

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

**IN COUNCIL CHAMBERS @7:00 P.M.**

**Monday, Oct. 5, 2015**

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

**CALL TO ORDER**

**ROLL CALL**

**ANNOUNCEMENTS**

**CONSENT AGENDA**

1. Minutes of September 8, 2015 Regular Meeting
2. Minutes of September 21, 2015 Special Session
3. Minutes of September 21, 2015 Work Session

**REVIEW OF AGENDA**

At this time, Council may add to the Agenda any other such matters as they may wish to discuss.

**I. PETITIONS/COMMUNICATIONS**

The Clerk will receive and file:

**II. PUBLIC HEARINGS/LEGISLATION**

**Second Reading and Public Hearing of Ordinance 2015-13** Adjusting Solid Waste Rates

**First Reading of Ordinance 2015-14** Repealing Old Section 1046.02 Service Charges; Exemption of Chapter 1046 Water of Title Four Public Utilities of Part Ten Streets, Utilities and Public Services of the Codified Ordinances of the Village Of Yellow Springs, Ohio and Enacting New Section 1046.02 Service Charges; Exemption

**First Reading of Ordinance 2015-17** Repealing Old Section 1048.05 Service Charges of Chapter 1048 Sewers And Sewage of Title Four Public Utilities of Part Ten Streets, Utilities and Public Services of the Codified Ordinances of the Village Of Yellow Springs, Ohio and Enacting a New Section 1048.05 Service Charges

**Reading of Resolution 2015-37** Approving a Policy on the Use of Village Property for Various Types of Art

**Reading of Resolution 2015-38** Approving Preliminary Legislation Permitting the Ohio Department of Transportation to Commence Sidewalk Construction Related to Safe Routes to Schools

**Reading of Resolution 2015-39** Authorizing the Village Manager to Contract for Health Insurance for Village Employees

**Reading of Resolution 2015-40** Authorizing the Village Manager to Contract for Dental Insurance for Village Employees

**Reading of Resolution 2015-41** Authorizing the Village Manager to Apply for a Grant from Miami Valley Regional Planning Commission for ADA Compliant Sidewalks

**Reading of Resolution 2015-42** Accepting a Bid Proposal from Martin Painting and Coating for Pool Painting and Repair

**III. CITIZEN CONCERNS**

**IV. SPECIAL REPORTS**

**V. OLD BUSINESS**

Final Standardized Boards & Commissions Ordinances

**VI. NEW BUSINESS**

Glen Request for Annexation  
General Fund Budget

**VII. MANAGER and ASSISTANT VILLAGE MANAGER REPORTS**

**VIII. CLERK'S REPORT**

**IX. FUTURE AGENDA ITEMS**

Oct. 19            Work Session: Enterprise, Special Revenue Funds and Capital Budgets  
                     First Reading of Ordinance 2015-16 Regarding Municipal Tax Collection in  
                     Response to House Bill 5  
Oct. 29            ACE Task Force Discussion  
Nov. 2             Executive Session: Village Manager Evaluation  
                     2016 Budget Workshop – collective budget with revisions  
                     Ordinance 2015-14 re: Water Rates  
                     Ordinance 2015-17 re: Sewer Rates  
Nov. 16            Work Session: 2016 Budget, First Reading  
Nov.17 (6pm)    Special Meeting of Council for Presentation from Finalists for Water Plant  
                     Design/Build Finalists  
Dec. 7             2016 Budget, Second Reading  
                     Village Manager Evaluation  
Dec. 21            Work Session  
Dec. 21(6pm)    2016 Budget  
                     Levy Resolutions

**X. ADJOURNMENT**

The next meeting of the Council of the Village of Yellow Springs will be held at **6:30 p.m.** on Monday, October 19, 2015 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 for more information.

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

**In Council Chambers @ 7:00 P.M.**

**Tuesday, September 8, 2015**

**CALL TO ORDER**

President of Council Karen Wintrow called the meeting to order at 7:04 pm.

**ROLL CALL**

Present were President Karen Wintrow, Gerry Simms, Brian Housh and Marianne MacQueen. Village Manager Patti Bates was present, as were Assistant Village Manager Melissa Vanzant and Village Solicitor Chris Conard, who arrived after roll call. Council person Askeland joined the meeting at 7:35 pm.

**SWEARING-IN**

Melissa Vanzant, Finance Director, was Sworn in as Assistant Village Manager.

**ANNOUNCEMENTS (7:10)**

Representative Rick Perales. Representative Perales presented a PowerPoint and offered information regarding current House Bills, budget items at the state level, and his position on each. Council questioned Perales further regarding upcoming ballot issues, particularly issue #3.

Council engaged Perales in various exchanges, with Wintrow questioning Perales regarding House Bill 5, emphasizing the negative impact on municipalities.

Housh questioned Perales about access to Public Safety Enhancement funds for equipment and training.

MacQueen questioned Perales regarding Estate Taxes and about a recent decision made by the Secretary of State that Boards of Election not assist petitioners for office. Perales stated that he would look into the matter.

**CONSENT AGENDA**

1. Minutes of August 24, Special Council Meeting. Wintrow asked that the minutes be moved from the Consent Agenda so that she could add missing information.
2. Financials for August, 2015.

Simms MOVED and Housh SECONDED a MOTION TO APPROVE THE AUGUST FINANCIALS ON THE CONSENT AGENDA. The MOTION PASSED 4-0 ON A VOICE VOTE.

**MINUTES**

Minutes of August 24, Special Council Meeting. Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE THE MINUTES AS AMENDED. The MOTION PASSED 4-0 ON A VOICE VOTE.

**REVIEW OF AGENDA**

Resolution 2015-35 was added to Legislation. The topic of “drones” was added to New Business.

**PETITIONS/COMMUNICATIONS (7:10)**

Housh reviewed the communications received.

The Clerk will receive and file:

- Council re: Letter to City of Cleveland
- Marcia Wallgren re: EPA Information and Glass Farm Resolution (2 docs)
- MHRB re: Dispatcher Peterson
- Greene Co. Parks and Trails re: Levy (3 docs)
- Local Government Allocations
- Brianne Hetzel re: Bicycle Destinations
- Athena Fannin re: Complaint
- MVRPC re: Photo Contest
- Mayor’s Monthly Report

## **PUBLIC HEARINGS AND LEGISLATION**

**Second Reading and Public Hearing of Ordinance 2015-08** Accepting Planning Commission's Recommendation to Vacate East North College Street Between Livermore and Corry Streets. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Bates stated that Planning Commission recommends passage of the ordinance.

Simms noted the conditions attached, in particular that of permitting fire access (both structural support and height requirements), and that of permitting full access to the Village water lines with the College responsible for replacing pavers as needed.

Reggie Stratton, Physical Plant Director for Antioch College, assured Council that the College fully intends to comply with all conditions.

Wintrow OPENED THE PUBLIC HEARING.

Due to lack of response, Wintrow CLOSED THE PUBLIC HEARING.

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

**Second Reading and Public Hearing of Ordinance 2015-11** Accepting Planning Commission's Recommendation to Vacate the East Herman Street Right-of-Way Which is Situated Between the Developed Portion of East Herman Street and Corry Street. Housh MOVED and Simms SECONDED a MOTION TO APPROVE.

Bates made note of the attached conditions, stating that the Village would be granted full access to its utility lines by way of an unlocked gate. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Stratton reiterated the College's willingness to comply with any and all attached conditions.

Wintrow OPENED THE PUBLIC HEARING.

Due to lack of response, Wintrow CLOSED THE PUBLIC HEARING.

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

**Reading of Resolution 2015-32** Supporting Environmental Commission's Application for a Grant from Clean Ohio to Support the Glass Farm Area. MOVED and SECONDED a MOTION TO APPROVE.

Bates explained a letter from Wallgren, in which she alleges the presence of toxic contamination in the Glass Farm creek stemming from the spill at Vernay. She stated that the Village is willing to run tests for VOCs on the creek water. Bates opined that the matter should be monitored, but should not hold up the process of application.

In response to a question from Simms, Bates stated that the retention pond now in existence will be considered part of the easement, but will continue to function the same way it has until this point.

In response to a question from Wintrow, MacQueen stated that the easement must be approved prior to work beginning on the site, but not prior to application. The easement would be written to allow the Village access to the pond to maintain it as needed.

MacQueen explained that the grant would be applied for in conjunction with Tecumseh Land Trust. She noted that no information regarding contamination has been presented to Environmental Commission as of yet.

Simms asked about the number of parking spaces planned, wondering if the spaces would be limited. Bates concurred that space is limited.

Wintrow invited comment.

Marcia Wallgren identified herself as part of a group of citizens authorized to oversee the Vernay property clean up. She noted that the property is under a corrective action through EPA Region 5. There is



not a final cleanup solution approved at present, she stated, and the EPA has stated that there is a possibility of exposure through contact with water “in the stream”.

Wallgren stated her objection to “attracting small animals” who would unwittingly filter the water, but said her primary concern was for children and pets.

Wallgren showed Council the plumes of contamination, contending that water from the sewer outfall is spreading the contamination. This source of contamination is not addressed through use of monitoring wells, Wallgren said, characterizing it as a high priority site.

In response to a question from MacQueen, Wallgren stated that a 2004 study is the most current evaluation of the extent of the contamination.

MacQueen noted that the Village is able to test the creek water.

Wallgren reiterated that she is concerned about attracting people, animals and pets to an area they should not enter.

Bates confirmed that Vernay is unaware of the proposed project.

Tom Dietrich, Environmental Commission member, addressed the issue raised by Wallgren that the wetland is acting as a defacto treatment for the pollution. Dietrich stated that as an Environmental Consultant, his position is that the Village is not responsible for the pollution and is not responsible for its cleanup. The intent of the wetland is merely habitat and flood mitigation, he said, and animals and plants are not being encouraged to go to that area. People, however, can be encouraged or not, and that may pose a concern. Dietrich commented that there is no incentive or encouragement to enter the water in the retention pond. He stated that he supports moving ahead with the grant proposal and with remediation.

Wintrow asked whether the grant request can be approved while the investigation is occurring, and be pulled later if needed.

Bates commented that the grant is not due until the end of October, and opined that the Village could gather test data during September. She advised against submitting an application and then pulling it.

Simms expressed concern that contamination has spread beyond where he had thought it existed.

Wintrow asked whether the EPA, Vernay, or neighbors have been informed of the project, and suggested some discussion with the EPA, Vernay and legal counsel.

Housh reminded Council that the grant positively impacts the site in a number of ways, and that while he is concerned, he urged Council not to lose sight of that point.

Council generally expressed concern for nearby residents, and asked that Bates seek further information.

Wallgren stated that she would like the Village to take a more active role in the cleanup oversight.

Dietrich noted that there are interim measures, such as lining the storm sewers.

Askeland MOVED TO TABLE THE RESOLUTION. Housh SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

**Reading of Resolution 2015-33** Endorsing the Objectives of the Greene County Countywide Comprehensive Natural Hazard Mitigation Plan. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Bates explained that the plan covers every imaginable natural disaster, and it helps pay for overtime, outside assistance, etc.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

**Reading of Resolution 2015-34** Declaring September 25, 2015 Wilberforce Day in the Village of Yellow Springs. Simms MOVED and ASKELAND SECONDED A MOTION TO APPROVE.

Wintrow CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

**Reading of Resolution 2015-35** Amending the Bylaws of the Regional Planning and Coordinating Commission of Greene County, Ohio. Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Bates explained that the rates are being adjusted on a per capita basis, and with a simpler calculation method. The rates will increase from \$445.29 to \$871.75 for the Village.

Wintrow pointed out that RPCC had initially discussed lowering rates for municipalities as an incentive, and she finds the increase disappointing, given that the Village is not a direct recipient of RPCC's services.

Bates noted that the rate for cities with over 20,000 persons is \$ .10 per capita, while for those municipalities with fewer than 20,000 the rate is \$ .25.

Simms, Askeland and Wintrow expressed concern regarding the comparatively bigger hit that small municipalities are taking.

Bates offered to communicate with RPCC on the matter, the action point being that the Village does not wish to pay more than the rate that larger municipalities are paying.

Wintrow commented that she believes participation in RPCC is critical at this time, but that the disproportionate rate is troubling.

Wintrow MOVED TO TABLE THE RESOLUTION SO THAT FURTHER INQUIRIES CAN BE MADE. Simms SECONDED, and the motion passed 5-0 ON A VOICE VOTE.

#### **CITIZEN CONCERNS**

Henry Myers commented on Economic Development, specifically any support of downtown establishments. Myers argued that the Chamber of Commerce and downtown shops should be able to succeed based on the high level of foot traffic. He argued that independent local entrepreneurs should receive some incentives, arguing that they are the most viable sources of success, and should be encouraged to expand within the Village.

Talis Gage commented that the Black Lives Matter sign had been removed from outside the Emporium. He commented that he had not seen the video of the incident regarding the Confederate flag and did not need to do so because he had been present at the time. Gage related a number of complaints regarding his treatment by police in general, and by Yellow Springs police more recently.

#### **SPECIAL REPORTS**

There were no Special Reports.

#### **OLD BUSINESS**

**ACE Task Force Decision Process.** MacQueen suggested that a special meeting for reviewing the advantages and disadvantages of Task Force participation be scheduled. She clarified that direct benefits and concerns or potential negative consequences should all be considered.

MacQueen suggested that Chief Hale and the head of the Task Force speak to the advantages. She suggested Ellis Jacobs as a possible speaker to address potential consequences. MacQueen suggested a drug counselor to address consequences of drug use and options for dealing with drug use outside of legal means.

Housh commented that the topic is appropriate for a Work Session, with a decision at a regular meeting to follow.

Simms questioned why a drug counselor would be involved, stating that the Task Force is not set up as a treatment model, and that the drug counseling issue muddies the water.

Bates noted that the Task Force deals with a number of issues, not just the issue of illegal drugs.

After discussion, Council agreed to hold the number of presenters to four, and to look at October 26<sup>th</sup> or 22<sup>nd</sup> for the Forum.

In response to a question from Wintrow, Chief Hale stated that the Village can pull its officer off of the Task Force at any time, so a decision can be made at any point.

**Policing Vision Statement.** Council discussed the wording of the statement, particularly the phrasing around inclusion of groups of Villagers. Askeland offered to write this section for further consideration.

Simms urged Askeland to reach out broadly when soliciting opinion from the African American community in the Village.

**Work Session Review.** Council briefly discussed the efficacy of the Work Session model, concluding that it is a valuable tool.

Council considered the option of holding those sessions in rooms A&B, agreeing that while that venue is less than ideal, it would be useful to try the room again with a different set up.

Askeland brought up the issue of calling special meetings prior to the Work Session. After discussion, Askeland suggested that any topic likely to generate public interest not occur at a 6pm special meeting, but take place at 7, when the public is accustomed to expecting the meeting to take place.

Council agreed as a body to continue the Work Session format.

**Charter Review Educational Statement.** Conard presented information regarding the educational piece, which will accompany the Charter Amendment mailing.

Council found difficulties with the formatting, colors used in the document and with the degree of explanation in the piece.

Wintrow asked for more specific information accompanying all of the substantive changes.

The Clerk will hold the printing for a clean proof. Housh will go back over the educational piece with Conard to include more information regarding the substantive changes, and the Clerk will present the new version to Council for review as soon as possible.

#### **NEW BUSINESS (8:10)**

**Public Art Policy Review.** Housh explained that the policy has been streamlined to make the process easier for artists to follow, and unnecessary commentary has been removed. Housh stressed that there are no substantive changes to the document. Housh noted that PAC is recommending using the newer streamlined version.

Council decided to bring a resolution on the matter as a formal placeholder. Askeland MOVED TO ACCEPT THE POLICY ON THE USE OF VILLAGE PROPERTY FOR VARIOUS TYPES OF ART. MacQueen SECONDED, and the MOTION PASSED 4-1 ON A VOICE VOTE, with Simms voting against.

**Village Manager Evaluation Process.** Housh and Askeland provided a schedule for obtaining feedback.

Wintrow questioned how the information could be maintained as confidential.

Askeland responded that the information from staff could be kept in sealed envelopes, but that information obtained from citizens would be subject to public records request.

Wintrow noted that citizens may choose to simply orally communicate comments or concerns to Council members rather than putting their comments in writing.

Forms will be provided by October 28<sup>th</sup>, the Executive Session to discuss the information will take place on November 2<sup>nd</sup>, and the evaluation will take place in public meeting on December 7<sup>th</sup>.

**Concern re: Drones.** MacQueen brought up a citizen concern regarding a possible drone over their neighborhood. Bates commented that it is very likely several local youth who own such a drone-like radio controlled device and have been known to fly it around town.

Wintrow noted that the issue is complex, since there are many lawful uses for drones, and suggested that the Village Solicitor weigh in on these in a further discussion at a later point.

Conard commented that the FAA controls all aspects of drone use at present. Conard noted that this is an evolving area of the law, but worth a discussion at some point as a potentially invasive technology.

**MANAGER’S REPORT**

Bates explained that Assistant Village Manager Vanzant will eventually move into a supervisory capacity over the Village Planner but that, at present, Swinger will continue to report directly to the Village Manager.

Bates wished Councilman Simms a happy upcoming birthday on September 12<sup>th</sup>.

Vanzant noted that Wayne Cannon will be presenting some rate increase suggestions at his upcoming presentation, and asked that Council prepare to consider these.

**CLERK REPORT**

The Clerk noted that Denise Swinger is picking up her duties as Village Planner smoothly. She noted that there is a Clerk training scheduled for Yellow Springs all day on November 20<sup>th</sup>.

**FUTURE AGENDA ITEMS**

- Sept. 21 (6pm) Special Meeting of Council to Consider Legislation
- Sept. 21 (6:30) Work Session: Wayne Cannon: Presentation of RCAP Utility Rate Study
- Oct. 5 General Fund Budget
  - Approval of Ordinances Standardizing Language for Certain Boards and Commissions (Consent Agenda)
  - Policing Vision Resolution
- Oct. 19 Work Session: Enterprise, Special Revenue Funds and Capital Budgets
- Oct. 22 ACE Task Force Discussion
- Nov. 2 2016 Budget Workshop – collective budget with revisions
  - Follow Up on ACE Task Force Discussion
- Nov. 16 Work Session: 2016 Budget, First Reading
- Nov.17 (6pm) Special Meeting of Council for Presentation from Finalists for Water Plant Design/Build Finalists
- Dec.7 2016 Budget, Second Reading
- Dec. 21 Work Session
- Dec. 21(6pm) Levy Resolutions
  - Ordinance re: Municipal Tax Collection in Response to House Bill 5

**ADJOURNMENT**

At 9:55pm, Simms MOVED and MacQueen SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A VOICE VOTE.

*Please note: These notes are not verbatim. A DVD copy of the minutes is available for viewing in the Clerk of Council’s office between 9am and 3pm Monday through Friday.*

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Karen Wintrow, President

Attest: Judy Kintner, Clerk

**Council of the Village of Yellow Springs  
Special Meeting Minutes**

**In Council Chambers @ 6:00 P.M.**

**Monday, September 21, 2015**

**CALL TO ORDER**

Vice President of Council Lori Askeland called the meeting to order at 6pm.

**ROLL CALL**

Present were Vice President Lori Askeland, Gerald Simms, Brian Housh and Marianne MacQueen. Village Manager Patti Bates was present, as were Assistant Village Manager Melissa Vanzant, and Village Solicitor Chris Conard.

**EXECUTIVE SESSION**

At 6:02, Simms MOVED to ENTER EXECUTIVE SESSION for the Purpose of the Discussion of Pending or Resolving Litigation. Housh SECONDED and the MOTION PASSED 4-0 ON A ROLL CALL VOTE.

At 6:17, Simms MOVED and Housh SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 4-0 ON A VOICE VOTE.

**REVIEW OF AGENDA**

MacQueen noted that she had had surgery earlier in the day and would leave following the Special Meeting. She stated that she would put her Board and Commission information in written form.

**I. PETITIONS/COMMUNICATIONS**

Askeland noted the letters received, stating that those related to the Glass Farm grant proposal would be discussed at that time.

The Clerk will receive and file:

Karen Wintrow re: Letter of Support for Home, Inc.

Marcia Wallgren re: Vernay Cleanup

Environmental Commission re: Information on Glass Farm Possible Contamination and Grant Application

Camp Kids re: Thank You to YSPD

Shelly Wing re: Thank You YSPD

**II. PUBLIC HEARINGS/LEGISLATION (6:15)**

**First Reading of Ordinance 2015-13** Repealing Old Section 1060.05 Service Charges Of Chapter 1060 Storage And Collection Of Garbage And Other Wastes Of Title Six Other Public Services Of Part Ten Streets, Utilities And Public Services Of The Codified Ordinances Of The Village Of Yellow Springs, Ohio And Enacting New Section 1060.05 Service Charges. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Vanzant explained that the ordinance brings charges for garbage bags and stickers up to the rate of their actual cost, which have not been updated in a number of years.

Askeland CALLED THE VOTE, and the MOTION PASSED 4-0 on a ROLL CALL VOTE.

**Reading of Resolution 2015-32** Supporting Environmental Commission's Application for a Grant from Clean Ohio to Support the Glass Farm Area. Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Bates noted that the Village has the ability to test samples through the lab it uses, and stated that Brad Ault had pulled samples for testing from the detention pond area.

Tom Dietrich identified himself as an Environmental Engineer who is a member of the Environmental Commission. He explained that he reviewed the samples provided by the firm responsible for providing testing for the Vernay site, and stated that rates of contamination have fallen consistently over the past 16 years.

In response to a question from Housh, Dietrich explained that there are two different standards for water quality, one being an acceptable present water standard, and the other being the standard for drinking water. Dietrich speculated that a misunderstanding of this difference may have led to Marcia Wallgren's assertion that the water is unsafe.

In response to a question from Simms, Bates explained that easement language will be obtained after the application for the grant takes place.

Vickie Hennessey commented that she had made contact with Kevin Callini, who is charged with oversight of the cleanup for the Vernay property. He confirmed that samples were taken as far out as the detention pond starting immediately following the identified contamination, and continuing regularly until the mid-2000's, when the levels of contamination dropped below the "acceptable risk" level. Samples are still taken at the Dayton Street outfall.

Hennessey commented that because a wetland normally acts as a filter, the Village may wish to pull samples past the beaver dam to test this theory.

Askeland CALLED THE VOTE and the MOTION PASSED 4-0 ON A VOICE VOTE.

**Reading of Resolution 2015-35** Amending the Bylaws of the Regional Planning and Coordinating Commission of Greene County, Ohio. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Askeland explained that she attends the Regional Planning Commission meetings, and had asked for clarification as to why the rates are significantly higher for smaller municipalities. She did not receive a clear response to this, other than that it was an attempt to hit the needed budget numbers.

Askeland noted that the Village has used the services of GCRPCC in the past, but is unlikely to use them for planning purposes in the future.

Following brief discussion among Council members, Askeland CALLED THE VOTE, and the MOTION FAILED 4-0 ON A VOICE VOTE.

**III. FUTURE AGENDA ITEMS**

- Oct. 5            General Fund Budget
- Approval of Ordinances Standardizing Language for Certain Boards and Commissions (Consent Agenda)
- Public Hearing for Ordinance 2015-13 Regarding Solid Waste Rates
- First Reading of Ordinance 2015-14 Adjusting Water and Sewer Rates for 2016
- Reading of Resolution 2015-36 Adopting a Policing Vision for the Village of Yellow Springs
- Reading of Resolution 2015-37 Adopting a Public Art Policy for the Village of Yellow Springs
- Resolution 2015-38 Approving Preliminary Legislation Permitting the Ohio Department of Transportation to Commence Sidewalk Construction Related to Safe Routes to Schools
- Oct. 19           Work Session: Enterprise, Special Revenue Funds and Capital Budgets
- Oct. 29           Special Meeting re: ACE Task Force Participation
- Nov. 2 (5:30)   Executive Session to Discuss the Review of the Village Manager
- 2016 Budget Workshop – collective budget with revisions
- Ordinance re: Municipal Tax Collection in Response to House Bill 5
- Nov. 16           Work Session: 2016 Budget, First Reading
- Nov.17 (6pm)   Special Meeting of Council for Presentation from Finalists for Water Plant Design/Build Finalists

Dec.7            2016 Budget, Second Reading  
Results of Village Manager Evaluation  
Dec. 21        Work Session  
Dec. 21(6pm) 2016 Budget  
Levy Resolutions

**ADJOURNMENT OF WORK SESSION**

At 6:40pm, Simms MOVED and Housh 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 minutes is available for viewing in the Clerk of Council's office between 9am and 3pm Monday through Friday.***

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Lori Askeland, Vice President

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Attest: Judy Kintner, Clerk

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

**In Council Chambers @ 7:00 P.M.**

**Monday, September 21, 2015**

**CALL TO ORDER**

Vice President of Council Lori Askeland called the meeting to order at 6:40pm.

**ROLL CALL**

Present were Vice President Lori Askeland, Gerald Simms and Brian Housh. Village Manager Patti Bates was present, as were Assistant Village Manager Melissa Vanzant, Chief David Hale and Village Solicitor Chris Conard. Electric and Water Supervisor Johnnie Burns and Water/Sewer Plant Operator Brad Ault joined the meeting at 7pm.

**ANNOUNCEMENTS**

Housh highlighted the Community Solutions Workshop Conference occurring September 25-27.

Housh noted the upcoming Quarter Auction in support of Manager Bates' Walk for the Cure, which will occur on October 3, 1-4pm, Bryan Center Gym.

**WORK SESSION**

Wayne Cannon from the Ohio Regional Community Assistance Partnership (RCAP) presented the results of his comprehensive Rate Study.

Cannon noted that, universally, fewer utilities are being sold, as families become smaller and as appliances grow more efficient. This has impacted the Village's ability to keep abreast of the costs of providing utilities.

Cannon noted the projects for Bottleneck Elimination and Loop Completion as heavily impacting the bottom line, with the Water Plant Project likewise affecting the bottom line, for a total impact of \$891,000.00.

Cannon commented that the Village water loss rate is at about 28%, 13% higher than average, which highlights the need for infrastructure maintenance.

Cannon stated that the degree of maintenance and upkeep needed for the system to be improved and water loss slowed would require an additional worker.

Cannon budgeted an additional \$15,000.00/year for ongoing maintenance at the new water plant, and \$55,000.00 for an additional worker.

Cannon worked some amount of savings into his model for ongoing Capital Improvements on the water tanks.

Upon being questioned more closely by Council, Cannon stated that the water tanks are, "on the cusp" of becoming a problem. He suggested a model whereby funds are dedicated towards a future maintenance project, at a lowered cost.

Cannon budgeted for several wells to be drilled, to paint the tanks, and to address water lines. These he described as optional.

Cannon noted that if the Village had started raising rates three years ago, it would have been ideal, so to bring rates up to where they need to be now will create some sticker shock, which he highlighted gets worse the longer increase are postponed.

Cannon stated that he did not attempt to affect the methodology for rates, but kept the increases consistent across all sectors.

Cannon noted that the rate increase over the next three years will be large in terms of the percentage, but less difficult to accept if offered in terms of dollars. He gave the example of an increase



based upon the average median household, commenting that the rates have been “far too low for far too long.”

In response to a question from Bates, Cannon explained that the Oakwood Rate Study is not useful in that it does not take into account many other funding streams communities use, such as property tax assessments, tap fees, etc.

Cannon noted that with an annual increase of 2.5%, rates should stabilize in 2017, which does not make the Village eligible for subsidy because it is under the affordability index threshold. Cannon remarked that this does indicate that the Village has overall done a good job of managing the water system.

Cannon strongly advised a regular 2.25% increase once rates are stabilized.

### **Sewer Rate History and Recommendations**

Cannon noted that sewer rates are currently in deficit to need, which will make the increase more dramatic. Again, he said, the Village waited too long to enact increases.

Cannon noted that the sewer collection system is likely in worse condition than the distribution system, and there is a high level of Infiltration and Inflow which needs to be brought under better control.

Preventative maintenance is critical, Cannon stated. He noted that the Village has a Continuous Management Operation and Maintenance (CMOM) plan, which could be used more effectively.

Cannon noted that most infiltration is the result of homeowner tie-ins many years ago. He commented that addressing this source is the best use of money in that it is inexpensive and effective. He suggested use of incentives to encourage customers to disconnect sump systems from the Village system.

Cannon noted predictive maintenance concerns that the Village might do well to put on the radar.

Greatest cost, Cannon commented, will concern the North Sewer Shed, which sits on bedrock. He stated that the North Lift Station overflows because there is no collection system at the South end of town, so that drainage is coming through the sanitary system.

Cannon noted that the soils at the south end of town are better for drainage, and that addressing the collection system at that end of town can be put much further out on the maintenance radar.

Cannon suggested 15% rate increases for four years as the best way to address budget inadequacies. Cannon characterized these increases as keeping the rate under 2% of median household income, which is considered to be affordable.

Bates commented that this information will be brought back during the budget discussions.

Responding to a question from Housh, Bates stated that the recommended 2.5 additional employees are unlikely to occur.

Burns explained that getting remote readers for water and electric would free up 1.5 employees. The total cost for the readers is between \$750,000 and \$900,000.

Burns noted that the outdated and inaccessible meters are throughout the Village.

Cannon commented that if there should be a leak between the main line and the meter, it is very difficult to detect and the Village is responsible for the leak. Once the meter is moved outside, the line to the house then becomes the homeowner's responsibility.

Cannon stressed that the pinhole leaks that can occur between the lateral and the meter are the greatest source of water loss in any distribution system.

Simms noted that rates are compounded when they are deferred.

Cannon emphasized that the Village could defer predictive maintenance, but should not defer preventative maintenance.

**MANAGER and ASSISTANT VILLAGE MANAGER REPORTS**

Bates announced that Dispatcher Teresa Newton's retirement celebration will occur on September 24th at 2pm in Rooms A&B.

Bates noted that Village Employees’ medical rates are decreasing by 1% for 2016.

Bates announced that Beggars’ Night will remain at October 31<sup>st</sup> (6-8pm) into the foreseeable future.

Bates stated that so far there are no applicants for the Utility Dispute Resolution Board. She encouraged citizens to apply.

Housh noted two applicants for the Economic Sustainability Commission thus far.

Assistant Village Manager Vanzant highlighted the SmartBill online billing option, which is increasing in popularity and is bringing in a higher percentage of the total bill payments. Vanzant noted that the turnaround time is about 48 hours with SmartBill, as opposed to 4-5 days under the past system.

Vanzant commented that new credit cards have to be scanned by a new customer-driven reader, and stated that she is looking for a new reader, the cost of which will be about \$600.00.

Askeland commented that the Village should begin to charge credit card fees, now that the monthly fee is a more knowable figure.

**STANDING REPORTS**

Askeland suggested moving the Standing Reports to October 5<sup>th</sup> to which other Council members agreed.

**FUTURE AGENDA ITEMS**

Askeland confirmed that Council members are able to attend a Special meeting to discuss the ACE Task Force on October 29<sup>th</sup> (preferred) or the 28<sup>th</sup> (backup). The Clerk will confirm this with absent Council members and get the date on the agenda moving forward.

**ADJOURNMENT OF WORK SESSION**

At 8:10 pm, Simms MOVED and Housh SECONDED a MOTION TO ADJOURN. The MOTION PASSED 3-0 ON A VOICE VOTE.

*Please note: These notes are not verbatim. A DVD copy of the minutes is available for viewing in the Clerk of Council’s office between 9am and 3pm Monday through Friday.*

\_\_\_\_\_  
Karen Wintrow, President

\_\_\_\_\_  
Attest: Judy Kintner, Clerk

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE #2015-13**

**REPEALING OLD SECTION 1060.05 SERVICE CHARGES OF CHAPTER 1060  
STORAGE AND COLLECTION OF GARBAGE AND OTHER WASTES OF TITLE SIX  
OTHER PUBLIC SERVICES OF PART TEN STREETS, UTILITIES AND PUBLIC  
SERVICES OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW  
SPRINGS, OHIO AND ENACTING A NEW SECTION 1060.05 SERVICE CHARGES**

**Whereas**, the Village has a contract with Rumpke Waste, Inc. for solid waste rates and yard waste collection; and

**Whereas**, the Rumpke contract has increased the cost for garbage stickers and lawn bags; and

**Whereas**, current charges set forth by the Codified Ordinances will fail to meet the financial obligations of these increased charges by Rumpke and the cost associated with providing said service; and

**Whereas**, it is Village Council's intent to amend Section 1060.05 of the Codified Ordinances to meet the aforementioned financial obligations.

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

**Section 1.** That Section 1060.05 *Service Charges* of Chapter 1060 *Storage and Collection of Garbage and Other Wastes* of Title Six *Other Public Services* of Part Ten *Streets, Utilities and Public Services* of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

**Section 2.** That a new section 1060.05 *Service Charges* of Chapter 1060 *Storage and Collection of Garbage and Other Wastes* of Title Six *Other Public Services* of Part Ten *Streets, Utilities and Public Services* of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as follows with new language in **bold** and text to be deleted in ~~strikeout~~:

**Section 1060.05 SERVICE CHARGES**

(a) Charges.

(1) The base charges for the collection and disposal of garbage, refuse and/or recyclables shall be in accordance with the following monthly rate schedule. (Note: the references to quantities below are exclusive of the supplemental volume of bulk items from residential premises and/or the volume of recyclables from recycling bins provided to all customers.)

*Monthly Charge per Volume of Garbage Collected Weekly*

Effective Date:	Not more than 35 gallons	Not more than 65 gallons	Not more than 120 gallons	Not more than 150 gallons	Not more than 180 gallons	Not more than 240 gallons	Not more than 270 gallons	Not more than 300 gallons
01/01/15	\$11.96	\$13.11	\$14.26	\$26.22	\$27.37	\$28.52	\$40.48	\$41.63

The fuel surcharge will be adjusted on a monthly basis based on the Department of Energy's Energy Information Administration (DOE/EIA) highway diesel price index reading for the Midwest region on the last Monday of the month. A fuel surcharge will be added to the monthly rates in accordance with the fuel surcharge table attached to Ordinance ~~2015-\_\_ 2014-26. 2008-07.~~

(2) The Village Manager is authorized to provide for the occasional collection of extra containers from householders and commercial operators on the basis of a "container charge" of ~~two dollars (\$2.00)~~ **two dollars and fifty cents (\$2.50)** for each yard waste bag and ~~one dollar and twenty-five (\$1.25) cents~~ **one dollar and fifty cents (\$1.50)** for each extra trash sticker. The Village Manager shall provide the rules. This shall include a monthly yard waste program.

(3) All surcharges incurred by the Village for the disposal of vehicle tires, appliances containing chlorofluorocarbon, etc., shall be billed at cost.

(4) One-time collections and special services (e.g., large volume users, multiple collections per week, off-street commercial collections, etc.) shall be billed at the costs incurred by the Village plus a 10% processing fee.

(5) The Village shall provide an annual clean-up to customers of the Village Solid Waste Service. The Village Manager shall establish rules and the time of the clean-up. The cost of the service shall be an additional annual fee, set annually by Council, per account, to be billed separately on the bill or a notice.

(b) Payment. The service charges of this section shall be due and payable on or before the fifteenth day of the month in which bills are rendered. A delayed payment charge of 5% shall be added to any bill paid after the due date. Delinquent accounts shall be certified from time to time to the County Auditor by the Village Manager or his or her designee for collection as other Village property taxes pursuant to Ohio R.C. 735.29.

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

---

Karen Wintrow, President of Council

Passed: \_\_\_\_\_, 2015

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

## **ROLL CALL**

Karen Wintrow \_\_\_\_\_ Lori Askeland \_\_\_\_\_ Brian Housh \_\_\_\_\_

Marianne MacQueen \_\_\_\_\_ Gerald Simms \_\_\_\_\_

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE #2015-14**

**REPEALING OLD SECTION 1046.02 SERVICE CHARGES; EXEMPTION OF  
CHAPTER 1046 WATER OF TITLE FOUR PUBLIC UTILITIES OF PART TEN  
STREETS, UTILITIES AND PUBLIC SERVICES OF THE CODIFIED ORDINANCES  
OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION  
1046.02 SERVICE CHARGES; EXEMPTION**

**Whereas**, current water charges set forth by the Codified Ordinances fail to meet the financial obligations of providing said service; and

**Whereas**, it is Village Council's intent to amend Section 1046.02 of the Codified Ordinances to meet the aforementioned financial obligations.

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

**Section 1.** That Section 1046.02 *Service Charges; Exemption* of Chapter 1046 *Water* of Title Four *Public Utilities* of Part Ten *Streets, Utilities and Public Services* of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

**Section 2.** That a new Section 1046.02 *Service Charges; Exemption* of Chapter 1046 *Water* of Title Four *Public Utilities* of Part Ten *Streets, Utilities and Public Services* of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as follows with new language in **bold** and text to be deleted in ~~strikeout~~:

**1046.02 SERVICE CHARGES; EXEMPTION.**

(a) Each customer connected to the Municipal water system within the Village shall pay a monthly water service charge, which includes a readiness for service (RFS) charge, based upon the customer's water meter size, and a water consumption charge for each 1,000 gallons or portion thereof used, according to the schedule below:

<i><b>Effective Date</b></i>	<i><b>RFS Rate per month</b></i>	<i><b>Consumption charge per 1,000 gallons</b></i>
<del>April 1, 2010</del>	\$6.80	<del>\$3.80</del>
<del>April 1, 2011</del>	\$6.80	\$4.20
<del>April 1, 2012</del>	\$6.80	\$4.40
<del>April 1, 2013</del>	\$6.80	\$4.55
<del>April 1, 2014</del>	\$6.80	<del>\$5.25</del>
May 1, 2015	\$6.80	\$5.77
<b>January 1, 2016</b>	<b>\$6.80</b>	<b>\$7.50</b>

(b) Each customer's actual monthly RFS charge shall be calculated by multiplying the effective RFS rate shown above by the appropriate RFS factor as identified below:

Water meter size (inches):	3/4	1	1-1/2	2	3	4
RFS factor:	1	2	4	7	16	28

(c) Each customer connected to the Municipal water system outside the Village shall pay, in addition to the regular monthly charges, a surcharge equal to 50% of the regular monthly charge. The surcharge shall be uniform, both as to amount and application, to all customers connected to the Municipal water system outside the Village. However, if customers have a pre-existing contractual arrangement with the Village, the Village will continue to honor that contract as required by law.

(d) Water service charges shall be due and payable on or before the fifteenth day of the month in which payment is due and a penalty of 5% shall be added to any bill paid after the due date.

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

\_\_\_\_\_  
Karen Wintrow, President of Council

Passed: \_\_\_\_\_, 2015

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

## **ROLL CALL**

Karen Wintrow \_\_\_\_\_ Lori Askeland \_\_\_\_\_ Brian Housh \_\_\_\_\_  
Marianne MacQueen \_\_\_\_\_ Gerald Simms \_\_\_\_\_

**VILLAGE OF YELLOW SPRINGS, OHIO**  
**ORDINANCE #2015-17**

**AN ORDINANCE REPEALING OLD SECTION 1048.05 SERVICE CHARGES OF CHAPTER 1048 SEWERS AND SEWAGE OF TITLE FOUR PUBLIC UTILITIES OF PART TEN STREETS, UTILITIES AND PUBLIC SERVICES OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION 1048.05 SERVICE CHARGES**

**Whereas**, current sewer charges set forth by the Codified Ordinances fail to meet the financial obligations of providing said service; and

**Whereas**, it is Village Council's intent to amend Section 1048.05 of the Codified Ordinances to meet the aforementioned financial obligations.

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

**Section 1.** That Section 1048.05 *Service Charges* of Chapter 1048 *Sewers and Sewage* of Title Four *Public Utilities* of Part Ten *Streets, Utilities and Public Services* of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

**Section 2.** That a new Section 1048.05 *Service Charges* of Chapter 1048 *Sewers and Sewage* of Title Four *Public Utilities* of Part Ten *Streets, Utilities and Public Services* of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as follows with new language in **bold** and text to be deleted in ~~strikeout~~:

**1048.05 SERVICE CHARGES.**

(a) Each customer connected to the Municipal water system within the Village shall pay a monthly sewer service charge which includes a readiness for service charge (RFS) based upon the customer's water meter size and a sewer charge for each thousand gallons of usage:

<i><b>Effective Date</b></i>	<i><b>RFS Rate per month</b></i>	<i><b>Consumption charge per 1,000 gallons</b></i>
January 1, <del>2015-2016</del>	\$11.80	<del>\$5.70</del> <b>\$6.56</b>

(b) Each customer's actual monthly readiness for service (RFS) charge shall be calculated by multiplying the effective RFS rate shown above by the appropriate readiness for service factor as identified below:

<u>Water Meter Size</u>	<u>Readiness for Service Factor</u>
5/8"	1
3/4"	1
1"	2
1½"	4
2"	7
3"	16
4"	28

(c) Each customer connected to the Municipal sewage disposal system within the Village who is not also connected to the Municipal water system shall install, at his or her own expense, a water meter on his or her water supply line of a type approved by the Village Manager, or in lieu of being charged on the basis of a water meter reading, shall be charged on the basis of water consumption as estimated by the Village Manager.

(d) Each customer connected to the Municipal sewage disposal outside the Village shall pay, in addition to the regular monthly charges, a surcharge not more than one hundred percent of the regular service charge. The surcharge shall be uniform, both as to amount and application, to all customers connected to the Municipal sewage system outside the Village.

(e) Sewer service charges shall be due and payable on or before the fifteenth day of the month in which payment is due and a penalty of five percent shall be added to any bill paid after the due date.

(f) All sewer fund receipts above the operational and maintenance funds generated by this change in rates shall be periodically calculated and transferred from the sewer fund to the sewer capital improvements fund which will be established to be used exclusively for replacements and other capital needs of the sewer system.

(g) For those residents who apply and are accepted, the Village utility billing office will use that customer's water use in the preceding December, January and February as a base line, then compare it to their use for the following June, July and August. Any summer use that reflects higher consumption in summer months will be deducted from that customer's sewer charges. The adjustment will be made in September, October, or November, depending upon which month's bill is based on that customer's actual meter reading.

~~—(h) The Village is about to issue bonds to pay for required improvements to the wastewater plant. Further increases in rates will be needed to repay the resulting debt. To the extent that time permits, all such rate changes shall be made by the usual procedure of adopting an amended rate ordinance. In the event that timely response requires it, the Village Manager is hereby authorized to adjust rates on a temporary basis, by administrative action, to a rate not to exceed two dollars and seventy-five cents (\$2.75) per 1,000 gallons of water used, provided that prior notice is published in the Yellow Springs NEWS, and such action is promptly ratified by Village Council, following the usual procedure.~~

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

\_\_\_\_\_  
Karen Wintrow, President of Council

Passed: \_\_\_\_\_, 2015

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

## **ROLL CALL**

Karen Wintrow \_\_\_\_

Lori Askeland \_\_\_\_

Brian Housh \_\_\_\_

Marianne MacQueen \_\_\_\_

Gerald Simms \_\_\_\_





# A POLICY ON THE USE OF VILLAGE PROPERTY FOR VARIOUS TYPES OF ART

## I. Purpose of Public Art

The Village of Yellow Springs has a unique history of creative activity, and people choose to live in and visit Yellow Springs because of its art and culture. The Yellow Springs Village Council intends for art in public places to achieve one or more of the following objectives:

- Encourage the artistic endeavors of Village residents of all ages and abilities.
- Attract people to the Village to enhance economic activity.
- Promote art that communicates important human values.
- Commemorate important events, institutions and people in the Village in a way that communicates their important contributions to our community.
- Facilitate conversations that strengthen our community and contribute to the enduring nature of public art.
- Convey the creative and welcoming nature of Yellow Springs.
- Increase community collaboration and inclusion as well as promote participation and contribution.
- Celebrate the highly valued natural environment of Yellow Springs.
- Enhance the value, aesthetics and functionality of public buildings, facilities and gateways.

Section II of this policy provides **Background** about the use of public property, Section III reviews **Types of Art** and related public space considerations as well as procedures to obtain Village approval for the use of public property, and Section IV explains the role of the **Arts & Culture Commission**. Relevant policy and procedure is provided in the Appendices:

**Appendix A** – Review Process to Approve Art Display or Installation on Public Property

**Appendix B** – Conceptual Proposal Form

**Appendix C** – Types of Art and Procedures Related to Public Places

**Appendix D** – Public Spaces in the Village of Yellow Springs

## II. Background

The Village of Yellow Springs appreciates the value and importance of public art and recognizes that public property should be used to add value to the



lives of citizens and visitors. Village government is responsible for public property, and the level of responsibility depends on whether the public property is a right-of-way (e.g. street, sidewalk or trail), building, park or other public land.

Village policies regarding the use of public property for visual and performing arts will differ depending on the type of property being used. Other Village policies, such as the Bryan Center Use Policy, also provide guidance that ensures fair and proper decision making. **Appendix D** outlines the Village's public spaces and any existing laws or policies covering those are noted.

### **III. Types of Art**

Village government recognizes that public spaces belong to everyone, and one use of public property may exclude another use. An exclusive use may be short- or long-term, and the rights of all citizens must be considered in granting a permit, license or lease for the use of any public property. If a longer term art installation is envisioned, for example, the impact on future generations must be considered. **Appendix C** highlights common scenarios and related considerations and procedures.

### **IV. Arts & Culture Commission**

The Village Council of Yellow Springs has established a standing Arts & Culture Commission (see Chapter 288 of the Administrative Code) to advise Council regarding the merits of any art concept, proposed art exhibit or installation. One role of the Arts & Culture Commission is to review Conceptual Proposals to determine if they are in line with the Purpose of Public Art statement and to make recommendations to Council.

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. If a Project Representative for a Conceptual Proposal does not have a group to perform the jury function, upon request of Council, the Arts & Culture Commission can function as the jury with regards to the artistic quality and merit of submissions for the proposed display or installation.



## APPENDIX A

### Review Process to Approve Art Display or Installation on Public Property

#### Step 1: Conceptual Proposal Review

- a. Attend Arts & Culture Commission Meeting to Present Idea/Project
- b. Submit Conceptual Proposal Form (see **Appendix B**) to Village Manager
- c. Village Manager Reviews and Forwards to Arts & Culture Commission
- d. Public Space Commission Makes Recommendation to Village Council
- e. Village Council Makes Decision on Conceptual Proposal

Key principles guiding decisions by Council about uses of public places include:

- Determining the best use of public property, representing and balancing the interests of all citizens.
- Respecting the desire of other citizens to use the same spaces, which could require putting time limits on installations or displays.
- Respecting the need for variety in uses of spaces, including sports & recreation and designated open space, as well as prioritizing public access issues related to rights-of-way and public service needs.

#### Step 2: Project Agreement Negotiation (if Council approves Conceptual Proposal)

The Village Manager will negotiate a Project Agreement with the Representative(s) for the approved Conceptual Proposal. Subsequently, the Project Agreement will be presented to Council for review and approval before the art is installed or displayed on public property.



## APPENDIX B

### Conceptual Proposal Form

Project Name: \_\_\_\_\_

Project Type: \_\_\_\_\_ 2D Display

\_\_\_\_\_ 3D Installation

\_\_\_\_\_ Other – Describe: \_\_\_\_\_

Representative(s) (include name and/or organization, phone & email):

\_\_\_\_\_  
\_\_\_\_\_

Project Description (attach relevant images, funding/installation/maintenance details, proposed display/installation period, etc.): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

How does this project fulfill the Village's Purpose of Public Art statement?

\_\_\_\_\_  
\_\_\_\_\_

Attach any other project-related documents (e.g. budget, letters of support, proof of insurance, diagrams, plans, schedules, bios/resumes).

Will this art be donated or leased to the Village? \_\_\_\_\_

Please describe any assistance that you will need from Village staff, including support with installation and maintenance: \_\_\_\_\_

\_\_\_\_\_

NOTE: The Village of Yellow Springs is not responsible for theft or damage to the display/installation. Issues re: installation, maintenance, restoration, insurance, etc. will be addressed in the Project Agreement if Council approves project.

***Please submit your completed Conceptual Proposal Form and attachments to the Village Manager's Office. Contact via 937-767-7202 with any questions.***



## APPENDIX C

### Types of Art and Procedures Related to Public Property

Type of Art:	Performance – Transient
Examples:	Spontaneous art – busking, flash mobs, other performances of short duration, usually outdoors in public rights-of-way, public parks, Bryan Center Lawn, etc.
Principles:	Public safety & nuisance, generally no use issues (e.g. conflicts with other uses). Rights-of-way need to be passable, and the activity should not disturb the peace.
Policy:	No government involvement absent complaint of law violation. This type of art should conform to the Village of Yellow Springs Street Musician/Performer Agreement.
Council Proposal?	No, usually spontaneous.
Event Permit?	No.
Contract?	No.
Type of Art:	Performance – Public (longer duration or event)
Examples:	Planned performance, usually longer than 2 hours in duration from set up to take down, and typically planned in advance as an event, e.g. Cyclops Fest, concerts on the Bryan Center Lawn.
Principles:	For events that the public is invited, issues arise – excluding an area from use by others (coordination), safety, area to be used, parking, clean up, use of personnel, streets, logistics that need to be managed, etc.
Policy:	Follow Bryan Center Use Policy or relevant policies for park or site. Village staff approvals/notifications needed. Fees may be charged per policy.
Council Proposal?	No, need an event permit, which is a form that is available at the Village Manager's office and on <a href="http://www.yso.com">www.yso.com</a> . This form is used for many types of events such as runs/walks, concerts and art shows that close rights-of-ways or exclusively use Village property.
Event Permit?	Yes.
Contract?	No.
Type of Art:	Visual Art Installation in Public Building
Examples:	Exhibit/Show in second floor hallway of the Bryan Center
Principles:	This is a limited public forum. Other uses in this space include employee ingress and egress, Village Manager's office, Mayor's Court, Council business and public restrooms. This area is open to the public, with individuals attending meetings and classes in various rooms, including unaccompanied youth. The Village must own the art, lease the art or approve the installation. Coordination is needed.
Policy:	Follow the two-step procedure in <b>Appendix A</b> .
Council Proposal?	Yes. A conceptual proposal will be reviewed by the Arts & Culture



Commission, which will make a recommendation to Council. If Council approves the conceptual proposal, the Village Manager and the representative(s) for the visual art installation will finalize the details and formalize the agreement with a contract. Council may review this agreement.

Event Permit?

No.

Contract?

Yes, an agreement with the Village would cover issues such as ownership of the art, security, insurance, installation, duration, transfer or disposal of the art at the end of the installation, maintenance, and mutual rights and responsibilities.

Type of Art:

Installation Requiring Cement Bases or Other Foundation Located on Public Property

Examples:

Sculpture, artistic sign or other type of more permanently installed art, e.g. Flock of Hands Sculpture, Springs Sign, Bronze Sculptures on Dayton Street

Principles:

This type of art has a more significant impact on public property, occupying public space for a longer period of time and excluding other uses. Utilities and right-of-way issues could be involved. Village staff are also more likely to be involved with maintenance, mowing, etc. Costs are likely to be higher. The art will be owned or leased by the Village. The artist or owner of the art will need to donate the art or its use. This type of installation is likely to be time limited to allow future citizens the opportunity to use the space. Coordination and approval of sites by Council after review and recommendation from the Arts & Culture Commission is required. Maintenance should be carefully considered. If the Village owns the art, the art may be sold after the installation is taken down, and proceeds can be used to fund other public art projects or nonprofit arts organizations.

Policy:

Follow the two-step procedure in **Appendix A**.

Council Proposal?

Yes. A conceptual proposal will be reviewed by the Arts & Culture Commission, which will make a recommendation to Council. If Council approves the conceptual proposal, the Village Manager and the representative(s) for the visual art installation will finalize the details and formalize the agreement with a contract. Council may review this agreement.

Event Permit?

No.

Contract?

Yes, an agreement with the Village would cover issues such as ownership of the art, security, insurance, installation, duration, transfer or disposal of the art at the end of the installation, maintenance, and mutual rights and responsibilities.



## APPENDIX D

### Public Spaces in the Village of Yellow Springs

#### Rights-of-Way (Streets, Sidewalks, Trails)

The Codified Ordinances of the Village of Yellow Springs, Ohio contain several provisions about the use and management of rights-of-way. These rules are set forth primarily in Chapter 1021. Rights-of-way in the Village include state highways (SR 68 & 343), Village streets and sidewalks, some Village bike trails and the regional Little Miami Trail, which is managed by Greene County Parks & Trails Department in cooperation with the Village.

#### Public Property

Here is a summary of Village of Yellow Springs property:

- John Bryan Community Center Building
  - o Youth Center
  - o Basketball Court
  - o Public Lobby – 1<sup>st</sup> Floor (outside YSPD)
  - o Public Lobby – 2<sup>nd</sup> Floor (outside Council Chambers)
  - o Public Hallway – 1<sup>st</sup> Floor
  - o Public Hallway – 2<sup>nd</sup> Floor
  - o Council Chambers
  - o Dance Room
  - o Arts Room
  - o Rooms A&B
  - o Public Stairwell (includes bulletin board)
- John Bryan Community Center Grounds
  - o Front Lawn
  - o Parking Lot
  - o Pottery Building (semi-public, leased)
  - o Basketball & Tennis Courts
  - o Skate Park
  - o Playground
  - o Woods near Yellow Springs Creek (including amphitheater)
- Public Parks
- Other
  - o Offices in John Bryan Community Center
  - o Police Station
  - o Public Service Land (Water & Waste Water Treatment Plants, Sutton Farm Service Center, etc.)
  - o Glass Farm (currently leased for farming)
  - o YS Schools Administration Office (Walnut & Short, leased)

**VILLAGE OF YELLOW SPRINGS, OHIO**

**RESOLUTION 2015-37**

**Adopting a Policy on the Use of Village Property for Various Types of Art**

WHEREAS, The Village of Yellow Springs has a unique history of creative activity, and people choose to live in and visit Yellow Springs because of its art and culture, and;

WHEREAS, Yellow Springs Village Council intends for art in public places to achieve one or more specific objectives, as contained in the "Policy on the Use of Village Property for Various Types of Art," and;

WHEREAS, Collaboration has been provided for and encouraged by Council, with the resulting information used to develop the Public Art Policy attached as Exhibit A,

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

Section 1. Council for the Village of Yellow Springs hereby accepts the attached Public Art Policy as a guiding principle to be used by the Village Manager in carrying out Public Art policies.

Section 2. This resolution shall be in effect immediately upon adoption.

\_\_\_\_\_  
Karen Wintrow, President of Council

PASSED:

Attest:\_\_\_\_\_  
Judy Kintner, Clerk of Council

**ROLL CALL:**

Karen Wintrow \_\_\_\_      Lori Askeland \_\_\_\_      Gerald Simms \_\_\_\_  
Brian Housh \_\_\_\_      Marianne McQueen\_\_\_\_



Village of Yellow Springs, Ohio

RESOLUTION 2015-39

Authorizing the Village Manager to Contract for  
Health Insurance for Village Employees

WHEREAS, it is the policy of the Village to provide health insurance coverage on a group basis for eligible employees, and

WHEREAS, the Village's current health insurance carrier, Anthem BC/BS, has provided the most competitive quote to the Village for the same level of coverage as in the previous year, which said coverage exceeds the federal government's minimum standard for health insurance coverage under the Affordable Care Act (ACA); and

WHEREAS, the quote for coverage is detailed in Exhibit A, which is attached hereto and made a part hereof; and

WHEREAS, the Village Manager is recommending that the Council approve a contract for plan year 2015-2016 with Anthem BC/BS for health insurance for Village employees.

NOW, THEREFORE, be it resolved by the Council of the Village of Yellow Springs, Ohio that:

Section 1. The Village Manager is authorized to execute a one-year contract for health insurance with Anthem BC/BS for the plan year starting Dec. 1, 2015 with the terms included in Exhibit A.

Section 2. This procurement is hereby determined to comply with the procurement procedures of the Village pursuant to the Home Rule powers of the Village. All actions regarding this procurement were done in full compliance with the Ohio Open Meetings Law.

\_\_\_\_\_  
Karen Wintrow, President of Council

Passed:

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow \_\_\_\_\_

Lori Askeland \_\_\_\_\_

Gerald Simms \_\_\_\_\_

Brian Housh \_\_\_\_\_

Marianne MacQueen \_\_\_\_\_

**EXHIBIT “A”-**  
**Anthem Blue Cross/Blue Shield Insurance Premiums for 2016**

**The Village is offering the following medical insurance plan:**

<b><u>HSA Plan – Employee Pays 15% of premium cost</u></b>	<b><u>2015</u></b>	<b><u>2016</u></b>
Single Plan Premium cost per month	449.63	448.98
Employee Contribution	67.44	67.35
Village Contribution	382.19	381.63
Employee+Spouse Plan Premium cost per month	988.29	986.85
Employee Contribution	148.24	148.03
Village Contribution	840.05	838.82
Employee +Children Plan Premium cost per month	758.98	757.88
Employee Contribution	113.85	113.68
Village Contribution	645.13	644.20
Family Plan Premium Cost per month	1388.02	1386.00
Employee Contribution for	208.20	207.90
Village Contribution	1179.82	1178.10

The Village will provide partial funding of the deductible for the HSA Plan for 2016 as follows:

Single = \$ 1,750

Family = \$ 3,250

## PRELIMINARY LEGISLATION

Participatory

Rev. 6/26/00

Ordinance/Resolution #: 2015-38

PID No. : 93536

County/Route/Section: GRE Yellow Springs SRTS Sidewalks

The following is a/an Resolution enacted by the Village of Yellow Springs of Greene  
(Ordinance/Resolution) (Local Public Agency)  
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

### SECTION I – Project Description

WHEREAS, the (LPA/STATE) has determined the need for the described project:

*Construction of sidewalks along Yellow Springs Fairfield Pike from Fair Acres Drive to Winter Street and along Winter Street from Pleasant to Yellow Springs Fairfield Pike.*

NOW THEREFORE, be it ordained by the Village of Yellow Springs of Greene County, Ohio.  
(LPA)

### SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

### SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

*The LPA agrees to participate in the cost of the project. The Village of Yellow Springs will be responsible for the non-federal share of the Preliminary Engineering, Right of Way, and Construction phases.*

*The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.*

*The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.*

#### SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way includes eligible utility costs.

The LPA agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that such accommodation, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

#### SECTION V – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

#### SECTION VI Authority to Sign

I, Patty Bates of said Village of Yellow Springs is hereby empowered on behalf of the  
(Contractual Agent) (LPA)  
Village of Yellow Springs to enter into contracts with ODOT pre-qualified consultants for the preliminary  
(LPA)  
engineering phase of the Project and to enter into contracts with the Director of Transportation which is necessary to complete the above described project.

Upon request of ODOT, the Patty Bates is also empowered to assign all rights, title, and interests  
(Contractual Agent)  
of the Village of Yellow Springs to ODOT arising from any agreement with its consultant in order to allow  
(LPA)  
ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Passed: \_\_\_\_\_, 2 \_\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Officer of LPA – title)

Attested: \_\_\_\_\_  
(Title)

\_\_\_\_\_  
( President of Council)

The \_\_\_\_\_ is hereby declared to be an emergency measure to expedite the highway project and  
(Ordinance/Resolution)  
to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately  
upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed  
by law.

**CERTIFICATE OF COPY  
STATE OF OHIO**

Village of Yellow Springs of Greene County, Ohio  
(LPA)

I, \_\_\_\_\_, as Clerk of the Village of Yellow Springs  
(LPA)  
of Greene County, Ohio, do hereby certify that the foregoing is a true and correct copy of  
\_\_\_\_\_ adopted by the legislative Authority of the said  
(Ordinance/Resolution)

Village of Yellow Springs on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.  
(LPA)

That the publication of such \_\_\_\_\_ has been made and certified of record according to  
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such \_\_\_\_\_ have been taken;  
(Ordinance/Resolution)

and that such \_\_\_\_\_ and certificate of publication thereof are of record in \_\_\_\_\_,  
Page \_\_\_\_\_ (Ordinance/Resolution)  
(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,  
this \_\_\_\_\_ day of \_\_\_\_\_ 2\_\_\_\_\_.

\_\_\_\_\_  
(Clerk)

**(CITY SEAL)**

Village of Yellow Springs of Greene County, Ohio  
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the Village of Yellow Springs of Greene County, Ohio.  
(LPA)

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Contractual Agent)

-----  
For the State of Ohio

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Director, Ohio Department of Transportation)

Village of Yellow Springs, Ohio

RESOLUTION 2015-39

Authorizing the Village Manager to Contract for  
Health Insurance for Village Employees

WHEREAS, it is the policy of the Village to provide health insurance coverage on a group basis for eligible employees, and

WHEREAS, the Village's current health insurance carrier, Anthem BC/BS, has provided the most competitive quote to the Village for the same level of coverage as in the previous year, which said coverage exceeds the federal government's minimum standard for health insurance coverage under the Affordable Care Act (ACA); and

WHEREAS, the quote for coverage is detailed in Exhibit A, which is attached hereto and made a part hereof; and

WHEREAS, the Village Manager is recommending that the Council approve a contract for plan year 2015-2016 with Anthem BC/BS for health insurance for Village employees.

NOW, THEREFORE, be it resolved by the Council of the Village of Yellow Springs, Ohio that:

Section 1. The Village Manager is authorized to execute a one-year contract for health insurance with Anthem BC/BS for the plan year starting Dec. 1, 2015 with the terms included in Exhibit A.

Section 2. This procurement is hereby determined to comply with the procurement procedures of the Village pursuant to the Home Rule powers of the Village. All actions regarding this procurement were done in full compliance with the Ohio Open Meetings Law.

\_\_\_\_\_  
Karen Wintrow, President of Council

Passed:

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow \_\_\_\_\_

Lori Askeland \_\_\_\_\_

Gerald Simms \_\_\_\_\_

Brian Housh \_\_\_\_\_

Marianne MacQueen \_\_\_\_\_

**EXHIBIT “A”-**  
**Anthem Blue Cross/Blue Shield Insurance Premiums for 2016**

**The Village is offering the following medical insurance plan:**

<b><u>HSA Plan – Employee Pays 15% of premium cost</u></b>	<b><u>2015</u></b>	<b><u>2016</u></b>
Single Plan Premium cost per month	449.63	448.98
Employee Contribution	67.44	67.35
Village Contribution	382.19	381.63
Employee+Spouse Plan Premium cost per month	988.29	986.85
Employee Contribution	148.24	148.03
Village Contribution	840.05	838.82
Employee +Children Plan Premium cost per month	758.98	757.88
Employee Contribution	113.85	113.68
Village Contribution	645.13	644.20
Family Plan Premium Cost per month	1388.02	1386.00
Employee Contribution for	208.20	207.90
Village Contribution	1179.82	1178.10

The Village will provide partial funding of the deductible for the HSA Plan for 2016 as follows:

Single = \$ 1,750

Family = \$ 3,250



**VILLAGE OF YELLOW SPRINGS, OHIO  
RESOLUTION #2015-40**

**A RESOLUTION TO AUTHORIZE THE VILLAGE MANAGER TO ENTER INTO A  
ONE-YEAR CONTRACT WITH DENTAL CARE PLUS FOR DENTAL INSURANCE  
FOR VILLAGE EMPLOYEES.**

**Whereas,** the Village requires dental insurance coverage for its employees; and

**Whereas,** the Village has determined to contract for dental insurance coverage with the provider Dental Care Plus,

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

**Section 1.** The Village Manager is authorized to enter into a one-year contract with Dental Care Plus to provide dental insurance coverage for employees of the Village from December 1, 2015, to November 30, 2016 as detailed in Exhibit "A," which is attached hereto and incorporated herein.

**Section 2.** This procurement is hereby determined to comply with the procurement procedures of the Village pursuant to the Home Rule Powers of the Village. All actions regarding this procurement were done in full compliance with the Ohio Open Meetings Law.

\_\_\_\_\_  
Karen Wintrow, President of Council

Passed:

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

ROLL CALL:

Karen Wintrow \_\_\_\_

Lori Askeland \_\_\_\_

Marianne McQueen \_\_\_\_

Brian Housh \_\_\_\_

Gerald Simms\_\_

## **EXHIBIT “A”**

### **Dental Care Plus Premiums for 2013**

**The Village is offering to employees the following Dental Insurance Plan:**

Employee Only Plan Premium cost per month	44.46
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Family Plan Premium Cost per month	128.96
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# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. STATE ROUTE 741 • LEBANON, OHIO 45036 • (513) 932-3030  
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • TAMMY K. CAMPBELL, P.E., DISTRICT DEPUTY DIRECTOR

Ms. Patti Bates  
Bryan Community Center  
100 Dayton Street  
Yellow Springs, Ohio 45387

Re: GRE Yellow Springs SRTS  
PID: 93536

Dear Ms. Bates:

Transmitted herewith are three (3) copies of proposed Preliminary Participatory Legislation for your submission to the Village of Yellow Springs for their consideration and approval of the above referenced project. When the legislation has been properly executed and certified, **please return two (2) original copies, both with original signatures and seal, if applicable**, to me for further processing.

Please note that no changes can be made to the content of this document. However, the Village of Yellow Springs may utilize this document or submit similar Preliminary Legislation enacted by the Village of Yellow Springs in the Village of Yellow Springs format for this project. If utilizing similar Preliminary Legislation, please reference the County/Route/Section and PID on the documentation.

The project has a proposed 2nd quarter State Fiscal Year 2017 Sale Date. The Village of Yellow Springs will be responsible for the non-federal share of the Preliminary Engineering, Right of Way, and Construction phases.

Please contact me at 513-933-6655 or at [Ben.Miller@dot.state.oh.us](mailto:Ben.Miller@dot.state.oh.us) if you have any questions concerning the enclosed legislation.

Respectfully,

A handwritten signature in blue ink, reading "Benjamin Miller", is positioned above the typed name.

Benjamin Miller  
ODOT District 8  
LPA ROW Liaison Officer

C: Legislation File w/a

# PRELIMINARY LEGISLATION

Participatory

Rev. 6/26/00

Ordinance/Resolution #: \_\_\_\_\_

PID No. : 93536

County/Route/Section: GRE Yellow Springs SRTS Sidewalks

The following is a/an \_\_\_\_\_ enacted by the Village of Yellow Springs of Greene  
(Ordinance/Resolution) (Local Public Agency)  
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

## SECTION I – Project Description

WHEREAS, the (LPA/STATE) has determined the need for the described project:

*Construction of sidewalks along Yellow Springs Airfield Pike from Air Cres Drive to Winter Street and along Winter Street from Pleasant to Yellow Springs Airfield Pike*

NOW THEREFORE, be it ordained by the Village of Yellow Springs of Greene County, Ohio.  
(LPA)

## SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

## SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

*The P agrees to participate in the cost of the project. The Village of Yellow Springs will be responsible for the non federal share of the Preliminary Engineering, Right of Way, and Construction phases*

*The P further agrees to pay \_\_\_\_\_ of the cost of those features requested by the P which are determined by the State and Federal Highway Administration to be unnecessary for the Project*

*The P further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the P. The P shall contribute its share of the cost of these items in accordance with other sections herein*

#### **SECTION IV – Utilities and Right-of-Way Statement**

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way includes eligible utility costs.

The LPA agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that such accommodation, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

#### **SECTION V – Maintenance**

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

#### **SECTION VI Authority to Sign**

I, \_\_\_\_\_ of said Village of Yellow Springs is hereby empowered on behalf of the  
(Contractual Agent) (LPA)  
Village of Yellow Springs to enter into contracts with ODOT pre-qualified consultants for the preliminary  
(LPA)  
engineering phase of the Project and to enter into contracts with the Director of Transportation which is necessary to complete the above described project.

Upon request of ODOT, the \_\_\_\_\_ is also empowered to assign all rights, title, and interests  
(Contractual Agent)  
of the Village of Yellow Springs to ODOT arising from any agreement with its consultant in order to allow  
(LPA)  
ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Passed: \_\_\_\_\_, 2\_\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Officer of LPA – title)

Attested: \_\_\_\_\_  
(Title)

\_\_\_\_\_  
( President of Council)

The \_\_\_\_\_ is hereby declared to be an emergency measure to expedite the highway project and  
(Ordinance/Resolution)  
to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PID No.: 93536

**CERTIFICATE OF COPY  
STATE OF OHIO**

Village of Yellow Springs of Greene County, Ohio  
(LPA)

I, \_\_\_\_\_, as Clerk of the Village of Yellow Springs  
(LPA)  
of Greene County, Ohio, do hereby certify that the foregoing is a true and correct copy of  
\_\_\_\_\_ adopted by the legislative Authority of the said  
(Ordinance/Resolution)

Village of Yellow Springs on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.  
(LPA)

That the publication of such \_\_\_\_\_ has been made and certified of record according to  
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such \_\_\_\_\_ have been taken;  
(Ordinance/Resolution)

and that such \_\_\_\_\_ and certificate of publication thereof are of record in \_\_\_\_\_,  
Page \_\_\_\_\_ (Ordinance/Resolution)  
(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,  
this \_\_\_\_\_ day of \_\_\_\_\_ 2\_\_\_\_.

\_\_\_\_\_  
(Clerk)

**(CITY SEAL)**

Village of Yellow Springs of Greene County, Ohio  
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.")

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the Village of Yellow Springs of Greene County, Ohio.  
(LPA)

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Contractual Agent)

-----  
For the State of Ohio

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Director, Ohio Department of Transportation)

**Village of Yellow Springs, Ohio**

**RESOLUTION 2015-21**

Authorizing the Village Manager to Enter into an Agreement with Martin Painting and Coating  
for Painting and Repair of Gaunt Park Pool at the Close of the 2015 Swim Season

WHEREAS, the Village has advertised for bids for the painting and repair of Gaunt Park Pool at the close of the 2015 swim season, and:

WHEREAS, Martin Painting and Coating was the only bid received and was by default the lowest and best bidder for this work having submitted a bid of \$29,994.00 for said services, and;

WHEREAS, the Streets and Parks Supervisor has examined the bid and finds it reasonable and conforming to the bid specifications.

NOW, THEREFORE, be it resolved by the Council of the Village of Yellow Springs, Ohio that:

Section 1. The Village Manager is authorized to execute an Agreement with for painting and repair of Gaunt Park Pool, which said agreement shall be in a form approved by the Village Solicitor.

Section 2. A Supplemental Appropriation in the amount of \$4,994.00 will be submitted for Council approval to accommodate the amount in excess of the budgeted amount.

Section 2. This Resolution shall go into effect at the earliest period allowed by law.

\_\_\_\_\_  
Karen Wintrow, Council President

Passed:

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

**ROLL CALL**

Karen Wintrow \_\_\_\_ Lori Askeland \_\_\_\_ Gerald Simms \_\_\_\_  
Brian Housh \_\_\_\_ Marianne MacQueen \_\_\_\_



## **Memo**

To: Yellow Springs Village Council  
From: Nick Boutis, Glen Helen Ecology Institute, Antioch College  
Date: September 29, 2015  
RE: Glen Helen annexation request

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### Background:

The northern half of Glen Helen, which spans from State Route 343 to Grinnell Rd, is comprised of two parcels. The western parcel, which runs along Corry St, is within the Village of Yellow Springs. The eastern parcel, which includes Birch Creek, the Cascades, the Outdoor Education Center, and the Yellow Springs Creek south of Herman St., is presently within Miami Township. This creates a bifurcated jurisdiction, where the Village of Yellow Springs Police Department is responsible for a fraction of the woods, and the County Sheriff responsible for the remainder.

Presently, the nature preserve and its visitors suffer as a result of this split in jurisdiction. Glen Helen is right next to downtown, but largely outside the Village boundary. The County Sheriff's office is too distant from the north section of Glen Helen to provide meaningful support, requiring a half-hour or more to respond to calls. Unfortunately, the Glen Helen Ecology Institute and Antioch College do not have the resources to do everything that needs to be done to protect the preserve from criminal activity. As a result, Glen Helen is in limbo. Because violations of state law or the rules of the preserve go largely unchallenged, there is a feedback loop of permissiveness among those who would cause the preserve harm.

Vandalism is common in the preserve, with visitors breaking trees, spray painting trees and rock formations, carving into trees and handrails, destroying interpretive signage, or starting fires. Disturbances such as public nudity, public drinking, drug use, and intoxication are also common, and not only cause discomfort to law-abiding citizens and visitors to the preserve, these behaviors challenge our ability to maintain safe schoolground conditions for the children we serve through the Outdoor Education Center. Littering is common, especially among those who come to party in the Glen at nighttime, and who then leave glass – often broken – on trails and around rock ledges. Visitors poach plants, some of which are Ohio protected species. More serious crimes, such as sale of narcotics, are less common, but happen from time to time.

We also see violations of the rules that Glen Helen has in place to ensure the ecological integrity of the preserve and the continuity of our educational programs. Visitors who come into the preserve after hours, climb rock formations, or bring on unleashed dogs, for example, are trespassing in ways that damage the preserve and negatively affect public safety.

We believe that the majority of the perpetrators of the incidents listed above are coming from out of town, attracted to a counterculture experience, and that the proximity of the Glen to downtown stores, parking, and restaurants makes it easy for them to slip into the woods.

Our goals:

The big picture is simple. We are trying to ensure the integrity of the preserve, trying to ensure that lawful citizens are able to have a positive and comfortable experience in Glen Helen, and trying to ensure that the children and school groups that we serve are able to have a safe, and safe-feeling experience in the outdoors.

Our strategy:

We hope to pursue a three-prong approach to securing a safer and better-protected preserve.

1. As of July 2015, Glen Helen employs a full-time ranger. Susan Smith, who has peace officer training, works 40 hours per week, with her hours arranged to coincide with peak visitation in the preserve.
2. As of August 2015, Antioch College's Office of Public Safety has established a protocol to provide periodic patrols at times when ranger is not working/available.
3. **Further, we are requesting that the Village of Yellow Springs annex the north Glen parcel now in Miami Township.** This would extend the Village Police Department jurisdiction to include the majority of the hotspots where troublesome behavior now occurs. It would allow our local force to periodically patrol hotspots, to respond to calls, and to issue citations or make arrests when necessary.

Our primary interest is prevention, not prosecution. We believe that these strategies, employed in tandem, will help the visiting public better understand and value Glen Helen, and reduce the severity and frequency of incidents that damage the preserve.

Additional information:

Included with this memo, please find the current legal description of the northern section of Glen Helen, plus images showing the current north Glen parcels.



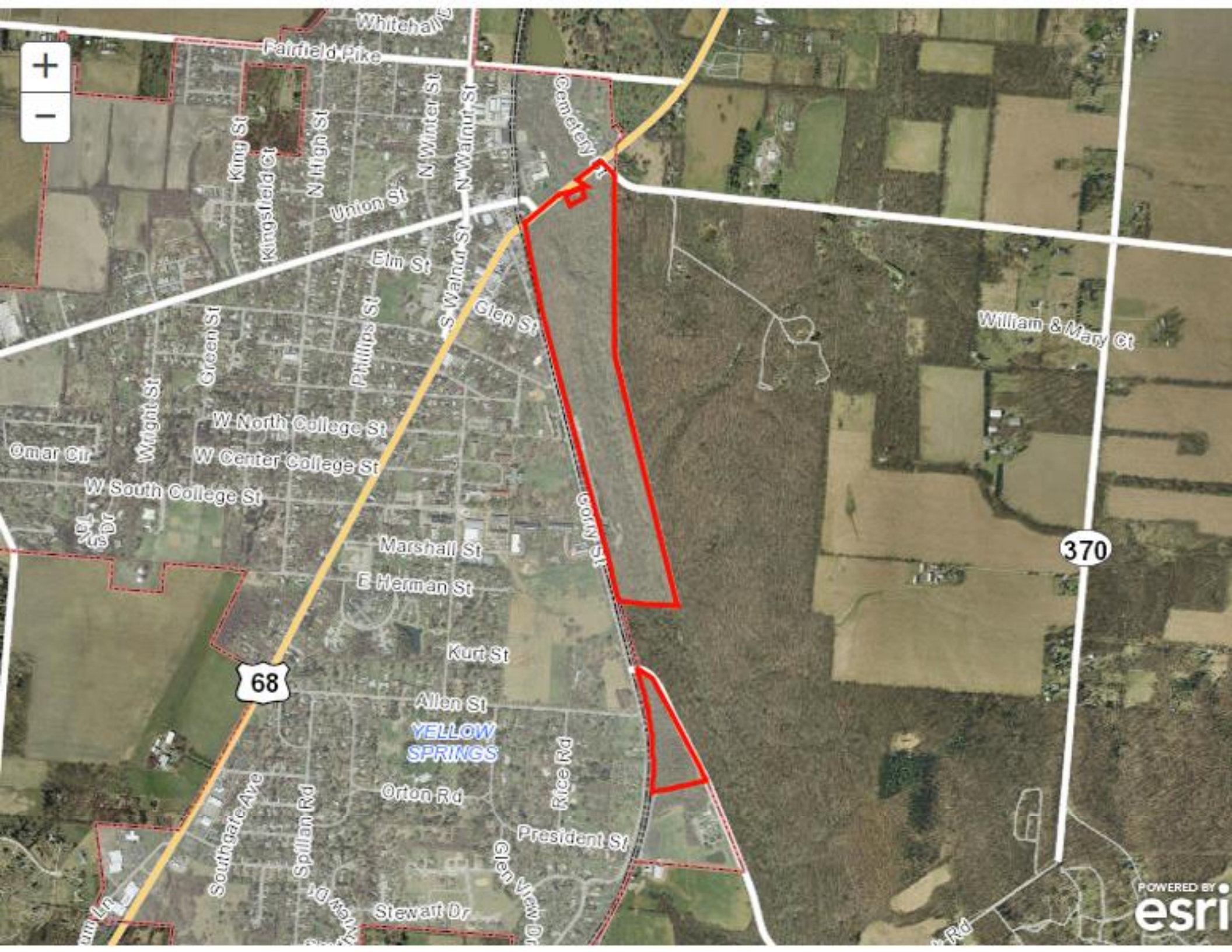
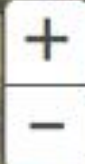


68

370

YELLOW  
SPRINGS





Whitehall

Fairfield Pike

King St

Kingsfield Ct

N High St

Union St

N Winter St

N Walnut St

Cemetery

Elm St

Phillips St

Glen St

Green St

Wright St

W North College St

W Center College St

W South College St

Omar Cir

St Louis Dr

William & Mary Ct

68

370

Marshall St

E Herman St

Kurt St

Allen St

YELLOW SPRINGS

Orton Rd

Rice Rd

President St

Southingate Ave

Spillan Rd

Stewart Dr

Glen View Dr

2016 GENERAL FUND BUDGET									
ACCOUNT DESCRIPTION		2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 AS OF 9/30/15	2015 PROJECTED	2016 BUDGET	NOTES	
<b>101</b>	<b>GENERAL FUND</b>								
<b>REVENUE:</b>									
101-0100-40101	REAL ESTATE TAXES	\$ 874,833	\$ 888,949	\$ 888,000	\$ 879,467	\$ 879,467	\$ 981,000	PER TAX BUDGET	
101-0100-40102	PERSONAL PROPERTY TAXES	\$ 3,930	\$ 4,319	\$ 4,500	\$ 3,323	\$ 4,154	\$ 4,000		
101-0100-40103	KWH TAX	\$ 128,048	\$ 144,052	\$ 131,000	\$ 107,889	\$ 134,861	\$ 131,000		
101-0100-40104	CITY INCOME TAX	\$ 1,363,033	\$ 1,533,507	\$ 1,350,000	\$ 1,213,222	\$ 1,516,528	\$ 1,550,000		
<b>100</b>	<b>LOCAL TAXES</b>	<b>\$ 2,369,844</b>	<b>\$ 2,570,827</b>	<b>\$ 2,373,500</b>	<b>\$ 2,203,901</b>	<b>\$ 2,535,009</b>	<b>\$ 2,666,000</b>		
101-0200-40201	LOCAL GOVERNMENT-TANGIBLE	\$ 94,540	\$ 92,425	\$ 97,697	\$ 74,684	\$ 93,355	\$ 98,762		
101-0200-40202	LOCAL GOVERNMENT-INTANGIBLE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
101-0200-40203	ESTATE TAXES	\$ 302,511	\$ -	\$ -	\$ -	\$ -	\$ -		
101-0200-40204	CIGARETTES	\$ 199	\$ 233	\$ 200	\$ 222	\$ 222	\$ 200		
101-0200-40205	LIQUOR & BEER	\$ 7,050	\$ 6,548	\$ 5,400	\$ 5,664	\$ 5,664	\$ 5,400		
101-0200-40206	STATE INCOME TAX	\$ 12,183	\$ 11,189	\$ 8,000	\$ 8,066	\$ 8,066	\$ 8,000		
101-0200-40207	STATE MUNICIPAL INCOME TAX	\$ 1,529	\$ 245	\$ 200	\$ -	\$ -	\$ 200		
101-0200-40208	ROLLBACK/HOMESTEAD	\$ 132,233	\$ 135,055	\$ 134,000	\$ 134,464	\$ 134,464	\$ 134,000		
<b>200</b>	<b>STATE SHARED TAXES &amp; PERMITS</b>	<b>\$ 550,245</b>	<b>\$ 245,695</b>	<b>\$ 245,497</b>	<b>\$ 223,100</b>	<b>\$ 241,771</b>	<b>\$ 246,562</b>		
100-0400-40401	LOCAL GRANT - YSCF - CH5 INTERN	\$ -	\$ 2,970	\$ 4,400	\$ 4,125	\$ 4,125	\$ 4,000		
100-0400-40404	OTHER LOCAL GRANTS	\$ -	\$ 2,600	\$ 3,300	\$ 1,185	\$ 1,185	\$ 3,000		
<b>400</b>	<b>INTERGOVERNMENTAL AID, GRANTS</b>	<b>\$ -</b>	<b>\$ 5,570</b>	<b>\$ 7,700</b>	<b>\$ 5,310</b>	<b>\$ 5,310</b>	<b>\$ 7,000</b>		
101-0500-40503	ASSESSMENT FEES	\$ -	\$ -	\$ -	\$ 1,606	\$ 1,606	\$ -		
101-0500-40521	TWP. SHARED COSTS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
<b>500</b>	<b>CHARGES FOR SERVICES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,606</b>	<b>\$ 1,606</b>	<b>\$ -</b>		
101-0600-40602	PERMITS	\$ 1,846	\$ 1,794	\$ 1,500	\$ 2,904	\$ 3,630	\$ 2,000		
101-0600-40604	RESTITUTION	\$ 150	\$ 18	\$ -	\$ -	\$ -	\$ -		
101-0600-40605	FINES & COSTS	\$ 36,765	\$ 20,830	\$ 18,000	\$ 17,040	\$ 21,300	\$ 20,000		
101-0600-40606	DRUG LAW ENFORCEMENT	\$ 1,450	\$ 280	\$ 200	\$ 100	\$ 125	\$ 100		
101-0600-40607	XMC-FINES & COSTS	\$ 1,025	\$ 285	\$ 250	\$ 80	\$ 100	\$ 150		
101-0600-40608	IMMOBILIZATION FEES	\$ -	\$ 170	\$ -	\$ -	\$ -	\$ -		
101-0600-40610	INDIGENT DRIVERS	\$ -	\$ 2,782	\$ -	\$ -	\$ -	\$ -		
<b>600</b>	<b>FINES,COSTS,FORFEITURES,PERMIT</b>	<b>\$ 43,406</b>	<b>\$ 26,159</b>	<b>\$ 19,950</b>	<b>\$ 20,124</b>	<b>\$ 25,155</b>	<b>\$ 22,250</b>		



ACCOUNT DESCRIPTION		2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 AS OF 9/30/15	2015 PROJECTED	2016 BUDGET	NOTES
101-0800-40800	AUCTION PROCEEDS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
101-0800-40804	PROPERTY SALES	\$ -	\$ 5,849	\$ -	\$ 21,334	\$ 21,334	\$ -	
101-0800-40802	INTEREST	\$ 1,358	\$ 2,928	\$ 2,500	\$ 1,957	\$ 2,446	\$ 2,500	
101-0800-40803	RENT (Now includes Verizon)	\$ 79,718	\$ 69,799	\$ 55,000	\$ 46,002	\$ 57,503	\$ 55,000	
101-0800-40804	OTHER (Refunds, AMP Landfill Gas Sales)	\$ 25,842	\$ 8,163	\$ 5,000	\$ 6,306	\$ 7,883	\$ 6,000	
101-0800-40805	REIMBURSEMENTS	\$ 15,806	\$ 33,849	\$ 11,000	\$ 35,498	\$ 440,000	\$ 12,000	INCLUDES \$405K FROM WATER FUND ADVANCE
101-0800-40806	LOGOS, CODES, MAPS	\$ 85	\$ 31	\$ 50	\$ -	\$ -	\$ -	
101-0800-40808	DONATIONS	\$ -	\$ -	\$ -	\$ 160	\$ 160	\$ -	
101-0800-40809	PU ELECTRIC DEREG.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
101-0800-40811	PROJECT DEPOSITS	\$ -	\$ -		\$ 400	\$ 400	\$ 400	
101-0800-40815	CABLE FRANCHISE	\$ 34,873	\$ 41,574	\$ 32,000	\$ 31,157	\$ 31,157	\$ 32,000	
101-0800-40817	ANTHEM-EMPLOYEES SHARE	\$ 18,756	\$ 22,214	\$ 18,000	\$ 15,476	\$ 19,345	\$ 20,000	
101-0800-40818	DELTA DENTAL	\$ 1,186	\$ 1,499	\$ 1,600	\$ 1,027	\$ 1,284	\$ 1,200	
101-0800-40819	VENDING MACHINE SALES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
101-0800-40820	COPIES	\$ -	\$ 103	\$ 75	\$ 41	\$ 51	\$ 50	
800	MISC RECEIPTS & REIMBURSEMENTS	\$ 177,624	\$ 186,009	\$ 125,225	\$ 159,358	\$ 581,562	\$ 129,150	
TOTAL GENERAL FUND REVENUE		\$ 3,141,119	\$ 3,034,260	\$ 2,771,872	\$ 2,613,399	\$ 3,390,414	\$ 3,070,962	
EXPENDITURES:								
1001	COUNCIL							
1	PERSONNEL SERVICES	\$ 95,726	\$ 113,902	\$ 121,834	\$ 86,224	\$ 107,740	\$ 124,661	
2	GENERAL OPERATING EXPENSES	\$ 3,317	\$ 5,233	\$ 4,200	\$ 434	\$ 543	\$ 4,200	
3	CONTRACTUAL SERVICES	\$ 108,529	\$ 137,251	\$ 132,850	\$ 62,291	\$ 77,864	\$ 90,350	
4	MATERIALS & SUPPLIES	\$ 9,170	\$ 6,067	\$ 13,900	\$ 11,403	\$ 14,254	\$ 12,550	
5	CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
1001	COUNCIL TOTAL	\$ 216,742	\$ 262,453	\$ 272,784	\$ 160,352	\$ 200,400	\$ 231,761	
1002	MAYOR							
1	PERSONNEL SERVICES	\$ 56,766	\$ 57,002	\$ 55,207	\$ 39,530	\$ 49,413	\$ 42,624	
2	GENERAL OPERATING EXPENSES	\$ 1,328	\$ 1,309	\$ 1,500	\$ 898	\$ 1,123	\$ 1,500	
3	CONTRACTUAL SERVICES	\$ 899	\$ 4,322	\$ 2,400	\$ 1,984	\$ 2,461	\$ 2,825	
4	MATERIALS & SUPPLIES	\$ 2,147	\$ 2,225	\$ 4,150	\$ 2,663	\$ 3,329	\$ 2,550	
1002	MAYOR TOTAL	\$ 61,140	\$ 64,858	\$ 63,257	\$ 45,075	\$ 56,325	\$ 49,499	

ACCOUNT DESCRIPTION		2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 AS OF 9/30/15	2015 PROJECTED	2016 BUDGET	NOTES
<b>1003</b>	<b>ADMINISTRATION</b>							
1	PERSONNEL SERVICES	\$ 160,313	\$ 109,952	\$ 190,551	\$ 126,093	\$ 157,616	\$ 152,925	
2	GENERAL OPERATING EXPENSES	\$ 2,059	\$ 2,967	\$ 5,000	\$ 914	\$ 1,143	\$ 5,000	
3	CONTRACTUAL SERVICES	\$ 152,800	\$ 158,192	\$ 166,330	\$ 96,655	\$ 120,819	\$ 160,350	
4	MATERIALS & SUPPLIES	\$ 9,332	\$ 10,501	\$ 16,465	\$ 9,118	\$ 11,379	\$ 10,200	
7	MISCELLANEOUS	\$ 3,060	\$ 2,300	\$ 3,500	\$ 1,375	\$ 1,719	\$ 3,500	
<b>1003</b>	<b>ADMINISTRATION TOTAL</b>	<b>\$ 327,564</b>	<b>\$ 283,912</b>	<b>\$ 381,846</b>	<b>\$ 234,155</b>	<b>\$ 292,675</b>	<b>\$ 331,975</b>	
<b>1004</b>	<b>AUDITOR</b>							
3	CONTRACTUAL SERVICES	\$ 30,184	\$ 28,303	\$ 30,650	\$ 35,663	\$ 35,663	\$ 30,650	
<b>1004</b>	<b>AUDITORS TOTAL</b>	<b>\$ 30,184</b>	<b>\$ 28,303</b>	<b>\$ 30,650</b>	<b>\$ 35,663</b>	<b>\$ 35,663</b>	<b>\$ 30,650</b>	
<b>1005</b>	<b>RENTAL PROPERTY</b>							
3	CONTRACTUAL SERVICES	\$ 22,603	\$ 16,468	\$ 25,250	\$ 16,771	\$ 18,259	\$ 24,100	
4	MATERIALS & SUPPLIES	\$ 75	\$ 1,273	\$ -	\$ -	\$ -	\$ -	
5	CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
7	MISCELLANEOUS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>1005</b>	<b>RENTAL PROPERTY TOTAL</b>	<b>\$ 22,678</b>	<b>\$ 17,741</b>	<b>\$ 25,250</b>	<b>\$ 16,771</b>	<b>\$ 18,259</b>	<b>\$ 24,100</b>	
<b>1006</b>	<b>LIBRARY</b>							
3	CONTRACTUAL SERVICES	\$ 3,325	\$ 5,556	\$ 6,500	\$ 3,680	\$ 4,600	\$ 8,350	
4	MATERIALS & SUPPLIES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
5	CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>1006</b>	<b>LIBRARY TOTAL</b>	<b>\$ 3,325</b>	<b>\$ 5,556</b>	<b>\$ 6,500</b>	<b>\$ 3,680</b>	<b>\$ 4,600</b>	<b>\$ 8,350</b>	
<b>1008</b>	<b>CABLE TV</b>							
1	PERSONNEL SERVICES	\$ 385	\$ 2,248	\$ 4,109	\$ 4,629	\$ 5,786	\$ 8,165	
2	GENERAL OPERATING EXPENSES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
3	CONTRACTUAL SERVICES	\$ -	\$ 4,619	\$ 5,100	\$ 6,109	\$ 511	\$ 5,050	
4	MATERIALS & SUPPLIES	\$ 1,259	\$ 1,421	\$ 1,400	\$ 892	\$ 1,115	\$ 1,400	
5	CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
7	MISCELLANEOUS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>1008</b>	<b>CABLE TV TOTAL</b>	<b>\$ 1,644</b>	<b>\$ 8,288</b>	<b>\$ 10,609</b>	<b>\$ 11,630</b>	<b>\$ 7,412</b>	<b>\$ 14,615</b>	
<b>1010</b>	<b>HUMAN RELATIONS</b>							
1	PERSONNEL SERVICES	\$ -	\$ -	\$ 3,300	\$ 1,948	\$ 2,435	\$ -	
2	GENERAL OPERATING EXPENSES	\$ -	\$ -	\$ 1,000	\$ -	\$ -	\$ 1,000	
3	CONTRACTUAL SERVICES	\$ 4,117	\$ 6,934	\$ 2,300	\$ 800	\$ 1,000	\$ 2,300	
4	MATERIALS & SUPPLIES	\$ 916	\$ 3,556	\$ 5,200	\$ 1,476	\$ 1,845	\$ 5,200	
<b>1010</b>	<b>HUMAN RELATIONS TOTAL</b>	<b>\$ 5,033</b>	<b>\$ 10,490</b>	<b>\$ 11,800</b>	<b>\$ 4,224</b>	<b>\$ 5,280</b>	<b>\$ 8,500</b>	

ACCOUNT DESCRIPTION		2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 AS OF 9/30/15	2015 PROJECTED	2016 BUDGET	NOTES
<b>1201</b>	<b>PUBLIC SAFETY</b>							
1	PERSONNEL SERVICES	\$ 915,353	\$ 1,096,965	\$ 1,152,323	\$ 830,160	\$ 1,057,677	\$ 1,201,963	
2	GENERAL OPERATING EXPENSES	\$ 6,474	\$ 4,234	\$ 10,000	\$ 3,495	\$ 4,369	\$ 10,000	
3	CONTRACTUAL SERVICES	\$ 103,628	\$ 88,634	\$ 120,100	\$ 78,399	\$ 96,749	\$ 134,850	
4	MATERIALS & SUPPLIES	\$ 53,763	\$ 51,114	\$ 51,200	\$ 25,127	\$ 31,256	\$ 50,600	
5	CAPITAL	\$ 52,255	\$ 658	\$ -	\$ -	\$ -	\$ -	
7	MISCELLANEOUS	\$ 601	\$ -	\$ -	\$ -	\$ -	\$ -	
9	TRANSFERS	\$ 0	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>1201</b>	<b>PUBLIC SAFETY TOTAL</b>	<b>\$ 1,132,074</b>	<b>\$ 1,241,605</b>	<b>\$ 1,333,623</b>	<b>\$ 937,181</b>	<b>\$ 1,190,050</b>	<b>\$ 1,397,413</b>	
<b>1202</b>	<b>PLANNING &amp; ZONING</b>							
1	PERSONNEL SERVICES	\$ 26,504	\$ 10,438	\$ 67,692	\$ 34,379	\$ 42,973	\$ 55,337	
2	GENERAL OPERATING EXPENSES	\$ 60	\$ 126	\$ 1,500	\$ 116	\$ 145	\$ 1,500	
3	CONTRACTUAL SERVICES	\$ 107,303	\$ 16,963	\$ 65,362	\$ 59,658	\$ 60,623	\$ 5,250	
4	MATERIALS & SUPPLIES	\$ 307	\$ 573	\$ 4,000	\$ 3,234	\$ 4,043	\$ 2,100	
5	CAPITAL	\$ 7,020	\$ -	\$ -	\$ -	\$ -	\$ -	
7	MISCELLANEOUS	\$ -	\$ -	\$ -	\$ 1,150	\$ 1,438	\$ 2,500	
<b>1202</b>	<b>PLANNING AND ZONING TOTAL</b>	<b>\$ 141,194</b>	<b>\$ 28,100</b>	<b>\$ 138,554</b>	<b>\$ 98,537</b>	<b>\$ 109,221</b>	<b>\$ 66,687</b>	
<b>1204</b>	<b>MEDIATION</b>							
1	PERSONNEL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
2	GENERAL OPERATING EXPENSES	\$ 150	\$ 3,164	\$ 2,500	\$ -	\$ 2,500	\$ 2,500	
3	CONTRACTUAL SERVICES	\$ 6,638	\$ 6,163	\$ 6,500	\$ 4,834	\$ 6,043	\$ 6,500	
4	MATERIALS & SUPPLIES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>1204</b>	<b>MEDIATION TOTAL</b>	<b>\$ 6,788</b>	<b>\$ 9,327</b>	<b>\$ 9,000</b>	<b>\$ 4,834</b>	<b>\$ 8,543</b>	<b>\$ 9,000</b>	



ACCOUNT DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 AS OF 9/30/15	2015 PROJECTED	2016 BUDGET	NOTES
<b>SUBTOTAL GF EXPENDITURES BEFORE TRANSFERS</b>	<b>\$ 1,948,366</b>	<b>\$ 1,960,633</b>	<b>\$ 2,283,873</b>	<b>\$ 1,552,101</b>	<b>\$ 1,928,427</b>	<b>\$ 2,172,551</b>	
<b>1009 TRANSFERS OUT TO OTHER FUNDS</b>							
101-1009-59101 TO:							
202 Streets	\$ 581,646	\$ 651,706	\$ 496,392	\$ 496,392	\$ 496,392	\$ 320,000	
204 Parks	\$ 282,584	\$ 294,417	\$ 301,874	\$ 301,874	\$ 301,874	\$ 223,475	
205 Economic Development	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
207 Green Space	\$ 50,000	\$ 25,000	\$ -	\$ -	\$ -	\$ -	
360 OPWC Loop Completion Grant	\$ -	\$ -	\$ 405,000	\$ 405,000	\$ 405,000	\$ -	
903 Police Pension	\$ 61,110	\$ 71,641	\$ 73,877	\$ 73,877	\$ 73,877	\$ 77,310	
902 Widows	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ -	CURRENT FUND BALANCE OF \$3,443
401 Bond Retirement	\$ 45,606	\$ -	\$ -	\$ -	\$ -	\$ -	
308 Capital Equipment	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000	
307 Facilities Improvement	\$ 204,587	\$ -	\$ -	\$ -	\$ -	\$ 50,000	
306 Parks & Rec Improvement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000	
302 Cable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
601 Electric	\$ -	\$ 69,781	\$ 69,438	\$ 69,438	\$ 69,438	\$ 69,094	BC REPAYMENT
610 Water	\$ -	\$ 155,800	\$ 225,000	\$ 225,000	\$ 225,000	\$ -	
<b>TOTAL TRANSFERS FROM GF</b>	<b>\$ 1,252,033</b>	<b>\$ 1,269,845</b>	<b>\$ 1,573,081</b>	<b>\$ 1,573,081</b>	<b>\$ 1,573,081</b>	<b>\$ 839,879</b>	
<b>TOTAL GF EXPENDITURES WITH TRANSFERS</b>	<b>\$ 3,200,399</b>	<b>\$ 3,230,478</b>	<b>\$ 3,856,954</b>	<b>\$ 3,125,182</b>	<b>\$ 3,501,508</b>	<b>\$ 3,012,430</b>	
REVENUES (OVER) UNDER EXPENDITURES BEFORE TRANSFERS:	\$ 1,192,753	\$ 1,073,627	\$ 487,999	\$ 1,061,298	\$ 1,461,987	\$ 898,411	
AFTER TRANSFERS:	\$ (59,280)	\$ (196,218)	\$ (1,085,082)	\$ (511,783)	\$ (111,094)	\$ 58,532	

GENERAL FUND 2015 BEGINNING BALANCE	\$ 1,911,404
PROJECTED END OF YEAR DIFFERENCE	\$ (111,094)
PROJECTED EOY FUND BALANCE 2015/BEGINNING OF 2016	\$ 1,800,310
PROJECTED END OF 2016 FUND BALANCE	\$ 1,858,842

MINIMUM RESERVE BALANCE USING 2015 EXPENSES (TYPICAL YEAR)	\$ 1,167,169 *
* BASED ON ENOUGH TO COVER 4 MONTHS OF OPERATING EXPENSES	

GENERAL FUND MINIMUM GUIDELINES - 2 MONTH OF OPERATING COSTS

## **CHAPTER 288**

### **Arts & Culture Commission**

[288.01](#) Establishment and Purpose.

[288.02](#) Membership and Procedure.

[288.03](#) Powers and Duties.

[288.04](#) Reports.

[288.05](#) Compensation.

#### ***CROSS REFERENCES***

*Power of Council to establish - see CHTR. § [17](#)*

#### **288.01 ESTABLISHMENT AND PURPOSE.**

There is hereby established in and for the Village a Commission, which shall be known as the Arts & Culture Commission, for the purpose of promoting and supporting improvement, beautification, growth and creativity of the Yellow Springs community.

#### **288.02 MEMBERSHIP AND PROCEDURE.**

(a) The Arts & Culture 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 directing and supervising Commission activities in line with Village goals and objectives. 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 Arts & Culture Commission. However, the Arts & Culture 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 Arts & Culture Commission shall demonstrate experience, expertise and/or education that is relevant to the purpose, powers and duties of the Commission. The members of the Arts & Culture Commission shall be as broadly representative of the residents of the Village as possible. The Village Manager or Assistant Village Manager will serve as an ex officio member.

(e) The Arts & Culture Commission shall annually select a Chair, Vice-Chair and Secretary. Except in unusual circumstances, the Council Liaison will not serve as an officer. If the Arts & Culture Commission is appropriated a budget, it shall also elect a Treasurer. The Chair creates the agenda and leads the meeting. The Vice-Chair fills in for the Chair in her or his 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 Arts & Culture 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 Arts & Culture 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 she or he is not asked to serve as an Arts & Culture 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 an Arts & Culture 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 Arts & Culture 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 288.02 (a).

(h) A majority of current Arts & Culture 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 Arts & Culture Commission will have available to it through the Village Manager'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.

### **288.03 POWERS AND DUTIES.**

The Arts & Culture Commission shall:

(a) Advise Council regarding the merits of any art concept, exhibit and installation as well as issues that affect use, appearance, and experience of Yellow Springs operated public spaces, taking into consideration the respect for all users of public space to promote and support improvement, beautification, growth and creativity of our community;

(b) Initiate public education activities related to its purpose;

- (c) 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;
- (d) Keep minutes of its proceedings that reflect the actions of the Arts & Culture 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;
- (e) 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;
- (f) Serve as a sounding board for issues related to its purpose and provide feedback and information to Council, which may include coordinating, assisting and unifying the efforts of private groups, institutions and individuals within the Village and Miami Township in accordance with the purposes of this Chapter as well as liaising and communicating with public and private agencies and organizations of local, regional, state and national scope whose programs and activities have an impact on the quality of the environment or which can be of assistance to the Commission;
- (g) Review any conceptual proposal presented to the Village for the purpose of making recommendations to Council regarding the merits of the proposed project as well as review more specific renderings and details for approved projects for the purpose of making recommendations on final approval of a project specifically addressing whether a proposed project meets the purpose of public art statement;
- (h) Upon request of Council, serve as a jury regarding the artistic quality and merit of a proposed project, determining whether the project meets the purpose of public art statement;
- (i) Recommend to Council actions that could be taken to accomplish the goals of the Village;
- (j) Carry out such other duties as may be assigned to it by Council.

#### **288.04 REPORTS.**

The Arts & Culture 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.

#### **288.05 COMPENSATION.**

The members of the Arts & Culture Commission shall receive no compensation for their services as members thereof.

## **CHAPTER 280**

### **Community Access Panel**

[280.01](#) Establishment and Purpose.

[280.02](#) Membership and Procedure.

[280.03](#) Powers and Duties.

[280.04](#) Reports.

[280.05](#) Compensation.

#### ***CROSS REFERENCES***

*Power of Council to establish - see CHTR. § [17](#)*

*Power to franchise - see CHTR. §§ [59, 60](#)*

*Notification of meetings - see Ohio R.C. 121.22*

#### **280.01 ESTABLISHMENT AND PURPOSE.**

There is hereby established in and for the Village a Commission, which shall be known as the Community Access Panel, for the purpose of defining the level of interest in public access cable television and initiatives associated with modern electronic communications, digital media and various technological implementations among residents, educational institutions and all other stakeholders within the Village and to provide policy guidance to Council.

#### **280.02 MEMBERSHIP AND PROCEDURE.**

(a) The Community Access Panel 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 directing and supervising Commission activities in line with Village goals and objectives. 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 Community Access Panel. However, the Community Access Panel will consist of a majority of Village residents, and non-resident members should only be appointed in exceptional circumstances.

(d) Each member of the Community Access Panel shall demonstrate experience, expertise and/or education that is relevant to the purpose, powers and duties of the Commission. The members of the Community Access Panel shall be as broadly representative of the residents of the Village as possible. The Village Manager or Assistant Village Manager will serve as an ex officio member.

(e) The Community Access Panel shall annually select a Chair, Vice-Chair and Secretary. Except in unusual circumstances, the Council Liaison will not serve as an officer. If the Community Access Panel is appropriated a budget, it shall also elect a Treasurer. The Chair creates the agenda and leads the meeting. The Vice-Chair fills in for the Chair in her or his 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 Community Access Panel. 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 Community Access Panel 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 she or he is not asked to serve as a Community Access Panel 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 Community Access Panel 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 Community Access Panel 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 280.02 (a).

(h) A majority of current Community Access Panel 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 Community Access Panel will have available to it through the Village Manager'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.

### **280.03 POWERS AND DUTIES.**

The Community Access Panel shall:

(a) Advise Council as to possible courses of action with regard to its purpose, including all matters relating to cable, electronic, or data communications within the Village;

- (b) Initiate public education activities related to its purpose;
- (c) 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;
- (d) Keep minutes of its proceedings that reflect the actions of the Community Access Panel, 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;
- (e) 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;
- (f) Serve as a sounding board for issues related to its purpose and provide feedback and information to Council, which includes receiving public comments;
- (g) Review cable operations, direct local access operations and meet with the franchisee;
- (h) Recommend to Council actions that could be taken to accomplish the goals of the Village;
- (i) Carry out such other duties as may be assigned to it by Council.

#### **280.04 REPORTS.**

The Community Access Panel 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.

#### **280.05 COMPENSATION.**

The members of the Community Access Panel shall receive no compensation for their services as members thereof.

## CHAPTER 286

### Energy Board

[286.01](#) Establishment and Purpose.

[286.02](#) Membership and Procedure.

[286.03](#) Powers and Duties.

[286.04](#) Reports.

[286.05](#) Compensation.

#### **CROSS REFERENCES**

*Power of Council to establish - see CHTR. § [17](#)*

#### **286.01 ESTABLISHMENT AND PURPOSE.**

There is hereby established in and for the Village a Commission, which shall be known as the Energy Board, for the purpose of working in concert with Village staff to further Council's goal to develop a comprehensive policy that addresses global warming and seeks to reduce the carbon footprint of the Yellow Springs community.

#### **286.02 MEMBERSHIP AND PROCEDURE.**

(a) The Energy Board 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 directing and supervising Commission activities in line with Village goals and objectives. 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 Energy Board. However, the Energy Board will consist of a majority of Village residents, and non-resident members should only be appointed in exceptional circumstances.

(d) Each member of the Energy Board shall demonstrate experience, expertise and/or education that is relevant to the purpose, powers and duties of the Commission. The members of the Energy Board shall be as broadly representative of the residents of the Village as possible. The Village Manager or Assistant Village Manager will serve as an ex officio member.



(e) The Energy Board shall annually select a Chair, Vice-Chair and Secretary. Except in unusual circumstances, the Council Liaison will not serve as an officer. If the Energy Board is appropriated a budget, it shall also elect a Treasurer. The Chair creates the agenda and leads the meeting. The Vice-Chair fills in for the Chair in her or his 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 Energy Board. 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 Energy Board 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 she or he is not asked to serve as an Energy Board 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 an Energy Board 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 Energy Board 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 286.02 (a).

(h) A majority of current Energy Board 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 Energy Board will have available to it through the Village Manager'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.

### **286.03 POWERS AND DUTIES.**

The Energy Board shall:

(a) Advise Council on how to reduce energy consumption in Village-owned facilities and design & implement an energy conservation program for customers of the Village electric system that will allow them to reduce their energy consumption, thereby saving money and resources;

(b) Initiate public education activities related to its purpose;

(c) 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;

(d) Keep minutes of its proceedings that reflect the actions of the Arts & Culture 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;

(e) 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;

(f) Serve as a sounding board for issues related to its purpose and provide feedback and information to Council, which includes investigating opportunities for renewable energy generation & energy-related businesses and researching funding options available for such projects;

(g) Develop a plan for adequate base power supplies as existing contracts expire;

(h) Recommend to Council actions that could be taken to accomplish the goals of the Village, including energy-themed economic development;

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

#### **286.04 REPORTS.**

The Energy Board 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.

#### **286.05 COMPENSATION.**

The members of the Energy Board shall receive no compensation for their services as members thereof.

## **CHAPTER 274**

### **Environmental Commission**

[274.01](#) Establishment and Purpose.

[274.02](#) Membership and Procedure.

[274.03](#) Powers and Duties.

[274.04](#) Reports.

[274.05](#) Compensation.

#### ***CROSS REFERENCES***

*Power of Council to establish - see CHTR. § [17](#)*

#### **274.01 ESTABLISHMENT AND PURPOSE.**

There is hereby established in and for the Village a Commission, which shall be known as the Environmental Commission, for the purpose of conservation and improvement of the environment.

#### **274.02 MEMBERSHIP AND PROCEDURE.**

(a) The Environmental 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 directing and supervising Commission activities in line with Village goals and objectives. 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 Environmental Commission. However, the Environmental 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 Environmental Commission shall demonstrate experience, expertise and/or education that is relevant to the purpose, powers and duties of the Commission. The members of the Environmental Commission shall be as broadly representative of the residents of the Village as possible. The Village Manager or Assistant Village Manager will serve as an ex officio member.

(e) The Environmental Commission shall annually select a Chair, Vice-Chair and Secretary. Except in unusual circumstances, the Council Liaison will not serve as an officer. If the Environmental Commission is appropriated a budget, it shall also elect a Treasurer. The Chair creates the agenda and leads the meeting. The Vice-Chair fills in for the Chair in her or his 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 Environmental 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 Environmental 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 she or he is not asked to serve as an Environmental 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 an Environmental 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 Environmental 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 274.02 (a).

(h) A majority of current Environmental 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 Environmental Commission will have available to it through the Village Manager'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.

### **274.03 POWERS AND DUTIES.**

The Environmental Commission shall:

(a) Advise Council as to possible courses of action with regard to its purpose, which may include matters affecting the preservation, development and use of the natural and constructed features and conditions of the Village insofar as beauty, quality, biological integrity and other factors are concerned. In addition, the Environmental Commission shall advise Council on any major threats posed to environmental quality that may result from human activities and developments;

(b) Initiate public education activities related to its purpose, which may include developing and conducting programs of public information in the community designed to foster increased understanding of the nature of environmental problems and issues and support for their solutions as well as conducting studies, surveys and inventories of the natural and constructed features within the Village and other such studies and surveys as may be necessary to carry on the general purposes of this Chapter;

(c) 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;

(d) Keep minutes of its proceedings that reflect the actions of the Environmental 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;

(e) 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;

(f) Serve as a sounding board for issues related to its purpose and provide feedback and information to Council, which may include coordinating, assisting and unifying the efforts of private groups, institutions and individuals within the Village and Miami Township in accordance with the purposes of this Chapter as well as liaising and communicating with public and private agencies and organizations of local, regional, state and national scope whose programs and activities have an impact on the quality of the environment or which can be of assistance to the Commission;

(g) Working in cooperation with the Planning Commission, recommend from time to time to Council features, plans and programs relating to environmental improvement for inclusion in the Master Plan of the Village. Also, the Commission should recommend to Council appropriate and desirable changes in existing local laws and ordinances relating to environmental control or recommend new local laws and ordinances;

(h) Recommend to Council actions that could be taken to accomplish the goals of the Village;

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

#### **274.04 REPORTS.**

The Environmental 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.

#### **274.05 COMPENSATION.**

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

## **CHAPTER 284**

### **Economic Sustainability Commission**

[284.01](#) Establishment and Purpose.

[284.02](#) Membership and Procedure.

[284.03](#) Powers and Duties.

[284.04](#) Reports.

[284.05](#) Compensation.

#### ***CROSS REFERENCES***

*Power of Council to establish - see CHTR. § [17](#)*

#### **284.01 ESTABLISHMENT AND PURPOSE.**

There is hereby established in and for the Village a Commission, which shall be known as the Economic Sustainability Commission, for the purpose of supporting economic development activities in the Village of Yellow Springs.

#### **284.02 MEMBERSHIP AND PROCEDURE.**

(a) The Economic Sustainability 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 directing and supervising Commission activities in line with Village goals and objectives. 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 Economic Sustainability Commission. However, the Economic Sustainability 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 Economic Sustainability Commission shall demonstrate experience, expertise and/or education that is relevant to the purpose, powers and duties of the Commission. The members of the Economic Sustainability Commission shall be as broadly representative of the residents of the Village as possible. The Village Manager or Assistant Village Manager will serve as an ex officio member. The Yellow Springs School Board and Miami Township Trustees will be offered the opportunity to each appoint an ex-officio representative.

(e) The Economic Sustainability Commission shall annually select a Chair, Vice-Chair and Secretary. Except in unusual circumstances, the Council Liaison will not serve as an officer. If the Economic Sustainability Commission is appropriated a budget, it shall also elect a Treasurer. The Chair creates the agenda and leads the meeting. The Vice-Chair fills in for the Chair in her or his 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 Economic Sustainability 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 Economic Sustainability 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 she or he is not asked to serve as an Economic Sustainability 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 an Economic Sustainability 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 Economic Sustainability 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 284.02 (a).

(h) A majority of current Economic Sustainability 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 Economic Sustainability Commission will have available to it through the Village Manager'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.

### **284.03 POWERS AND DUTIES.**

The Economic Sustainability Commission shall:

(a) Provide information and make recommendations to Council regarding economic development for the Village;

(b) Identify primary opportunities for economic development in the Village and strategies to support these efforts;



- (c) 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;
- (d) Keep minutes of its proceedings that reflect the actions of the Economic Sustainability 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;
- (e) 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;
- (f) Serve as a sounding board for ideas generated by businesses and citizens, which includes recommending steps to further strengthen meeting our needs locally, supporting opportunities for skills training and mentoring, and supporting other best practices for local economic sustainability;
- (g) Review and continually develop the Village Economic Sustainability Plan;
- (h) Facilitate a forum for incubating ideas and networking among diverse groups working on economic development in the Village;
- (i) Recommend to Council actions that could be taken to accomplish the goals of the Village, reporting on activities on various fronts and cooperating in designing strategies for development;
- (j) Carry out such other duties as may be assigned to it by Council.

#### **284.04 REPORTS.**

The Economic Sustainability 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.

#### **284.05 COMPENSATION.**

The members of the Economic Sustainability Commission shall receive no compensation for their services as members thereof.

## **CHAPTER 276**

### **Human Relations Commission**

[276.01](#) Establishment and Purpose.

[276.02](#) Membership and Procedure.

[276.03](#) Powers and Duties.

[276.04](#) Reports.

[276.05](#) Compensation.

#### **CROSS REFERENCES**

*Power of Council to establish - see CHTR. § [17](#)*

*Discrimination against officers and employees prohibited – see CHTR. §89*

*Interfering with civil rights – see GEN. OFF. 608.13, 636.22*

*Equal housing opportunity – see GEN. OFF. Ch. 626*

*Human relations generally – see GEN. OFF. Ch. 632*

*Intimidation in connection with housing – see GEN. OFF. 636.23*

#### **276.01 ESTABLISHMENT AND PURPOSE.**

There is hereby established in and for the Village a Commission, which shall be known as the Human Relations Commission, for the purpose of promoting harmony among the citizens of the Village and working to eliminate prejudice and discrimination within the Village against any individual or group because of race, religion, nationality, heritage, gender, age, disability, sexual orientation or economic class.

#### **276.02 MEMBERSHIP AND PROCEDURE.**

(a) The Human Relations 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 directing and supervising Commission activities in line with Village goals and objectives. 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 Human Relations

Commission. However, the Human Relations 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 Human Relations Commission shall demonstrate experience, expertise and/or education that is relevant to the purpose, powers and duties of the Commission. The members of the Human Relations Commission shall be as broadly representative of the residents of the Village as possible. The Village Manager or Assistant Village Manager will serve as an ex officio member.

(e) The Human Relations Commission shall annually select a Chair, Vice-Chair and Secretary. Except in unusual circumstances, the Council Liaison will not serve as an officer. If the Human Relations Commission is appropriated a budget, it shall also elect a Treasurer. The Chair creates the agenda and leads the meeting. The Vice-Chair fills in for the Chair in her or his 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 Human Relations 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 Human Relations 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 she or he is not asked to serve as a Human Relations 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 Human Relations 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 Human Relations 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 276.02 (a).

(h) A majority of current Human Relations 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 Human Relations Commission will have available to it through the Village Manager'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.

### **276.03 POWERS AND DUTIES.**

The Human Relations Commission shall:

- (a) Advocate to eliminate prejudice and discrimination with the Village;
- (b) Initiate public education activities related to its purpose;
- (c) 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;
- (d) Keep minutes of its proceedings that reflect the actions of the Human Relations 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;
- (e) 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;
- (f) Monitor human relations and social issues and trends in the Village, serving as a sounding board for issues related to its purpose and provide feedback and information to Council;
- (g) Advise Council as to possible courses of action with regard to such issues and trends;
- (h) Facilitate connections between organizations in the Village that touch such issues and trends, and maintain a list of such organizations and contact information;
- (i) Refer specific interpersonal conflicts to the Village Mediation Program, the Equal Employment Opportunities Commission, the Federal Housing Administration or other appropriate bodies, and support those organizations in the resolution of those conflicts;
- (j) Recommend to Council actions that could be taken to accomplish the goals of the Village;
- (k) Carry out such other duties as may be assigned to it by Council.

#### **276.04 REPORTS.**

The Human Relations 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.

#### **276.05 COMPENSATION.**

The members of the Human Relations Commission shall receive no compensation for their services as members thereof.

## **CHAPTER 278**

### **Library Commission**

[278.01](#) Establishment and Purpose.

[278.02](#) Membership and Procedure.

[278.03](#) Powers and Duties.

[278.04](#) Reports.

[278.05](#) Compensation.

#### ***CROSS REFERENCES***

*Power of Council to establish - see CHTR. § [17](#)*

*Village libraries – see Ohio R.C. 735.27*

*Special levies for libraries – see Ohio R.C. 5705.23*

*Detention and arrest powers – see GEN. OFF. 608.17*

#### **278.01 ESTABLISHMENT AND PURPOSE.**

There is hereby established in and for the Village a Commission, which shall be known as the Library Commission, for the purpose of advising on matters related to Village responsibilities for the function and facilities of the Yellow Springs Public Library.

#### **278.02 MEMBERSHIP AND PROCEDURE.**

(a) The Library 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 directing and supervising Commission activities in line with Village goals and objectives. 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 Library Commission. However, the Library 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 Library Commission shall demonstrate experience, expertise and/or education that is relevant to the purpose, powers and duties of the Commission. The members of

the Library Commission shall be as broadly representative of the residents of the Village as possible. The Greene County Librarian or designee, the Yellow Springs Branch Librarian and the Village Manager or Assistant Village Manager will serve as ex officio members.

(e) The Library Commission shall annually select a Chair, Vice-Chair and Secretary. Except in unusual circumstances, the Council Liaison will not serve as an officer. If the Library Commission is appropriated a budget, it shall also elect a Treasurer. The Chair creates the agenda and leads the meeting. The Vice-Chair fills in for the Chair in her or his 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 Library 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 Library 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 she or he is not asked to serve as a Library 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 Library 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 Library 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 278.02 (a).

(h) A majority of current Library 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 Library Commission will have available to it through the Village Manager'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.

### **278.03 POWERS AND DUTIES.**

The Library Commission shall:

(a) Not interfere with the day-to-day operations of the Library or in the management of bequests made to the Yellow Springs Library Association;

(b) Be observant of the maintenance needs of the building and grounds and report any problems to the Yellow Springs Librarian, who will pass this information on to the Village Manager;

(c) 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;

(d) Keep minutes of its proceedings that reflect the actions of the Library 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;

(e) 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;

(f) Serve as a sounding board for issues related to its purpose and provide feedback and information to Council;

(g) Review all proposals for modifications to the building and grounds;

(h) Recommend to Council actions that could be taken to accomplish the goals of the Village;

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

#### **278.04 REPORTS.**

The Library 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.

#### **278.05 COMPENSATION.**

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



Manager's Report, October 5, 2015

### **Public Works/Water/Electric/Sewer**

A reminder that hydrant flushing will begin after Street Fair in October. Since it has not been done at all this year, water will be extremely brown. We will be giving regular reminders until we flush so that everyone can be prepared.

We have received notice from ODOT that they will be paving Xenia Avenue next year for the entire length through the Village. (Actually, they will be doing all of SR 68 in Greene County.) This will be a 1.5-inch mill and fill, which means they will mill off the top then put down a new 1.5-inch surface of asphalt.

GM Pipeline has staged equipment in the Village in preparation for work on the Bottleneck Elimination, which will begin this week. During work on the Loop Completion project, a question arose as to why our Police Officers were directing traffic at the construction site. GM Pipeline hires our off-duty officers to direct traffic and GM Pipeline pays our officers for their work. This is called an off-duty detail and is a common way for officers to supplement their income when not on-duty for the Village. It additionally gives GM Pipeline the knowledge that traffic control will be done properly and safety maintained for everyone. GM Pipeline will be contracting with our Police Department again for this work during the Bottleneck project.

The Public Works crew will be starting on a new storm water line on Davis Street between Phillips and Stafford next week.

Paving should also start in the Village next week. Streets include Miami, Edgefield, Lisa, Southgate and Lawson.

### **Finance Department**

We received two applications for the Utility Dispute Resolution Board. Naomi Orm and Dino Pallotta have graciously offered to serve on the Board.

### **General Topics**

As Council knows, our employee medical insurance renewal included a 1% decrease. We have also been told that our dental insurance is only a 5% increase. Legislation for both renewals is in your packet.

The new website is up and live! Staff continues to make adjustments to information, so please bear with us as we move forward.

Trick or Treat will be October 31<sup>st</sup> from 6-8 PM. Bonfires should be in the regular places.

### **Citizen Correspondence**

My office received a verbal request from a citizen to repaint the "No Bikes on Sidewalks" notices on the sidewalks on Xenia Avenue and Dayton Street. The two options are to paint the notice on the sidewalk as it was before (pro: very visible and adding to sign clutter vs. con: sidewalks are new) or to post signs



stating such (pro: not painting on new sidewalks vs. con: sign clutter in the business areas). Discussion and direction from Council?

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

Parking on Corry Street at Glen Street  
Prepared by Patti Bates and Chief Dave Hale  
October 5, 2015

Council previously received a communication from a resident regarding low visibility at the intersection at Corry Street and Glen Street. After discussion, Chief Hale and I agree that, while the visibility is limited when vehicles are parked on Corry Street north of Glen Street due to the angle of the intersection, there are only two possible solutions.

The first solution would be to eliminate or limit the parking spaces on Corry Street north of Glen. When there are two vehicles parked there, it is very difficult to see. It would be easier if only one vehicle were parked there, and no vehicles would provide extremely good visibility. However, the parking for residents in this area is very limited and taking away two spaces could cause a hardship.

The second possible solution is to post signage indicating the intersection is ahead, traffic on Corry does not stop or some other warning that the intersection is ahead and to be cautious.

I have asked Chief to check recent statistics on accidents at this location. He found no accidents at the intersection since January 1, 2014.

At this point, with only one citizen voicing concern, Chief and I recommend no action. If Council would like action, we recommend signage only, at this point.

If more citizens feel there is an issue with the intersection, we encourage them to come forward.







NO  
PARKING  
THIS SIDE  
OF STREET







Assistant Village Manager Report  
October 5, 2015

### **Credit Cards**

As some of you may have noticed or heard, there has been a transition in credit card technology, shifting from magnetic stripe to EMV chip technology. This is causing merchants to replace their card readers to adapt. In looking at our options at our utilities window, it has made me look at consolidating vendors as we are currently using 2 to process our credit card transactions.

I am looking at moving from our bank to the provider that we are currently using through our online utility billing company. This would allow us to save \$600 on a card reader, as theirs would be provided for free, and also integrate passing on the credit card fees to the customers for the transactions at the window and over the phone. I look to have this new process in place January 1<sup>st</sup>, 2016.

This means that all credit card transactions will pass on the fees to customer, which are currently 2% of a customer's bill and a \$0.30 transaction fee. The exception will be credit cards processed through the mail which will continue to be free.

The Village is currently absorbing all of these fees to the tune of about \$600 per month.

### **Rate Increases**

Tonight's agenda had ordinances in place for raising water and sewer rates in 2016 based on the rate study and presentation by RCAP. I would like for Council to consider a rate increase for electric as well as we have not had one in a number of years.

Another item of consideration are the "readiness for service" charges. These should also be considered when looking at raising rates.

### **Utility Write-Offs**

As you all are aware, there is a large amount of old debt still on our books. Under the direction of the auditors, this needs to be "written off". The procedure in which to do this is to gain formal Council approval and then we can proceed with adjusting those amounts from our system. We will still keep record of any past due balances that existed under a person's name, they will just be removed from our system. I wanted Council to be aware that I would be bringing them legislation in order to proceed at an upcoming meeting.

10-5-2015

To: Council

From: Judy Kintner

Re: Clerk's Report

It's been busy the past few weeks—clearly a great deal of legislation moving through, with some preparation underway for the clerk training here on November 20<sup>th</sup>.

Note in general, that a number of Boards and Commissions are seeking members at this time, so do let your friends and relations know that they need only send a letter of interest and resume to the Clerk to be considered.

Ruthe Ann and I have been diligently learning through trial and error how to populate and edit the new website, which we hope will be more interactive and more up to the minute than the previous site. It is a process, so your comments and observations will be useful as we hack through this thicket of technology.