

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

**Virtual Meeting 7:00 P.M.**

**Tuesday, January 19, 2021**

Please note: In accordance with Village Ordinance 2020-36, this meeting will be held as a remote meeting. The public is not permitted to access Council Chambers during the meeting.

**UNTIL FURTHER NOTICE, ALL COUNCIL MEETINGS WILL BE HELD VIRTUALLY.** Anyone can observe the meeting via YouTube (Community Access Yellow Springs), Facebook or by contacting [porourke@yso.com](mailto:porourke@yso.com). If you would like to make a live statement or otherwise participate, please contact Judy Kintner ([Clerk@yso.com](mailto:Clerk@yso.com) or 937-767-9126) to arrange via the Zoom meeting platform. Please be advised that if you wish to participate, you **MUST** identify yourself and your contact information as it will be part of the public record created from the meeting. No unidentified statements or commentary or from platforms other than Zoom will be read into the minutes of the meeting or responded to in real time. Council may establish reasonable uniform limitations on public participation, including time restrictions for comments.

**CALL TO ORDER (7:00)**

**ROLL CALL**

**SWEARINGS IN (7:00)**

Appointing Sarah Amend and Matthew Kirk to Planning Commission

**ANNOUNCEMENTS (7:05)**

COVID Safety Update: Businesses; Schools; Government

**CONSENT AGENDA (7:10)**

1. Minutes of January 4, 2021 Regular Session

**REVIEW OF AGENDA (7:15)**

**I. PETITIONS/COMMUNICATIONS (7:20)**

The Clerk will receive and file:

Frank Doden re: Parking Minimums

The U.S. Census Bureau: Certificate of Recognition

Home, Inc. Updated Repair Grant

ACC Protest Banners

**II. PUBLIC HEARINGS/LEGISLATION (7:25)**

**First Reading of Ordinance 2021-03** Approving the Editing and Inclusion of Certain Ordinances and Resolutions as Parts of the Various Component Codes of the Codified Ordinances; Approving, Adopting and Enacting New Matter in the Updated and Revised Codified Ordinances; Repealing Ordinances and Resolutions in Conflict Therewith; Publishing the Enactment of New Matter; and Declaring an Emergency

**Resolution 21-05** Declaring Juneteenth a Holiday in the Village of Yellow Springs

**III. CITIZEN CONCERNS (7:40)**

**IV. SPECIAL REPORTS (7:50)**

Inclusive, Resilient, Equitable, Livable

**V. OLD BUSINESS (7:50)**

Update on Meaningful Action re: Anti-Racism and Justice (Housh: 15 min.)

2021 Goals Update/Discussion (Housh: 10 min.)

Update on Bike Path Property Purchase and Joint Meeting (Salmeron: 10 min)

**VI. NEW BUSINESS (8:25)**

Discussion on eliminating parking minimums in the Downtown (Denise: 15 min.)

**VII. MANAGER'S REPORT (8:40)**

**VIII. BOARD AND COMMISSION REPORTS (8:50)**

Planning Commission (PC)	Curliss	Kreeger
Active Transportation Enhancement Committee (ATEC)	Curliss	Housh
Investment Advisory Committee (IAC)	Housh	
Yellow Spring Development Corporation (YSDC)	Kreeger	MacQueen
Arts & Culture Commission (ACC)	Kreeger	Housh
Library Commission (LC)	Stokes	MacQueen
Human Relations Commission (HRC)	Stokes	Curliss
Justice System Collaborative Committee (JSCC)	Housh	Kreeger
Environmental Commission (EC)	MacQueen	Curliss
Housing Advisory Board (HAB)	MacQueen	Stokes
Village Mediation Program (VMP)	MacQueen	Kreeger
Miami Valley Regional Planning Commission (MVRPC)	Housh	Salmeron
Greene County Regional Planning Commission (GCRPC)	Housh	Curliss
Residential Solar Task Force (RSTF)	Curliss	Stokes
Municipal Broadband/Fiber Advisory Committee (MBAC)	Stokes	Housh

**IX. FUTURE AGENDA ITEMS\* (8:55)**

Council Retreat

2021 **Jan. 20 Second Reading of Ordinance 2021-01** Approving Council Rules and Procedures for

**Feb. 1 First Reading of Ordinance 2021-02** Revising Off-Street Parking and Loading Requirements in the Downtown Business District as Set Forth in Section 1264.02 of the Codified Ordinances of the Village of Yellow Springs, Ohio

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

**ADJOURNMENT**

The next regular meeting of the Council of the Village of Yellow Springs will be held as a virtual meeting at 7:00 p.m. on **Monday, February 1, 2021.**

The Village of Yellow Springs is committed to providing reasonable accommodations for people with disabilities. Any person requiring a disability accommodation should contact the Village Clerk of Council's Office at 767-9126 or via e-mail at [clerk@yso.com](mailto:clerk@yso.com) for more information.

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

**Virtual Meeting @ 6:00 P.M.**

**Monday, January 4, 2021**

**CALL TO ORDER**

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

**ROLL CALL**

Present via Zoom were President Housh and Council members Marianne MacQueen, Lisa Kreeger, Laura Curliss and Kevin Stokes. Also present via Zoom were Village Manager Josue Salmeron, Chief Carlson, Public Works Director Johnnie Burns and Solicitor Breanne Parcels.

**EXECUTIVE SESSION**

At 6:01pm, Kreeger MOVED and Stokes SECONDED a MOTION TO ENTER EXECUTIVE SESSION to discuss the evaluation and compensation of public employees pursuant to ORC 121.22(G)(1). The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

At 7:00 pm, Curliss MOVED and Kreeger SECONDED a MOTION TO CONCLUDE THE EXECUTIVE SESSION. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**ANNOUNCEMENTS**

Kreeger gave a shout out to the City Council and the residents of Washington, D.C., and gave her well wishes during this very difficult time in our history.

Curliss announced that The 365 Project is hosting a march that will begin at 9:30 am Monday, Jan 18, at the corner of Corry Street and Xenia Avenue. The group will begin their march at 9:45 and will be complete by 10:30, allowing people time to return home and join the virtual MLK celebration that will be hosted via Zoom. Persons interested in participating in the march are encouraged to dress warmly, and those who wish to attend the virtual celebration must register, and can contact Kevin McGruder of The 365 Project or go to Antioch College's website to do so.

Housh announced that the first 2021 Council Retreat is scheduled for Wednesday, January 20, from 5-8:00 pm. Housh also highlighted that the Justice System Collaborative Committee meeting schedule will be changing to be once a month on the Tuesday between Council meetings, from 4-5:30pm. The next JSCC meeting will be January 12. Housh also announced that rapid testing for COVID-19 is available to residents and those who work in the Village.

Kreeger added clarification in regards to eligibility for free testing. Any individual working in the village as front-line service provider, and any residents who are front-line service providers out of town, are eligible. She thanked the Village of Yellow Springs, Miami Township Fire and Rescue and the Yellow Springs Community Foundation for their collaborative efforts to make these tests available. She further stressed that getting tested regularly is very important for front-line service providers who do not have access to regular testing. She also encouraged those who can afford to pay and have access to paid testing elsewhere to choose that over the free option, as funds are limited for this initiative. The testing is by appointment only and can be arranged on [wellnessflowllc.com](http://wellnessflowllc.com).

Salmeron added that testing will be conducted Tuesdays and Saturdays from 8:30-10:30am only, and to expect the appointment to take 30 minutes. When scheduling appointments he stressed the need to select the correct location of 101 E. Herman Street, as the website is used to schedule for more than one location. Additionally appointments can be scheduled with the Acuity App, and he encouraged anyone having difficulty scheduling an appointment to reach out to the Village, or the YSCF for assistance. He added that proof of ID and proof of employment or residency documentation for the Village or Miami Township will be required.

Housh asked about any other COVID-19 related updates, Salmeron added he expects to see an impact on the COVID-19 cases post-Christmas and New Year's. He stated that Public Safety Personnel have begun receiving vaccines, and the stocking of hand sanitizing stations and other efforts to support mitigating the spread of COVID-19 are expected to continue. He added that the Virtual Town Hall meetings will be resuming weekly beginning Wednesday January 6 at 7:00 pm.

Carlson announced that the Police Department has received complaints regarding members of the community with vocal "anti-mask" attitudes, and they plan to intervene and to attempt mediation. He encouraged individuals to not engage directly with such persons and to contact the Police Department instead with any concerns. "A few of them are looking for a fight," he cautioned.

Florence Randolph expressed gratitude to all those who donated to help 28 families with food and gifts during the holiday season. She stated she has 12 additional rent assistance applications on her desk, and stated they've helped over 80 families with utilities and rent assistance, through the generous donations from the YSCF and the Miami Township Board of Trustees.

Salmeron highlighted the new stimulus bill extended the deadline for allocating CARES Act funds that had been unutilized. He hopes to use this as an opportunity to provide more utility bill assistance. He encouraged those in need of assistance to contact CAP and Randolph.

Housh added that the passage of another stimulus bill could see more funding going to the State of Ohio, which in turn could result in more funding coming to the Village.

## **CONSENT AGENDA**

1. Minutes of December 21, 2020 Regular Session

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

## **REVIEW OF AGENDA**

Housh requested removal of Ordinance 2021-02 "Revising Off-Street Parking and Loading Requirements in the Downtown Business District as Set Forth in Section 1264.02 of the Codified Ordinances of the Village of Yellow Springs, Ohio" from the agenda, to be tabled until the next Council meeting. He stated as the village is "inundated with parking issues" the legislation may need to be broader than originally considered.

MacQueen stated it appears some attachments to that legislation were missing, and she supports tabling it until the next meeting.

Housh adds he does not see the legislation as an urgent item, but does feel it needs to be addressed. In reference to the attachments, and stated he appreciated the references provided in Swinger's staff report that was included. However, he stated he wants everyone to be cautious when assessing the parking needs of Yellow Springs, as the Village does not face the same challenges as other larger municipalities. He asks when this legislation is brought back, that the differences that set the village apart from other communities should be thoroughly considered.

Kreeger added there will be a nomination for Planning Commission under new business.

## **PETITIONS/COMMUNICATIONS**

There were no petitions or communications.

## **PUBLIC HEARINGS/LEGISLATION**

**First reading of Ordinance 2021-01** Approving the Council Rules and Procedures for 2021. MacQueen MOVED and Stokes SECONDED a MOTION TO APPROVE.

Housh asked Parcels to highlight the differences in these rules and procedures.

Parcels stated there has been discussion surrounding rules and procedures with respect to how Council has had to adjust to moving to the Zoom platform, and how to carry on public service functions virtually, and rules for decorum and how to interact with the members of the public in light of the heightened stress of a pandemic. She noted the information provided for discussion includes legislation from other communities for comparative purposes for Council rules of conduct during meetings and outside of meetings. She also noted that when Council adopted a set of guidelines for Board and Commission members in 2018, Council members at that time discussed whether they should impose rules for Boards and Commission members if they themselves were not committing to abide by the same rules. Parcels also noted that the rules should reflect the Village Values as adopted by Council.

Housh added that the proposed changes to the Rules highlight Village values and commitments to being a model employer, being a welcoming community, and being anti-racist. He highlighted that one significant difference is bringing this as an ordinance as opposed to a resolution, as a more permanent commitment to Village values.

MacQueen asked about the references to section 607 and 608 of the Village Personnel Policy Manual, which were not included with the ordinance. She wanted to know what these policies were, but could only locate a copy of the manual from 2014 and wasn't clear if it's been updated since then. Salmeron stated that he will provide those sections for the next Council packet.

Kreeger added that it is important to promote the Village values, and to standardize the code of conduct and decorum, regardless if one is an elected official or an employee or a member of a Board or Commission. She expressed support for changes related to those topics, and added that research and experience shows that it can be difficult for one to remember where they are when in a virtual meeting, due to the nature of being at home and not side by side in Council Chambers or sitting at a podium. She states her intent to stay focused and respectful, and to encourage the same among the boards and commissions she attends.

Megan Bachman asked if a version highlighting the changes made will be made available, as the version provided does not have the changes bolded and underlined. She also questioned whether the rules would permit Council members and board and commission member to write letters to the editor for publication in the Yellow Springs News. She stated that citizens want to hear from community members, especially members that are in positions of power for the Village Government, about their positions on certain issues.

Housh stated they will make sure to highlight the changes in the version provided in the next packet for the second reading. He stated the primary change is the section referencing the Village Values, but that there are others.

Housh called for a vote on the first reading which PASSED 5-0 ON A ROLL CALL VOTE.

Council Member Curliss expressed concern about the changes and requested that the matter be tabled to give Council time to discuss the changes at the retreat on January 20 before a second reading. "This has come out of nowhere as far as I'm concerned," she said. Housh agreed to move the legislation to the February 1 meeting for a second reading.

**Reading of Resolution 2021-01** Authorizing the Sale During Calendar Year 2021 of Municipally Owned Personal Property which is Not Needed for Public Use, or Which is Obsolete or Unfit for the Use for which It was Acquired, by Internet Auction, Pursuant to Ohio Revised Code Section 721.15(D). Stokes MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Salmeron stated this is a house keeping item, as every year the Village sells property that has aged out of operation or is no longer in use but still has useful life or some economic value that could be recaptured. He stated this resolution would provide staff the authorization to sell said surplus property.

Stokes asked if there is any specific property or equipment that staff has in mind to auction this year. Salmeron stated there is a water department vehicle that needs replacement, as well as a police cruiser. He said staff always looks at a way to repurpose any aged equipment or vehicles before attempting to sell, but if no useful purpose is found they move to auction. He gives the example of a retired police cruiser that is still a part of the fleet and is used as general purpose vehicle.

Housh CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Reading of Resolution 2021-02** Approving a Salary Adjustment for the Village Manager. MacQueen MOVED and Stokes SECONDED a MOTION TO APPROVE.

MacQueen stated she and Housh both interviewed Salmeron for his annual review. Salmeron gave a written summary of his achievements in 2020. McQueen said based on the discussion and evaluation, she, Housh, and the rest of Council have been, and continue to be, very pleased with his performance as Village Manager. She added that given the events of the COVID-19 pandemic, that Salmeron filled a large void for leadership, not only for Village government but for the Village as a whole. In discussing goals for 2021, some were a continuation of the 2020 goals, and some still need to be defined. She highlighted the municipal broadband project, which was successfully launched in the downtown area to provide free public Wi-Fi. "He really stepped up in getting that extended and creating social equity for people who wouldn't have it otherwise," she said. Council feels very fortunate to have Salmeron leading the Village team, she added.

"My sense is that we have been so fortunate to have Josue Salmeron at the helm during COVID19," Housh agreed, noting that Salmeron also brought in over \$2 million in grant funds. He proposed that Salmeron be awarded a 3.5% merit increase to his salary and a 1.5% increase for cost of living adjustment (COLA).

Stokes echoed the positive comments of MacQueen and Housh, and praised Salmeron for his leadership, calm demeanor and service-minded attitude, especially during the COVID-19 pandemic.

Salmeron thanked Council for their praise and stated it has been an honor and pleasure to serve the community.

Kreeger recognized Salmeron for his ability to work at a "large strategic level while still

keeping track of smaller projects,” like the Arts and Culture Commission, and keeping all these projects going. She further recognized him for his accuracy when reporting information and data, and appreciation for the work he has done and his leadership during the COVID-19 pandemic.

Curliss also recognized and expressed appreciation for Salmeron’s performance through 2020.

Housh called for a MOTION TO AMEND the draft legislation (which had a placeholder for percentages) to reflect a 1.5% COLA increase and a 3.5% merit bonus increase to Salmeron’s salary. MacQueen MOVED, Stokes SECONDED. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Housh called for a MOTION to APPROVE the resolution as amended. Stokes MOVED, MacQueen SECONDED. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Reading of Resolution 2021-03** Approving a Salary Adjustment for the Clerk of Council. Curliss MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Kreeger stated she and Housh partnered to review Judy Kintner’s self-evaluation for 2020. Kreeger stated they are still refining her 2021 goals, and are making an effort to select goals that are easy to measure, and to avoid goals that are either on-going, or cannot be reasonably completed in one year. Kreeger commented that for the performance evaluation, Kintner’s answers were both humble and modest. She stated that Kintner has been a stabilizing force during difficult times, through the transition to virtual meetings, and assisting Council in finding the best ways to continue to conduct business in these conditions and this setting. Kreeger acknowledged and expressed appreciation Kintner’s hard work and ability to balance her work and home life while maintaining a calm and collected demeanor amid a global pandemic.

Housh noted that Kintner was absent from the meeting tonight due to an accident, a rarity. “She doesn’t realize what all she does, but we all do,” he said, acknowledging her hard work keeping everyone updated on Sunshine Law and goal-focused. She has served as Clerk for ten years, and Housh hopes she serves ten more, he said. Housh stated she will receive a 2.6% pay increase for longevity per her contract, which will begin mid-2021, and recommended a 1% merit increase along with a 1.5% cost of living adjustment.

Housh called for a MOTION TO AMEND the draft legislation (which had a placeholder for percentages) to reflect a 1.5% COLA increase and 1% merit bonus to the Clerk’s salary. Curliss MOVED, MacQueen SECONDED. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Housh called for a MOTION to APPROVE the resolution as amended. Curliss MOVED, MacQueen SECONDED. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Reading of Resolution 2021-04** Approving the Amended Solid Waste Management Plan of the Greene County Solid Waste Management District. Kreeger MOVED and Curliss SECONDED.

Salmeron explained that Greene County has adopted a solid waste management plan based on their strategic planning of their regular operations. The plan was distributed to Council, as this like other similar processes in the County, required input, approval and adoption from communities around the county. Salmeron stated several members of the community were a part of the development of this plan, including Matthew Lawson, a member of the Environmental Commission, who sat on the committee that finalized the plan. Salmeron is pleased with what has been presented, particularly with the considerations of the limitations of the county, such as the financial constraints, and the technology and values of the county when it comes to implementing solid waste management. Salmeron believes this plan is as good as we can get, within the constraints, and our community had a seat at the table for its development. Salmeron stated he is prepared to come back with a more in-depth presentation as a part of the mitigation plan that was approved by council.

MacQueen stated she spoke with Matthew Lawson and quoted him as stating that while we are not “leaders of the pack” in terms of solid waste management, environmentally speaking, he was very impressed with the work that was done on the plan. Lawson advised McQueen the District plans to hire a full-time educator who could contribute input to the Environmental Commission, visit our schools and generally help educate our community on the subject, as well as on what resources are available.

“Education is key to understanding the impact we have,” agreed Salmeron, noting recycling has been a topic for years and each year more reports come from around the country and around the world on how effective recycling has become. He stressed the most impactful thing we can do is reduce our waste, and public education helps to change consumption habits. Salmeron is impressed that they will be reaching out to schools, and start shaping future generations to be conscious of their consumption.

Housh CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

## **CITIZEN CONCERNS**

There were no Citizen Concerns.

## **SPECIAL REPORTS**

### **Presentation on Hazard Mitigation**

Salmeron provided background, noting Council previously voted to adopt the Greene County Hazard Mitigation Plan, which is an important process in the county's emergency management agency and its strategies to both identify risk, manage risk, insure against risk, and leverage resources at the state and federal level. Mitigation is the effort to reduce loss of life and property by lessening the impact of disasters. In order for mitigation to be effective, we need to take action now, before the next disaster, to reduce human and financial consequences later, he said. The plan presentation is available from the Village Manager. Salmeron reviewed the benefits of hazard mitigation planning including increased awareness of hazards, risk and vulnerabilities; identifying actions for risk reduction; focusing resources on the greatest risks; communicating priorities to state and federal officials; and increasing overall awareness of hazards and risks. He noted top priorities for the Village are key infrastructure items; stormwater, sewer, water and electric systems to deliver essential services.

Curliss congratulated the Planning Commission, Tom Dietrich and Nadia Malarkey of the Environmental Commission, and Denise Swinger, for their work on developing stormwater management regulations and revising the Planning and Zoning code to add requirements for more robust stormwater management for all new structures and development onsite. She asked if downspouts that are connected into the sanitary sewer rather than a storm sewer remain a problem to the extent the Village should create an incentive program for home owners to disconnect these spouts.

Salmeron stated downspouts remain a problem for I&I in addition to sump pumps, as both elements were identified in 2012 with an assessment of the sanitary sewer system but little has been done to address it since then. Salmeron said Johnnie Burns, Brad Ault and Tanner Bussey have created a list of top priority issues as "low-hanging fruit" that could be corrected to reduce the strain on the sanitary sewer system and focused on those items. Salmeron stated that he had presented to Council two items that would enable legislation to have a greater impact on stormwater infiltration and recalled that during Curliss's tenure as Village Manager, she had drafted letters and memos to citizens and Council regarding the impact of sump pumps on the sanitary system as well. Getting sump pump and downspout tie-ins removed across the Village would have an "exponential" impact on the sanitary sewer system, he said, but over the course of 2020, Village crews also were able to continue to reduce stormwater infiltration through other initiatives. He agreed the legislative updates to the Planning and Zoning code also contribute positively to the effort. Curliss added that perhaps during the Council retreat on the 20<sup>th</sup> there can be a discussion on creating an incentive program, with goals to reduce the sump-pump and downspout tie-ins.

### **2020 Year in Review**

Salmeron gave the summary of major accomplishments of the Village administration in 2020. The full report was in the packet and the presentation is also available upon request. He stated this has been the direct product of collaboration and teamwork, and thanked staff for going above and beyond the call of duty. He adds that he could not ask for a more "devoted and creative" team, and this is a recognition of all that hard work and commitment.

### **Accomplishment Highlights with respect to Village Values**

Housh quoted MacQueen stating "I am particularly impressed and proud of our Village Team members who were able to accomplish so much during this pandemic." He stated they would have been content maintaining through COVID-19, and is very happy to see that things continued to get done and move forward. He stressed the next benchmark is comparing accomplishments to the Village values.

**Village Value #1 – Deepen decision-making process with active citizen participation and effective representative governance.**

### **Model Pandemic Response**

Village Government quickly responded in caring for our community during the COVID-19 crisis. The response began early and was well-coordinated. Collaborations with the YSCF and other organizations were very democratic – everyone who had something to contribute, did so. It was egalitarian rather than top-down. Highlights:

- Distribution of hand sanitizers and signage.
- Mask ambassadors – Thousands of facial coverings distributed.
- Community Broadband to promote equal access.
- Weekly town halls and increased outreach as well as virtual regular Council meetings.

Housh highlighted the Village's ability to secure funding for activities related to the COVID-19 pandemic response, and the efforts of the peace officers in continuing these efforts. Few municipalities were as committed to the safety protocols like the Village was during this crisis.

**Village Value #2 – Be a model employer actively practicing diversity hiring and provider of services within a responsible and sustainable fiscal framework.**

Housh stated a major topic during JSCC is addressing how we improve our diversity hiring practices, and making sure we are looking at our vendor selections with care.

**Continuous Utility Service Improvements**

Electric study: this is a critical piece to ensuring that our electric grid offers safe and reliable service to our community.

Sewer system: the study, the funding and the work to reline and repair our sewer system is critical, even if not necessarily noticed by community members.

Stormwater Management Study and Zoning Updates: the study, the consideration of creating another utility line item, the repair work, and the Planning Commission review and changes to our storm-water management requirements are all critical, especially given climate change.

**Village Value #3 – Be a welcoming community of opportunity for all persons regardless of race, age, sexual orientation, gender identity, ethnicity, economic status, mental/physical ability or religious affiliation.**

Housh highlighted the ACC and the work they have done, with the Black Lives Matter art installation on the hardware store building on Short Street, and many more things that are happening in the Village, with Black Lives Matter and diversity at the forefront. Public art represents where our community is oriented.

Yellow Springs was the first municipality in the Miami Valley to declare Racism as a Public Health Crisis. Housh states that the resolution has been a guiding point for a lot of the work Council and staff have done, and it will be one of the primary goals for Village Government in 2021.

**Village Value #4 – Pursue a strong economy that provides diverse employment, creates a stable tax base and supports the values of the community, particularly affordability.**

Housh stated that in general Yellow Springs has continued to be a thriving healthy environment for people to come to live, work and play. In the short term, we have been supporting local businesses, not only with CARES act funds, and more. We want to ensure that our economy is resilient, and ready for growth moving forward. Cresco has been a success story in the Village, with a recent expansion creating forty plus new jobs, and the Village government understands that there are more businesses that wish to come here because of the values that we espouse.

**Village Value #5 – Seek, in all decisions and actions, to reduce the community's carbon footprint, encourage sound ecological practices and provide careful, creative and cooperative stewardship of land resources.**

Housh highlighted our energy portfolio being 78-85%, and that there are projects coming soon around how we can build out our solar portfolio. The Village is committed to renewable energy, for the sake of environmental sustainability and economic sustainability as well, with special thanks to our Environmental Commission.

NWF Community Habitat certification: the collaborative team from the Environmental Commission, Tecumseh Land Trust, Community Solutions, and Glen Helen Association achieved the Community Wildlife Habitat certification from the National Wildlife Federation.

Vernay Progress: while delayed by the pandemic, important steps have been made, including plans for the soil removable, water line protection plan, source water protection evaluation, and upgrades to the ground water remediation plan. Additionally, the Village government took an important step in the right direction of meeting directly with the CEO of Vernay to rebuild that frayed relationship.

Agraria Collaborations and TLT Partnerships.

**Village Value #6 – Intentionally promote anti-racism, inclusion, equity and accessibility through all policies, procedures and processes.**



## **Racism is a Public Health Crisis**

Black Lives Matter: Yellow Springs responded to the national recognition of systemic racism:

The Justice System Collaborative Committee, formed as part of the Villages 2020 goals, engaged YSPD, which has provided support for the BLM marches that occurred during the summer and fall. During this time when police nationally have been criticized, our department and Chief Carlson have continued to provide caring service to our community.

Housh added that Council decriminalized possession of marijuana this year, and are looking at decriminalizing and minimizing other types of Police stops that are deemed unnecessary in the near future. He further highlighted that there are more things on the horizon for the Police department and the peace officers.

Protest banner display was a collaborative effort of Village artist Migiwa Orimo, local youth, the Arts and Culture Commission and the Village Crew. Housh adds that initiatives like this serve to make it clear that we are taking a stand regionally, and nationally against racism.

## **Wastewater Updates**

Salmeron provided an update on the wastewater treatment system report he provided last year for 2019. He shared a notice from the Ohio EPA he received in 2019 regarding a 500 unit development, warning that with the Village's treatment plan average daily flow rate of 550,000 gpd, and the projected 50,000 gpd the development would add, and with past effluent violations and bypasses from the sewage collection and treatment system, that the Village may not have the necessary capacity to handle the new development. Staff investigated in 2019 and found that the daily average was 657,392 gallons per day, and the WWTP's capacity is 600,000 gpd, which indicates that the plant was already exceeding capacity.

In 2020, through several sewer and sanitary sewer improvement projects, the wastewater processed decreased by over sixty percent, after setting a goal to reduce infiltration and inflow by 10% in 2020. In 2018, the water reclaimed exceeded the water produced by 233%, in 2019 that figure decreased to 188%, and in 2020 that figure decreased again to 125%.

Reviewing and comparing wastewater reclamation averages, in 2018 the daily average was 626,523 gallons, exceeding our capacity by 26,523. In 2019 we exceeded our capacity by 51,071 gpd, and in 2020 the total reclaimed average per day was 493,101, which is within our treatment plants capacity.

Salmeron clarified in the EPA's letter that they had made an error, the 500 unit development they cited was actually a 50+ unit senior living apartment complex proposed by Home, Inc. Since the improvements to the system however, the Village could now withstand such a large development being added. Salmeron stated this improvement speaks volumes to the Village team's hard work, ingenuity and creativity in getting the work done.

Salmeron moved on to another issue identified in the water produced. Staff has observed a significant difference between water treated and pumped from the plant, and how much water is metered and billed. In 2018 the water loss was 32%, in 2019 36%, and in 2020 it hit an all-time high of 46%. Staff looks to address this in 2021 and identify where this water is going.

Housh further highlighted from Village Value #5 in his year in review presentation the National Wildlife Federation Community Habitat Certification, it will not only help the Village remain environmentally resilient but also is a major attraction to the community. Housh gave kudos to the Environmental Commission, MacQueen and others who have championed that project.

Stokes complimented the grouping of accomplishments for the year in review by Village Values, as it makes it clear how each achievement ties into each value, and gives much needed context to the accomplishments as well. He asks regarding the relining of 3,900 feet of sanitary sewer, if that is the extent of what needs relined or if more is planned to be done.

Salmeron stated there is a lot more sewer relining that needs to be done, and that what was relined was both top priority and fit within the budget for 2020. There is a map of sewer lines and their condition, and any damages identified. Salmeron and Burns plan to bring to Council a long term plan outlining the costs, time and details of rehabilitating the entire sanitary sewer system. After a discussion with Burns earlier in the day, the estimated total cost to reline throughout the Village is \$4 million dollars. Due to budgetary constraints, they plan to continue relining critical sewers and prioritizing, and have more video recording and inspections to do in the coming year as well.

Stokes commends the team for all they've accomplished this far.

Curliss asks about the water loss numbers, asking if there is a correlation between the higher amount of water being produced and an increase in the water lost. Salmeron stated that there is an automated process where when the water levels in the water towers dips below a certain point, a signal is sent to the plant that more water is needed. He stated this system is triggering to produce more water. Curliss stated the answer can be provided later, she had observed that correlation and production overall seems to be up with the new plant.

Salmeron added that consumption has also increased, with ten million more gallons being produced and billed for since 2018. He added that if there is a constant flow in the form of a leak somewhere in the system, that it would also contribute to more water produced than billed.

Burns added that we do not have any actual water production numbers prior to 2018 as the old plant did not have a working water meter. They are proactively searching for the sources of leaks and have added five more meters to places which did not have meters before, such as the Miami Township Fire and Rescue building. Prior to metering the fire department, the Village could not seek any reimbursement or write-off the water provided to other public entities because they did not know how much water was consumed. Antioch, Friends Care and Cresco also have received meters and deduct meters for any water activities that don't go into the sewer system. Fire protection line testing could also be driving the water loss up, as Burns stated that Cresco had to undergo five tests before opening.

MacQueen asked if the higher production of water puts any additional pressure on the water mains and lines themselves, possibly pushing water out of the system faster.

Burns stated the water pressure does not change with more water produced. He added that 69 million gallons lost in 2019 is the equivalent of 69 water towers worth of water missing in the Village, and does not rule out the possibility of meter errors. He stated we had some fires and some water main breaks as well that could be contributing, and more research will be conducted to identify the problems in 2021. Gina Hayes with the Ohio EPA is also working with the Village staff on identifying the issue.

## **OLD BUSINESS**

### **Update on Meaningful Action re: Anti-Racism and Justice**

Housh did not have any further updates to report, as the JSCC has not met since the last Council meeting. He stated the new meeting schedule will be once a month on the second Tuesday between the two regular Council meetings, from 4-5:30pm. The new schedule will start January 12<sup>th</sup>.

### **2021 Goals Update**

Housh provided a preview look at the draft Council Goals for 2021. More in depth discussion surrounding goals will take place at the 2021 Council Retreat scheduled for January 20. Housh said he has reduced the goals to one page, and has limited the total goals to three for each category. He received feedback from Council on the goals, as not everything is on it and it is not intended to pigeon-hole Council. Kreeger said she appreciates the distillation, and has been advocating for tightening down the goals, and identifying the absolute imperative goals that must be achieved in 2021, and to have a secondary aspirational goal list. Curliss and Stokes voiced their agreement.

## **NEW BUSINESS**

### **Solar Power Purchase Agreement from AMP**

Salmeron previously reported to Council that in 2021 the Village's contract with Blue Creek/EDI Landfill is expiring, and the contract needs replaced with a new energy source for 1.8 megawatts of energy. He plans to pursue multiple options so that the best one may be selected, with an emphasis on expanding our green energy portfolio. One option is to join the AMP Partnership to negotiate a group purchase agreement with an energy producer to purchase more solar power for the Village. Salmeron states AMP is working on a utility grade solar production, and seeks non-binding interest from AMP partners, so they know how much production the membership is looking to buy, to negotiate pricing. He states this project is not associated with the solar projects being built in the township on farm land in Greene County.

Curliss expressed concern about the solar projects being built on prime farmland, and agrees that we should be at the table for the negotiation, but hopes that we are offered a choice of the solar project we support, and avoid supporting projects that would be damaging to farmlands.

Salmeron stated due to how small of a community we are, there are limitations on what the Village can do. He gives the example of Sutton farm, which the Village owns and while it is fertile land, the Village lacks the means to farm it and due to pesticide use restrictions commercial farming potential is limited. A new possible use for that land would be to install solar on it. Salmeron hopes that market forces will help drive utility-scale solar projects away from the use of more expensive fertile farmland. Salmeron stated they can ask this of AMP as well during negotiations. He also anticipates a

good rate on the production side, but transmission costs will increase the further away it has to travel.

Housh asked for clarification on what Salmeron needs, Salmeron stated he would need authorization from Council to submit a letter to AMP to enter the partnership, and stated it is non-binding. Housh called for a ROLL CALL vote to authorize the Village Manager to enter into a non-binding partnership with AMP Ohio for the purpose of securing 1.8 megawatts of renewable energy for the year of 2021-2022. PASSED on a 5-0 ROLL CALL VOTE.

### **Council Retreat Agenda**

Curliss states that Council should discuss the new Council Rules before the second reading of Ordinance 2021-01. Curliss adds that she wishes to have expanded discussion about changing the way Council does business through the use of committees, and committee structures.

MacQueen would like to make sure the meeting starts off with discussion around prioritizing key critical topics to discuss through the meeting, similar to the prioritization of the goals.

### **Nominations for Planning Commission**

Curliss nominated Sarah Sinclair-Amend for the regular Planning Commission member position, and nominated Matthew Kirk for the alternate position. Kreeger SECONDED.

MacQueen asks if these two candidates were interviewed by two Council members, Curliss and Kreeger confirmed they conducted the interviews.

The nominations were APPROVED on a 5-0 ROLL CALL VOTE.

## **MANAGER'S REPORT**

Salmeron summarized that they are in process of closing out the 2020 budget and are opening the 2021 budget approved by Council. He previously announced that public Wi-Fi is now moving into the next phase, expanding out to high density high priority locations such as the Hawthorne Apartments on West North College, and Corry Street Apartment complexes. The work has already begun, with the fiber optic cable installed already.

A meeting with Vernay has been scheduled for some time in February, and Salmeron will provide more details when they become available. He also stated two members of staff have transitioned from employment at the Village.

Part-time dispatcher Danielle Franklin has left for a full time opportunity. Part-time utility clerk Deborah Kelley has also transitioned out, and staff will be re-evaluating that position and the associated duties to make a determination at a later time if they need to make another hire. Nicole Trexler has been offered a part-time dispatcher position to replace Franklin.

Recycling mailers went out to residents, notifying of a recent change to the recycling program where number 5 plastics are now accepted.

Progress is being made toward replacing the contract providing 1.8 megawatts of electricity to the Village for 2021 and 2022, staff has met with AMP Ohio, and continue to explore Village owned solar power production. The target date to provide Council with a feasibility study will be sometime in March to go over all options available. Staff also met with the AMP Financing Team to review financing options, and the next step will be to meet with the Port Authority to review financing options. The AMP Financing uses a revenue bond financing model.

Health Insurance – The Village has changed brokers, and will be going to market in January. A survey tool is currently in the works to survey staff on their healthcare needs.

The audit reports have been completed by the State of Ohio Auditor, and the report has been circulated to Council members.

Staff is entering the end of year reporting and procedures, which includes W-2s and 1099s being generated.

## **BOARD AND COMMISSION REPORTS**

There were no reports.

## **FUTURE AGENDA ITEMS**

Salmeron stated the school district has reached out and requested a joint meeting regarding the

purchase of the property for the Agraria trail given that each body must act in a public meeting, and asked if Council would like to plan a joint meeting as that would allow the two bodies to convene and have two-way dialogue, rather than one body having questions that would then need to be answered by the other body the next time they convene. By having a joint meeting, the two bodies can have a fruitful conversation in real time and make decisions together.

Solicitor Parcels added that if one body revises the contract for the real estate purchase, then it would have to be brought back to the other body to make the same revisions, so for convenience it would be easier to conduct a joint open meeting to allow the two-way dialogue. Housh asked about the timetable for the purchase and Salmeron said the urgency is relative, as there was a lot of enthusiasm early on to get Council's commitment and the allocation of funds for the project but ultimately it may depend on Agraria's grant deadlines, so he will reach out to Agraria. He noted the administrative processes will take considerable time, in terms of the real estate closing process. Housh asked to move the conversation for scheduling this meeting offline, and continue building out the agenda for the January 19 meeting.

Housh asked if Stokes would be interested in preparing the resolution declaring Juneteenth a holiday in the Village of Yellow Springs. Stokes agreed.

Salmeron asked when administration could expect the parking minimums recommended text amendment from Planning Commission to come back to Council. Housh stated the January 19 meeting would be acceptable, but stated that this amendment is more than a housekeeping item and that there needs to be more discussion at agenda planning before these types of amendments should be brought.

**ADJOURNMENT**

At 9:46pm, Curliss MOVED to adjourn and Stokes SECONDED. The MOTION PASSED 5-0 on a voice vote.

\_\_\_\_\_  
Brian Housh, Council President

Passed:

\_\_\_\_\_  
Attest: Deputy/Interim Clerk of Council

\_\_\_\_\_

9 January 2021

Dear members of the Yellow Springs Village Council,

During our November 10, 2020 meeting, the members of the Yellow Springs Planning Commission voted unanimously to recommend to Village Council that they amend Chapter 1264 of our code regarding the minimum off-street parking and loading requirements in the B-1, Central Business District.

Planning Commission had briefly discussed the requirements several times over the last few years as the current requirements, even with the variances allowed by code, often proved difficult or impossible to achieve given the nature of most of the buildings in our downtown. (Indeed, off the top of my head, I can think of at least three occasions where the current requirements proved problematic: Trail Town Brewing, The Greene Canteen, and the proposed hair and nail salon.

Consequently, we asked Village Staff to prepare a report so that we could discuss recommended changes at our November meeting. Denise Swinger, Zoning Administrator, prepared the report and proposed new language to replace that of the current code. After careful consideration, thoughtful discussion, and some changes to the proposed language, all five members of the Planning Commission, including Council Liaison Laura Curliss, voted to recommend that Village Council amend Chapter 1264. (Please see the recommendation provided to Council for the exact language.) We believe that the proposed amendments are not only practical given the structure of our downtown, but will also benefit future businesses in our B-1 district.

Thank you for your time and consideration, and please contact me if you have any questions.

Sincerely,  
Frank A. Doden, Chair  
Yellow Springs Planning Commission



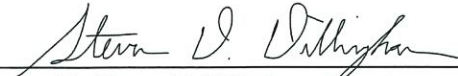
United States®  
**Census  
2020**

*Thank  
you*

THE U.S. CENSUS BUREAU HEREBY RECOGNIZES

**Yellow Springs Municipal Council**

as an invaluable member of the 2020 Census Community Partnership and Engagement Program. We appreciate the efforts you made in making the Partnership Program a success and helping achieve a successful 2020 Census.

  
Dr. Steven D. Dillingham, Director  
U.S. Census Bureau

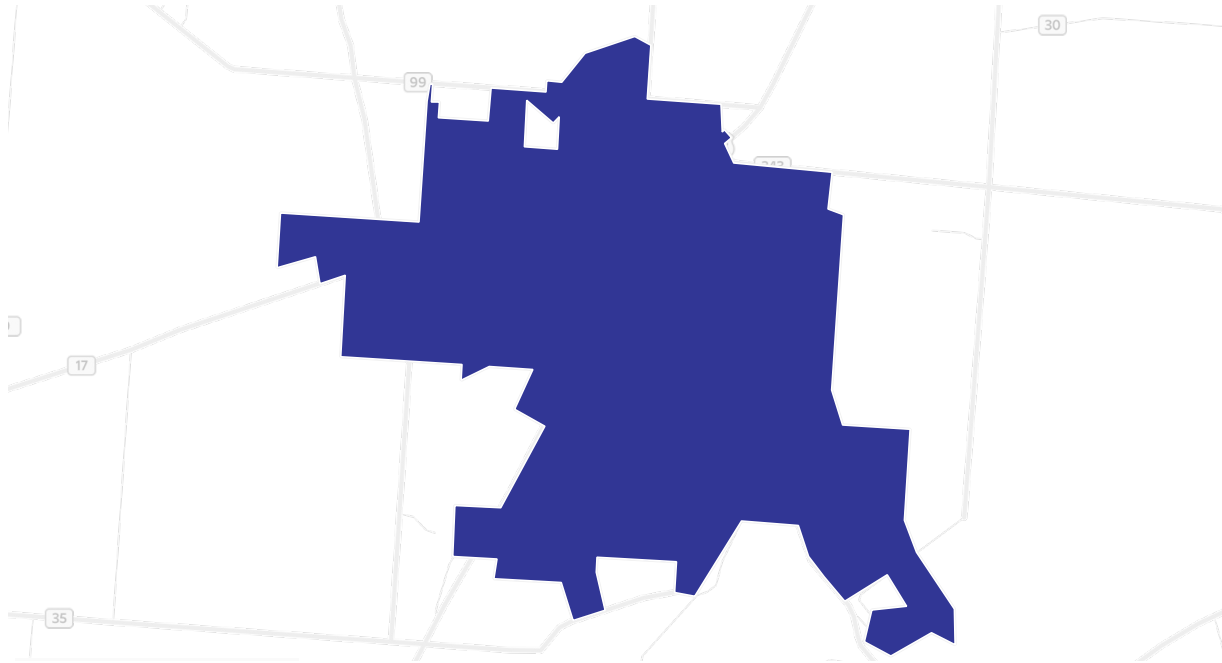


# Self-Response by City

This map features self-response rates from households that responded to the 2020 Census online, by mail, or by phone. Rates can be viewed in [rankings here](#).

Ohio  
Self-Response  
**70.7%**

Yellow Springs  
Self-Response  
**78.4%**



**Select Mode**  
Total

**Select State**  
Ohio

**Select City**  
Yellow Springs

**Geographies**

Return to State

County

City

Census Tract

Congressional District

Town and Township

Tribal Area

Self-Response Rate (%)



Yellow Springs, Ohio Self-Response Rate



**Operational Updates**



**Historical Data**

Total **78.4%**

Internet **69.9%**

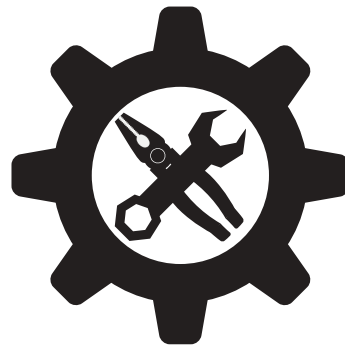
Email us at [responseratemap@census.gov](mailto:responseratemap@census.gov)  
Responses received as of 10/27/2020.  
[Click here for technical details](#)

Shape your future  
START HERE > **United States<sup>®</sup> Census 2020**



## Accessibility and Repair Grants Available in Yellow Springs!

**Do you need home repairs or  
accessibility updates?**



Yellow Springs Home, Inc. has grant funding to provide eligible repairs or accessibility features.

**Visit**

**[www.yshome.org/repairgrant](http://www.yshome.org/repairgrant)**  
**to learn more and apply.**





## DAYTON STREET



### We Shall Overcome March on Washington for Jobs and Freedom August 28, 1963

This work was created by **Anna Arnold Hedgeman** (July 5, 1899 – January 17, 1990) . She was an African American civil rights leader, politician, educator, and writer. After being the executive director of Harry Truman’s 1948 presidential campaign, Hedgeman was rewarded with a federal appointment in the Health, Education, and Welfare Department in the president’s administration. In 1954, she became the first African American woman to hold a mayoral cabinet position in the history of New York City. She was the only woman among the organizers of the 1963 March on Washington. Hedgeman individually recruited 40,000 protesters to participate. In 1966 she became a co-founder of the National Organization for Women. Her work was donated for use courtesy of the **National Afro-American Museum and Cultural Center**.

### Male Chauvinism and Imperialistic War Make Profits and Maim People

From the collection of **Catherine Roma**. Early poster linking the Vietnam War and Women’s Liberation from the **Womens Graphic Collective-Chicago Womens Liberation Union 1972**. The scope of women’s activism and mobilization included cultural heritage/legacy, attributes of care, patience and perseverance, not only their substantial participation on the battlefronts, but also campaigns focused on caring for troops. Their domestic roles as wives, daughters, or mothers were strong because they were the ones who provided patient and tenacious protection of the family and, at large, the defense of the nation.

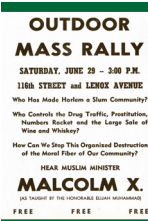


### Our Planet Our Lives

From the collection of **Catherine Roma**. The World House Choir sang Missa Gaia (Earth Mass) in September 2019 at the Antioch College’s Foundry Theatre. Participants included the Dayton Contemporary Dance Company, local vocal soloists and 8 instrumentalists (was also performed at the Levitt in Dayton and in Springfield). The image you see of the planet is a 1850 map superimposed over the NASA image of the Great Lakes. The 1850 map includes the cities and counties where Missa Gaia was performed. Guest lecturer Dr. Chris Cuomo (University of Georgia) presented environmental programs: “Refusing Fatalism: Realistic Approaches to Achieving Climate Justice” at Antioch and “Good Allies in the Struggle for Climate Justice: Indigenous Sovereignty and Feminist Methods.” at Wright State University.

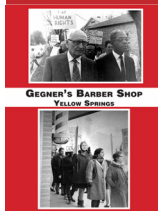
### Outdoor Mass Rally - Malcolm X

Courtesy of the **National Afro-American Museum and Cultural Center**. After several racial tragedies and setbacks in his youth, Malcolm Little changed his name to Malcolm X and later found the Islamic religion. It was in 1954, when Malcolm X was appointed the chief minister of Harlem’s Temple No. 7 by Elijah Muhammad. The next several years were filled with racial discrimination including the police beating of member Johnson Hinton where he was refused medical attention. Malcolm joined the contingent of Muslims at the 28th Precinct headquarters in Harlem, where he demanded Hinton receive medical attention. Media coverage of the Hinton incident brought national attention, and as a result the FBI now consider him a “key figure” meriting surveillance and increased harassment. This speech took place in Harlem on June 29, 1963. One year before Malcolm X’s pilgrimage to Mecca changing his worldview and fundamental understanding of race relations, religion, and the world at large. “And if I can die having brought any light, having exposed any meaningful truth that will help to destroy the racist cancer that is malignant in the body of America – then all of the credit is due to Allah. Only the mistakes have been mine.” Malcolm X



### Gegner’s Barber Shop Protest 1964

Hundreds of area students, residents and law enforcement officials jammed downtown Yellow Springs on Xenia Avenue during a chaotic demonstration against Gegner’s Barber Shop due to barber Lewis Gegner refusing to give African-Americans haircuts. Top photo on the banner from left, Arthur Morgan, Paul Graham, an unidentified man, Walter Anderson and Hardy Trolander (partially hidden) leading a march. Photos by **Axel Bahnsen** courtesy of **Antiochiana, Antioch College**.



# PROTEST BANNER PROJECT 2021



ACTIVISM IN YELLOW SPRINGS

For decades, residents of Yellow Springs have engaged in activism, often taking to the streets to demand social change in support of critical issues related to fighting racism, sexism, LGBTQ rights, and for environmental justice.

To honor this activist spirit, the **Yellow Springs Arts and Culture Commission** presents a lamppost banner series on Dayton Avenue and Xenia Avenue representing submissions from community residents of protest posters used during demonstrations over the years.

We wish to thank all the participants and the Village of Yellow Springs for their support of this project.



## SPECIAL THANKS TO

The Village of Yellow Springs  
National Afro-American Museum and Cultural Center,  
Jim McKinnon, *Archivist*  
Antiochiana, Antioch College, Scott Sanders, *Archivist*  
Chicago Women’s Graphic Collective  
Kian Barker  
Eve Diamond  
Clara-Lang Ezekiel  
Pat Fife  
Catherine Roma  
Matt Walker

Yellow Springs  
Arts and Culture Commission  
Cheryl Durgans, *Chair*  
Amy Wamsley, *Secretary*  
Nya Brevik | John Fleming  
Laurie Freeman | Catherine Roma  
Lisa Kreeger, *Council Representative*  
Brian Housh, *Council Alternate*

## XENIA AVENUE - EAST SIDE

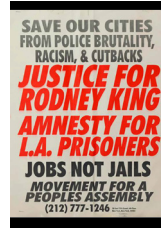


### Choose Solar Power

Texas-based company Vesper Energy has plans to build The Kingswood Solar Farm. If built this solar farm could be the largest East of the Mississippi spanning more than 1,200 acres in Miami Township, Xenia Township and Cedarville Township. Vesper Energy stated they plan to start the application process in the beginning of 2021. Many local citizens have been divided over this proposal for agricultural and financial reasons. This banner was submitted by **Pat Fife** who created this sign in support of the project.

### Rodney King

On March 3, 1991, King was beaten by LAPD officers. An uninvolved individual, George Holliday, filmed the incident from his nearby balcony. The footage showed an unarmed King on the ground being beaten after initially evading arrest. It was announced the four officers involved would be disciplined, Los Angeles police chief Daryl Gates said: "We believe the officers used excessive force taking him into custody. In our review, we find that officers struck him with batons between fifty-three and fifty-six times." The LAPD initially charged King with "felony evading," but later dropped the charge. On his release, he spoke to reporters from his wheelchair: a broken right leg in a cast, his face badly cut and swollen, bruises on his body, and a burn area to his chest where he had been jolted with a 50,000-volt stun gun. He said he was scared for his life as they drew down on him. Four officers were eventually tried with three acquitted, and the jury failed to reach a verdict on one charge for the fourth. Within hours, the 1992 Los Angeles riots started lasting for 6 days. The federal government prosecuted a separate civil rights case, obtaining grand jury indictments of the four officers for violations of King's civil rights. Their trial in a federal district court ended with two of the officers being found guilty and sentenced to prison. The other two were acquitted of the charges. In a separate civil lawsuit in 1994, a jury found the city of Los Angeles liable and awarded King \$3.8 million in damages. Poster courtesy of the **Afro-American Museum and Cultural Center**.



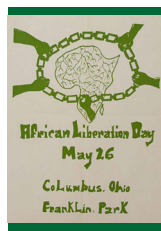
### Save Kids Not Guns

Created by 15 year old **Eve Diamond** who made the sign in March of 2018 for a March for Our Lives at Wright State University. I thought it was a powerful statement that reflected how I felt about the cause. I was very passionate about the movement because of how scared I was to go to school every day in my seventh grade year following all the news about school shootings. I also participated in the walk out protests at YSHS/MMS during the same year.



### African Liberation Day

Poster Courtesy of the **National Afro-American Museum and Cultural Center**. African Freedom Day was founded during the first Conference of Independent African States in Ghana on April 15, 1958. The purpose of the day was to annually mark the liberation movement's progress and to symbolize the determination of the people of Africa to free themselves from foreign domination and exploitation. Between 1958 and 1963, 17 countries in Africa won their independence. On May 25, 1963, 31 African leaders convened a summit meeting to find the Organization of African Unity (OAU). They renamed Africa Freedom Day as "African Liberation Day" and changed its date to May 25. The founding date of the OAU is also referred to as "Africa Day". African Liberation Day has helped to raise political awareness in African communities across the world. It has also been a source of information about the struggles for liberation and development.



### Trans Rights Are Human Rights

Trans rights are human rights and its important that we keep this issue in the conversation and highly visible by **Matt Walker**. The term transgender describes people whose gender identity is different than the sex they were assigned at birth. Transgender people are no less deserving of rights and freedoms than anyone else however, transgender people face disproportionately higher rates of human rights discrimination than any other community.



## XENIA AVENUE - WEST SIDE



### Angela Davis

From the collection of **Catherine Roma**. Angela Davis has been a shero of mine for a long while. She's radical, an academic, a prison abolitionist, a lesbian and fierce feminist. This now famous Cuban silk screen says "Comite por la libertad de Angela Davis, Cuba." Guns belonging to Davis were used in an armed takeover of a courtroom where four people were killed. She was prosecuted for 3 felonies, including conspiracy to murder and held in jail for over a year. Several protests took place demanding her freedom. John Lennon and Yoko Ono contributed to the campaign with the song "Angela".

### We Still Have a Dream - Jobs, Peace, Freedom

This poster was used during on August 27, 1983 during the March on Washington. Usage allowed due to the courtesy of the **National Afro-American Museum and Cultural Center**. The year 1983, which was the twentieth anniversary of the March on Washington and Martin Luther King, Jr.'s "I Have A Dream" speech offered a chance to consider how far African Americans had come in those two decades, while also providing the opportunity to rally for new battles around race. A diverse coalition of 250,000 Americans gathered. More than 700 groups with a wide range of political and social agendas came to Washington demanding everything from government job programs to a nuclear freeze to gay rights. But their unifying theme, aside from the march's official call for "Jobs, Peace and Freedom," was unquestionably the goal of ousting President Reagan.



### Take the Toys From the Boys: Women Oppose the Nuclear Threat (WONT)

From the collection of **Catherine Roma**. While doing research in London for my dissertation I joined this march. The demonstrations began in the early 1980s at the Greenham Common Women's Peace Camp. Ancillary marches were held throughout England. Women protested against the decision by the British Government to store cruise missiles there at Greenham. The women soon decided protests were not enough and formed an encampment and blockade at the RAF base in Greenham that lasted for 19 years.



### John Lewis

John Robert Lewis was an American politician, statesman, and civil rights activist and leader who served in the United States House of Representatives for Georgia's 5th congressional district from 1987 until his death in 2020. He participated in the "Freedom Rides" of 1961, was arrested and beaten in Selma, Alabama fighting for voter rights of Black Americans, and on Sunday, March 7, 1965, in Selma, some 600 marchers lined up behind the Student Non-Violent Coordinating Committee Chair. This march was organized to go from Selma, Alabama to the State capital in Montgomery, 54 miles away, to protest the February 26 murder of Jimmy Lee Jackson by police and the denial of voting rights. The police informed the marchers to turn back, but instead they knelt and John Lewis along with many others was beaten and arrested. Lewis spent his life defending voter rights and humanitarian needs. In 2015, Lewis returned to Selma, Alabama for "America's Journey for Justice" alongside Presidents Obama and George W. Bush to commemorate the 50th anniversary of the incident upon the bridge. 5 years later atop the Edmund Pettus Bridge in Selma, Lewis is quoted in saying, "Get in good trouble, necessary trouble, and help redeem the soul of America." Poster created by **Clara Lang Ezekiel**.



### NAACP We March for Dignity and Justice

The National Association for the Advancement of Colored People was founded in 1909. For more than 106 years, members of the NAACP have been the nation's first responders to violence, bigotry, racism, injustice and social unrest. In March 2015, "America's Journey for Justice" to restore voting rights in America took place. The 860 mile journey begin in Alabama and ended in Washington, D.C to bring attention to the vulnerable communities who are victims of regressive voting rights tactics.

The march included a broad coalition of partners including the Democracy Initiative, Communications Workers of America, Common Cause, NAACP Legal Defense Fund, Leadership Conference on Civil and Human Rights, National Action Network, 1199 SEIU, The Lawyers' Committee for Civil Rights Under Law, Sierra Club, National Bar Association, and Black Women's Roundtable and National Congress of Black Women. This poster was courtesy of the **Afro-American Museum and Cultural Center**.



VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE NO. 2021-03

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; APPROVING, ADOPTING AND ENACTING NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing has completed its updating and revision of the Codified Ordinances of the Village; and

WHEREAS, various ordinances and resolutions of a general and permanent nature have been passed by Council since the date of the last updating and revision of the Codified Ordinances (December 31, 2019) and have been included in the Codified Ordinances of the Village; and

WHEREAS, certain changes were made in the Codified Ordinances to bring Village law into conformity with State law;

NOW, THEREFORE, The Council of the Village of Yellow Springs, Ohio, hereby ordains that:

Section 1. The editing, arrangement and numbering or renumbering of the following ordinances and resolutions and parts of ordinances and resolutions are hereby approved as parts of the various component codes of the Codified Ordinances of the Village, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. or Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2017-46	12-18-17	242.01
2020-03	4-6-20	1046.01
2020-06	5-18-20	1064.02
2020-13	7-8-20	660.16

Section 2. The following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

414.11, 432.43, 436.09, 618.02, 636.09

Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance, except as follows:

- (a) The enactment of such sections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to July 30, 2020.

Section 4. Pursuant to Section 25 of the Village Charter and R.C. § 731.23, the Clerk of Council shall cause to be published a summary of this ordinance within one week after its passage, together with a summary of the new matter contained in the 2020A Replacement Pages hereby approved, adopted and enacted, a copy of which summary is attached hereto as Exhibit A.

Section 5. This ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the public health, peace and welfare by providing an up-to-date codification of the legislation of the Village, consistent with State law, where and as required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the Village, enforce law and order and avoid practical and legal entanglements, wherefore this ordinance, including the 2020 Replacement Pages hereby approved, adopted and enacted, shall be in full force and effect from and immediately after its passage by an affirmative vote of not less than four members of Council.

\_\_\_\_\_  
Brian Housh, President of Council

Passed: \_\_\_\_\_

Attest:  
Judy Kintner, Clerk

Roll Call: Housh \_\_\_\_\_

MacQueen \_\_\_\_\_

Stokes

\_\_\_\_\_

Kreeger \_\_\_\_\_

Curliss

\_\_\_\_\_

## EXHIBIT A

### SUMMARY OF NEW MATTER CONTAINED IN THE 2020A REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF YELLOW SPRINGS, OHIO

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New matter in the 2020A Replacement Pages for the Codified Ordinances of Yellow Springs, Ohio, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
414.11	Signal preemption devices; prohibitions.
432.43	Operating motor vehicle while wearing earphones or earplugs.
436.09	Display of license plates or validation stickers; registration.
618.02	Abandoning animals.
636.09	Criminal child enticement (Repealed).

**VILLAGE OF YELLOW SPRINGS**

**RESOLUTION 2021-05**

**A RESOLUTION DECLARING JUNETEENTH A HOLIDAY IN THE VILLAGE OF  
YELLOW SPRINGS**

**WHEREAS**, the Village of Yellow Springs is committed to “be a welcoming community of opportunity for all persons regardless of race, age, sexual orientation, gender identity, ethnicity, economic status, mental/physical ability or religious affiliation” as well as to “intentionally promote anti-racism, inclusion, equity and accessibility through all policies, procedures and processes”; and,

**WHEREAS**, the Village of Yellow Springs recognizes the historic significance of the Emancipation Proclamation, which, although signed on January 1, 1863 by President Abraham Lincoln, did not reach Galveston, Texas until June 19, 1865, two months after the end of the Civil War; and,

**WHEREAS**, Juneteenth was declared a state holiday in Texas in 1980, and a number of other states subsequently followed suit, including Ohio in 2009, through enactment of ORC 5.2247 as "Juneteenth National Freedom Day" to acknowledge the “freedom, history, and culture” associated with the anniversary of the date “on which the last slaves in the United States were set free in Texas.”

**WHEREAS**, celebrations with prayer, feasting, song and dance started on June 19, 1865 in Texas and have become an annual tradition across the United States, honoring the rich history and significant impact of Black communities, which have been so vital and contributory in the Village of Yellow Springs, and the triumphs, culture and achievements of African Americans locally, nationally and internationally.

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

**Section 1.** The Council of the Village of Yellow Springs hereby declares Juneteenth a holiday and encourages local observances commencing June 19, 2021 to promote the historical significance of the date slavery officially ended in the United States through individual and group activities dedicated to reflection, learning and healing, as our community must continue its efforts to promote the democratic ideals of diversity, inclusion, equity, accessibility and positive race relations through freedom for all persons.

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

Brian Housh, Council President

Passed:

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

**ROLL CALL**

Housh \_\_\_\_\_ MacQueen \_\_\_\_\_ Stokes \_\_\_\_\_  
Kreeger \_\_\_\_\_ Curliss \_\_\_\_\_

# Inclusive, Resilient, Equitable, Livable

Action-Oriented Steps to Live Our Values



**The Inclusive and Resilient Yellow Springs Coalition is a partnership between two collaborative projects: the Inclusive/Resilient Yellow Springs project and the Livable/Equitable/Age-Friendly Yellow Springs project.**

**Our Mission:**

**Supporting diverse communities by identifying and removing barriers to opportunity and success in order to create a more equitable, inclusive, and livable Yellow Springs.**

## **WHY—**

The Inclusive and Resilient Yellow Springs Coalition recognizes barriers to access and opportunities exist right here in our community. We want to be able to connect with our community organizations in order to uplift our entire community by removing those barriers and actively promoting inclusion, equity, and livability as a means to become more resilient as a community.

# WHO —

- THE YELLOW SPRINGS SENIOR CENTER
- THE YELLOW SPRINGS EXEMPTED SCHOOL DISTRICT
- THE 365 PROJECT
- ANTIOCH COLLEGE
- THE YELLOW SPRINGS CHAMBER OF COMMERCE
- THE VILLAGE OF YELLOW SPRINGS
- YELLOW SPRINGS HOME, INC.
- THE YELLOW SPRINGS COMMUNITY FOUNDATION

These two projects are coming together with the expertise to facilitate the collaborative work that is necessary to meet the needs of the community through the lens of the 8 domains (explained on next slide).

# THE 8 DOMAINS

The 8\* Domains of livability guide our decision-making process to create opportunity for all residents to thrive within the community.

Each domain is pertinent to a healthy, livable, equitable, inclusive, and resilient community.

- 1) Outdoor Space and Buildings
- 2) Transportation
- 3) Housing
- 4) Social Participation
- 5) Respect and Social Inclusion
- 6) Civic Participation and Employment
- 7) Communication and Information
- 8) Community Support and Health Services
- 9) Education\*

\*This domain is included in Miami Valley Regional Planning Commission's Livable Domains, and is compatible with the stated values of Yellow Springs.

The Inclusive and Resilient Yellow Springs Coalition is working on both short-term and long-term actionable items.

There are already items underway, such as:

- Carol M. Peterson Housing Repair Grants (domain 3)
- Rejuvenation of Beatty Hughes Park (domain 1)
- Cost of Poverty Experience (domain 7, 8)

This is a space to watch— as these two project collaborations link together and work with the community to identify the barriers to resilience, equity, inclusion, and livability we'll be reaching out to the appropriate organizations to leverage their expertise in the removal of those barriers.

# — ACTION STEPS

These steps will occur Q1-Q4 2021

- Engage domain experts through various organizations
- Engage and inform Village Council and staff
- Build up marketing and outreach plan, engaging groups and individuals for listening sessions
- Distribute survey and begin listening sessions
- Analyze responses with Domain Experts/Full Team
- Revisit listening sessions as needed
- Build out longer-term action planning to address additional needs

# IT TAKES THE WHOLE VILLAGE

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It's up to the whole village to tackle inequities in our community and to remove barriers to opportunity. We are invested in putting together the tools to build capacity for the whole village to use in order to build resilience, equity, and inclusion in order to ensure Yellow Springs is a livable place for all.

## CURLISS' CONTRIBUTION TO COUNCIL GOALS FOR 2021 & 2021 BUDGET DISCUSSION

### IN NO PARTICULAR ORDER

#### ECONOMIC

- CONTINUE COVID PROTECTION & RELIEF ACTIVITIES, SUPPORT FOR BUSINESSES
- Explore a Dora (Designated Outdoor Recreation Area) for YS
- Envision an expanded CENTRAL BUSINESS DISTRICT to include the eastern half of Mills Lawn
- INCREASE REVENUE FROM CAR CHARGING STATIONS
- EXPLORE PAID PARKING IN THE BRYAN CENTER AND RAILROAD STREET LOTS ONLY FOR EVENTS (NOT ON STREET PARKING and NOT EVERY DAY USE)
- VERNAY LAND POST-CLEANUP Planning for reuse (Community Solar?)
- Work with YSDC to help them in this important work as our Economic Development agent
- Support the arts groups, events when we can do these again – this is economic development

#### PUBLIC ADMINISTRATION OF JUSTICE

- Courageous Conversations need to happen
- Listening to the community about what is important to achieve an anti-racist community.
- Continue working to implement Justice System Collaborative Committee goals, but other goals will emerge from the process, courageous conversations.

#### ENVIRONMENTAL AND GREENSPACE

- **CLIMATE ACTION PLAN – Environmental Commission**
- PUT SOLAR ON VILLAGE LANDS (IF FINANCING FAVORABLE), at same time
- LEVERAGE BUYING POWER FOR RESIDENTIAL SOLAR PANELS
- VERNAY CLEAN UP – CAN THIS END IN 2021?
- UPDATE SOURCE WATER PROTECTION PLAN & IMPLEMENTATION
- KEEP \$200,000 available for Match for the Jacoby Creek RCPP Grant (Partner: TLT)
- **\$125,000** Match for WRRSP for Demolition of Power Plant in the Glen and Restoration of Wetland in that area (Partner: Glen Helen)
- Work with Schools to Preserve Mills Lawn for Public Park Purposes.
- Preserve the wetlands in the middle section of “Glass Farm.” Do a wetlands delineation study. RENAME THE WETLANDS to something more organic. ADD 5 ACRES if offered. Explore getting a grant to do this, then USE GRANT PROCEEDS 1) TO SUPPORT THE WETLANDS, 2) REPLENISH THE GREENSPACE LINE and 3) REMAINDER OF GRANT FUNDS FOR AFFORDABLE HOUSING/INFILL on appropriate lots in the Village
- RECYCLING/COMPOSTING – continue improvements
- **CELEBRATE THE NATIVE HABITAT EFFORT, CONTINUE NATIVES PROMOTION**
- ENACT A DARK SKIES/DARK SKIES ORDINANCE and Design Standards

- ENACT A WEEK ORDINANCE

#### INFRASTRUCTURE

- CONTINUE MAINTENANCE AND REHABILITATION OF EXISTING WATER, SEWER INFRASTRUCTURE
- ELECTRIC – BALANCE BIG POLE INSTALLATION WITH PUTTING ELECTRIC UNDERGROUND IN AESTHETICALLY SENSITIVE AREAS AS WE IMPROVE THE SYSTEM
- REVIEW NEED FOR A NORTHERN LOOP TO THE ELECTRIC GRID – NECESSARY? COST?
- PLAN FOR A FUTURE COMMUNITY SOLAR PROJECT & LEVERAGING BUYING POWER OF VILLAGE TO ALLOW CITIZENS TO PLACE ORDERS FOR SOLAR PANELS AT SAME TIME

#### BUDGET

- REVIEW DEFICIT SPENDING; PRESERVE GENERAL FUND RESERVE AT CURRENT LEVEL
- MOVE STREETS AND PARKS TO SAME SECTION AS ALL GENERAL FUND ACTIVITIES (NOT TRANSFERS OUT)
- FORM A FINANCE COMMITTEE OF COUNCIL – Review Deficient Spending, Longer Term Issues with current spending levels

#### HOUSING

- EXAMINE the current situation with the cost increases in the past two years - Cost of land, Cost of building and Tax rates might require a different conversation about affordable housing means. See Bullet 3
- CONTINUE TECHNICAL SUPPORT FOR HOUSING/ AFFORDABLE HOUSING INITIATIVES
- CONSIDER FINANCIAL SUPPORT ON A PROJECT BASIS AND THROUGH NEGOTIATIONS WITH DEVELOPERS
- FOCUS EFFORTS ON LAND THAT IS INFILL OR CLOSEST TO INFRASTRUCTURE SNMF NONT ECOLOGICALLY VALUABLE
- LOOK FOR WAYS TO ENCOURAGE DEVELOPERS TO BUILD *MARKET RATE APARTMENT HOMES* IN THE VILLAGE – This may be the future of affordable housing.

#### PARKS & REC, ACTIVE TRANSP

SUPPORT A DOG PARK FOR YELLOW SPRINGS – assuming sufficient public support  
 PRESERVE THE GREENSPACE AT MILLS LAWN AS PUBLIC PARK  
 FINISH SAFE ROUTES TO SCHOOL LIMESTONE STREET SIDEWALK  
 JOURNALIZE THE LOOP TRAIL SYSTEM TO CONNECT ALL NEIGHBORHOODS IN YS

#### DEFEND DEMOCRACY

We can no longer assume that democracy is not in danger. Village government should be supporting key democratic rights and principles - Protect free speech, the right of association and protest (to redress grievances to government), the separation of powers, the respect for the powers of each branch of government, the rights of citizens



when encountering government actors (the presumption of innocence, the right to be free of search and seizure without probable cause.)

1/15/21

TO: Yellow Springs Village Council  
FROM: Marianne MacQueen  
RE: January 20<sup>th</sup> Goal Setting Retreat

*Below are the goals that I would like to personally work on in 2021.*

## **1. Climate Action and Sustainability Planning**

Climate change and loss of biodiversity pose **the** existential threat. We must intentionally and more formally commit to developing and implementing a plan to focus on this. A Climate Action and Sustainability Plan would involve leadership by Village Government and partnering with local organizations, educational institutions and businesses. Areas in a plan would include the following:

- Increasing use of renewable energy and energy efficiency in transportation, buildings and other systems
- Land-use planning to increase natural habitats, increase carbon sequestration, biodiversity and more efficient built infrastructure systems
- Waste reduction/reuse/repair; solid waste and water management systems
- Increasing local food production and local food systems, supporting local farming
- Education, outreach and equity

We already have many of the pieces in place including the Climate Action Priorities created by former EC member Duard Headley, the Village energy portfolio focus on renewables, community solar projects, Native Habitat Community work, the Farmers Market, work of area organizations such as Tecumseh Land Trust and Community Solutions, businesses such as Environflight and Xylem, etc.

The Environmental Commission can provide leadership but clearly the capacity needed goes beyond the resources of EC. This will be ongoing work – choosing actions that will produce results, setting goals and benchmarks, developing effective partnerships, and maintaining a doable workload. Most likely we will need outside support to create a plan. Area state, national and international

organizations can offer support. Initiating this development to be the primary focus of the Environmental Commission for 2021.

#### How this goal relates to our Village Values and Goals

Focusing on Climate Action and Sustainability actualizes Village Value 5: Seek, in all decisions and actions, to reduce the community's carbon footprint.... It also impacts Village Strategic Goals 1) Providing an Affordable Community, 2) Supporting Residential Development, 3) Repairing and Maintaining our Infrastructure, 4) Promoting Sustainable Growth, 5) Facilitating Active Transportation, 6) Deepening Environmental Resiliency, and 7) Maintaining Village Vitality.

### **2. Develop a formal partnership with Home, Inc. as our affordable housing organization**

Affordable, accessible, safe and fair housing has critical to human health and wellbeing and can determine the vitality of our community. Village Government does not have the resources or capacity to create the type of housing that we need to be a resilient and sustainable community. Council created the Yellow Springs Development Corporation to support economic development because it recognized that Village Government alone could not do this. Similarly, a formal partnership with Home, Inc. will better enable the Village to create and rehabilitate needed housing stock – work the market alone will not do.

#### How this goal relates to our Village Values and Goals

Partnership with Home, Inc. ties to Value 1) Deepening decision-making processes..., Value 3) Be a welcoming community of opportunity..., 4) Pursue a strong economy..., 5) ...creative and cooperative stewardship of land resources, and 6) Intentionally promote anti-racism.... It relates to Goal 1) Provide Affordable Community, 2) Support Residential Development, 3) Promote Sustainable Growth, 4) Ensure Social Justice, and 5) Maintain Village Vitality.

### **3. Continue to integrate Staff and Council goals through more effective communication, planning, evaluating and adapting.**

Over the past several years Council and Village Staff have been working toward greater alignment in developing and implementing goals. 2020 brought us the pandemic and demonstrated the strength of this work as well as the strength in collaborating with community organizations. 2021 will continue to demand this type of communication, evaluation, and transparency. I want to continue to find ways for Council to “own” Staff goals and vice versa. Council and Staff members should identify with and be a part of promoting all our goals whether it is relining our sewer system or working on meaningful anti-racism. More than ever we need to be a team.

#### How this Goal relates to our Village Values and Goals

By continuing to learn to function as a team Staff and Council will increase our ability to live all the Village Values and more effectively meet our goals.



**TO:** Village Council  
**FROM:** Denise Swinger, Zoning Administrator  
**MEETING DATE:** Tuesday, January 19, 2021  
**RE:** Parking Minimums

Planning Commission has discussed the topic of parking requirements in the Downtown Corridor extensively as various zoning applicants require variances to the minimum parking requirements downtown. Planning Commission has voted to make changes to the minimum parking requirements in B-1 and has made the recommendation to Council for approval.

A recommendation in the Comprehensive Plan Update under Economic Development suggests:

*Downtown Yellow Springs is a truly authentic thriving destination that serves the community and region. Because the downtown has the highest concentration of jobs, efforts to preserve its function and expand its economic and social influence within the Village is imperative. To that end, Yellow Springs will support and strengthen the downtown area by:*

- *Review minimum off-street parking requirements in the downtown area, reducing barriers to business and residential expansion. To reduce development costs, many communities are rethinking their approach to required parking minimums, recognizing that there is often ample on-street parking.*

Parking has been a long-standing issue for downtown businesses with the public's perception ranging from *there is enough parking* to *it is a problem finding a place to park*. The Village's Central Business District has a number of buildings along Dayton, Corry and Xenia Avenue with little or no space for off-street parking areas. Parking minimum requirements in the B-1, Central Business District is a challenge for staff and the Planning Commission as they review plans for various economic development projects downtown. The Zoning Code determines the parking minimums by use (**Exhibit A**). In the B-1 District, the applicant can consider the location of parking facilities within 600 feet of their business in order to satisfy their parking by use requirement, but this does not take into consideration the availability of parking in these lots by other businesses (**Exhibit B – pg. 2**). The Planning Commission can reduce the number of parking spaces downtown by 25% and further reduce it based on other factors, such as bicycle parking or shared use parking lots. The Planning Commission can also require a parking study, but this would require the applicant return after the study is complete to seek approval.

Usually the Planning Commission has to allow for exemptions to the required number of spaces on applications for the B-1 District in order to approve the business. Staff brought the issue to the Planning Commission at their October 19, 2020 meeting and they requested staff bring back text amendment language to the November 9, 2020 meeting. The result of the November meeting was to recommend to Council the removal of parking minimums in B-1 only, and encourage the submission of an alternative parking plan. Specifically, the amendment proposed by the Planning Commission reads:

(h) Downtown Parking. ~~The minimum off-street parking spaces required for any nonresidential use in the B-1 District shall be reduced by 25% from the requirements of [Table 1264.02](#). These requirements may be further reduced by the Planning Commission in conformance with the provisions of Section [1264.02\(d\)](#).~~ **There are no minimum parking requirements in the B-1 Central Business District. The Village encourages off-street parking alternatives, such as shared use private parking lot agreements with adjacent property owners, including information on peak hours of service and estimated maximum number of customers, on site bicycle parking facilities, and/or requiring employees to park further away from businesses.**

Chapter 1264.02 General requirements for off-street parking and loading addresses when the intensity of a use has changed through an expansion or an increase in employees or floor seating. By removing the parking minimums by use, we are asking that each applicant provide what they anticipate will be their parking needs and to consider their hours of operation and adjacent parking facilities. The parking minimum requirements by use Table 1264.02 (**Exhibit A**) would still be in the zoning code and can serve as a guide for a business owner who may not be sure what their anticipated parking needs will be. Their parking plan may include an agreement with a property owner on use of their private lot, a shared parking arrangement with an adjacent business, an agreement that employees' park further away or something even more creative. As the existing zoning code language states, any shared parking agreements will be filed with the Clerk of Council after approval by the Planning Commission.

Other communities are facing similar situations and have either eliminated or relaxed their regulations. Although we cannot compare ourselves to larger communities where downtown parking lots sit empty, but are often unavailable for public use, we do have both public and private parking areas in or near the downtown area that may be available for use by other businesses. Planning staff is currently discussing with the Village Manager, Public Works Director and Police Chief, a parking audit in order to develop a map that shows locations in or near downtown where people can park. This would include our public parking lots and on street locations and will need to be coordinated with parking signage and restricted parking hours. Prior to implementing the audit, planning staff will reach out to the Chamber of Commerce to work with the downtown business community on its development.

# EXHIBIT A

<b>Table 1264.02 Parking Requirements by Use</b>	
<b>Use</b>	<b>Number of Parking Spaces</b>
<b>Residential Uses</b>	
Accessory dwellings	1 space per dwelling unit.
Bed and breakfast	2 for the owner/operator and 1 per leasable room.
Boarding or rooming house	1 space per 2 beds, plus 2 additional spaces for owner or employees.
Dormitories, fraternities and similar student housing	1 per 3 occupants, plus 1 per 2 full-time equivalent employees.
Group homes, juvenile and adult	1 per 4 occupants.
Multiple-family residential dwellings	2 spaces per dwelling unit, except in B-1 District (downtown) where 1 per dwelling unit is required.
Pocket neighborhood development	1.5 spaces per dwelling unit.
Senior apartments and senior independent living	1.25 spaces per unit. Should units revert to general occupancy, the requirements for multiple family dwellings shall apply.
Single-family and two-family dwellings	2 spaces per dwelling unit.
<b>Institutional Uses</b>	
Auditoriums, assembly halls, meeting rooms, theaters, and similar places of assembly	1 space per 3 seats, based on maximum seating capacity in the main place of assembly therein, as established by the Village Fire and Building Codes.
Child day care centers, nursery schools, and day nurseries; adult day care centers	1 per 350 sq. ft. of UFA, plus 1 per employee. Sufficient area shall be designated for drop-off of children or adults in a safe manner that will not result in traffic disruptions.
Churches and customary related uses	1 per 5 seats in the main unit of worship, plus spaces required for each accessory use such as a school.
Colleges and universities; business, trade, technical, vocational, or industrial schools	1 per classroom plus 1 per 3 students based on the maximum number of students attending classes at any one time.
Elementary and middle schools	1 per teacher, employee, or administrator, in addition to the requirements for places of assembly such as auditorium, gymnasium, or stadium.
Government offices	1 per 300 sq. ft. of UFA plus requirements for auditoriums, meeting halls or other assembly rooms.
High schools; performing and fine arts schools	1 per teacher, employee, or administrator, and 1 for every 10 students, in addition to the requirements for places of assembly such as auditorium, gymnasium, or stadium.

Hospitals and similar facilities for human care	1 per 2 beds, plus 1 per employee on the largest shift.	
Nursing and convalescent homes	1 per 3 beds or occupants and 1 space per staff member or employee on the largest shift.	
Post office	1 per 200 sq. ft. of UFA.	
Public libraries and museums	1 per 800 sq. ft. of UFA, plus requirements for auditoriums, classrooms or other assembly rooms.	
<b>Retail Uses</b>		
Retail stores except as otherwise specified herein	1 for every 250 sq. ft. of UFA.	
Multi-tenant shopping centers	with 60,000 square feet or less of retail	1 for every 250 sq. ft. of retail UFA.
	with over 60,000 square feet of retail	1 for every 220 sq. ft. of retail UFA.
	with restaurants	If more than 20% of the shopping center's floor area is occupied by restaurants or entertainment uses, parking requirements for these uses shall be calculated separately. Where the amount of restaurant space is unknown, it shall be assumed to be 20%.
Agricultural sales, greenhouses and nurseries or roadside stands	1 per employee plus 1 per 100 sq. ft. of actual permanent or temporary area devoted primarily to sales.	
Animal grooming, training, day care, and boarding	1 for every 300 sq. ft. of UFA.	
Farmers' markets	1 for every 150 sq. ft. of lot area used for sales or display.	
Furniture and appliance, household equipment, show-room of a plumber, decorator, electrician, hardware, wholesale and repair shop, or other similar uses	1 for every 800 sq. ft. of net UFA plus 1 additional space per employee.	
Grocery store/supermarket	1 for every 200 sq. ft. of UFA.	
Home improvement centers	1 for every 300 sq. ft. of UFA.	
Open air businesses, except as otherwise specified herein	1 for every 500 sq. ft. of lot area for retail sales, uses, and services.	
Vehicle dealerships, including automobiles, RVs, motorcycles, snowmobiles, ATVs and boats	1 for every 300 sq. ft. of show room floor space, plus 1 per automobile service stall, plus 1 per employee.	
<b>Service Uses</b>		
Motor vehicle service stations (gas stations and truck stops)	1 per employee, plus additional parking required for other uses within vehicle service station, such as the retail floor area, restaurants or vehicle repair stalls. Each automobile fueling position shall count as one quarter of a required space for the	



		spaces required for other uses within an automobile service station.
Vehicle repair establishment, major or minor		2 per service stall, plus 1 per employee.
Vehicle quick oil change		2 stacking spaces per service stall, rack or pit plus 1 per employee.
Vehicle wash	Self-service (coin-operated)	4 spaces plus 4 stacking spaces for every washing stall.
	Full-service	4 spaces, plus 1 per employee. 15 stacking spaces for every washing stall or line, plus a minimum 30 foot long drying lane to prevent water from collecting on street.
Banks and other financial institutions		1 per 200 sq. ft. of UFA for the public. Drive-up windows/drive-up ATMs shall be provided with 3 stacking spaces per window or drive-up ATM.
Beauty parlor or barber shop		2 parking spaces per chair/station.
Dry cleaners		1 per 500 sq. ft. of UFA.
Laundromats		1 per washer-dryer pair, plus 1 space per employee.
Mortuary establishment, funeral home		1 per 50 sq. ft. of assembly room or parlor floor space.
Motel, hotel or other commercial lodging establishment		1.25 per guest unit. In addition, spaces required for ancillary uses such as lounges, restaurants or places of assembly shall be provided and determined on the basis of specific requirements for each individual use.
<b>Restaurants, Bars and Clubs</b>		
Standard sit-down restaurants with liquor license and brew pubs		1 per 50 sq. ft. of UFA.
Standard sit-down restaurants without liquor license		1 per 75 sq. ft. of UFA.
Carry-out restaurant (with no or limited seating for eating on premises)		6 per service or counter station, plus 1 per employee.
Open front restaurant/ice cream stand		6 spaces, plus 1 per employee and 1 per 4 seats.
Drive-through restaurant		1 per 30 sq. ft. UFA, plus 8 stacking spaces per food pickup window.
Bars, lounges, taverns, nightclubs (majority of sales consist of alcoholic beverages)		1 per 50 sq. ft. of UFA.
Private clubs, lodge halls, or banquet halls		1 for every 3 persons allowed within the maximum occupancy load as established by the Village Fire and Building Codes.
<b>Recreation</b>		

Athletic clubs, exercise establishments, health studios, sauna baths, martial art schools and other similar uses	1 per 3 persons allowed within the maximum occupancy load as established by Village Fire and Building Codes, plus 1 per employee.
Billiard parlors	1 per 3 persons allowed within the maximum occupancy load as established by Village Building and Fire Codes or 1 per 300 square feet of gross floor area, whichever is greater.
Bowling alleys	8 per bowling lane plus additional for accessory uses such as bars or restaurants.
Indoor recreation establishments including gymnasiums, tennis courts and handball, roller or ice-skating rinks, exhibition halls, dance halls, and banquet halls	1 space for every 3 persons allowed within the maximum occupancy load as established by the Village Fire and Building Codes.
Golf courses open to the public, except miniature or "par-3"	6 per 1 golf hole, plus 1 per employee, plus additional for any bar, restaurant, banquet facility or similar use.
Miniature or "par-3" courses	3 per 1 hole plus 1 per employee.
Stadium, sports arenas, sports fields (ball diamonds, soccer fields, etc.) or similar place of outdoor assembly	1 for every 3 seats or 1 for every 6 feet of bench, plus 1 per employee. For fields without spectator seating, there shall be a minimum of 30 spaces per field.
<b>Offices</b>	
Business offices or professional offices of lawyers, architects or similar professionals	1 for every 300 sq. ft. of UFA, but no less than 5 parking spaces.
Medical offices of doctors, dentists, veterinarians or similar professions	1 for every 200 sq. ft. of UFA.
<b>Industrial Uses</b>	
Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing, plumbing or electrical work-shops	1 for every 1.5 employees or 550 sq. ft. of gross floor area, whichever is greater.
Warehouses and storage buildings	1 per employee computed on the basis of the greatest number of persons employed at any one time during the day or night, or 1 for every 5,000 square feet of gross floor area, whichever is greater.
Mini warehouses/self storage	Unobstructed parking area equal to 1 for every 10 door openings, plus parking for other uses on site such as truck rental.
Truck terminal	1 per employee plus 2 truck spaces of 10 by 70 feet per truck berth or docking space.

# EXHIBIT B

## CHAPTER 1264 Off-Street Parking and Loading

[1264.01](#) Purpose.

[1264.02](#) General requirements.

[1264.03](#) Off-street parking and facility design.

[1264.04](#) Off-street loading requirements.

### **1264.01 PURPOSE.**

The purpose of this chapter is to prescribe regulations for off-street parking of motor vehicles in residential and nonresidential zoning districts; to ensure by the provision of these regulations that adequate parking and access is provided in a safe and convenient manner; and to afford reasonable protection to adjacent land uses from light, noise, air pollution and other affects of parking areas.

(Ord. 2013-19. Passed 9-16-13.)

### **1264.02 GENERAL REQUIREMENTS.**

(a) Applicability of Parking Requirements. For all buildings and uses established after the effective date of this code, off-street parking shall be provided as required by this chapter.

(1) Whenever use of a building or lot is changed to another classification of use, off-street parking facilities shall be provided, as required by this chapter.

(2) If the intensity of use of any building or lot is increased, through the addition of floor area, increase in seating capacity, number of employees or other means, additional off-street parking shall be provided, as required by this chapter.

(3) Off-street parking facilities in existence on the effective date of this code shall not be reduced below the requirements of this chapter, nor shall nonconforming parking facilities that exist as of the effective date of this code be further reduced or made more nonconforming.

(4) An area designated as required off-street parking shall not be changed to another use, unless equal facilities are provided elsewhere in accordance with the provisions of this chapter.

(b) Location. Off-street parking facilities required for all uses other than single and two-family dwellings shall be located on the lot or within 300 feet of the building(s) or use they are intended to serve, as measured along lines of public access from the nearest point of the parking facility to the building(s) or use served. Off-street parking facilities required for single- and two-family dwellings shall be located on the same lot or

plot of ground as the building they are intended to serve, and shall consist of a parking strip, parking apron, and/or garage. All residential driveways shall meet Village engineering standards. In the B-1, Central Business District, parking facilities shall be located within 600 feet of the building or use to be served.

(c) Shared/Common Parking.

(1) Two or more buildings or uses may share a common parking facility, provided the number of parking spaces available equals the required number of spaces for all the uses computed separately. Cumulative parking requirements for mixed-use developments or shared facilities may be reduced by the Planning Commission where it can be determined that one or more of the factors listed in subsection (d) below apply.

(2) Parking facilities for a church or place of worship may be used to meet not more than 50% of the off-street parking for theaters, stadiums and other places of public assembly, stores, office buildings and industrial establishments lying within 600 feet of a church or place of worship, as measured along lines of public access; provided, the church or place of worship makes the spaces available and there is no conflict between times when the uses are in need of the parking facilities.

(d) Modification of Parking Requirements. The Planning Commission may reduce the parking space requirements of this chapter for any use, based upon a finding that other forms of travel are available and likely to be used and, in particular, the site design will incorporate both bicycle parking facilities and pedestrian connections. In addition, one or more of the following conditions shall also be met:

(1) Shared parking by multiple uses where there will be a high proportion of multi-purpose visits or where uses have peak parking demands during differing times of the day or days of the week and meeting the following requirements:

A. Pedestrian connections shall be maintained between the uses.

B. For separate lots, shared parking areas shall be adjacent to each other, with pedestrian and vehicular connections maintained between the lots.

C. Unless the multiple uses all are within a unified business center, office park or industrial park all under the same ownership, shared parking agreements shall be filed with the Clerk of Council after approval by the Planning Commission.

(2) Convenient municipal off-street parking or on-street spaces are located adjacent to the subject property.

(3) Expectation of walk-in trade is reasonable due to sidewalk connections to adjacent residential neighborhoods or employment centers. To allow for a parking space reduction, the site design shall incorporate pedestrian connections to the site and on-site pedestrian circulation, providing safe and convenient access to the building entrance.

(4) Where the applicant has provided a parking study, conducted by a qualified traffic engineer, demonstrating that another standard would be more appropriate based

on actual number of employees, expected level of customer traffic, or actual counts at a similar establishment.

(5) The Planning Commission may require a parking study to document that any one or more of the criteria in subsections (d)(1) through (4) above would be met.

(e) Deferred Parking.

(1) Where a reduction in the number of parking spaces is not warranted, but an applicant demonstrates that the parking requirements for a proposed use would be excessive, the Planning Commission may defer some of the required parking. A site plan shall designate portions of the site for future construction of the required parking spaces, meeting the design and dimensional requirements of this chapter. Any area so designated shall be maintained in a landscaped appearance and not occupy required buffers, greenbelts or parking lot setbacks, or be used for any other purpose. Landscaping, such as parking lot trees, that would otherwise be required for the deferred spaces shall be installed within the deferred parking area.

(2) The deferred parking shall meet the requirements of this chapter, if constructed. Construction of the additional parking spaces within the deferred parking area may be initiated by the owner or required by the Village, based on parking needs or observation, and shall require approval of an amended site plan.

(f) Temporary Parking. It is recognized that there may be special events or situations that occur infrequently which would result in a temporary reduction in the availability of required parking spaces or create a need for temporary off-site parking. Such events could include outdoor vehicle sales, festivals, fairs, church/school car washes or garage sales. In those instances, the Zoning Administrator may authorize the temporary use of the required parking area or temporary off-site parking upon a demonstration by the applicant that:

(1) The loss of the required parking spaces may be offset by requiring employees or customers to park elsewhere or that due to the time of year or nature of the on-site business, the required spaces are not needed;

(2) Permission has been granted by neighboring property owners or operators to use their parking facilities;

(3) The duration of the special event is so short or of such a nature as to not create any parking problems for the normal operation of the existing on-site use;

(4) Temporary off-site parking is located and designed to ensure safe and efficient circulation for both pedestrians and vehicles (a site plan may be required to demonstrate this);

(5) The proposed special event satisfies all other applicable Village regulations.

(g) Maximum Allowed Parking. In order to minimize excessive areas of pavement that detract from aesthetics, contribute to high rates of storm water runoff and generate reflective heat, the minimum parking space requirements of this section shall not be

exceeded by more than 10%, unless approved by the Planning Commission as part of site plan review. In approving additional parking space, the Planning Commission shall determine that the parking is necessary, based on documented evidence, to accommodate the use on a typical day.

(h) Downtown Parking. The minimum off-street parking spaces required for any nonresidential use in the B-1 District shall be reduced by 25% from the requirements of [Table 1264.02](#). These requirements may be further reduced by the Planning Commission in conformance with the provisions of Section [1264.02\(d\)](#).

(i) Bicycle Parking. Accommodation for bicycle parking is encouraged in all districts, but especially in the B-1, Central Business District, and the E-I, Educational Institution District.

(j) Required Off-Street Parking Spaces. The minimum number of required off-street parking spaces shall be provided and maintained on the premises or as otherwise allowed by this chapter, on the basis of the applicable requirements of [Table 1264.02](#). As a condition of approval, the Village Council may require that a performance guarantee be posted, in accordance with the provisions of Section [1272.04](#).

(1) When units or measurements determining the number of required parking spaces result in a fraction over one-half, a full parking space shall be required.

(2) In the case of a use not specifically mentioned, the requirement for off-street parking facilities for a specified use which is most similar, as determined by the Zoning Administrator, shall apply.

(3) Each 24 inches of bench, pew, or similar seating facilities shall be counted as one seat, except if specifications and plans filed in conjunction with a building permit application specify a maximum seating capacity, that number may be used as the basis for required parking spaces.

(4) Where parking requirements are based upon maximum seating or occupancy capacity, the capacity shall be as determined by the Building Code and Fire Code.

(5) Unless otherwise indicated, floor area shall be usable floor area (UFA).



**Manager's Report  
January 19, 2021  
Josue Salmeron**

**COVID-19 VYS Response/Update**

- Administration continues its communication strategy to inform residents of the latest COVID-19 developments and impact in our region. Strategy includes 1) Virtual Townhalls; 2) Weekly Leaders Call; 3) Improved Social Media;
- Continued maintenance of 30 hand sanitizer stations strategically placed around the Village.
- VYS was awarded \$12k from the Ohio Office of Criminal Justice Services for COVID-19 related services.
- Expanding Wifi and Broadband to Gaunt Park, Hawthorne A, Corry St Apartments and Waste Water Treatment facility.
  - Underground Fiber installation is underway.
- CARES Grant for Village of Yellow Springs Small Businesses and Nonprofits executed. We received 18 applications, totaling \$70,587.72 in requests for financial assistance. This program has a funding allocation of \$40K. VYS also provided \$8K for a Senior Digital Engagement project to provide technology support and engagement for one of our most vulnerable populations affected by the COVID-19 pandemic.
- Learning Center has reopened; it was closed brief for the holiday school break.

**Vernay Cleanup Follow-Up – Utilities and Worker Safety and Gas Intrusion Update**

On November 21, the Village of Yellow Springs hosted a follow-up community meeting to discuss October's EPA meeting regarding Vernay remediation plans. About 50 individuals attended the meeting and submitted 47 written questions, many of which were answered during the meeting. Village Staff will follow-up on unanswered questions. Residents and the administration have concerns regarding the risk of contaminant entering our water system in the event of break in the water lines located at the Vernay Property. We have met with TRC, Vernay Environmental Consultant, and have created a contingency plan that calls on the services of a third party contractor, specialized in hazardous work, to fix any water line breaks on the site. We have also met to discuss the risk to utility workers if we had to rely on our team to dig up and repairs lines. According to the memo from TRC/Vernay, the exposure to workers is significantly less than USA EPA acceptable levels. We've discussed this memo with the EPA and that have agreed with the methodology and standards of the assessments

**Gas intrusion update:** We are in receipt of a memo from TRC/Vernay addressing the concerns of vapor intrusion into private homes near the Vernay property. According to the memo, "The

multiple rounds of sampling over several seasons demonstrate that occupied buildings near the site are not impacted by COCs in soil vapors migrating from the Vernay site.” And “ No additional sampling is warranted as the existing data is comprehensive and biased to locations closest to the Vernay site or most likely to be potentially impacted by VI from the Vernay site.”

#### **Unnamed Creek - Evaluation of Potential Recreational Visitor and Ecological Risks –**

**update:** We are in receipt of a memo from TRC/Vernay addressing the concerns of contaminants discharging into the unnamed creek. According to the memo, the “potential human recreator exposures to sediment and surface water in the Creek would not exceed levels deemed acceptable by USEPA.” As for risk to non-human flora and fauna; the memo states that “ecological (non-human flora and fauna) exposures to sediment and surface water in the Creek would not exceed levels deemed acceptable by USEPA.”

Vernay and TRC were on site on January 29<sup>th</sup> and 30<sup>th</sup> for boring sampling around the existing utilities to test for contaminants. This is done at the request of the Village administration with added support from the US EPA. The EPA was on-site on February 4<sup>th</sup> and 5<sup>th</sup> to monitor work the Vernay Site, work include soil sampling and delineation and testing of the hotspots scheduled for excavation/removal.

The VYS administration and members of the environmental commission met with US EPA on May 27<sup>th</sup>. Results/Conclusion are as followed:

- US EPA evaluated water source protection data and determined that contamination at Vernay does not pose a risk to our drinking water source.
- An update to the time of travel map would benefit the village as the water plant has upgraded its pumps to produce 350-400 gallons per minute. Our pumps are producing, on average 615 gallons per minute, with daily productions of 350K-400K Gallons per day.
- Soil testing results indicate that contamination around our utility lines does not exceed the csat standard that would pose a risk to utility resources and workers, with the exception of the know hotspot that is scheduled for removal.
- Timeline for the statement of basis has shifted to later in the year.

**Meeting with US EPA held on November 12, 2020. We have received the updated the Soil removal proposal and are evaluating the expanded soil excavation areas. We are still waiting on additional information on parameters used for the updated 3D particle-tracking model.**

The VYS Administration has met with Ohio EPA and Bennett and Williams, to discuss an update to the Water Source Delineation Map. Ohio EPA has agreed to assist with a new Delineation. A thorough Time of Travel analysis and map will be conducted as a separate project. UPDATE: Ohio EPA has scheduled the delineation project for VYS. Expect completion around Summer of 2021.

Timeline for project has been adjusted. Statement of Basis and community engagement is expected Q1-Q2 of 2021.



**Meeting with US EPA held on December 17, 2020. US EPA finds the 3D particle tracking model inadequate as it does not fully demonstrate “Run Water Flow” on both a horizontal and vertical planes. EPA and Vernay have scheduled technical meetings to work through the model and review technical data used to estimate the total soil removal zones. Updated Tracking model is expected end of January 2021 and Soil Removal Updated plan at end of February 2021**

**Next Meeting scheduled for February 4, 2021.**

### Administration Updates

- Administration has held several meetings on strategic planning for 2021.
- End of year reporting and closing procedures are still underway.
  - We'll report out on unaudited financial reports during the February 1, 2021 meeting
- Continued work on Power Purchase contract exploration.
- Health Insurance Management:
  - VYS will solicit bids for Health Insurance plans in late January 2021.
  - Will survey employees on health insurance coverage needs.
- Police Department:
  - Will provide report next reporting period.
- Public Works
  - All departments are working on closing out 2020 projects and planning for 2021, this is in addition to the on-going routine maintenance work.
  - SRTC for Limestone: Update: Letters mailed to property owners that will be impacted by project. Choice One will start surveying and layout the sidewalks and Road ROW in October 2020. Electric crew will then follow with site preparation for sidewalk. Project cost match has been proposed and approved in the 2021 budget.
    - Working with YS School on ROW acquisition and sidewalk placement.
    - Engineering plans have been drafted.
  - Active Transportation Plan Grant:
    - Held kickoff meeting, Award amount has increased to \$1.8M- ODOT has provided additional funding.
    - On-going project. Project cost have increased, VYS will meet with ODOT to discuss project and contractors. Financial constraint have been resolved.

REPORT TO COUNCIL FROM  
PLANNING COMMISSION LIASION

BY: Laura Curliss, Council Member

REPORT DATE: JANUARY 13, 2021

PLANNING COMMISSION MEETING - 1.12.21.

NEW MEMBERS - Planning Commission welcomes a new member regular member, SARAH SINCLAIR-AMEND, who is replacing AJ WILLIAMS. SARAH SINCLAIR-AMEND served as an alternate. MATTHEW KIRK is a new alternate along with SUSAN STILES. THANKS to AJ WILLIAMS for his service and who left due to moving away from the Village.

NOVEMBER 10, 2020 MEETING MINUTES were APPROVED.

The following Conditional Use Applications were APPROVED:

1. **422 N. High Street** – James Lockett and Tanya Maus for a Home Occupation Permit for cottage industry bread baking.
2. **205 N. Walnut Street** – Alex Melamed for a Transient Guest Lodging establishment in the accessory building at the rear of the property.
3. **143 E. Limestone Street** – Gavin Leonard for a Transient Guest Lodging establishment in a barn at the rear of the property.
4. **305 N. Walnut Street, Bldg. A** – conditional use of a baked goods establishment at Millworks. Partners: Frank Doden (recused from voting), Rob Houk and Karina Tafolla.

OLD BUSINESS

Ch. 674 - Weeds Ordinance – Nadia Mularkey wants to continue work. TO DO: Laura Curliss & Frank Doden to meet again by Zoom with Nadia Mularkey and Catherine Zimmerman.

NEW BUSINESS

**1133 Xenia Ave.** – PUD for a Pocket Neighborhood - Home, Inc. requested another one-year extension to complete the construction of the residences in this PUD. It was APPROVED.

WHAT HAPPENED BUSINESS?

COUNCIL LIASION REQUESTS COUNCIL PRESIDENT TO PUT ON THE NEXT COUNCIL AGENDA A RECOMMENDATION TO AMEND CH. 1264 of the ZONING CODE.

At its November 10, 2020 meeting, the Planning Commission APPROVED (**5-0**) the recommendation of staff for legislation amending Ch. 1264 of the Zoning Code regarding Off Street Parking and Loading regarding parking minimums in B-1, Central Business District (“CBD”). The recommended legislation would **eliminate parking minimums in the CBD**. WHY? Because the current Code “requirements” are impossible to meet for any business that doesn’t have an existing parking lot...which is the vast majority of businesses. Almost all downtown business customers use on-street parking or public lots.

APPROVED LANGUAGE: “There are no parking minimums in the B-1 Central Business District. The Planning Commission encourages creative alternatives, such as shared use private parking lot agreements with adjacent property owners including information on peak hours of service and estimated maximum number of customers, on site bicycle parking facilities, and/or requiring employees to park further away.”

REQUEST TO CLERK – Please put Planning Commission recommendations for legislative changes on the **draft agenda** for the next Council Meeting for consideration by the President of Council for the finalized agenda. Thank you.

END OF REPORT

**Yellow Springs Development Corporation Meeting, 12/8/2020, 4:30-6:30 pm  
Virtual Meeting via Zoom**

**Voting Member Attendees:** Lisa Abel, Steven Conn, Sarah Courtwright, Don Hollister, Lisa Kreeger, Patrick Lake, Marianne MacQueen, Steve McQueen, Hannah Montgomery, Corrie van Ausdal

**Ex-Officio Member Attendees:** Terri Holden, Jeannamarie Cox, Josue Salmeron

**Invited Guests:** Shelly Blackman, Alex Scott

**Guest:** Carol Simmons, Eric Henry, Eileen McClory, Evelyn LaMers,

**1. Call Meeting to Order:** Meeting called to order 4:30

**2. Meeting Agenda Review/Approval:** No new business

**3. Treasurer's report (Montgomery):** Treasurer's Report: Majority of expenses are legal fees. We are working on categorizing to understand how much is normal vs project expenses. Working on budget for next year comparing to this year. Invoices for dues will be coming in January.

**4. Consent Agenda:**

**Motion:** ( \_\_\_\_\_ Lisa Kreeger \_\_\_\_\_ moved/ \_\_\_\_\_ Marianne \_\_\_\_\_ seconded) adopting the following:

- a. To accept the minutes of the November 11, 2020 YSDC meeting
- b. To accept the Treasurer's report as presented at today's meeting

**Vote: Yes: Steve Conn, Don Hollister, Lisa Kreeger, Patrick Lake, Mirianne MacQueen, Steve McQueen, Hannah Montgomery, Corrie van Arsdale, Lisa Abel**  
**Abstain: n/a, No: n/a**

**5. Top Priorities:**

- a. Board Membership (Kreeger) – Have been working on new members; a potential voting member and a potential ex-officio are on the call today. We need to take a look at bylaws as currently they say “President of Antioch College” and should say President or “Board Appointee”.
  - i. January we will look at the bylaws.
  - ii. Patrick Lake asked about his position on the Educational District as project manager, which Lisa Abel confirmed to continue with Patrick as project manager, as there is at least one voting member on the committee.
- b. Fire station sale progress (Abel)
  - i. ALMOST there.....just inches away so no conclusion yet. This is based on some outdated language in the deed lot description, which is being updated by a survey and county filing.
- c. Education corridor update (Lake) - Received approval from the College to get soil borings of the potential site. Next week determine the sites to be tested and then tested, 10 – 15 days we should have details. The North Campus is on hold until the soil boring results and the “Pre-bound Architect” will be chosen soon by the school board then will weigh in on the feasibility of space on the North Campus.

Lisa Abel asked Terri Holden to give an overview of where the School Board is. Holden noted she has been consistent at the end of the day “is it big enough, cheep enough and does it fit the timing.”

- d. Housing Development Agreement (Salmeron) – Meetings ongoing with Oberer Development; there is a meeting Thursday of this week, making progress but timeline is a bit slower than hoped. The development agreement between Oberer and the Village is related to the annexation petition yet is more focused on the different zoning interests which helps the Village accomplish its goals / values. Council is not reviewed in detail because Greene County has not heard the petition. Oberer has closed on the project. Village is doing some site improvements, as is Oberer.
  - i. Next step is on Oberer: Deliver the petition to annex the property as “Residential A” into the Village by county commissioners then clerk of courts sends to village council so it can be included on our board agenda.
  - ii. Abel asked what can the YSDC do to assist? Salmeron said after the annexation and development agreement the YSDC might be able to help with the program development and special funding which the YSDC could be the administrator.
  - iii. MacQueen adds we have included the community and we do not expect to get everything we want such as smaller housing, family housing, seniors who want to downsize, moderate and lower income people. The more we can demonstrate there is a demand for something outside of Oberer’s plans the more likely they will build to this request.
  - iv. Abel asked, is the housing needs assessment a help in getting what we want? MacQueen notes yes however Oberer is looking at the details which fit their plans not everything we want.
  - v. The current plan; A five year plan, 30 homes per year.
  - vi. Conversations ensued on the type of building plan Oberer focuses on.
  - vii. Discussion on potential needs survey of school’s open enrollment families, asking them “What do you need?”

## 6. New Business - Village Update on 3 times

- a. **Public WiFi** – Five nodes are up and running, the balance 9 routers will be completed tomorrow – this covers 20 acres around downtown that are up and running with no controls – completely open so people can use and try it out. All 12 routers will be running tomorrow and Village plans to market this to the villagers.
  - i. Next months the system will be monitor how well this is working and what other features we need.
  - ii. Free for the next year.
- b. **Village COVID support – HVAC** – Grant review committee to review grant applications to 18 applicants awarded and disperse \$40K.

**7. Thank You’s and Welcomes:** Welcome to Sarah Courtwright representing the Chamber. Courtwright is pleased to be here and glad to be back doing this type of work. Thank You to Patrick Lake for his participation as Community at large member staying on as the Educational Corridor Project Manager.

**8. Next meeting:** Change the January meeting to second Tuesday – 12th then back to first Tuesday in February.

- 9. 2021 Goals:** Marianne asked we look the agenda in January and set goals and objectives for 2021.

Adjourn – Lisa Abel moved to adjourn the meeting at 5:20 pm

**6. Future Agenda Planning:**

- a. Economic recovery scenario planning of essential businesses/ those with strong value propositions & financial acumen
- b. Tax and income strategic discussion for all benefitting entities
- c. Housing development & role of YSDC – MacQueen
- d. Records policy
- e. Grant writer position, grant writing and collaborations
- f. Economic incentive policy & other local economic attractors; county and state incentive programs; VYS Revolving Loan Fund; PACE/ESID board, policy, administration
- g. Financing options, such as impact investing with Foundation, local investors
- h. Administration of CBE infill; admin position for YSDC; administrative fees
- i. Potential projects (reference zoning map):
  - i. Housing projects coordination – Schools & VYS
  - ii. Antioch College excess assets – Montgomery, Manley
  - iii. Active transportation impacts – Salmeron
  - iv. Retention updates – Salmeron
  - v. 102 Dayton St
- j. Perspectives/guests from other communities (Fairborn, Hamilton, Springfield, Dayton...)



Village Of Yellow Springs  
Environmental Commission, November 19<sup>th</sup> Meeting Minutes  
Approved 12/17/20

1. 1.Welcome and Introductions. Josue, Marianne Macqueen, Matthew Lawson, Catherine Zimmerman, Deanna Newson, Nadia Malarkey, Piper Fernwey, Laura Curliss
2. Agenda Review and Review and approval of Minutes. –
  - a. Tabled approval of October minutes to December Meeting
3. Project Updates and Discussion:
  - a. YS Wildlife Habitat Certification Updates/ Proposed Ordinance Amendment.
    - i. Agria design website
    - ii. Working with planning commission on weed ordinance language, ordinance in editing phase, meeting with planning commission in Dec
    - iii. Planning commission want EC to continue education around native plants
    - iv. More certified residential properties
    - v. Village order/install public signs 2'x3' notify YS certifications
    - vi. Earth week activities to celebrate certification 4/23-25
  - b. Source Water Protection Plan. (Josue) –
    - i. no new updates
    - ii. OH EPA will help with delineation map to next summer
  - c. Apartment Recycling Ordinance. (Josue)
    - i. hoping to have all multifamily properties to join recycle program by early December
  - d. Vernay. (Josue) –
    - i. US EPA still waiting on 3d tracking model,
    - ii. US EPA updated soil removal proposal plan expanded excavation
    - iii. statement of basis planned for end of Q1
      1. virtual or in-person meeting unknown
      2. US EPA will be advertising for this meeting



- e. Proposal for Community Solar Project: (Josue)
  - i. Solar project (~216 kW) over parking lot at John Bryan Center
  - ii. Possibly hold Farmer's market underneath canopy
  - iii. Financing: PPA, investor, revenue bond by selling back energy
    - 1. Prefer low/no cost options
  - iv. Similar project Canal Market – Newark OH
  
- 4. Marianne –
  - a. Reframing EC for 2021 education and collaboration
  - b. Rick Donahoe – expressed interest in donating property to glass farm conservation area. Think how this would work in 2021
  - c. End of the year report, completed in the Jan
  - d. December 17th meeting to work on annual report
  
- 5. Future Meeting
  - i. Josue -Annexation topic
  - ii. Betty Hughes improvement project