

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

Virtual @ 7:00 P.M.

Monday, August 9, 2021

CALL TO ORDER

President of Council Brian Housh called the meeting to order at 7:00pm.

ROLL CALL

Present were President Housh, and Council members Kevin Stokes, Lisa Kreeger and Laura Curliss (Curliss joined the meeting at 7: . Marianne MacQueen was unable to attend. Also present were Village Manager Josue Salmeron and Solicitor Breanne Parcels.

PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

Molly Lunde re: Mask Requirement in Downtown Area
Jamie Sharp re: Mask Requirement in Downtown Area
Marcia Wallgren re: Mask Requirement in Downtown Area and Street Fair
Lindsay Burke re: Mask Requirement in Downtown Area
Kori Whittaker re: Mask Requirement in Downtown Area
Matt Kirk re: Mask Requirement in Downtown Area
Anna Burke and Ryan Stinson re: Mask Requirement in Downtown Area

The Clerk reviewed the materials received.

PUBLIC HEARINGS/LEGISLATION

Reading of Resolution 2021-31 Authorizing the Village Manager to Sign On to the OneOhio Settlement. Stokes MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Parcels explained that the legislation would approve the Village's participation in an opioid settlement claim which is being handled by the Ohio Attorney General for local government subdivisions with distributors.

Parcels stated that the Ohio Municipal League sent out information on the settlement on August 3, which has a window for participation for those municipalities who had not signed on to the action earlier. The deadline for the authorizing papers to arrive in Columbus is August 6th. Because there is funding involved, the approval has to come in the form of a resolution.

Parcels stated that the Village's share will be between 20-29 thousand dollars if the settlement is finalized as currently proposed.

Housh CALLED THE VOTE, and the MOTION PASSED 3-0 ON A ROLL CALL VOTE.

Reading of Resolution 2021-32 Declaring a Pandemic Emergency in the Village of Yellow Springs. MOVED and SECONDED a MOTION TO APPROVE.

Housh commented that he and the Village Manager continue to work on and stay abreast of COVID protocols, and are committed to taking a lead on safety measures. He noted that the public position regarding masking has shifted locally with the increase in transmission. Housh noted several letters asking about Street Fair. Housh stated that he and Salmeron had delivered a message to the Chamber urging them to consider cancelling the October Street Fair.

Kreeger expressed her dismay at the virulence of the Delta variant. She stressed the seriousness of the situation and pointed out the vaccination gap in Greene County alone. Kreeger explained the difference in some of the color coding systems, and asked that Council use the standard of the risk categories in mandating zoom meetings for Council any time the county is at a high level of transmission.

Kreeger advocated for masking outdoors as well as indoors unless able to socially distance. She expressed her full support for reinstating the mask mandate.

In response to a question from Housh, the Clerk shared that one BZA and one Planning Commission member had indicated their refusal to meet in person at this point.

Colin Altman, Fire Chief, addressed the situation, stating that a mask mandate makes sense at this point. He stated that organizations need to continue to urge everyone who can to get vaccinated.

Stokes expressed his strong support for a mask mandate, and spoke at length as to the wisdom of a coordinated, strong message to the public in order to save lives.

Chief Carlson reiterated that his team will continue to support local businesses. He commented that the department is understaffed, but is well-versed in supporting the mask mandate.

Salmeron stated that the Village team will rebuild and increase the number of sanitizer machines, will re-write and create signage, and will engage in an outreach strategy.

Megan Bachman asked for documentation regarding those businesses who had indicated that they were not in favor of a mask mandate. She spoke against Kreeger's recommendation that council implement zoom meetings unless the number drops below the "substantial" risk level, stating that that is a very high threshold to meet.

Housh stressed that Council has consistently worked to support downtown businesses, and has heard from a number of businesses in recent days requesting a mask mandate. He stated that the Clerk has all past letters from businesses and that these have been produced in earlier packets as well.

Kreeger addressed Bachman's regarding the high threshold for meeting in person, stating while there are some variations between different sites, and are some variations in opinion as to a proper threshold, the reality is that Greene County is currently in the "high" transmission category, and that could be a simple marker.

Altman concurred that having a threshold is helpful, and to use the CDC marker as being above "moderate" as the marker. Orange or red means masking and zoom meetings, he said.

Parcels noted that this is the language used in the resolution.

Housh stated that businesses have not previously been forced to follow the mask mandates, and will not be forced to do so now.

Valerie Kosheleff spoke in favor of the resolution, and asked that signs reference the danger of the Delta variant.

Laura Curliss joined the meeting (7:43pm). She stated that she did not want the mandate to extend to an outdoor masking requirement, stating that there is no evidence of outdoor spread of COVID.

She asked that the resolution be amended to eliminate outdoor masking requirements, and asked that reference to 660.10 be eliminated from the resolution.

There was some confusion as to what this would mean, and the reference was discussed.

Dino Pallotta asked whether Council would do anything about limiting the number of people permitted indoors.

Housh responded that Salmeron, Carlson and Altman could weigh in on that question in more detail at Monday's regular Council meeting.

Curliss MOVED to STRIKE REFERENCE TO 660.10 from the RESOLUTION.

There was discussion as to which section would be the most appropriate to strike.

Parcels explained that 660.10 has been on the books since 2004, and permits enforcement against sidewalk obstruction. 660.16 b(3), she explained, allows enforcement of masking in the Central Business District both outside if physical distancing is not possible indoors.

Curliss explained her objection as believing that there is no need for this section, and that clearing the sidewalks or preventing obstruction is a backdoor way of retaliating against street vendors.

Housh CALLED FOR A SECOND. There was no second.

Housh CALLED THE VOTE. The MOTION TO APPROVE PASSED 4-1 on a ROLL CALL VOTE, with Curliss voting against.

The Clerk received confirmation that all meetings moving forward will be virtual.

ADJOURNMENT

At 6:49pm, Stokes MOVED, and Housh SECONDED a MOTION TO ADJOURN. The MOTION PASSED 3-0 on a voice vote. Curliss did not vote.

Brian Housh, Council President

Attest: Judy Kintner, Clerk of Council