

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

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

**Monday, May 20, 2019**

**CALL TO ORDER**

President of Council Brian Housh called the meeting to order at 6:00pm.

**ROLL CALL**

Present were President Housh, Vice President Marianne MacQueen and Council members Lisa Kreeger, and Kineta Sanford. Also present was Village Manager Patti Bates.

**EXECUTIVE SESSION**

At 6:01pm, MacQueen MOVED and Sanford SECONDED a MOTION TO ENTER EXECUTIVE SESSION for the Purpose of Discussion of the Hiring of a Public Official. The MOTION PASSED 4-0 ON A ROLL CALL VOTE. Councilperson Stokes joined the Executive Session at 6:04.

Robert Wasserman, and Robert Hass, Policing Assessment Professionals, were invited into the session.

At 7:01pm, Housh MOVED and Stokes SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 5-0 on a VOICE VOTE.

**SWEARINGS-IN**

Dino Pallotta, Scott Osterholm and Anthony Salmonson were sworn in by President Housh to the Board of Zoning Appeals.

**ANNOUNCEMENTS**

MacQueen announced the Community Forum on Policing set for May 21 from 7-9.

Kreeger added to the announcement, noting this as an opportunity to contribute in a thoughtful and proactive manner.

MacQueen added that the results will go into the policing assessment.

Stokes noted that “Thirsty Thursdays” at the YS Brewery will benefit the Utility Round Up program, and that the most recent event was a success.

Thanks were given to the Miller Fellow Conor Jamison and to the YS Brewery.

Bates noted that the annual tree-trimming RFP will go out on Friday.

Housh noted Street Fair coming up on June 8<sup>th</sup>, and YS Pride on June 29<sup>th</sup>, both of which are Village sponsored.

**CONSENT AGENDA**

1. Minutes of May 6, 2019 Regular Session

Kreeger MOVED and Sanford SECONDED a MOTION TO APPROVE. The MOTION PASSED ON A 5-0 VOICE VOTE.

**REVIEW OF AGENDA**

MacQueen asked that the proposal for a parking lot at Beatty Hughes Park be tabled, and that the topic of parking in general be discussed.

Bates asked that the Ordinance regulating parking at the Railroad Street lot be tabled.

**PETITIONS/COMMUNICATIONS**

MacQueen reviewed communications received as follows:

Marianne MacQueen re: Policing Forum

Patti Bates re: Sample Resolution Supporting Restoration of Local Government Funds

Mayor’s Clerk re: Monthly Reports

MacQueen made note of five letters/e-mails received on the topic of the Beatty Hughes Parking Lot Proposal, all of the communications speaking against the proposal. Those communications will be included in Council's June 3 packet.

## **PUBLIC HEARINGS/LEGISLATION**

**Reading of Resolution 2019-18** Appointing Judy Kintner Village Treasurer. Kreeger MOVED and Sanford SECONDED a MOTION TO APPROVE.

Housh noted that the position of Treasurer is required, and that the Charter is specific as to who can and cannot serve in this role. He noted that the previous Clerk had been a Clerk/Treasurer, and noted the formation of an investment committee, which is assisting in providing investment information and oversight.

Lauren Miller asked what the "down side" of making the Clerk the Treasurer would be and whether there are "checks and balances".

The Clerk noted that this is very typical, and that most Clerks in Ohio are also Treasurers.

Bates noted that the Clerk/Treasurer would not be approving expenditures, that this is done via the Finance Director and the Village Manager.

Housh commented that Council has been engaged in financial matters and in investment in the last several years, and that this oversight has been critical. He noted that the Treasurer is more in the role of providing reports and "capturing data".

Housh CALLED THE VOTE, and the MOTION PASSED 5-0 on a VOICE VOTE.

**Reading of Resolution 2019-19** Approving a Wage Increase for the Council Clerk. Sanford MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Housh commented that an increase of an additional 1.5% had been noted in the Clerk's evaluation process, and had been contingent upon the completion of several goals. Housh stated that Council has been satisfied with her ability to step up as requested.

Housh CALLED THE VOTE, and the MOTION PASSED 5-0 on a VOICE VOTE.

**Reading of Resolution 2019-20** Approving a Contract with Finance Director Colleen Harris. Kreeger MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Housh stated that Harris has been an outstanding addition to the Village team. Bates seconded this sentiment.

Housh CALLED THE VOTE, and the MOTION PASSED 5-0 on a VOICE VOTE.

**Reading of Resolution 2019-21** Honoring Southwest Ohio Hugh O'Brian Youth (HOBY) for Outstanding Accomplishments and Declaring June 28-July 1, 2018 As "Southwest Ohio Hugh O'Brian Youth Days" in the Village of Yellow Springs, Ohio. MacQueen MOVED and Stokes SECONDED a MOTION TO APPROVE.

Housh commented on the excellent work and accomplishments of the youth volunteers who visited the village last year, and stated that he will be present for the opening ceremonies.

Housh CALLED THE VOTE, and the MOTION PASSED 5-0 on a VOICE VOTE.

## **SPECIAL REPORTS**

There were no Special Reports.

## **CITIZEN CONCERNS**

There were no Citizen Concerns.

## **OLD BUSINESS**

**Pool Rate Increase Discussion.** Harris presented the proposal, noting that rates have not been increased in 10 years. Harris asked that the new rates, if approved, go into effect on July 1<sup>st</sup>.

Bates noted that the rates would not be able to be increased until July 17<sup>th</sup>, given the schedule for reads, and supported the proposal.

A comment about the need for more shade received a response from Burns, who stated that additional umbrellas and picnic tables have been added to the baby area.

Housh asked that the increase be more heavily weighted to non-residents.

Bates agreed to run the numbers several ways and bring these options back with the ordinance on the 3<sup>rd</sup>.

Judith Hempfling asked how well the Swim for All program is being publicized.

Bates noted that there will be a press release, and that it has been publicized on Facebook.

Matt Kirk commented that moving the increases to outsiders might make it less possible for those people who live in the area who cannot afford a private swim option to access the pool.

**Parking Options Discussion.** MacQueen opened the discussion, stating that Council needs to understand the parking issue holistically. She commented that how public property is used should be a public discussion.

Housh stressed that the topic is one for discussion, and noted that Council has an obligation to look at revenue generation. He noted that the topic has come up on several occasions and that the proposal is one for discussion, and not meant for immediate action.

Stokes commented his understanding that staff are looking for meaningful ways to invest the Greene County grant, but asked that a study be conducted which lays out the parking issues scientifically.

Kreeger opined that she is in favor of an inventory of parking options and of a strategy that favors local residents in parking. She noted that overflow parking does impact those businesses which inadvertently supply parking in this way. She stated that while she is not in favor of use of the park for parking, she does agree that more options should be made available.

Sanford agreed that Beatty Hughes is used by many and that its best use is not as a parking lot. She supported the effort to look at other options.

MacQueen commented that she has never had any trouble parking in town, and again asked for an assessment of parking issue.

Bates noted that staff were asked to assess Beatty Hughes for parking, and had counted available parking areas in town for a total of 268. She commented that there are other potential uses for the grant funds.

The following citizens spoke regarding use of Beatty Hughes as a parking lot:

Bette Kelly; Wayne Gulden; Judith Hempfling; Karen Wintrow, Chamber Director; Robert Conard; Sharri Phillips; John Dey; Anna Bellasari; Matt Kirk; Tina Bujenovic; Lauren Miller; Sam Jacobs; Bethany Gray (stressing a concern for runoff into the Glen); Mrs. Conard; Adam Zaremsky; Angie Dey; Bette Kelly; Matt Kirk.

Megan Bachman, Yellow Springs News, asked whether the proposal could have received approval at this meeting, and was told that it would not have, given that there would have to have then been a proposal for an engineering study, requiring information and approval, if the proposal were given the green light.

Bates clarified what types of projects the grant could be used for.

Kreeger urged those present who are interested in the topic of economic development and growth to consider joining the ESC.

Housh wrapped up the discussion by noting the interest he heard in the undertaking of a parking study and by confirming that Beatty Hughes is no longer under consideration as a parking area. He asked that the grant topic return for discussion on the 3<sup>rd</sup>, with a focus on income generation ideas.

**Lodging Tax Revenue Discussion.** Housh introduced the discussion, noting that completion of the sidewalk from Fair Acres to Stafford had been flagged for consideration, as had the idea of using Participatory Budgeting, and the potential use of the funds for infrastructure update needs.

Stokes supported use of the funds on infrastructure.

Bates noted that the Village has committed to completion of the sidewalk under its agreement with the Ohio Department of Transportation.

Kreeger suggested that in the long run, that perhaps the notion of a community center could be reconsidered with more options such as cooking and food provision. She noted a number of options for service provision that could be done under such a model.

Sanford responded that there are some supports in place, and that Tecumseh Land Trust might be a resource, as well as grant funds for repair issues.

MacQueen suggested using the funds for a master plan for the Glass Farm.

Housh commented that it is important to him that the funds return to the community. He voiced support for the participatory budgeting model and asked that other ideas that have been brought forward be fleshed out.

Kreeger commented that the sidewalk has been committed-to. She offered to bring a brief on participatory budgeting to the next meeting.

Housh asked for a proposal on the sidewalk project for the next meeting.

Lauren Miller asked where the revenue from the Lodging Tax was supposed to be spent.

Housh stated that his own commitment was to return those funds to the community.

Matt Kirk urged that the funds be used for municipal fiber, stressing the role of this utility in economic development.

Stokes stressed the need for public restrooms, and asked that such a structure include a shower. He asked that the Greene County grant be used for this purpose.

Housh asked that specific proposals be brought to the next meeting.

Bates stated that she would work with Burns to develop the idea of the restroom/shower facility.

Housh asked that Stokes provide a written proposal, given that he will be absent from that meeting.

Energy Special Improvement District: Moving Forward. Housh noted that the village now has several property owners who are ready to take advantage of this option.

Bates asked that the matter be delayed for the new Village Manager's arrival, given that he will need to be intimately involved in this project.

Housh agreed, and stated that he will begin conversation with the Yellow Springs YSCDC members to set up the ESID conversation for the new Manager.

Kreeger noted that this will be yet another board and that this will put some strain on volunteer resources.

Housh noted that this is an incentive that could in fact encompass the entire village.

MacQueen asked for a one-page description.

Matt Kirk asked what the revenue stream would be.

Bates responded that it is a bond issue that affects only those entities participating in the ESID.

## **NEW BUSINESS**

**Voluntary Inclusionary Zoning Discussion.** MacQueen introduced the topic as follows:

MacQueen stated that she would like to form an overarching housing plan and a process for moving forward with the plan. One section of the housing plan, she stated would be “how the Village interacts with developers to further the goal of affordable housing.”

MacQueen stated that the only way to ensure mixed use housing is to create the incentives to developers to do so, and referenced the document she had produced which listed some of those terms.

MacQueen then made a case for the need for permanently affordable housing, citing the village’s limited size and the tendency for houses to increase in price over time.

Housh commented that using the existing Village Incentive Policy would be a good strategy, noting that it is a living document and can be added-to.

In response to a question from Stokes, MacQueen explained why Inclusionary Zoning would not be a good fit for the village, but why she sees incentives as a feasible tool.

Kreeger commented that she likes the high level of collaboration called for in the proposal. It is clear, she noted, that the expectations of the market rate developer are made clear, and that the need for permanently affordable housing is also made clear. Regarding incentives, she said, we are going to have to think globally about these possibilities.

Housh clarified that the developer can be the entity that provides both permanently affordable and other types of housing.

Susan Stiles commented that incentives are needed because, she opined, developers wish to sell their units as quickly and at the highest price point reasonable. She commented that millennials need to be responded-to in order to be responsive to this group.

MacQueen noted that the proposal is not simple and has not previously been done in Ohio.

Matt Kirk commented that there is Inclusionary Zoning in Ohio, and gave some examples. He cited some of the challenges to the option. He noted that in some cases the builder can buy out of the requirement, and those funds then used to support affordability.

Kirk noted several possibilities in the village which would support housing development, and urged that the housing effort be undertaken incrementally, with infrastructure supports keeping pace with the development. He pointed out that once homes start to become more readily available the artificially inflated housing market in the village should lift.

Housh cautioned MacQueen to obtain an estimate for cost from the solicitor to support the legal vetting of the project.

## **MANAGER’S REPORT**

Bates noted the following:

There will be a draft ordinance making the Manager’s Housing Advisory Board a permanent board in the next packet.

Denise Swinger consistently works more than 40 hours a week and Bates recommended that it would be beneficial to make her a salaried employee.

The Ohio Municipal League is encouraging all municipalities to pass resolutions asking the Ohio General Assembly to restore Local Government Funds (LGF) to pre-recession levels. This failed to happen during the House Omnibus Amendment process. The Village has lost approximately \$698,000 over the last seven years due to the changes in LGF distribution.

Vectren Energy continues working on four separate projects in the Village for approximately 9 months, beginning in mid-April. Everyone needs to be aware of this work in their area and make sure to note the “No Parking” signs, should there be any placed in the work areas.

Bates described an alternative work schedule for staff for the summer. This alternative schedule will be in effect from Memorial Day to Labor Day. Hours will be extended Monday through Thursday and Village offices will close at noon on Friday. The expectation is that this will allow more resident and business access to the offices due to the extended hours Monday through Thursday, and also increase staff productivity.

The Village had 2 applications to the Utility Round Up Program in April. One was approved for the maximum of \$200 assistance, while the other was approved for a lesser amount necessary to keep service.

**CLERK’S REPORT**

The Clerk noted that she has taken her introductory classes in order to serve as Treasurer.

**BOARD AND COMMISSION REPORTS**

MacQueen noted that two of the Environmental Commission members are committed to improving the Village’s recycling system, and are working on ways to do this.

Stokes NOMINATED Dan Carrigan to the Library Commission. MacQueen SECONDED, and the NOMINATION PASSED 5-0 on a VOICE VOTE.

Housh received clarification that Carrigan was not interviewed by Stokes and another Commission member. Stokes explained that the LC has been operating with a different set of understandings for several years, but that he has explained Council’s process to the group and that situation should be resolved.

Stokes NOMINATED Kineta Sanford as the Council Alternate to the LC. Kreeger SECONDED.

Kreeger stated that she did not understand this to be the correct process for a Council change to the Council Liaison/Alternate process.

Stokes explained that there was a lack of clarity as to who is the current Council Alternate to the LC, and that he thought his nomination was more a clarification of an unclear decision than a change.

Housh stated that if it is a change, then the process is to discuss the situation at Council table.

Housh noted that there was no need to vote on the matter.

Kreeger noted that the ESC is working on a downtown WiFi proposal for the Village which will be coming to Council soon.

Kreeger NOMINATED Patrick Lake and Scott Fife for full membership in the ESC. Stokes SECONDED, and the MOTION PASSED 5-0 on a VOICE VOTE.

Kreeger noted a need for more members on the ACC.

**FUTURE AGENDA ITEMS**

Kreeger asked that Liaison assignments be reviewed because she has all but given up her participation in the World House Choir to make Council on Mondays, and serving on Planning Commission, which she believes strongly the liaison should always be present for, means she would miss yet another rehearsal. She asked that the assignments be revisited for this commission.

- June 3: Resolution Approving Renewal of TechAdvisors Contract  
Resolution Approving a Contract with Chief Carlson  
Resolution Approving Denise Swinger as a Salaried Employee  
Ordinance Increasing Municipal Pool Fees for 2019  
JB Pottery Building Lease Discussion  
Resolution 2019-22 Approving Check Signing Privileges for US Bank/General Checking & Guaranteed Deposits
- June 17: Ordinance Creating a Housing Board  
Justice System Commission Update  
Community Health Update  
AMP Portfolio Proposal  
Participatory Budgeting

**ADJOURNMENT**

At 9:47pm, MacQueen MOVED and Kreeger SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A VOICE VOTE.

*Please note: These notes are not verbatim. A DVD copy of the meeting is available for viewing in the Clerk of Council’s office between 9am and 3pm Monday through Friday or any time via youtube link from the Village website:*

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Brian Housh, Council President

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Attest: Judy Kintner, Clerk of Council