

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

In Council Chambers @ 7:00 P.M.

Monday, March 18, 2019

CALL TO ORDER

President of Council Brian Housh called the meeting to order at 7:01pm.

ROLL CALL

Present were President Housh, Vice President Marianne MacQueen and Council members Lisa Kreeger and Kineta Sanford. Also present was Village Manager Patti Bate. Kevin Stokes was out of town.

COMMENDATIONS

Officer Paul Raffoul and Dispatcher Ruth Peterson received commendations for their exceptional poise and professional response to an emergency situation which occurred on December 13, 2018.

Sergeant Naomi Watson received a plaque and recognition from the Ohio House of Representatives for having received the 2018 David P. Eckert Outstanding Law Enforcement Service Award.

ANNOUNCEMENTS

MacQueen announced that the Sound of Music will be played April 11-14 after an illness delay.

MacQueen noted that the Miami Valley Cycling Summit will take place May 10, 2019 in Miamisburg.

MacQueen noted that Spring Cleanup is the week of May 6-10.

Kreeger announced that the Women's History Month banners are now up in town, and that Kevin Lydy's YSHS history class has written bios for each of the women which will be published in the YS News. Banners will remain up through April.

Housh announced that Opening Day for Trails is April 13, 2019, with festivities, give-aways and hotdogs at the Train Station.

Housh noted that the Tobacco 21 issue is now receiving state-level consideration, and urged all to contact state representatives to support this measure. HE reminded Council that any opposition to the measure when raised by Council was that consumers could access tobacco readily by crossing jurisdictions. The statewide measure would eliminate that possibility.

Housh asked that further research be conducted regarding the Vote 16 initiative for the Charter Review topic set for the first Council meeting in April, and suggested Bates might contact an area graduate law program for potential student research.

Housh asked that the Village consider YS Pride as a signature event worthy of active Village support.

Housh announced that the Village Manager Finalist Public Forum will take place the evening of April 10th.

CONSENT AGENDA

1. Minutes of March 4, 2019 Regular Meeting
2. Resolution 2019-11 Authorizing the Village Manager to Renew Health Insurance for Village Employees 2019-2020 Plan Year
3. Resolution 2019-12 Authorizing the Village Manager to Enter into a Twelve-Month Contract with Dental Care Plus for Dental Insurance for Village Employees

Kreeger MOVED and Sanford SECONDED a MOTION TO APPROVE. The MOTION PASSED ON A 4-0 VOICE VOTE.

REVIEW OF AGENDA

Special Reports was moved before Citizen Concerns, and the Energy Savings Improvement District presentation was moved to Special Reports.

MacQueen added a report out on the Transient Guest Lodging community conversation to Old Business.

PETITIONS/COMMUNICATIONS

MacQueen reviewed communications received as follows:

Mayor's Clerk re: Eligible Charges and MC Report

PUBLIC HEARINGS/LEGISLATION

First Reading of Ordinance 2019-06 Amending the Official Zoning Map of the Village of Yellow Springs, Ohio for the Property Known as "Millworks Property from I-1 Industrial Use to Planned Unit Development. MacQueen MOVED and Sanford SECONDED a MOTION TO APPROVE.

Swinger noted that the recommendations from Planning Commission had been accepted by Council, and an additional recommendation made that there be no general retail shops permitted in the PUD.

Housh OPENED A PUBLIC HEARING. There being no comment from those present, the MOTION PASSED 4-0 ON A ROLL CALL VOTE.

Housh CALLED THE VOTE, and the MOTION PASSED 4-0 ON A ROLL CALL VOTE.

Reading of Resolution 2019-10 Approving Rules and Procedures for Council for 2019. Kreeger MOVED and MacQueen SECONDED a MOTION TO APPROVE.

MacQueen commented upon the "no overt expressions of approval or disapproval", stating that fear of public speaking is common, and is made worse when there is the possibility of clapping or other expression for perspectives one may be inclined to speak against.

Kreeger noted that citizen comments take a fair amount of time, and that a great deal of time is permitted for this expression. She opined that the new rule is "the opposite" of attempting to restrain comment, and is meant to encourage everyone to speak. This, for me, is to enable us to hear as many voices as possible, Kreeger stated.

Housh stated that respect in discourse is key, and being as inclusive as possible is the goal, that decisions are based upon careful listening, and not upon who gets more applause.

Housh CALLED THE VOTE, and the MOTION PASSED 4-0 on a voice vote.

SPECIAL REPORTS

Creation of Energy Savings Improvement District. Brad Ruwe from the Greene County Department of Development gave a comprehensive presentation on ESIDs, followed by a question and answer period.

Bates stated that there are a number of businesses currently who could benefit from creation of an ESID.

Housh commented that if there are currently the required three business properties which could benefit, he did not see reason to wait to pursue implementation.

HRC Annual Report. Tim Baum presented the annual report. He requested a 2019 budget for the group of \$9,000.00, which Housh noted had already been approved.

Transient Guest Lodging Community Conversation. Sanford reported out on the session held, stating that this is a situation that should be monitored, and that several participants wanted more data as to how many people may have been displaced by TGLs.

Sanford stated that the overarching conversation was related to housing and affordable housing.

MacQueen noted that the MHAB had recommended holding the Conversation. She asked that Council move forward with a request that Planning Commission change the regulations to make TGLs permitted only if owner occupied, with current establishments grandfathered in.

MacQueen urged quick action rather than waiting for further data.

Housh asked whether there was any opposition to the notion of owner occupied being a requirement.

Sanford responded that there was some opposition to this, but stated her opinion that loss of single family homes would negatively impact the community.

Karen Wintrow commented that there was no support at the meeting for single-family non-resident owners. She commented that there was no case made for why restrictions being imposed at the meeting. She related a comment made at the meeting that once a home is purchased in town, and is improved, that home can no longer be rented for an amount that would be considered affordable.

Wintrow commented further that the issue at hand is not clear; of the 39 permits issued, only 8 are not owner-occupied. She stated that the decision to make TGL permitted had not been a good one, and that the use had previously been conditional. She expressed that there was support for return to this status at the conversation. Wintrow noted that “going back to PC to discuss the issue” would be her recommendation, along with clear data about the issue provided.

MacQueen commented that she “still felt strongly” that purchase of a home for the sole purpose of turning it into a TGL establishment should be prevented.

Ted Donnell asked what the case would be if the owner lived in the home for only a brief period—could they still rent the home?

Sanford responded that time frames and minimums could be established by percentage.

Bates commented that there are a number of ways that TGLs can be regulated. She suggested the matter go to PC for full consideration.

Housh commented that the concerns need to be clearly articulated, and those have to do with limiting available housing stock and the positive and negative effect that TGLs can have on affordability.

MacQueen agreed to create a list of Council’s concerns for review.

Housh noted that while this is not a pressing concern in the Village currently, there is nothing wrong with being proactive.

Kreeger advocated for a moratorium on issuance of TGL permits while the matter is under scrutiny, or that the request go through PC.

Housh asked for the list of concerns to come to the next Council meeting, along with an ordinance to make TGLs a conditional use.

CITIZEN CONCERNS

Kate Hamilton asked about the time frame for the basketball/skatepark area at the Bryan Center, and was told that the plan is to complete the improvements by mid-April. Bates stated that she will issue a press release.

Bates stated that the skatepark needs more thought, since funds will need to be raised to make improvements there.

Housh commented that the prior skatepark group had not followed through in assisting with maintenance and upkeep of the wooden structures. He stated that the wooden stairs will be replaced with a safe alternative.

Bates stated that she will be issuing a press release.

Housh commented that the tennis courts have never really been used, and that revisioning of that space has long been contemplated.

OLD BUSINESS

Village Manager Search Update. MacQueen went through the process, noting where the process stands, and that on the 22nd, the current list will be narrowed to the final three or four candidates.

MacQueen noted that the in-person visits will occur April 9-11.

Candidates will respond to provided questions, and their responses will appear in the YSN for the April 4th issue.

The schedule was discussed at length.

Megan Bachman opined that she would prefer that Council not make a decision on the Friday following the candidate visits, since she did not think this allowed Council time to receive all citizen input and comment and to fully consider it.

Housh agreed that it would be difficult to absorb all of the information by Friday, and encouraged that the discussion be held during the April 15th meeting, at a 6pm Executive Session.

Follow Up re: YSPD Assessment. Kreeger reported that Hillard Heintze has submitted a proposal for a 10-week project in assessing Village Policing. There is a major focus on communication between the department and the community and on assessment of the complaint process. Staffing levels will be reviewed, as well as community initiatives. There is time allotted for at least one public forum, and there is a focus on working collaboratively to create a series of recommendations.

Kreeger noted that this is to be done at the Village budget, which is significant. The assessment will occur in three phases, she noted, recommending that Council approve moving forward.

MacQueen commented that during the outreach process, Bob Wasserman had been recommended by several people. She commented that he is recognized for his work on policing worldwide, yet knows Yellow Springs well.

MacQueen stated that the Village can likely handle the community forums, with the assistance of Village Mediation and the McKee group.

MacQueen noted the addition of expenses, and asked for permission to apply for a grant to the Community Foundation.

Housh asked for details on the amount of the expenses, but opined that it would be difficult to top this offer from this reputable a firm.

The contract will come to Council in the form of a resolution on April first.

NEW BUSINESS

There was no New Business.

MANAGER'S REPORT

Bates urged all to sign up for the Utility Round Up Program.

Bates noted that the police department has scheduled its second mandatory scenario based training session for March 20th from 3:00-7:00 PM.

The Police Department has received provisional certification with the Ohio Police Collaborative, which works to improve community-police relations throughout the State of Ohio and find solutions to the tensions and concerns of the communities and the officers who serve them.

Interviews to fill the vacant peace officer position are proceeding. Community members Karen McKee and Janet Mueller are sitting in on the interviews of potential candidates.

Sgt, Josh Knapp has submitted his resignation with the Department, effective March 31, in order to pursue other opportunities. Sgt. Knapp will be returning as an as-needed patrol officer. Chief Carlson does not intend to fill the sergeant position at this time, as the Department prepares to go through the assessment.

Bates responded to a question from Housh, stating that a hitching post could not be set up along US 68 for safety reasons.

Bates noted that she has receive a grant and assistance for installing and maintaining her food forest.

Housh noted the importance of a Village representative speaking to the Boy Scouts annually, since that is a group active in community service.

The SBA lease will be discussed at the April 1st meeting.

CLERK'S REPORT

There was no Clerk report.

BOARD AND COMMISSION REPORTS

Housh noted that GCRPC is updating their Comprehensive Land Use Plan.

FUTURE AGENDA ITEMS

- April 1:

Announcement of Village Manager Candidate Finalists

First Reading of Ordinance 2019-06 Repealing Section 1226.01 “Definitions” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1226.01 “Definitions”

First Reading of Ordinance 2019-07 Repealing Section 1226.03 “Contents of Preliminary Plats” of the Codified Ordinances of the Village Of Yellow Springs, Ohio and Enacting New Section 1226.03 “Contents of Preliminary Plats”

First Reading of Ordinance 2019-08 Repealing Section 1226.04 “Submission of and Action on Final Plats” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1226.04 “Submission of and Action on Final Plats”

First Reading of Ordinance 2019-09 Repealing Section 1226.06 “Design Standards” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1226.06 “Design Standards”

First Reading of Ordinance 2019-10 Repealing Section 1226.08 “Construction of Public Improvements” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1226.08 “Construction Of Public Improvements”

First Reading of Ordinance 2019-11 Repealing Section 1226.09 “Bond for Improvements and Maintenance” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1226.09 “Bond for Improvements and Maintenance”

First Reading of Ordinance 2019-12 Repealing Section 1226.11 “Minor Subdivisions” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1226.11 “Minor Subdivisions”

TGL Report

Housing Advisory Board Report

SBA Lease

Charter Review

Police Assessment Resolution
- April 15:

Village Manager Search Update

Second Reading of All Ordinances Above

DCIC Update
- May 6:

Village Manager Announcement and Transition Plan

ADJOURNMENT

At 9:48pm, Sanford MOVED and Kreeger SECONDED a MOTION TO ADJOURN. The MOTION PASSED 4-0 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