Council that would not increase work load would be helpful and ideas EB might have in that regard can be shared with Council. Rick will talk with the EB regarding this at the December meeting.

Library Commission Quarterly Meeting: Kevin Stokes will give this report.

Energy Board Minutes
September 18, 2018

Present: Judith Hempfling (Council Representative), Rick Walkey (Chair), Franklin Halley, Alan Brunsman, Eric Johnson (Secretary), Dan Rudolf

Non-members present: Patti Bates (Village Manager), Johnnie Burns (Public Works Director), Brett Henderson (Yellow Springs Solar), Mark Ewalt

Rick asked for introductions and to adopt the minutes. Judith moved to adopt the minutes, Franklin seconded, passes unanimously.

Judith reported that Council had discussed a "round up" billing option that would build a fund to assist people who needed assistance with their utility bills. It would be a maximum annual allotment of $200 per request.

She suggested we provide written educational material to people about how to lower their energy consumption.

Rick said people also have problems with water and Patti said there should be a water conservation portion of the educational literature. Mark said that is exactly the focus of what he does in his job. Dan said that Jim Mayer had offered to install one toilet a month if anyone had problems with leaky toilets.

Energy audits on some level would be a good part of the program, but Dan said this required a skill set. He suggested any auditor have a supply of LED bulbs or programmable thermostats and other supplies to provide quick assistance in saving energy. He said there would be some liability issues, (especially for installing thermostats) for an auditor and asked whether the Village could provide liability insurance. Johnnie said he thought that could probably be worked out.

If money is available, the Senior Center will be involved in evaluating applications.

Judith suggested that any education include information about how global warming would impact future generations.

Dan, Rick and Mark volunteered to put together some information.

Rick asked about Dan's request for more solar. Patti said at this point she and Johnnie had two objections. One is we do not know yet how much we are getting annually from the new solar array and that affordability was an issue. Johnnie said he would be able to assess the solar impact by the end of the year.

Franklin asked if the "round up" fund be used for equipment to help. Patti said we could investigate the Efficiency Smart fund's status which previously was used for that purpose.

MacQueen November 2018 Reports to Council

Village Manager's Housing Advisory Board

At its most recent meeting HAB discussed its end of the year report to Council and requests that the presentation be slated for either the first or second December Council meeting. In addition to listing 2018 accomplishments and activities, the report will include: a request to confirm its continuation into 2019 and beyond; a proposal to add new members; goals for 2019 including a process for community engagement.

HAB discussed the current and anticipated increase in housing planning and production and the need that these efforts be well coordinated with the Village Staff work commitments. We want to get the word out to housing developers that it is important to come to the Village early in their planning process so activities can be coordinated. Increased Staff workload may mean that the Village will need to engage outside planning expertise to allow housing projects to move along in a timely manner.

Discussion regarding the Village investing in affordable housing projects such as the Glen Cottage Pocket Neighborhood Development led to the acknowledgement of the need to consider what types of projects to support; how to support them and the role of HAB in this regard. We agreed that we need to educate ourselves about the world of funding affordable housing in Ohio and hope to invite a representative from a state wide agency to meet with HAB for this purpose.

HAB affirmed its support for the Village funding a civil engineering firm such as Woolpert or LJB to do the studies and analysis needed for planning housing on the Glass Farm. These would include: where housing, storm water systems, green space, utilities, and road and paths could best be sited, as well as a cost/benefit analysis for siting larger housing units such as apartments on the property.

Planning Commission

Planning Commission (PC) met on October 18th for a PUD prehearing regarding the Home, Inc. Senior Housing proposal. In addition to PC members and staff, the meeting was attended by the Home, Inc. development team and Chief Altman. A number of issues were discussed and options were proposed to meet various considerations including the deviations from the PUD and zoning requirements. I thought the meeting was productive.

The Planning Commission public hearing on the PUD proposal held on November 12th drew a packed house in Council Chambers. The majority of community members who spoke at the hearing – many of whom hope to live in the facility – were in support of the project. Three people spoke against it and there were two letters in the packet opposing it. After hearing from the community, Planning Commission began deliberating on the criteria for approval of the PUD proposal and the meeting continued until 10:40 PM. There were a number of points of disagreement among the PC members and we agreed to continue discussion on the PUD at our December 10th meeting. At that meeting PC will forward its recommendation(s) to Council.

Because Rose Pelzl has left Planning Commission to take a position with the Village, the Commission is down one member. Given the importance of PC, I strongly encourage Council to expedite appointing a new member with expertise and experience in some area related to planning or housing to fill out this vacancy.

Environmental Commission

At its October 18th meeting EC heard from Kyle Peterson, a member of the Mud Run Conservancy. EC had invited Kyle to educate us about the sensitive Mud Run Creek and its watershed in Clark County's Mad River Township. Kyle and his group are working to prevent quarrying in that area. He gave an informative presentation on the importance of the Mud Run Creek area which includes 30 springs and a fen and is in close proximity to the drainage ditch that runs into Ellis Park and the Yellow Springs Creek. Villager Marcia Wallgren also attended the meeting to discuss issues involving the Vernay contamination and provided suggestions to the letter that Council did adopt and has been sent to the EPA. Other topics discussed which will also be taken up at the EC meeting on November 15th included: the ongoing Risk Prioritization format that EC has been working on developin;, a potential Ohio EPA grant to enable increased community composting; and additional work that needs to be completed on our Source Water Protection Plan.

Village Mediation Program

Lisa Kreeger and I met with John Gudgel and Len Kramer to discuss how the VMP might be involved in assisting community member concerns about specific interactions with the YSPD. What came out of the discussion was a decision to explore the possibility of developing a Police-Citizen Mediation Program similar to one sponsored by the Dayton Mediation Program. Our next step will be to include Janet Mueller in these discussions. Janet works at the Dayton Mediation Program and is also a volunteer with VMP.

Planning Commission
Regular Meeting Minutes

Council Chambers 7:00pm **Monday, October 8, 2018**

CALL TO ORDER
The meeting was called to order at 7:00 P.M.

ROLL CALL
Planning Commission members present were Rose Pelzl, Chair, Council Representative Marianne MacQueen, Frank Doden, Susan Stiles and Ted Donnell. Also present were Denise Swinger, Zoning Administrator, and Solicitor Chris Conard.

REVIEW OF AGENDA
Pelzl reviewed the agenda. There were no changes made.

REVIEW OF MINUTES
Minutes of September 10, 2018. Stiles MOVED and Doden SECONDED a MOTION TO APPROVE the Minutes as Amended. The MOTION PASSED 4-0, with MacQueen abstaining due to absence from that meeting.

COMMUNICATIONS

COUNCIL REPORT
MacQueen noted that the Manager's Housing Advisory Board (MHAB) had met with stakeholders to discuss Bowen's presentation on housing goals, and that the discussion had been a productive one. She noted that once the comments are written up she will make that report available to PC as well as to Council.

MacQueen asked that housing goals be added to the November PC agenda.

CITIZEN COMMENTS
There were no citizen comments.

PUBLIC HEARINGS:
Conditional Use Application (Pocket Neighborhood Development – 117 East North College Street – (R-C, High-Density Residential) - Antioch College is applying for a conditional use permit to construct a pocket neighborhood development of eight dwelling units. Parcel ID #F19000100090029400.

Swinger noted that after the last PC meeting, staff realized that a notice specific to the Conditional Use hearing had not been sent to neighbors. The neighbors were notified of Planning Commission's rezoning meeting and both of the Council rezoning meetings. Because staff did not want to create a procedural error and thereby potentially cause a future delay, and it was decided to hold a second meeting and a correctly noticed public hearing. During this time, Antioch College has fulfilled many of the conditions required by the Planning Commission at its September meeting.

As reported last month, Swinger stated, Antioch College is planning construction of the first Pocket Neighborhood Development (PND) since Planning Commission added this use to the zoning code last year. One of the requirements of the PND is that the property must be located in a residential district. The property was approved for rezoning from E-I, Educational Institutions to R-C, High Density Residential by Council at their meeting held September 17, 2018. The rezoning to R-C, High Density Residential becomes effective on October 17, 2018.

Swinger commented that Antioch has moved a rain garden and increased the size of one bio swale, and this is reflected in the updated site plan.

Swinger note that with Johnnie Burns, Public Works Director, a check was conducted of the two alleyways. For the alley running parallel to Xenia Avenue with an entrance/exit at East North College Street and East Whiteman Street, he determined that the Whiteman Street entrance/exit was too narrow for essential services or a Rumpke truck to pass through. There is also a utility pole with a down guy causing further obstruction and the location of a sewer manhole. Overhanging wires in the alley along the northwest corner of Antioch's property further prevents its use by tall trucks. Antioch College could provide several parallel parking spaces as Planning Commission suggested along the entrance at East North College, but without a full restoration of the alleyway, it would be difficult for a vehicle to exit via Whiteman Street in certain weather conditions (rain/snow). The second alley that runs parallel with East North College has been completely reclaimed by nature. This would be a full restoration and Public Works does not have it in their budget to restore it.

Donnell asked questions regarding prioritization of the restoration of alleyways, and this discussion lasted about 10 minutes.

Swinger noted that Council did pass the rezoning for the lot, and did add the caveat that the asphalt be removed from the adjacent lot once construction is completed on the PND.

Swinger noted the following conditions requested at Planning Commission's September meeting:

Final storm water calculations will be provided upon completion of construction plans and reviewed by the Village's engineer; and

A review of the construction plans by the Public Works Director prior to or at the same time the plans are submitted to Greene County Building Regulations for building permits.

Swinger commented that stormwater drainage areas would also be reviewed by engineering prior to signing off.

The revised site plan labels the curbs, curb cuts, waste receptacles and bollard lights.

She noted that in the re-submitted site plan, the underdrain was relocated to directly under the enlarged bio swale.

Staff previously requested and Planning Commission approved the following:

- Deviation from the parking lot requirements of the zoning code. ***The Planning Commission approved 16 foot paved lengths with bumper blocks providing a 2 foot bumper overhang (non-paved) to reduce the impervious surface.***

Swinger noted that the requested tree island for the parking area does appear on the revised site plan.

Swinger noted that the most pressing concern on the part of village staff is that of storm water management, and assuring that run off does not encroach onto neighboring properties. Storm water calculations will be completed by the Public Works Director and an engineer for the Village when the final plan is received, Swinger noted.

MacQueen asked questions referring to the HOA documents.

Conard responded that the HOA indicates that the property will be a leasehold agreement.

Monica Hasek acknowledged that the leasehold model will be that used, and noted that the units will be referenced as "condos" with 99-year leases. She acknowledged that the HOA would be responsible for the upkeep of the exterior of the properties.

Pelzl received confirmation that the Village will have to approve the HOA document before it is filed.

Conard noted that if there is any effort to terminate the association, the Village must be at the table to represent the village as a whole.

Conard noted that the current covenants are "purely a draft".

MacQueen objected to the caveat that clotheslines are not permitted, and asked for inclusively gendered language.

Conard clarified a concern that all homeowners are considered members of the board.

Pelzl OPENED THE PUBLIC HEARING.

Patricia Brown stated that the CCRs are not complete and have not been approved. She commented that "there are things in the CCRs that do not follow Ohio law" and need to be addressed. She addressed several aspects of the CCRs.

Hasek noted that all potential homeowners have received the CCRs and that feedback is being collected.

In response to a question from Conard, Hasek stated that there are currently six of eight homeowners committed to purchase.

Hasek responded to a question regarding the percentage of rental units, stating that the six homeowners are together subsidizing one unit which will be donated as a permanently affordable rental.

The second rental unit, Pat Brown stated that she plans to purchase an additional home and donate it to Antioch for an affordable unit. Use of the unit in the future, Brown said, "is up to them."

Stiles received information from Hasek that Antioch is looking into ways that a proxy can be named by the owners of the rental units to sit on the board.

Pelzl CLOSED THE PUBLIC HEARING.

Donnell asked what happens to the conditions imposed at the previous meeting which was not, in fact the official public hearing.

Swinger stated that all conditions are reiterated in her report, presented in the current meeting.

Donnell expressed concern as to the procedure.

Conard suggested that to address Donnell's concern, and in an abundance of caution, that there be a motion to include the minutes for September 10th's meeting as a part of the October meeting.

Donnell received confirmation that the vote taken at the prior meeting was not official, since it was not an official public hearing.

Donnell asked how the conditions stated at that meeting could then be assured as part of the record as official conditions.

Upon advice from the Solicitor, Donnell MOVED TO INCORPORATE THE MINUTES OF SEPTEMBER 10, 2018, AS THEY RELATE TO THE ANTIOCH POCKET NEIGHBORHOOD DEVELOPMENT, AS A PART OF THE RECORD OF THE OCTOBER 8 PUBLIC HEARING. MacQueen SECONDED, and the MOTION PASSED 5-0 on a ROLL CALL VOTE.

Pelzl MOVED to APPROVE THE CONDITIONAL USE APPLICATION AS RECOMMENDED BY STAFF (see below):

1) Remove asphalt on adjacent property – Lot 3-A (Council to request as part of the rezoning).

2) Consult with Fire Chief to see if the alley can be utilized for one of the fire lanes.

3) Construction drawings to be reviewed by the Public Works Director prior to or at the same time the plans are submitted to Greene County Building Regulations for building permits.

4) Final storm water calculations provided upon completion of construction plans and reviewed by the Village's engineer.

5) Site Plan to show elevations, identification of light fixtures, and the identification of gutters and rain barrels showing their connections to the storm water drainage areas.

6) Conditions/Covenants and Restrictions:
   A) Final approval of CC&Rs to be given by the Village.
   B) Add the parking lot and any other potential parking areas on site to the common areas with language on how they will be maintained.
   C) Remove the language re: garages.
   D) Add language for the maintenance of the common areas (including but not limited to the meadows, the gardens, the rain garden and bio swale areas, and the pedestrian pathways.
   E) Add language that states the Home Owner's Association cannot be terminated without approval by the Village of Yellow Springs.
   F) Add language stating home owners must secure a zoning permit and solar interconnection agreement with the Village of Yellow Springs prior to the installation of solar panels.
   G) Add language stating future accessory structures must be part of the common area and cannot be individually owned. This includes any future carport structure within the parking lot area.

7) Future Phase: With its 75 feet of right-of-way on East North College Street, provide the Village of Yellow Springs with a streetscape design aesthetic that will blend Antioch's first phase pocket neighborhood development pilot project with their second phase of development on the opposite side of the street. This could include but not be limited to ideas such as a pedestrian pathway and tree lawn area that will narrow

the street and provide a neighborhood interconnection between the two properties divided by East North College Street.

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

Conditional Use Application (Professional Office) – 1030 Xenia Avenue (R-C, High Density Residential District) - Sharmine Lynch, applicant. Applicant has requested a conditional use permit to have a professional office located in an existing building - Parcel ID # F19000100080027100.

Swinger reported that Sharmine Lynch is the owner of Healing Care Acupuncture. Her office is currently located in the Humanist Center at 105 West North College Street. She recently purchased the former dental office at 1030 Xenia Avenue which has been vacant for a number of years. Located at the corner of Herman Street and Xenia Avenue, it was built for commercial use as an office building in 1996 for John Thomas Russell, D.D.S., who was a practicing dentist in Yellow Springs for 40-plus years.

Swinger noted that the use "Dentist Office" is changing to that of "Professional Office", and so requires a change of use hearing.

Swinger commented that the parking area will need to be re-striped, and will require at least one ADA compliant parking spot.

Swinger commented that in R-C, Dental offices are not permitted. At the time that Dr. Russel come before the Planning Commission for the use, it was considered as a "Professional Office".

MacQueen asked whether it really is a change of use if the prior conditional use was granted as "Professional Office".

Donnell commented that a true change of use will trigger a higher level of Greene County Building Department regulation, and suggested that it not be considered as a change of use but as a conditional use.

Swinger agreed that she will issue a conditional use permit if the application is approved.

Donnell objected to the curb cut which is near to Xenia Avenue. Donnell stated that he considers the curb cut a traffic safety hazard.

Donnell urged turning the parking lot into fewer parking spaces.

Roger Beal, the landscape designer for the property, stated his desire to keep all current parking spaces.

Donnell argued that the intent of the zoning code is to eliminate unneeded parking spaces and curb cuts.

Pelzl commented that signs should be placed to indicate "exit only" on the Xenia Avenue side, and "entrance only" on the Herman Street side.

Swinger confirmed that Lynch has more than enough parking.

Lynch stated that it is her desire to expand her business eventually.

After viewing the map, Donnell, rescinded his recommendation to eliminate the Xenia Avenue curb cut.

Pelzl OPENED THE PUBLIC HEARING.

There being no comment, Pelzl CLOSED THE PUBLIC HEARING.

Swinger reiterated that the parking lot needs to be re-striped to current requirements. She noted the requirement for screening from the adjacent residences in place from the current conditional use.

Pelzl MOVED TO APPROVE THE CONDITIONAL USE AS RECOMMENDED BY STAFF, INCLUDING THE FLOOOWING CONDITIONS:

1) The parking lot area be re-striped to indicate parking stalls consistent with the zoning code's current length and width requirement
2) A minimum of one ADA parking stall be dedicated
3) Any modification to the current ingress/egress flow of traffic for parking or any future parking lot configuration be approved by the zoning administrator

4) Uphold the previous condition that "landscaping screening of the parking areas from the adjacent residences will be at least four feet high and of a material that will obscure the view year-round."
5) All entrances and exits will be clearly marked with signage from the street and lot sides.
6) Any signage will require a sign permit from the zoning office.

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

OLD BUSINESS

Comprehensive Land Use Plan Update. The Clerk provided information from a workshop held on comprehensive land use plans. She noted that this endeavor is moving to an online format that makes the plan highly accessible.

The Clerk noted that it was recommended that municipalities be clear about what they want from a consultant.

PC discussed these options.

Donnell agreed with pulling a consultant in earlier, noting his frustration with the process at present, and the wordiness of the current document.

The Clerk commented that a comprehensive process would be doable for in the range of $30,000.00.

MacQueen agreed to ask for $30,000.00 in 2019 as a part of the budgeting process.

Donnell asked that the alley discussion continue.

Swinger offered, and the PC agreed they would like the Public Works Director to come to a PC meeting to present on infrastructure needs.

MacQueen commented that she would like a discussion to occur regarding where housing can be placed, based upon infrastructure information.

Donnell commented that PC could target certain properties with regard to their zoning designations, which would further facilitate housing development, but stated that indicating what type of housing was not the purview of the PC.

PC discussed the interface of a housing plan with the comp plan.

PC asked that the presentation prioritize the state of the distribution system and alleys.

Conard suggested that a SWOT analysis might be a good approach.

AGENDA PLANNING

October 18: Work Session (1-3) re: Home, Inc. Proposal for PUD/Senior Housing
November 12: Public Hearing re: Site Plan for Home, Inc. PUD/Senior Housing

ADJOURNMENT

At 8:40pm, MacQueen MOVED and Donnell 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.

Planning Commission

Special Meeting Minutes

Council Chambers 1:00pm **Thursday, October 18, 2018**

CALL TO ORDER

The meeting was called to order at 1:04 P.M.

ROLL CALL

Planning Commission members present were Rose Pelzl, Chair, Council Representative Marianne MacQueen, Frank Doden, and Ted Donnell. Also present was Denise Swinger, Zoning Administrator. Alternate AJ Williams joined the meeting at 2:30.

PROJECT PARTICIPANTS

- Wes Young, Vice President/Chief Real Estate Officer, Saint Mary Development Corporation
- John Haws, Construction Manager, Saint Mary Development Corporation
- Rob Humason, RA, Architect at ATA Bielharz Architects
- Brittany Keller, Development Coordinator, Yellow Springs Home, Inc.
- Emily Seibel, Executive Director, Yellow Springs Home, Inc.

MIAMI TOWNSHIP FIRE RESCUE

Fire Chief Colin Altman

WORK SESSION

Swinger introduced the session, noting that once the preliminary plan is discussed, there will be a public hearing held on November 12. Planning Commission will then make a recommendation to Council, based upon the public hearing.

Swinger laid out the time line for PUD for those present.

In response to a question from MacQueen, Altman stated that the preliminary plan presented meets MTFR standards. The sprinkler system should be able to handle a fire situation, he stated.

Humason described the suppression system, and this was discussed. He noted that the plan is for the facility to be 100% electric energy.

Humason stated that Saint Mary Development Corporation (SMDC) plans to improve the sidewalks to be able to handle fire equipment.

Donnell asked whether SMDC will be using a pump to assure water pressure beyond the second floor.

Humason responded that this would be done if needed.

Donnell asked whether SMDC plans to use generators, and if so, how those would be fueled, given the statement that gas would not be used in the facility.

Humason responded that they have not yet fully considered this.

Haws responded that any generators would be gas or diesel fueled.

Storm water runoff was discussed briefly, with Humason stating that the surface now is primarily hard surface, and that the system "will improve what is now there". He stated that the design would direct all water to the detention basin for slowed release.

Altman left the meeting.

Donnell commented that the number of units can be considered as less, given that the units will contain one or two persons, while a unit could contain as many as a full family.

The Clerk asked whether PC is permitted to contemplate the definition of a unit in approving a variance.

MacQueen asked how one parking space per resident is sufficient.

Young responded that the median age of their residents in existing facilities is 78, and not all residents drive.

Swinger expressed concern about the traffic flow on Herman Street, given the location of Friends Care cross the street.

Parking was discussed, with SMDC stating that in their facilities currently, about 43% of residents have vehicles.

Donnell urged fewer parking spaces.

SMDC commented that they would like to reduce the number of parking spaces, and could prep the resulting green space for parking should it be needed later.

Doden asked whether improvements should be made to the corner of US 68 and Marshall Street, since the corner is unsafe as it currently exists.

Swinger asked whether SMDC has constructed a similar building in a neighborhood setting, and what the impact has been on that area.

Haws described a unit in East Dayton. The unit was described as three stories and in a residential district, with Interstate 35 bordering on one side.

Keller responded to a question about meeting with neighbors, stating that they have not received negative comment regarding the size of the structure, but that some wanted the height transitioned.

Keller stated that Home, Inc. has consistently held meetings with neighbors since summer, and are not anticipating resistance from that angle.

Swinger commented that construction of the facility might free up some homes in the Village. She asked what the parameters for "affordable' would be, so that she could determine the eventual impact upon available homes in the area.

Young stated that SM's "mission" is to provide some number of "very low income" units.

Seibel responded that she cannot offer specific numbers, but could assume that the facility would free up some number of local homes.

Donnell suggested that for the public hearing, SMDC provide information as to what percentage of the housing needs study data they would be fulfilling, so that they could show that they are delivering mixed income housing. He then requested that a chart be provided for the public hearing.

Haws responded to a question from MacQueen regarding energy efficiency, stating that SMDC is required to meet Enterprise Green 2015 standards. Swinger requested this information for the November 12 hearing packet.

Seibel suggested that energy efficiency of the units be compared to that of a stand-alone home.

Seibel offered to provide an energy efficiency overview sheet for the public hearing.

Energy efficiency in general was discussed.

Pelzl asked for comparison elevations to be provided for the public hearing. She commented that even with the step-downs, this would be a significant height increase. Pelzl noted that Mills Park Hotel is 44 feet high.

Donnell noted that this height is only elevator shafts for the MPH, and that the bulk of the structure is not that tall.

Donnell disagreed with Pelzl's request, commenting that scaling the building with the fire station makes more sense. Donnell asked about shadowing of houses to the east, asking for a shadowing model, and asked for a scale that includes Friends Care.

Pelzl asked again for a more realistic modeling, with people, trees, etc. for comparison.

Donnell received confirmation that Planning Commission has the authority to grant variances in a PUD, and that Council can in fact make changes to any Planning Commission recommendation.

The group discussed qualifying conditions.

Donnell stated his opinion that the variances requested are permissible based upon the qualifying conditions, but noted that his interpretation of how those are met was different than those stated by the Home, Inc. team.

Young commented that the building will cost in the neighborhood of ten million dollars.

Haws stated that SMDC plans to use "30-year building materials" and will be considered a partner for 30 years.

Seibel stated that over 80% of the cost will have to be fund-raised. She stated that she will provide a breakdown of costs and rent projections for the public hearing.

Young commented that he will not be asking for a tax abatement for the property.

Seibel noted that low income home owners do pay property taxes.

Property tax was discussed.

AJ Williams joined the meeting.

Pelzl asked for street level modeling to include surrounding structures.

Humason demurred, stating that this would be difficult. Swinger commented that she would provide SMDC with the fire station information.

Donnell asked for a car count graph for the area.

Seibel commented upon pedestrian connectivity, which is reflected in the plan, in collaboration with Friends Care.

The Home, Inc. team left the meeting at 3:02pm.

Pelzl stated that she will be leaving Planning Commission prior to November 12 due to having secured a position with the Village.

ADJOURNMENT

At 3:04pm, MacQueen 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.

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
9/12/18 Minutes

Members Present: Brittany Baum, Lisa Kreeger, Nancy Mellon, Catherine Roma, John Fleming

- Presentation by Mr. Kevin Lydy regarding a future banner exhibit dedicated to the experience of women in the US and Yellow Springs. The exhibit is planned for March, 2019, in conjunction with National Women's History Month. There is no budget request. Nancy Mellon and Lisa Kreeger will follow-up with Mr. Lydy as necessary to assist him with technical specifications.
- Mr. Marcell Varnasdale requested budget support for the Music on Main event scheduled for October 13, 2018. The ACC support will be used to construct a "light pyramid" that will be part of the event.
- Ms. Cheryl Durgans and Mr. Jerome Borchers updated the Commission on the ongoing William Gaunt sculpture and mural project. In particular, the Commission was informed about possible locations for a mural.
- The ACC Mission Statement was voted in: *The Arts & Culture Commission supports the mission of the Village of Yellow Springs in facilitating, promoting and recognizing that public arts add value by providing educational opportunities, activism, economic sustainability and an improved quality of life. The Commission navigates and connects our creative community and the arts community with the Village government.*
- The following requests were discussed and voted on with approval:
- Music on Main: $500
- Porch Fest: $500
- Musician and Food for YSAC opening on 8/29/18: $250
- Mural Restoration Project: $1,800

Nancy Mellon presented future art project ideas; to be discussed at the October Meeting

Next Meeting October 10, 2018, 5:30pm, Council Chambers

U.S. EPA, Region 5
77 W. Jackson Blvd. (LU-16J)
Chicago, IL 60604
Attention: Ms. Renee Wawczak, P.G. - Corrective Action Project Manager

November 12, 2018

Dear Ms. Wawczak:

This letter is submitted by Village of Yellow Springs Village Council and Village Manager pertaining to Administrative Order on Consent OHD 004 243 002, Vernay Laboratories, Inc., Yellow Springs, Ohio; Project No. 191852.0001.0000.003. As the local government, the Yellow Springs Village Council and Village Manager are very interested in protecting village residents through the permanent and thorough cleanup of the Vernay Dayton Street site and surrounding area which are largely within the Village of Yellow Springs. To that end, we would like to express a number of concerns relative to Vernay Labs Draft RCRA, Corrective Measures Proposal (CMP) to the U.S. EPA (EPA) on March 24, 2009 (2009 CMP) and the 2018 CMP Addendum submitted to the EPA on April 16, 2018. We also want to express our appreciation and support for a number of comments EPA included in its recent response to Vernay in an email dated September 13, 2018. EPA's response reflects an interest in a thorough cleanup and a plan with sufficient detail to implement successfully.

Because of its prominent location at one entrance to the Village and the substantial size of this property (over 10 acres) , the value to the Village is significant. We cannot stress enough the importance of a successful and thorough clean up to return this property once again to a productive part of our community. The following list reflects our concerns on the CMP and CMP Addendum and our support for the EPA's responses to these items.

- While we are pleased to see that physical removal of the most contaminated areas is included in the plan, the following specific criteria are necessary to be defined in the Final CMP for the project to be successful - (1) the geographic extent and vertical depth of the removal and (2) the acceptable cleanup concentrations for each pollutant of concern. EPA's response that Vernay must identify appropriate risk screening criteria and cleanup objectives is consistent with the Village's concern.
- We are also pleased to see the continued operation and maintenance of the ground water source control and remediation system but are concerned that there are no active measures that will address the portion of the existing plume that extends across Wright Street toward Green Street.
- Based upon the evaluation of Village staff possessing direct experience with the geography and hydrology of the location, we are concerned with the rerouting of the storm sewer system across the eastern portion of the Dayton Street property. One significant concern with the

storm sewer systems relative to underground springs in the area and the drainage of water from these springs through the sewer system to the unnamed creek.

- We are concerned with the proposed restoration of the contaminated portion of Cedarville aquifer to non-potable standards and strongly feel that restoration to drinking water standards is more appropriate. According to the groundwater mapping in the current version of the Village's Source Water Protection Plan, the Vernay site is at the edge of the Wellhead Protection Area.
- We are concerned by the uncertainty of the contamination of the bedrock underlying the site and lack of remediation measures to address the potential contamination.
- We are concerned that the details on the Pump and Treat system and its effectiveness to prevent the plume from spreading is not demonstrated. We support EPA's response that Vernay provide more detail on its efficacy to ensure the plume is contained and treatment is adequate. We also support a robust plan for determining if and when the system could be decommissioned, including the requirements for testing for the "rebound effect" before decommissioning is approved.
- We are concerned about Vernay's claims that the contaminants are being captured satisfactorily and Vernay's inadequate plans for natural attenuation. We support EPA's response to require further data analyses and justifications to support these claims; as well as the requirement that monitoring frequencies not be reduced. The burden of proof is on Vernay to demonstrate that our groundwater resources are protected and safe for future generations.
- In 2002 many of the same chemicals found in the plume that extends from the Vernay Dayton Street facility to Green Street were found on High Street near the old YSI facility. 1,1,1-trichloroethene (TCE) was found at twice the concentration that is considered safe for groundwater and was not a chemical used by YSI at this location. Because of the proximity of Green and High Streets, the existence of the same chemicals in the two locations, the overall direction of migration of the plume extending from the Vernay Dayton Street facility toward Green and High streets and the presence of preferential pathways along subterranean infrastructure, we are concerned that there is a potential connection between the two. We request further investigation of the connection between these two contaminated locations through additional sampling.
- Relative to the proposed remediation and replacement of the storm sewer along Dayton Street, we believe because of the length of time that has passed since testing of this area, that there is potential for this contamination to have migrated west along the area immediately surrounding the sewer. Our concern here is for the safety and welfare of Village workers who may have to repair this utility in the future. We support EPA's response to require a more comprehensive approach to the remediation of this area.
- The latest vapor intrusion samples from November 2017 indicate that there is at least one location (TSG02-09) associated with the site where concentrations of Tetrachloroethene and Trichloroethene exceed U.S. EPA levels and Trichloroethene exceeds the Ohio EPA level for Urgent Accelerated Response. We are concerned for the safety of residents in that area and urge prompt action to mitigate their exposure.
- Additionally, regarding the value and significance of this property, we are concerned that the environmental covenants or deed restrictions be protective of potential future businesses and employees that may reside on this property. We support EPA's response to require negotiation of the terms of these institutional controls, and request that the Village be party to these negotiations.

soil on the Vernay Dayton Street site. We request that this action be taken as soon as the criteria for the areas to be removed is clearly defined and as soon as is possible.

The primary basis for our concerns is for the health and welfare of our village and residents, today and into the future. Our first priority is to ensure that the remediation is completed sufficiently to no longer pose any significant health threat to those adults and children who live, work and play in our Village. As a relatively small, but vibrant community, areas as large and prominently located as the Vernay Dayton Street facility are important assets provided they are uncontaminated. We ask that our concerns be given strong consideration when determining the measures that are included in the Final CMP.
We would like to thank EPA for their ongoing oversight of the remediation of Vernay Dayton Street site.

Sincerely, the Yellow Springs Village Council and Village Manager

Sincerely,

Marianne MacQueen

Marianne MacQueen, Vice-President
Council of the Village of Yellow Springs, Ohio

Judy Kintner, YSO Village Clerk

From: Richard Lapedes <richardlapedes@me.com>
Sent: Thursday, November 15, 2018 10:28 PM
To: Judy Kintner, YSO Village Clerk
Subject: Affordable Senior Housing Letter for Council

Hello, YS Council,

This e-letter to the Village Council results from what I heard at the recent Zoning Commission meeting and then post-meeting cross-talk.

I understand that the zoning commission is uneasy about the Home Inc plan for Senior Housing. Such hesitation is an example of YS's general hesitation to actually become adaptive. Contemporary reality includes rapid decision making skills that adapt to grasp those always imperfect opportunities.

I also understand that Council has an opportunity to help Home Inc. leverage the outside finance for 12 affordable family homes.

As I listened at the Zoning Meeting I learned under that bringing this investment capital to Yellow Springs involves a complex competition with many other communities who want those dollars. Home Inc. needs a nearly perfect score in that competition to get the money. Thus, they need to show that the Village itself has skin in the game.

Finally, I heard (and then read in the YSN) that despite years of expert planning, what Home Inc and St. Mary's have come up with is not good enough. Well, yes, it's not perfect and projects of any size never are. I've been taught to regard perfection as the bane of progress.

My perspective is that affordable housing for Seniors is an excellent way to open up private homes for young families. Those 12 affordable family homes along with homes sold by Seniors moving into affordable apartments will result in attracting the young families we sorely need. We all know our demographics are unhealthy. From our schools perspective the matter is becoming critical. We are too dependent on open enrollment to sustainably populate our schools.

The affordable housing for young and old that Home Inc is bringing us, including smart financing, is a rare opportunity. Furthermore, Home Inc, to say nothing of St. Mary's, are both proven, trusted and deeply experienced housing specialists. They understand how all the complex dots must be connected. Surely any quibbles about interpreting those dots can be dealt with. Home Inc and St Mary's are adaptable and reasonable entities. We should be too.

What can't be fussed over is the State's timetable. That timetable may not perfectly fit our traditional processes, but hesitating about such deviations from process perfection is the equivalent of tossing out the baby with the bathwater.

Regarding concerns about the Senior Apartments building itself, it is hard not to notice that the Village we love was built around the large, bulky tall buildings that became Antioch College. Those buildings were built with pride and for future generations. And those investments solved the existential problems faced in those times - albeit not by a smooth straight road.

The proposed Affordable Senior building is also a keeper. A pretty darn good solution to our needs both financially and aesthetically. And it is impossible for me to think of a better site.

The idea that we might get stuck in the weeds of detail or that we'd be hesitant out of fear of change seems unthinkable to me.

> Perhaps, we have become so fearful of change that our inability to adapt will undermine the entire Village's future.
> Please do not use details or fearfulness as a way to, yet again, put us back to zero progress in these matters.

Thank You
Richard Lapedes
130 W. Limestone St.

PS Those of us who are investing years of time and lots of money are being ground down by these hesitations. They are an incentive for the youngest and most talented to just move on.

Sent from my iPhone

Greene County Public Health
Melissa Howell MS, MBA, MPH, RN, RS, Health Commissioner
Kevin L. Sharrett, MD, Medical Director

Press Release

For Immediate Release
November 6, 2018

Contact: Laurie Fox, Public Information Officer
937-374-5669/866-858-3588; lfox@gcph.info

Increase in Newly Diagnosed HIV Infections Among Persons Who Inject Drugs

XENIA, OH – The Ohio Department of Health (ODH) is observing an increase in newly diagnosed HIV infections being reported among persons who inject drugs (PWID). While HIV remains predominantly a sexually transmitted infection, the proportion of cases reporting injection drug use (IDU) as the mode of transmission increased from seven percent of cases in 2015 to 13 percent in 2017. Preliminary 2018 data demonstrates this trend is continuing.

There is cause for concern due to the current opioid epidemic, unrecognized drug use in individuals, the rate of hepatitis C virus (HCV) infections, unsafe needle-sharing practices, and the introduction of fentanyl (both pharmaceutical and illicit synthetic) into the local drug supply. The latter of which often leads to more frequent injection. PWIDs may be unfamiliar with their increased risk for acquisition and transmission of HIV and HCV infections though unsafe needle and equipment sharing practices.

Greene County only gets one to two cases of HIV associated with injection drug use each year, however, according to ODH, there is a cluster of HIV cases in Hamilton County related to injection drug use. Greene County Public Health officials wish to remind residents about SafeTrade, a needle-exchange program, as well as the availability of confidential, free, rapid HIV tests. Walk-in HIV testing is available November 15, December 6 and December 20 from 1:00 – 3:00pm at the office of Greene County Public Health located at 360 Wilson Drive in Xenia. Testing is the only way to know for sure if someone has been infected with the HIV virus.

For additional information on the SafeTrade program or HIV testing, please contact Jessica Warner at 937-374-5621.

Greene County Public Health…
Your Trusted Local Public Health Authority since 1920

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NAMI CGM News You Can Use

Vol. 4:18 11/9/2018

Upcoming Events

- Monday, 11/12, Veteran's Day. Centers Closed.
- Thursday, 11/22, Thanksgiving. Centers Closed.
- Tuesday, 11/27, YS #GivingTuesday online at h ps://ysgivingtuesday.org and from 9 am-1 pm, YS Senior Center, 227 Xenia Ave., Yellow Springs, 45387.
- Monday, 12/24, Christmas Eve, Centers Closed.
- Tuesday, 12/25, Christmas Day, Centers Closed.
- Monday, 12/31, New Year's Eve, Centers Closed.
- Tuesday, 1/1/2019, New Year's Day, Centers Closed.
- Friday, 1/11, 7 pm, Mental Health Awareness Rocks! Basketball, London vs. Johnathon Alder at JA in Plain City. Call for details, 937-322-5600.
- Saturday, 1/12, Family-to-Family begins, 11 am-1:30 pm, Vernon Center, 222 East St., Spring eld, 45505.
- Thursday, 1/17, 7-8 pm, Quarterly Educ onal Program, Speaker Gabe Howard, Vernon Center, 222 East St., Spring eld, 45505.
- Monday, 1/21, Luther King, Jr. Day, Centers Closed.

Support us when you shop this holiday season

Buy your gifts and holiday essentials at smile.amazon.com.
You shop. Amazon donates.

amazonsmile

Volunteer Spotlight: Kristi Clark

NAMI is a great place for those with mental illness to have a safe place to socialize with others and receive resources that they may not be able to find elsewhere in the community. I appreciate how NAMI advocates to end the stigma of mental illness and educate people about mental illness.

During my time interning at the Vernon Center, I have met wonderful people and had the chance to help those in need. NAMI is a great and much needed resource within our community. I am proud to be a part of it.

—*Kristi Clark*

Red Cross Winter Weather Tips

- Wear a warm hat or hood as up to 40% of the body's heat is lost if the head isn't covered.
- Keep dry. Change wet clothing frequently to prevent loss of body heat. Wet clothing loses much of its insulating value & transmits heat rapidly away from the body.
- Reduce your chances of muscle injury by doing a few stretching exercises to warm up your body before you go outside to shovel snow.

For more winter weather tips: https://rdcrss.org/2yXkDV0.

Family-to-Family Begins Jan. 12

NAMI CGM will o its free evidence-based 12-week Family-to-Family Educ on Program in early 2019, beginning Jan. 12th. The course is designed to help all family members understand and support their loved one living with mental illness, while maintaining their own well-being. It will be held on Saturdays from 11 a.m. to 1:30 p.m. at the Vernon Center, 222 East St., Spring eld 45505.

For more info n or to register, email angela@namicgm.org, call 937-322-5600 or visit www.namicgm.org, click on Educ onal Classes, regist n.

Vernon Center Gains New Site Coordinator

It is with great pleasure that we introduce Erica Picklesimon as our Vernon Center Site Coordinator. While we are saddened that our former Site Coordinator, Shane North, has accepted another posi- on, we are lucky to have Erica on board.

She comes to us with a wealth of knowledge and experience. She served two semesters with NAMI CGM as a Social Work intern and contributed many volunteers hours er her internship ended. Her passion and dedic on to those living with mental illness is inspiring. She has already breathed new life into the Vernon Center with her passion, home-cooking and c y talent.

—*Angela Dugger*

Like us on facebook | Follow us on twitter

Annual CIT Training Concluded for 2018

Each fall Angela Dugger, our executive director, helps the Mental Health and Recovery Board of Clark, Greene and Madison Counties as they sponsor Crisis Intervention Team (CIT) trainings for local law enforcement.

Angela assists in the planning and execution of the CIT instruction. Angela also arranges for NAMI CGM volunteers with lived experience of mental illness to share their stories on the Family Panel, an important part of these trainings. CIT education is mandated at the Ohio Police Academy and at police academies in our counties. Our volunteers' stories are instrumental in fighting stigma and the program benefits by their willingness to participate.

CIT training helps police officers gain tools to do their job safely and effectively. It also reduces the number of arrests of people with mental illness while simultaneously increasing the likelihood they will receive mental health services. Officers can keep their focus on crime. It's a win, win!

Read more information about NAMI's CIT Trainings at: http://www.namiohio.org/mental_health_programs/CIT.

#GIVINGTUESDAY

NAMI Clark, Greene & Madison Coun es will p ipate in #GivingTuesday for the third year. Our goal is to empower students at colleges and universi es in our three coun es to ght s gma and provide mental health infor- on on their campuses. #GivingTuesday is a global day of giving that kicks o the charitable season, when many of us focus on the holidays and end-of-year giving.

This year it will be Tuesday, Nov. 27. Friend us on Facebook at "NAMI of Clark, Greene and Madison Coun es" for updates. And mark your calendars now! As a non-pro t organiza- on, your contribu ons on #Giving Tuesday will allow us to receive a share of a grant from the Yellow Springs Community Found on. The Found on has generously awarded $10,000 in grant funds to be shared by all of the p ip ng organiz ons to promote giving to our local nonpro ts on this global day of giving.

Tips for Avoiding the Holiday Blues

Holiday Blues are temporary feelings of anxiety or depression during the holidays associated with extra stress, unrealistic expectations or even memories that accompany the season. This might include: fatigue, tension, frustration, loneliness or isolation, sadness, a sense of loss. The difference between the holiday blues and clinical anxiety or depression is that the feelings are temporary. However, short-term problems must still be taken seriously because they can lead to long-term mental health conditions. Here are some tips NAMI has for avoiding the holiday blues:

- ⇨ Stick to normal routines as much as you can.
- ⇨ Get enough sleep.
- ⇨ Take time for yourself, but don't isolate your self. Spend time with supportive, caring people.
- ⇨ Eat and drink in moderation. Don't drink alcohol if you are feeling down.
- ⇨ Get exercise—even if it's only a short walk.
- ⇨ Make a to-do list. Keep things simple.
- ⇨ Set reasonable goals for holiday activities such as shopping, cooking, entertaining, attending parties or sending holiday cards.
- ⇨ Set a budget for holiday activities. Don't overextend yourself financially in buying presents.
- ⇨ Listen to music or find other ways to relax.

Remember—the holiday blues are short-term. Be patient. Take things week by week or day by day. Oh, and have fun too!

NAMI Clark, Greene & Madison Counties
222 East Street, Springfield, OH 45505
937.322.5600 | info@namicgm.org
www.namicgm.org

NAMI National Alliance on Mental Illness | Clark, Greene & Madison Counties