

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

Virtual Meeting 7:00 P.M.

Monday, February 16, 2021

CALL TO ORDER

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

ROLL CALL

Present via Zoom were President Housh, and Council members Marianne MacQueen, Kevin Stokes, Lisa Kreeger, and Laura Curliss. Also present via Zoom were Village Manager Josue Salmeron, Public Works Director Johnnie Burns, Planning and Zoning Administrator Denise Swinger, Finance Director Matt Dillon, and Solicitor Breanne Parcels.

SWEARINGS-IN

Planning Commission Member Sarah Amend was sworn in by President Housh.

ANNOUNCEMENTS

Housh wished a happy Mardi Gras to all. He sent out a sincere thank you to the Village Team for dealing with water main breaks and excessive snow over the course of the last several weeks.

Kreeger announced the following: This year, the Wheeling Gaunt 3rd Annual Community Service Award Program will be held virtually. It is on Tuesday, February 23rd at 6:30 PM. Registration information will be announced in the YS News on February 18th and on the YSAC FB page and other social media sites. The featured presenter is Brenda Hubbard. She will be reading excerpts and discussing her newly published book "Legacy of Grace: Musings on the Life and Times of Wheeling Gaunt". Proceeds from the book will benefit The 365 Project.

Brian Maughan's son, Anthony, who has taken up the mantle to finish his father's work will also present an update. The sculpture itself - after being delayed by the COVID-19 pandemic and by the unfortunate passing of sculptor Brian Maughan - is on track to be completed this year, with an anticipated completion date of late Fall 2021.

MacQueen asked that updates regarding the COVID vaccine scheduling be posted on the Village Facebook and web pages.

CONSENT AGENDA

Minutes of February 1, 2021 Regular Session

MacQueen MOVED and Curliss SECONDED a MOTION TO APPROVE the minutes as presented. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

REVIEW OF AGENDA

Housh asked that a letter questioning the accessibility of meetings be addressed during the Manager's Report (this was later postponed to be addressed during the Council Retreat).

Kreeger requested that the meeting be confined to 90 minutes, citing the significant pressure the Village Team has recently been under with severe weather and utility issues related to weather.

PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

Marianne MacQueen re: Strong Towns Seminar Information
Greene County Public Health re: Vaccine Information and Partnership with OU
Mitzie Miller re: Accessibility of Virtual Meetings; Ticks; Weeds Ordinance (3)
Jon Hudson re: Annoyance Property Purchase Calls
Lisa Kreeger re: Blacks in Yellow Springs Walking Tour

MacQueen reviewed the materials received.

PUBLIC HEARINGS/LEGISLATION

Reading of Resolution 2021-08 Approving a \$2,500 Grant to the McKee Foundation to Contribute to the Overall Cost of \$10,000 for a Ten-Year Cost of Living Study for the Village of Yellow Springs. Curliss MOVED and MacQueen SECONDED a MOTION TO APPROVE.

MacQueen explained that the McKee Foundation undertakes this study every ten years to correspond with the census updates, and that the information will be of useful to the Village as a whole.

Dillon confirmed that the budget line from which the funds will be taken is that of Board and Commissions/Other Contract Services.

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

Reading of Resolution 2021-09 Approving a Contract with Choice One Engineering for Engineering of Safe Routes to School Project. Stokes MOVED and Curliss SECONDED a MOTION TO APPROVE.

Salmeron explained that these funds have been encumbered in the budget process, and that the engineering portion of the SRTS project was pushed out to 2021 due to delays related to the pandemic.

Competitive bidding for this work took place in 2020, so this resolution represents permission to contract with Choice One for the engineering of the SRTS project.

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

Reading of Resolution 2021-10 Approving Purchase of a Portion of Real Property Owned by the Board of Education of Yellow Springs Exempted Village Schools for the Agraria Trail. Curliss RECUSED HERSELF from the discussion and vote regarding Resolution 2021-10. Stokes MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Salmeron presented a brief PowerPoint on the topic. He noted that Agraria is prevented from purchasing the land, due to grant restrictions, but will lease the trail from the Village for a certain number of years at a set amount per year for a total of \$30,000.00. Those details will be set forth in the legal agreement once the purchase is finalized.

Salmeron noted that Agraria will cover survey, legal and other costs associated with the purchase.

MacQueen asked about the width of the area of purchase, and Salmeron stated that the trail will be 10-feet in width.

Housh added that because Agraria received Clean Ohio Recreational Trail funding, the trail must conform to the 10-foot standard.

Megan Bachman asked what entity would be required to maintain the trail.

Salmeron responded that Agraria is leasing the trail back and will maintain it.

Housh received assurance from Parcels that the details agreed-upon will come back to Council for final approval.

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

CITIZEN CONCERNS

There were no Citizen Concerns.

SPECIAL REPORTS

Arts and Culture Commission Year in Review Report. Amy Wamsley, ACC member, provided a PowerPoint report. She highlighted ACC's key projects (YS Banners for Justice, the BLM Banner, and the Virginia Hamilton Mural project) as well as noting the recipients of the two Visual Art and Design Awards for 2020.

Wamsley noted that the Protest Banners project will come to fruition in 2021, but was planned and funded in 2020.

Wamsley asked for a total of \$5,000.00 for the ACC to work on additional social justice-related mural projects in 2021 and for the VIDA awards for 2021.

Kreeger noted the assistance of the Public Works Team in ensuring the hanging of the banners.

Burns noted that resident Timmy Edwards volunteered his time in helping to hang and take down the YS Banners for Justice project.

Housh noted the intersection of the ACC's work with the Village Values, and praised the group's activism and forward thinking.

2020 Power Consumption Report. Salmeron provided a PowerPoint regarding the Village's power usage in 2020, as well as an overview of the Village power portfolio. Salmeron noted work on potential solar projects for the Village as well as one underway from AMP to come in to play as contracts for wind and landfill gas expire over the next two years. These contracts represent nearly 20% of the overall portfolio.

Salmeron stated the need to revise power use projections over the next few months, since use has been affected by COVID.

Council members asked a number of questions regarding power demand as it relates to power cost.

Curliss asked whether there is a direct correlation—that the more power is saved, the greater the cost paid for power that is consumed. She asked what part of the overall load was generated by local solar producers.

Salmeron responded that this could be calculated, but would represent only a tiny fraction of the power supply pie chart.

Other Council members asked that the information be included in reports so that this can be tracked over time.

Burns noted that the chart would need to be generated by the Village, since AMP does not track residential solar production.

Curliss asked whether residential solar had offset peak load, thereby reducing power cost, and whether that might have offset any increase in cost due to lowered overall usage.

Salmeron noted that this would need a deep analysis, commenting that local solar producers are paid at nine cents a KWH, while gas can be purchased at three cents per KWH.

Housh received confirmation that cost could be significantly lowered if power were locally generated at larger scale, in large part due to the elimination of transmission cost.

Housh asked for follow up from Salmeron with more information around how power use reduction affects power cost and what ways that can be mitigated for discussion at an upcoming Council meeting.

Megan Bachman asked about the solar cap, and was informed that this had been eliminated some time ago.

Salmeron noted that moving from net metering to net billing, with differing buy/sell rates, made the elimination possible without shifting the burden to those Villagers who do not have solar.

In response to a question from Stokes, Salmeron noted that the two Village solar projects under consideration would generate 2.25 to 2.5 megawatts, which represents slightly more than current need.

Quarterly Financial Report. Dillon provided an overview of the information he had provided in the packet regarding the final quarter of 2020, noting that the Village had ended 2020 with a \$38,000.00 gain, just above what the Village began the year with.

Dillon noted that all bank accounts have been reconciled, and noted totals in the three accounts used by the Village.

Dillon noted overall losses and gains for major funds, pointing that most funds did take a hit, and that some prior year balances were paid off, adding to the losses in the funds, but boding well for the future.

MacQueen expressed that she would like more explanation of the information provided.

Salmeron suggested adding a report that would break down the "Statement of Cash Position", which would break out the funds by category.

Curliss asked that unusual variations of income or expense be pointed out.

Both Housh and Kreeger stated that their interpretation of the budget is that the Village Team did a notable job in curtailing expenses and managing the effects of the pandemic and revenue loss.

Dillon concurred, again noting the overall gain of \$38,000.00 for the year.

Kreeger MOVED TO APPROVE THE FOURTH QUARTER FINANCIALS. Curliss SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

OLD BUSINESS

Update on Meaningful Action re: Anti-Racism and Justice. Housh noted that the next meeting of the JSCC will take place on February 25th from 5-6:30pm.

Council Retreat Agenda. Housh referenced the agenda included in the packet, commenting that the discussions will be fairly high-level, focusing first on goals, and then on Boards and Commissions vis a vis capacity and need.

NEW BUSINESS

Proposed Beatty Hughes Project Presentation. Salmeron recognized Antonia Dosik's work in bringing the suggested revitalization plan to the Village. He commented that this is a centrally located park that could generate much more use. He noted a high level of interest from citizens for improving this park.

Salmeron noted that the park can, if revitalized, be used as a stormwater mitigation area, along with serving a public social good. He noted a large number of local partners who have agreed to assist in planting and maintenance of the area.

The concept, created by Nadia Malarkey, was also shown.

Bachman commented that the park is not underused, and that the picnic tables had provided a great area to dine during the pandemic. She also mentioned the Village tents could be placed there. She asked that reasons for the removal of a tree in the park be made public.

Dosik stated that the concept plan is just that, and once the idea is developed, a full plan would be brought forth. She stated that while the park is used, it is not used to the extent it could be if made more attractive.

Salmeron noted that removal of the tree in question was unavoidable and had the support of the YS Tree Committee for removal.

MacQueen suggested that "smallest, least expensive things" be done soonest and asked that the picnic tables be replaced soon.

Discussion of Solar Farm Proposed for Area East of Yellow Springs. MacQueen presented general information that an entity is requesting to build a solar farm in the three townships (Miami, Xenia and Cedarville) just east of Yellow Springs. She asserted that this is prime farmland, which is the primary objection to the construction, creating a situation in which the good of solar is pitted against the good of farmland.

MacQueen stated that the issue is whether Council wishes to become an intervenor, or engage in some other manner.

Parcels commented that the Village could file to become an intervenor, but that she does not recommend attempting this, since no portion of the project is within the Village. Miami Township, on the other hand, has hired counsel and intends to become an intervenor, since much of the proposed project is situated in Miami Township.

MacQueen asked that Council weigh in in some manner, given that the lease is for 30 years, which she deemed significant.

Parcels noted that the application from the requester is not yet docketed.

Curliss stated that she had attended the Commissioners' work session on the matter and stated that the Township intends to be an intervenor. She suggested that a resolution of opposition could be written, and offered to work on this.

Curliss asked that Housh follow legislation at the state level. She stated that she is opposed to siting a solar array on prime soils.

Council gave verbal support for a resolution of opposition, and Curliss and MacQueen agreed to work on this effort.

MANAGER'S REPORT

There was no verbal Manager's Report. Salmeron did thank his Team for their hard work during the snow events and several water main breaks.

BOARD AND COMMISSION REPORTS

There were no Board and Commission Reports.

FUTURE AGENDA ITEMS

Feb. 25: Council Retreat

March 1: Treasurer's Report

Power Sourcing Follow-up Report

Discussion of Juneteenth as a Paid Holiday for Village Employees

Discussion of a Reciprocal Taxation Model

Resolution 2021-11 Designating Judy Kintner as Village Council's Designee to Receive Public Records Training on Behalf of Each of the Elected Officials Pursuant to and in Accordance with Ohio Revised Code Section 109.43(B) and 149.43(E) (1)

March 15: **Ordinance 2021-02** "Revising Off-Street Parking and Loading Requirements in the Downtown Business District as Set Forth in Section 1264.02 of the Codified Ordinances of the Village of Yellow Springs, Ohio"

Consideration of Sale of Renewable Energy Credits

Pool Fee Ordinance

EC End of Year Report

Yellow Spring Development Corporation: Review of Year One

ADJOURNMENT

At 8:51pm, MacQueen MOVED, Curliss SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 on a voice vote.

Brian Housh, Council President

Passed:

Attest: Judy Kintner, Clerk of Council