

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

**Virtual Meeting @ 6:30 P.M.**

**Monday, May 4, 2020**

**CALL TO ORDER**

President of Council Brian Housh called the meeting to order at 6:30pm.

**ROLL CALL**

Present via Zoom were President Housh, Vice President Marianne MacQueen and Council members Laura Curliss and Lisa Kreeger. Also present via Zoom were Village Manager Josue Salmeron and Village Solicitor Chris Conard.

**EXECUTIVE SESSION**

At 6:03, MacQueen MOVED and Kreeger SECONDED a MOTION TO ENTER EXECUTIVE SESSION for the Purpose of the Discussion of Potential Litigation. The MOTION PASSED 4-0 ON A ROLL CALL VOTE.

Conard was present for the session, and Stokes joined the session remotely at 6:40pm.

At 6:58pm, MacQueen MOVED and Stokes SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 5-0 ON A VOICE VOTE.

**ANNOUNCEMENTS**

President Housh opened the public meeting, noting that the Town Hall would be incorporated into the format as a part of Announcements. All participants spoke about the importance of mask-wearing and addressed the influx of visitors to the Village on Saturday, which was highly concerning to a number of residents, who expressed their concerns to Village government. Speakers were as follows:

Josue Salmeron, Village Manager; Colin Altman, Fire Chief; Brian Carlson, Police Chief; Jillian Drew, GCPH Health Coordinator; Karen Wintrow, Chamber of Commerce Director, and Pam Conine, Mayor.

Issues of safety related to the reopening of businesses were addressed, and Altman offered the services of MTRF in assuring distancing and sanitization as businesses prepare to reopen.

Housh noted that this is Teacher Appreciation Week and encouraged supportive messages for teachers. Housh noted a fund set up by the YSCF to create downtown banners honoring 2020 graduates.

Housh encouraged support of local nonprofits on Giving Tuesday.

Housh noted the desire of Village government to support local businesses. He highlighted concerns raised by businesses regarding the burden of taking on loans and the need for financial aid. He noted as well businesses' need for sanitizer, and stated that bulk-purchasing would be addressed later in the meeting.

Housh stressed Village willingness to invest in the community. He suggested that the grant writer budgeted for this year from the Economic Development Fund could help to seek out grants for small businesses.

Kreeger commented that she and the YSDC are listening carefully to downtown businesses' concerns, and are endeavoring to be as responsive as possible while maintaining fiscal responsibility.

Housh noted that the Village's resources are limited, and will be further reduced as the pandemic progresses. He noted that funding for assistance is far more prevalent for larger municipalities. He stated that the Village is advocating for opportunities with state and county level "rainy day" funds, which contain significant amounts that could be invested to support local businesses, which ultimately benefits these governments' revenues. Several counties and a few municipalities in Ohio are providing business forgivable loans/grants, typically in the 2-5 thousand-dollar range. He stated that it is important for business owners to make their needs known so that the YS Community Foundation, YS Development Corporation and Village can help identify ways to address them.

Salmeron noted that small municipalities have not been included in federal relief funds. He stated that the Village is continuing outreach and looking for other forms of funding. He noted that the Village has applied for FEMA funding to receive reimbursement for pandemic response actions.

## **CITIZEN CONCERNS**

Salmeron monitored questions from citizens, and those questions and responses are as follows:

Kelly Ann Tracy asked whether information could be provided if “businesses close”. Karen Wintrow addressed this concern.

Kate Hamilton referenced the “Stay at Home” order in place through May 29<sup>th</sup>, asking why this is not stressed rather than “welcoming visitors”.

Salmeron commented that the Village is not promoting tourism or recreational activities. He noted that all services provided by local government are still being provided, despite the building remaining closed.

Karen Wintrow noted that the banner on the Chamber page states “follow the stay at home order”.

Altman noted that the order is currently a “Stay Safe” order, which is a different order than the “Stay at Home” order and is confusing to interpret or to enforce.

Housh commented that education around mask-wearing is critical to a safe “slow reopening”.

Megan Bachman, Yellow Springs News, asked whether the Chamber and Village can coordinate with businesses to require masks in businesses.

Wintrow stated that that is the effort underway—to provide education and assistance for businesses to promote distancing and mask wearing,

Salmeron responded to a query from Kelly Ann Tracy, stating that the Bryan Center may be opened for office services on May 18<sup>th</sup>.

Dino Pallotta asked whether monies earmarked for Home, Inc. projects could be redirected to support local businesses.

Kreeger responded, stating that the monies reserved for Home, Inc. were in a different budget line.

Salmeron responded to an inquiry regarding mask-wearing, stating that all employees of businesses are required to wear masks.

Altman noted that patrons are strongly advised to wear a mask, but employees are required to do so.

Salmeron responded to a comment, stating that trash bins will be emptied in a timely fashion.

Housh noted that many of the inquiries relate to matters that are the purview of the Health Department, and are not decisions made by local government.

## **CONSENT AGENDA (7:15)**

1. Minutes of April 20, 2020 Regular Session

Curliss MOVED and MacQueen SECONDED a MOTION TO APPROVE. The MOTION PASSED 5-0 on a ROLL CALL VOTE.

## **REVIEW OF AGENDA**

MacQueen added information regarding Spring Clean Up to Old Business.

## **PETITIONS/COMMUNICATIONS**

The Clerk will receive and file:

Marianne MacQueen re: Backyard Wildlife Certification Program  
Ohio Township Association re: COVID-19 Updates  
Greene County Public Health re: Release of Public Health Assessment

Correspondence Received Monday, May 4 Regarding Reopening Matters:  
Marcia Wallgren  
Anthony Barry  
Kate Hamilton  
Danyel Mershon

Jaime Sharp  
Stuart Leeds  
Matthew Carson  
Moirra Laughlin  
Don and Christine Beard  
Kim Lemkau  
Kate Mooneyham  
Mark Heise

MacQueen reviewed the communications received.

## **I. PUBLIC HEARINGS/LEGISLATION (7:30)**

**Reading of Resolution 2020-17** Authorizing the Village Manager to Renew Health Insurance for Village Employees 2020-2021 Plan Year. Kreeger MOVED and Curliss SECONDED a MOTION TO APPROVE.

Salmeron went over the information he had included in the packet. He noted that the Management Team had gone over the options and proposals provided by McGowan Braebender and made the selection of the medical plan in the resolution.

Kreeger commented that she had done some industry trend research, and found that the projected increase for this period was anticipated to be 5-6.5%, which puts the increase for the plan noted in the resolution in line with industry trends, which are anticipated to continue in this vein for several years.

Curliss asked for comment on other plans available to employees, commenting that costs need to be cut in any way possible. She asked that Salmeron detail the selected plan, and then comment on access to the Health Care Exchange, which, she commented, should provide good options at a lower cost.

Salmeron described the plan, which is a PPO model. Salmeron noted that the plan is a high-deductible plan. He directed Council to the documents included in the packet for further details, including the Village contribution to the deductible.

Curliss expressed concern that Council was not more directly involved with the vetting of options, and concern that Salmeron had not received quotes on any HMOs.

Salmeron stated that more options could be explored for the 2021-2022 year, but stressed that a good health care plan is one way that the lower-paying government jobs can attract qualified employees, making this an important asset.

Curliss commented that she doubted that many municipalities offer PPO plans. She asked that the Village look at using the marketplace for future health care decisions.

Salmeron stated that he will explore more options for next year.

Housh CALLED THE VOTE, and the MOTION PASSED 4-1, with Curliss voting against.

**Reading of Resolution 2020-18** Authorizing the Village Manager to Enter into a Twelve-Month Contract with Dental Care Plus for Dental Insurance for Village Employees. Stokes MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Salmeron commented that the dental plan selected offers a better product at a lowered cost for the 2020-2021 plan year.

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

## **II. OLD BUSINESS**

**Discussion of Current Village Finances (including Utility Update) and Budget Management.** Salmeron covered the Utilities Report, noting the COVID-19 effect on collections.

Salmeron noted the following:

- Average Collection Rate prior to COVID-19= 99.50%
- Collection Rate for March Invoices = 81.99%
- Collection Rate is down by **17.50%**
- Average Invoiced amount prior to COVID-19= \$559,881
  - Not seasonally adjusted
- Average Invoiced amount under COVID-19= \$537,335

- Invoiced amount for March 2019 = \$529,863
- Difference of -\$22,545

Salmeron noted that there are weather-related as well as sheltering-related utility increases for the month. At the same time, the Village has backed away from an assertive collection strategy, which has increased the uncollected amounts for utilities.

Salmeron noted the jump in uncollected utilities for greater than 120 days, which, he stated, largely stems from the days prior to making landlords responsible for their tenants' unpaid utilities and which will need to be either sold off to a collection agency or written off at some point.

Salmeron commented that the VYS does have a policy making landlord responsible for their tenants' unpaid utilities, and the Village also requires landlord approval before permitting a tenant to go on a payment plan. Salmeron asked to bring this potential policy conflict to Council for discussion at a later point.

Salmeron presented an overview of the budget related to COVID-19 losses as follows:

Salmeron summarized the cuts made to VYS functions and departments in an effort to reduce expenses by \$350,000.00. The cuts made total \$351,245.00.

Harris commented that most reductions have to come out of the General Fund. She noted that \$75,000.00 was cut from Transfers, most of this in Parks and Recreation and Streets.

In the second half of the year, she said, she will return with another amended budget based upon current losses and conditions.

Harris responded to a question from MacQueen, noting that the cuts are primarily to sidewalk repairs, curb replacement and storm water improvement, as well as trainings and supplies.

Curliss asked for detail on the projected loss of income, and Salmeron explained this as follows, noting that these numbers will be updated.

Salmeron responded that RITA is projecting about a 20% loss through June; 10% July through September, and a 5% loss October through December. Salmeron stated that the Village wanted to be conservative, and increased the calculations for loss across all income types, including investments, which resulted in the \$320,000 estimate.

Salmeron presented the model provided, noting that the real impact cannot be known at this time, and the Village will continue to update Council. The model is as follows:

- REAL ESTATE TAXES - \$66,500, 7% Est. Reduction per David Graham 4-13-20
- CITY INCOME TAX - \$180,000, 10% Est. Reduction per CH = \$180K. RITA Est. Reduction of \$160K.
- LODGING TAX - \$22,000, Collected 1st H (7-1-19 to 12-31-19); 2nd H is 1-1-20 to 6-30-20, full impact unknown.
- LOCAL GOVERNMENT-TANGIBLE - \$40,000, Revised on 4-20-20 per David Graham; Greene County Budget Comm. Reduce \$40K = 40% - change \$90K to \$60K.
- ROLLBACK/HOMESTEAD - \$9,500, 7% Est. Reduction per David Graham 4-13-20
- Preliminary Total Revenue Losses = \$350,000

Housh reiterated that information needs to come forward with each updated model and projection.

**Path to Reopening of Village Businesses and Recreational Activities.** Salmeron noted that the Village shut down parking areas early on to try to limit congregating and encourage following of the stay at home order.

Salmeron stated that the goal is for the Village to support the reopening of local businesses without unnecessarily increasing density.

Salmeron noted the Governor's opening dates for retail and restaurants, stating that the Village is opening parking in phases alongside the permitted business openings. He noted that the Village is providing hand sanitation stations at high traffic locations and is keeping these filled.

Salmeron commented that in collaboration with Miami Valley Communications Council, the Library, Village Schools and Yellow Springs Community Foundation, the Village has increased WiFi coverage around the Library, Mills Lawn, and into downtown.

Regarding recreational activities, Salmeron urges citizens to walk local streets but not to crowd the bike path and not to walk in large groups. He noted that Village recreational activities are not being promoted outside of the Village.

Salmeron addressed the overcrowding experienced the previous weekend due to the burst of warm weather. He noted that the YSPD worked to encourage physical distancing in this instance.

Salmeron noted the Health Department recommendation that public restrooms remain closed, stating that he had been strongly advised not to open public restrooms or to make port-o-johns available due to health concerns.

Salmeron noted that Village team members created and built the hand sanitation stations in an effort to be responsive.

Housh noted that the outcome desired from the discussion is to have a concrete plan moving forward. Parking, restrooms, masks and sanitizing are key elements of the discussion, he noted.

Stokes expressed that the primary driver for opening up is economic, and opined that if there is not a compelling economic driver, the use should not open up.

Kreeger asked for the Village to have its own roadmap, stating that she relies first on the science available. Regarding public restrooms, Kreeger acknowledged the potential downside from not providing this amenity, but stated that the Village needs to rely upon the Health Department guidelines. She stressed individual and community responsibility, and the worth of a good roadmap in promoting this.

Curliss advocated for provision of public restrooms and allowance of outdoor recreation if done responsibly. She commented that “we don’t know who are visitors and who are here to visit family.” She advocated for handing out masks if possible.

Salmeron responded to a comment from Curliss, stating that he is committed to opening the Gaunt Park Pool as soon as it is permissible, a reopening plan approved, and health inspections received.

Housh noted that Council will continue to receive information and guidance from the Greene County Department of Health regarding opening of public restrooms. He urged all to be safe but welcoming, and to approach potential crowding or safety issues with empathy.

MacQueen commented that safety and mask-wearing are part of a new culture, and urged the Chamber to address how best to publicize and promote this new reality.

Kreeger commented on the Chamber’s efforts to make mask-wearing “cool”, and voiced her support for supplying people with masks.

Housh stated that a group is working on reopening issues, and another group is working on yard signs to promote a positive approach to safety measures.

Carlson commented that some of the reopening orders from the Governor are confusing. He asked that Villagers begin to adjust to social behavior and to model good safety measures.

Housh asked for a “roadmap” for the next meeting. He asked that the VYS support downtown businesses with hand sanitizer. He commented that this may be reimbursable for the Village but, if not, the Lodging Tax funds could be used for this effort.

Salmeron read in comments from residents as follows:

Kate Hamilton: please don’t just “not encourage”—enforce.

Housh stated that the Village has been discouraging visitation “in an environment in which we don’t have all of the control.”

Salmeron read an unidentified comment to the effect that non-Villagers don’t pay the high cost to live here, and Villagers can’t enjoy the Village if it’s crowded with non-residents.

Karen Gardner inquired as to whether, if the pool does open, priority could be given to Village residents.

Salmeron stated that it is a public pool, so options may be limited, but that he would look into the possibility.

Sommer McGuire expressed concern that outsiders “should have” access to recreation areas in the Village. She asked whether limiting parking and restroom access might help reduce the number of visitors. She commented further that handing out masks and opening restrooms says “come one, come all”.

Housh commented that the Village does have to respond proactively to visitors and not simply hope that people will stay away. He added that the public restroom issue needs to be determined soon, given the May 12<sup>th</sup> reopening. He asked for input on the decision to provide businesses with hand sanitizer.

Kreeger commented that she is in favor of sanitizer provision. She noted that the VYS sanitizing units have a battery component, which has driven where these can be placed.

Housh commented that the VYS may be able to be compensated for washing stations.

Stokes supported the sanitizer idea and provision of masks. He stated that the Village should not fear taking a more aggressive stance than the Governor, especially given that Ohio has not yet hit the benchmarks recommended by the Harvard Standards.

Housh asked for a roll call on the idea of the VYS providing hand sanitizer to local businesses. This idea was approved 5-0 on a roll call vote.

Housh asked for any objections to the plan to keep public restrooms closed through the end of May.

Curliss expressed objection to this if restaurants will be serving food.

Kreeger expressed objection to not observing the recommendations of the Health Department.

Stokes commented that he is in favor of not reopening any public restrooms, and MacQueen agreed with this perspective as well.

Housh commented that the lack of facilities sends a message that some shops will be open for “targeted” shopping, but that visiting to “hang out” is discouraged.

Salmeron read a comment off of chat in support of Don and Christine Beard’s suggestion to delay reopening until June 1.

**Spring Clean Up.** Salmeron announced this activity is set for May 26<sup>th</sup> through May 30<sup>th</sup>.

**Reopening Government Facilities and Transitioning to “Live” Meetings.** Salmeron stated that reopening of playgrounds and basketball courts remains contingent upon state guidelines for these uses.

Salmeron commented that parking lot reopening is scheduled to be done incrementally, in coordination with the reopening of retail services.

Regarding reopening of the Bryan Center, Salmeron stated that the uses will be limited to government business until further notice. He commented that reopening of the gym and Youth Center is reliant upon information from the Governor.

Salmeron stated that while Village parks remain open, no organized sporting activity is yet permitted.

Housh asked what safety measures will be put in place for each use, stating that this will be detailed in the “roadmap”.

Salmeron stated that weddings may be able to take place indoors soon.

Regarding in-person meetings, Housh expressed hearing feedback regarding the challenges to online meetings.

MacQueen stated her preference for waiting until June 1 to consider in-person meetings.

Stokes commented that “it will be clear” when it is safe and appropriate to hold in-person meetings. He commented that Council should be careful not to create any risk to those who may attend the meetings.

Curliss commented that the situation will be long term, and that she believes in the science of the safety of social distancing and mask-wearing. She stated that for her it is a matter of whether and how this can be safely done, probably by using the gym.

Kreeger stated that she believes the issue to be more a logistical one in that if the meeting can be safely distanced, it should be fine to conduct. She noted that “if the Governor is asking businesses to open up, then Council should be willing to do the same.”

The Clerk commented that she prefers meetings to be either in-person or virtual, but not a hybrid. She added that Council should be aware that its decision will affect not just Council, but all who are required to attend and participate in Council meetings.

Conard pointed out that HB 197 permits virtual meeting until December 1, 2020, which he interpreted as a governmental acknowledgment that each municipality will do what it believes best for its community.

Housh expressed comfort with continuation of the virtual meeting format, while recognizing that “live” meetings may facilitate more public participation and better discussion/deliberation. He agreed that all key participants should be willing to participate in person for an in-person meeting to be held. He opined that the same standard should apply to commission meetings.

Matt Kirk commented that the outdoor amphitheater or Antioch amphitheater could be considered for in-person meetings.

### **III. NEW BUSINESS**

**Treasurer’s Report.** The Clerk presented her report, referencing a document from Brad Drager with important projections and explanation regarding potential pandemic repercussions. The overall message was that the real impact of the pandemic is yet to be felt in terms of investment income, and that current investment strategy is primarily in CDs as the most stable and highest return options available.

### **IV. FUTURE AGENDA ITEMS\***

- May 18:** “Stop/Start/Continue” Presentation  
Nominations to Planning Commission  
Discussion of Village Support for Businesses  
Grant-Writer Position  
County Rainy Day Fund Report
- June 1 Forward:** Millworks Request for Extension of Preliminary Development Plan  
Finance Department Quarterly Report  
Budget Recommendations in Light of Economic Downturn  
Storm Water Management Update  
Possibilities for Donation Line (Jeannamarie Cox)  
Executive Session for the Purpose of Interviewing Solicitor Candidates  
Dog Park Plan Update (Burns/Lapedes)  
Report and Recommendations from Board/Commission Restructuring Committee  
End of Year Report: Human Relations Commission  
Comprehensive Land Use Plan Update (Sorrell)  
Treasurer’s Report  
Resolution Approving a Contract with XXX for Services as Village Solicitor

\*Future Agenda items are noted for planning purposes only and are subject to change.

### **ADJOURNMENT**

At 9:57pm, MacQueen MOVED and Curliss SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 on a voice vote.

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Brian Housh, Council President

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Attest: Judy Kintner, Clerk of Council