

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

In Council Chambers @ 7:00 P.M.

Monday, March 16, 2015

CALL TO ORDER

President of Council Karen Wintrow called the meeting to order at 7:02 pm.

ROLL CALL

Present were President Karen Wintrow, Gerry Simms, Brian Housh and Marianne MacQueen. Vice President Lori Askeland was out of town. Village Manager Patti Bates was present, as were Assistant Village Manager John Yung and Sergeant Josh Knapp.

ANNOUNCEMENTS

Wintrow announced the following upcoming events:

March 18th Public Forum with HNTB on Water Softening in Council Chambers: 7-9pm

March 19th HRC Community Conversation with Chief Hale in Bryan Center Gym: 7-9pm
Housh emphasized that this HRC Community Conversation has a special focus on the Village's participation in the ACE Task Force.

March 30th Joint Meeting with Miami Township Trustees at Miami Township Offices: 7pm

March 31st Council Retreat at Rockford Chapel (Antioch College campus): All day

Housh announced that Girl Scout cookies are still being sold, giving a shout out to the local scout troop who performed community service clean up at the amphitheater last Fall.

REVIEW OF MINUTES

Review of Minutes of March 2, 2015, Regular Council Meeting. Simms MOVED and Housh SECONDED a MOTION TO APPROVE THE MINUTES AS WRITTEN. Wintrow CALLED THE VOTE, and the MOTION PASSED 4-0 ON A VOICE VOTE.

REVIEW OF AGENDA

Council added an Executive Session For the Purpose of Discussion of Potential Litigation.

PETITIONS & COMMUNICATIONS

Wintrow reviewed the communications received.

The Clerk will receive and file:

Jon Hudson re: Utility Delinquencies

Bette Kelley re: Economic Development

Kate Hamilton re: Roles and Responsibilities (2 Letters)

Corey Johnson re: Roles and Responsibilities

Judith Hempfling re: Utility Delinquencies

Helen Eier re: Utility Delinquency Discussion

John and Sigalia Cannon re: Utility Delinquencies

On Line Only:

Mayor's Monthly Report

GCAOE re: Annual Artisan Show Flier

HRC re: Conflict Resolution Training

Greene CATS re: Purple Line

HRC re: Community Conversations

Christine Roberts re: Marijuana Cultivation

PAC re: VIDA Press Release

CAP re: Volunteer Thanks

YS Fiber Forum re: Press Release

PUBLIC HEARINGS AND LEGISLATION

Second Reading and Public Hearing of Ordinance 2015-03 Vacating an Alley at the Eastern Edge of Marshall (at Livermore). Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Yung delivered his staff report as follows:

The alley right-of-way requested for vacation is surrounded by one parcel under the ownership of Antioch College and is an undeveloped alley. The Antioch College Wellness Center (previously the Curl Gym) and a parking lot were constructed within and across most of the length of the undeveloped alley.

There being no comment from Council, Wintrow OPENED THE PUBLIC HEARING.

There being no questions or comments from citizens, Wintrow CLOSED THE PUBLIC HEARING AND CALLED THE VOTE. The MOTION PASSED 4-0 ON A ROLL CALL VOTE.

Second Reading and Public Hearing of Ordinance 2015-04 Approving a Water Rate Increase. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Bates explained the legislation, noting that the 10% increase is meant to cover a 6% shortfall and to leave 4% to put towards water projects. Bates stated that the Ohio Water Development Authority has determined that the Village can use the 4% towards payment of a loan for the loop completion project, which would allow the upfront funding to take the form of a loan rather than the form of an expenditure from the General Fund.

Bates stated that she will explain the matter more fully in her Manager's Report.

There being no comment from Council, Wintrow OPENED THE PUBLIC HEARING.

There being no questions or comments from citizens, Wintrow CLOSED THE PUBLIC HEARING AND CALLED THE VOTE. The MOTION PASSED 4-0 ON A ROLL CALL VOTE.

Reading of Resolution 2015-09 Declaring Support for Marriage Equality. MacQueen MOVED and Housh SECONDED a MOTION TO APPROVE.

Wintrow commented that this is the kind of legislation she is proud to be able to pass. She noted that the Mayor had signed on to an amicus brief seeking to end marriage discrimination nationwide, and that there is a push this month in Ohio to try to call attention to the matter.

MacQueen commented on the work of Marriage Matters Ohio, and noted a couple who will be travelling to Indiana in order to get married because of Ohio's restrictive policy.

There being no questions or comments from citizens, Wintrow CALLED THE VOTE. The MOTION PASSED 4-0 ON A VOICE VOTE.

Reading of Resolution 2015-10 Approving 2015 Council Goals. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Council went back through the goals, attached to the legislation as Exhibit A, and made several changes. Those changes are attached to the legislation as amended.

There were no comments from citizens.

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

Reading of Resolution 2015-11 Approving a Then and Now for the First Quarter of 2015. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Vanzant commented that this is a new requirement for the Village, and it took some time to get a final answer from the Auditor. The Auditor is now requiring a then-and-now for any purchase of goods or services from any entity.

Wintrow CALLED THE VOTE and the MOTION PASSED ON A VOICE VOTE.

CITIZEN CONCERNS

There were no Citizen Concerns.

SPECIAL REPORTS

There were no Special Reports.

OLD BUSINESS

Utility Ordinance Policy Discussion. Bates offered background to newcomers, noting the ongoing delinquency issue, primarily stemming from rental properties and the current policy which makes the tenant, rather than the property owner, responsible for the utility bill. That policy, and several loopholes in it, are the areas the discussion seeks to address.

Finance Director Vanzant presented information on the topic, stating that the issue of delinquent utility accounts was cited in the Village audit for the years 2013 as well as 2012 and that she expects that citation to be repeated until addressed. The recommendation in the Auditor's management letter for 2013 states that "The Village should establish, adopt and implement formal written policies and procedures to account for delinquent utility accounts. Such a policy could include repayment plan guidelines and disposition of long standing unpaid balances (write-off or submitting account balances to the County Auditor to be assessed against property owners)."ö

Vanzant stated that research has been conducted by her office to look at other communities to determine how they address the issue of delinquent accounts. The first was through a survey that Vanzant requested be sent to a group of her peers by the City of Xenia to solicit responses on the issue. Those results were provided at the March 2nd meeting. Those results indicated that 25 out of the 33 responses hold property owners responsible for delinquencies. This responsibility was outlined in ways similar to the three recommendations that the Finance office has proposed: Holding property owners responsible for debt incurred at their properties, continuing to annually assess property taxes, and refusing service at a property until all debt is paid.

Vanzant stated that she and Denise Swinger compiled a list of communities from the American Legal web site who had any legislation pertaining to utility delinquencies. They then reviewed the ordinances for all 125 Ohio municipalities that publish their codified ordinances on the American Legal Publishing website, and found that 77% hold the property owners responsible.

Vanzant sent a similar survey to AMP communities requesting input on the same topic. Of the 29 responses received, 23 hold property owners responsible, 5 do not and 1 was unclear. This equates to approximately 82% of the responses received having policies that hold property owners responsible.

Vanzant noted that she was asked by a number of citizens about the percentage of outstanding debt versus the annual amounts billed. In looking at current averages, the Finance office bills approximately \$4.3 million in utility bills annually. Of that amount, delinquencies average approximately \$20,000 per year: a rate of approximately 0.5%.

Some citizens have suggested use of a collection agency. This was not a recommendation originally supported by Council and Vanzant stated that collection agencies vary widely in their level of aggression in collections as well as their fees. Based on data Vanzant had looked at from 2006-2007, the previously used collection agency was quite aggressive and not well received by the community. It also retained 50% of the amounts collected resulting in approximately \$10,000 worth of recovered revenue by the Village.

The inquiry was also made regarding the Village performing credit checks on residents when they sign up for utilities. If this could be done legally, it would still result in a change in ordinance outlining how the Village determines deposit rates, if the Village is able to refuse service, or any other guidelines that would be followed as a result.

The issue of affordability was also raised. Under staff's current recommendations, the landlord would be responsible for utilities, which would enable the Village to no longer accept deposits for utilities. The current deposit rates are \$100 for electric, \$50 for water and \$50 for sewer. That deposit could simply shift to one that is collected by the landlord if they choose.

Wintrow asked whether credit cards could be kept on file, and was told that this is not feasible currently.

Solicitor Conard spoke to the matter, reading from a memo to Council as follows:

Ohio law permits municipalities to hold landlords responsible for their tenants' past due utility bills. The authority of municipalities to enact such legislation was settled by the Ohio Supreme Court in 1943. Whether the Village of Yellow Springs should enact such legislation is clearly a matter of public policy. The vast majority of Ohio municipalities hold landlords responsible for their tenants' past due utility bills.

The general policy behind local ordinances holding a landlord responsible is that landlords are in a better position to control the activities of their tenants on properties the landlords control. Landlords arguably have more coercive power to collect from tenants. The failure to pay utility bills under a lease gives the landlord grounds to evict. The landlord has the initial contact and is in a better position to determine if the prospective tenant is financially able to lease the premises. Placing the burden of obtaining appropriate surety in the form of deposits is generally considered a cost of doing business. Since landlords typically require security deposits for their properties, obtaining additional deposit money for utilities is a reasonable extension of the landlord-tenant relationship.

Under Ohio law, landlords also have a duty to supply utilities to the property. The argument in favor of landlord responsibility for utilities is that the municipality should not bear the risk of providing utilities when the landlord already conducts background and credit checks before determining to lease a property. Unless the tenant already has a debt in his or her name, the municipality is virtually obligated to provide utility service if the landlord leases the property.

Some argue that not making landlords responsible for tenants' delinquent utility bills is a government subsidy for private business. Other arguments include that the amounts of most delinquent utility bills are too small for the municipality to collect cost effectively. The cost of initiating civil litigation is cost prohibitive and use of collection agencies is ineffective.

The Village's ordinance addressing water, sewer and electric cites ORC 735.29, which permits a municipality to charge the homeowner with his or her tenant's delinquency.

Responding to a question from Bates, Conard stated that it would be complicated to ask for deposits based upon a sliding scale, stating that the municipality has an absolute duty to fairly provide municipal services to each citizen. Conard commented that there could be liability on the part of the Village should it use a sliding scale based upon credit reports, but that the same liability would not apply to a private homeowner. He added that the Village cannot refuse to provide service unless the requester has an outstanding balance with the Village.

Vanzant commented in response to a question from Bates, noting that past experience with collection agencies was not positive, and the return rate was not high given the fees.

Bates outlined the supportive materials provided by the Village to citizens regarding assistance with bills or with finding alternative resources.

Wintrow asked for details regarding delinquencies, asking for specific time frames, and sharing that citizens have told her that the Village is not following up adequately.

Vanzant explained that once citizens receive their bills, they have 15 days from the date of the bill to pay the balance. If the balance is paid after the 15-day period, there is a 5% fee added. If no payment is received before the next billing cycle, a delinquency notice is attached to the bill, which will include the past due balance and the current balance. If the past due balance is not paid by the 15th of the month, a disconnect notice is sent out, which allows seven days to pay the past due balance. If the disconnection is enacted, the ENTIRE balance needs to be paid before reconnection can occur. This allows customers to remain one month behind almost indefinitely.

Conard explained that the time frames are not set by state law but by Charter. He stated that "landlord-friendly procedures" could be put in place.

Wintrow asked about assessment to property taxes, inquiring whether the Village can assess a utility delinquency to a property if the utilities are in the tenant's name. Conard stated that this would need to be made clear by ordinance.

Council engaged in a discussion as to whether there should be some mechanism such that tenants would not run behind on their bills.

Vanzant commented that information regarding utility status is always available to a property owner through the Utility Billing Department.

Bates stated that the Village would offer notification by either e-mail or by post under the proposed solution.

Vanzant clarified for Wintrow that utilities, as proposed, would remain in the property owners' names, but could be sent to tenants as a "cc".

Bates explained that the proposed solution is meant to take effect gradually, and that landlords will not be suddenly hit with delinquencies for tenants.

Bates responded to a question from Wintrow, stating that there is no current mechanism by which the Village can refuse service based upon lease language, but that the Village does require a copy of a lease to provide utilities.

Vanzant related a scenario in which a tenant subverted payment of a large, delinquent bill by having her boyfriend, living at the same address, take out utilities in his name.

Conard commented that this is a fairly common problem, noting that it is not legal to live in a rental without utilities.

MacQueen asked whether the utility bill could be sent to both property owner and tenant at the same time, so that leaks, etc. can be caught.

Bates stated that it is part of the job of the meter reader to catch those kinds of things.

Sam Young asked a series of questions. He asked whether utilities could be billed in advance rather than in arrears.

Young asked whether the landlord could "mark up" utility bills, if they were responsible for the utilities, in anticipation of future unpaid bills.

Conard responded that the landlord can bill in advance, and that he did not know whether the landlord can mark up.

Young objected to the lack of differentiation between commercial and residential accounts.

Jo Dunphy asked whether she can legally turn off a tenant's utilities.

Conard stated that this would be at the landlord's risk. He stated that if the landlord is responsible for utilities, she or he will have more control over utility shutoff.

Betty Ford received clarification that under the proposed plan, the landlord will receive notification if a tenant is in arrears.

Dino Pallotta commented that 4.3 million dollars is billed out yearly, of which an average of \$15,981 is unrecovered, which is .37% of the total. Pallotta acknowledged the desire of the Finance Department to recover all possible funds, but argued that the greater "bang for the buck" is to go after unpaid property taxes.

Pallotta asserted that the collection process is working, and that .3% is good. He suggested that the remainder be turned over to a collection agency, and that perhaps deposits increase before the Village considers a policy change. Pallotta stated that if the Village enacts the policy under consideration, it will impact affordability.

Michael Kreitzer asked whether late charges and penalties will be waived if landlords are responsible for utilities. Kreitzer asked that the Village ask for enough deposit to cover delinquencies.

Ellen Hoover stated that she would like to hear about landlord-friendly policies. She asked how land contracts would work. Hoover questioned why the Village would allow a bill to reach \$1,200 as in the earlier example.

Bob Baldwin asked for clarification as to the magnitude of the problem, asking what percentage of the delinquencies are from homeowners as opposed to renters. Baldwin stated that there is too much time passing between use of the utility and the bill. He asserted that it is not possible to be both the provider and the enforcer. He suggested the use of a committee of landlords, Council and an administrator to develop a policy, asserting that the policy is loosey goosey.

John Cannon complained about the lag in time between meter readings, and stated that he had had bad meter readings. Cannon stated that making the landlord responsible creates an unacceptable parental relationship. He asked the Village to increase the utility bills rather than change the current policy.

Sam Young suggested that the Village sell the Electric utility if it is not profitable. He asked that the Village bill in advance, and that the Village differentiate between commercial and residential users. Young asserted that it is not right to hold the landlord accountable for very large commercial bills.

Paul Abendroth asked that Council read from his wife Sue's letter, which he had hand-delivered to Council table. Abendroth asked how the Village collects from Section 8 homes and Greene Met and Home, Inc.

Vanzant stated that Greene Met has been highly supportive of the new policy, and noted that its staff has asked on several occasions when the change is to occur, since Yellow Springs is the only Greene Met location to not hold the landlord accountable.

Abendroth asserted that there would be no mechanism for collections for Home, Inc., since the homeowner does not pay property tax.

MacQueen stated that Home, Inc. homeowners own their homes and pay property tax.

Hoover asked that her earlier questions be addressed. Bates addressed land contracts, stating that in that situation, the property owner remains responsible until the transfer occurs.

Vanzant addressed the question about the large bill, stating that homes heated with electric (baseboard heat) can have very high costs in the winter months.

Chrissy Cruz received confirmation that the communities surveyed were varied, and that some of them were providers of electric.

Cruz asked why the Village couldn't ask for twice the average bill as a deposit, and was told that it is illegal to create a de facto sliding scale.

Bates addressed the argument of the small percentage of the total comprised by delinquencies. She noted that the 3% cut that all staff made to their budgets this year was small, the cost of living increase for staff was reduced to 1%, which was a small reduction from the proposed 2%, but argued that the overall impact should be significant.

Wintrow asked for suggestions as to how delinquencies can be collected.

Simms asked whether the Village wants to pursue a zero sum collections policy. He asked, "as a homeowner, do I want to subsidize renters?" but stated that he is still gathering information on the topic.

Housh noted that there are two sides to the situation, and that he is still gathering information.

In response to a question from MacQueen, Bates stated that she had asked the question regarding any rise in rents with such a change in policy to a number of city managers, and had heard only from the City of Cleveland stating that there had been no discernible change in rental.

MacQueen stated her support for creating a working group with landlords and renters, and stated her support for phasing in the changes.

Wintrow commented that she sees the change as a partnership, stating that landlords do not want the Village to refuse to provide utilities, and she asked whether landlords are ensuring that their tenants can pay their utilities as well as their rent.

Wintrow suggested using the Efficiency Smart program to undertake energy improvements on properties so that utility bills would be lowered.

Council agreed to bring the discussion back to the April 6th meeting.

Sharon Kreitzer asked why the estimated utility bill could be used to inform tenants of likely costs but could not be used as a basis for a deposit.

Bates answered the question for the third time during the meeting, stating that this would be tantamount to a sliding scale, and therefore illegal for a government entity, although it would be permissible for a landlord through a contract.

Conard interjected that he would gather legal information regarding the possibility of this approach.

Council Retreat Agenda

Council set its retreat agenda.

NEW BUSINESS

Council set its agenda for the March 30th joint meeting with Township Trustees.

MANAGER'S REPORT

Bates reported as follows:

The Public Meeting for the Water Plant Softening Options is scheduled for Wednesday, March 18, 2015 from 7:00 P.M. to 9:00 P.M. in Rooms A&B. HNTB will present an analysis of the various softening options, along with their pros and cons.

Regarding the Water Plant: Bates reported that she has been investigating various means of paying for the new water plant as well as the two construction projects. She has looked into several funding sources common for these types of infrastructure projects, including the Army Corps of Engineers, U.S.D.A. Rural Development, Ohio EPA (OEPA), Community Development Block Grants (CDBG), Ohio Water Development Authority (OWDA) and Ohio Public Works Commission (OPWC).

Yellow Springs does not qualify for much of this funding due to the median income for the community.

Requests for Army Corps of Engineers funding under the Clean Water Act must be submitted by the area Congressional Representative as a federal budget item. As such, they are considered an earmark, many of which are not being submitted in the current climate. This leaves three sources, Bates said: OEPA, OWDA and OPWC.

Ohio EPA does have a revolving loan fund for which the Village would qualify, but would be unlikely to get any principal forgiveness, so this would be a loan at a below market rate (currently 1.3%). Funding cycle: applications due beginning of March each year and funds available July 1 of that year.

OWDA also offers loans. As a prior customer, the Village could get a loan at a 50% reduced rate. Current rate is 3.2%, so the rate would be 1.6%. Loans available are at any time subject to OWDA Board approval.

OPWC offers both grants and loans through a competitive system based on specific criteria. Bates thought it possible that the Village may be able to get a loan and possibly a small grant through OPWC.

The loans are at 0% for 30 years. If the Village were able to receive a small grant (say, \$300,000) and a larger loan (\$1,000,000), this could be a substantial savings over the life of the loan. (Calculated savings would be approximately \$347,000 on \$1,300,000 at 1.6% for 30 years.) OPWC is competitive funding. Funding cycle: apply July of this year (2015) with funds available July 1 of 2016. There is also a second type of funding for Small Governments through OPWC. If not funded in the primary round, the Village may be eligible in the Small Governments round.

Bates's recommendation to Council was as follows: begin the process for OPWC funding in 2015. See how the application gets ranked and if funding is likely. Any funding received as a grant or a 0% interest loan will save substantial dollars.

The second part of Bates's recommendation was to apply for OEPA funding in February 2016, provided its interest rate is still lower than OWDA. Any awards from these funding sources would be available at the same time (July 1, 2016). Any remaining balance for costs could be funded through OWDA at a lower than market rate.

This plan would delay the start of construction by approximately 8 months (ground breaking would be July 1, 2016). If the Village is not likely to get an OPWC grant or loan, a straight loan could be obtained through OWDA at any time. Should Council choose not to delay and apply for OPWC or OEPA, the best funding option available would be OWDA, as its rate would be lower than letting bonds.

Bates noted that any of the recommended sources are options for each of the three Village water projects.

Council did not render a decision on funding for the water plant, choosing to consider the matter further.

Regarding Loop Completion: Bates asked Council permission to use an OWDA loan for the current loop completion project, rather than take the funds from the General Fund.

Bates stated that the increase just passed will provide 6% towards making the fund whole, and will cover payment on the loan for the loop completion project and add a small amount to the General Fund.

Wintrow commented that keeping the previously allocated General Fund monies in the General Fund is well worth it.

Council agreed with Bates's funding suggestion for the loop completion project.

The Village's application to host two ICMA International Fellows from Malaysia and Indonesia for the month of May was accepted. The project submitted for them to work on was development of a Village Social Media policy and online presence.

Part time Utility Clerk Gerri Slone will be retiring at the end of May. Bates relayed Vanzant's suggestion that the position be made a full-time position in anticipation of expanded efforts to bring delinquency current (additional mailings, contacts to landlords, etc.).

Vanzant explained that a redistribution of funds to a more appropriate percentage for other positions within the department would pay for the increase in cost to make this a full-time position.

Housh MOVED and MacQueen SECONDED a MOTION TO MAKE THE UTILITY CLERK POSITION A FULL TIME POSITION. The MOTION PASSED 4-0 ON A VOICE VOTE.

The 2014 audit is beginning this month, on target for on-time completion.

Pre-construction meeting for the Water Loop Completion is on March 25th. Construction should begin the first week of April.

Electric pole inspections will begin mid-April. The company is Alamon and all of their employees should have identification showing that. Bates added that those employees will leave property if requested to do so by the resident. Wintrow asked the Village to provide public notification as to what areas of town will be covered at what times.

The Village will begin flushing hydrants the second week of April.

Construction on the storm water line on Davis Street should begin soon.

Wayne Cannon from RCAP will be here to do a training session with Council on the rate analysis on Tuesday, April 7th from 7-8:30 PM. He will be explaining the rate analysis, what it will include and how Council and staff can interpret and use the report.

ASSISTANT VILLAGE MANAGER’S REPORT

Yung reported as follows:

The Antioch Eco Village charrette concluded on Thursday March 5th with a final report on the plan available online.

Revisions on the Fee Ordinance are close to completion and will be discussed at the April Planning Commission meeting. The fee structure is based on the cost of advertising, notices, signage and staff time for Planning Commission and Board of Zoning Appeals applications. It is also being designed to better represent changes made in plan review in the new zoning code.

Yung stated that he has begun to consolidate the Village’s various property codes into one document. The document can serve as a quick reference for Villagers, staff and others who are curious about the Village’s regulations as well as enable more efficient code enforcement.

Discussions on downtown Wifi are continuing. MVECA is developing a new quote for the wireless mesh system. Last Thursday, Councilmember Housh, Thor Sage with MVECA and Yung met with YS Schools Superintendent Mario Basora regarding the project. The WiFi coverage would be from Dayton Street between Walnut and the Bryan Center south to Limestone down Xenia Avenue.

Councilmember Housh and Yung are working on developing the itinerary for the ICMA Fellows who will arrive on May 2nd, and more information should be received by the end of the month. Additionally, Yung has been formally nominated and accepted as an ICMA Fellow in the program, and will travel to Malaysia in July as part of the program.

CLERK’S REPORT

There was no Clerk’s Report.

STANDING REPORTS

Simms noted that the Library Commission members had no issue with the Roles and Responsibilities document.

Simms noted a joint training on conflict resolution between HRC and Village Mediation, which he characterized as excellent.

Yung commented that Community Resources is still determining how to move forward in light of the recent referendum.

Vanzant noted a new fund created for the finance area, which serves to separate federal and state funds for the Furtherance of Justice area. She explained that encumbrances skew the balance for this quarter, but that all funds are on target.

Bates noted that if the Village does receive a loan from OWDA after encumbering funds from the General Fund, it can return those funds once again to the General Fund.

Housh reported that the Charter Review Committee has had three meetings, and has been gaining in efficiency as it gets moving, and is now nearly on timeline. He noted a recommended change in when new Council members are seated, based upon the Board of Elections timeline, which will move the seating of new council from the second meeting in November to January first.

Housh noted that the HRC will approve its 2015 goals soon, and announced that Kabbeh Davies will be serving her Spring Co-op with the Village, working with YS Community Access and on yellowspringshelp.org.

Housh provided a document listing suggestions for staffing for YS Community Access, which will be losing its lead volunteers soon. He provided a number of suggestions, based upon conversation with CAP members, from a stopgap interim to a part-time position. Housh noted that Channel 5 currently spends very little of the close to \$41,000 received annually from Time Warner Cable franchise fees.

Wintrow commented that the proposal should come back as an agenda item for further discussion.

Housh noted that the issue is time sensitive in that there will be no one to film meetings shortly.

Wintrow suggested that the issue be broken into short-term and long-term proposals and brought back as an agenda item.

Simms suggested that Housh and the CAP meet with Bates to come up with a solution.

Wintrow stated that it does make sense to pay someone to run the station, but that she doesn't have the information needed to make a decision.

Bates suggested that she be given the green light to hire a short-term contractor to fill in as longer-term solutions are explored.

Council agreed generally that the broadcasting of meetings is an important function.

MacQueen commented that Council needs to make a decision as to how critical the station is to Council and to the Village, and use that as the basis for a decision regarding staffing and future plans.

Wintrow stated that the station needs to continue work on loading videos online, and once that is operational, Council can consider the importance of a television channel.

Housh reported on Energy Board activities, stating that the Board is preparing for its April 20th presentation to Council.

MacQueen reported on the Environmental Commission, noting that they are working on annual goals. One member is working on the Wellhead Protection plan. Duard Headley reviewed the flow device at the Glass Farm, and concluded that it should not be negatively affected by either high or low flow. Nadia Malarkey will develop a training for Village staff on pesticide alternatives, and the EC is working with the Climate Action Group.

Wintrow announced a Chamber of Lunch and Learn event for Thursday.

MVRPC, Wintrow said, discussed the critical lack of highway funding due to a freeze on federal funds for highways.

FUTURE AGENDA ITEMS

Utility Policy

YS Community Access (a.k.a. Channel 5) Proposal

Council Roles and Responsibilities Draft Ordinance

Sidewalks Policy Discussion (Moved to April)

Discussion Regarding Amending Tap-In Fees (4-20-15)

Recommendation from Planning Commission Re: Amending Zoning Permit Fees

Direction for Economic Sustainability Commission (AVM)

Energy Board Report on Community Solar (4-20-15)

John Courtney Report: Portfolio Analysis and Rate Study (5-4-15)

2016 Tax Budget (7-6-15)

Bi-Annual Goal Review (July)

EXECUTIVE SESSION

At 10:03pm, Simms MOVED and HOUSH SECONDED A MOTION to ENTER EXECUTIVE SESSION For the Purpose of Discussion of Potential Litigation. The MOTION PASSED 4-0 ON A

ROLL CALL VOTE. The Solicitor, Village Manager and Assistant Village Manager were present for the Executive Session.

At 10:24pm, Simms MOVED and MacQueen SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 4-0 ON A VOICE VOTE.

ADJOURNMENT

At 10:25pm, Housh MOVED and MacQueen 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.

Karen Wintrow, President

Attest: Judy Kintner, Clerk