

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

Council Chambers @ 7:00 P.M.

Tuesday, January 16, 2024

CALL TO ORDER

President of Council Kevin Stokes called the meeting to order at 7:00pm.

ROLL CALL

Present were President Stokes, Vice President Gavin DeVore Leonard and Council members Brian Housh and Trish Gustafson. Interim Village Manager Johnnie Burns and Solicitor Amy Blankenship were also present. Carmen Brown participated via ZOOM.

ANNOUNCEMENTS

Housh announced a successful MLK Junior Day.

Housh noted that the comment period for Greene County’s Climate Action Plan will be open online, and encouraged participation.

Housh noted that he and YSDC Chair Lisa Abel had attended the Dayton Business Journal’s Economic Forum, and had gained useful information.

Stokes announced the “Village Café” set for 2-4 Sunday in the Mills Lawn gym.

CONSENT AGENDA

1. Minutes of January 2, 2024 Regular Session
2. Credit Card Statement for December

Brown MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE THE MINUTES of December 4, 2023. The MOTION PASSED 5-0 ON A VOICE VOTE.

Brown MOVED and Housh SECONDED a MOTION TO APPROVE THE DECEMBER CREDIT CARD STATEMENT. The MOTION PASSED 5-0 ON A VOICE VOTE.

REVIEW OF AGENDA

There were no changes made.

PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

- Council Clerk re: End of Year Report
- Brian Housh re: Dayton Foundation Communication
- Mayor’s Clerk re: Monthly Report (2)
- Mayor’s Clerk re: End of Year Report
- GCPH re: Hep C Cure Squad
- GCPH re: Warming Centers
- GCPH re: County Fatality Review
- Diane Diller re: Flier for Conflict Workshop
- Rose Pelzl re: Johnnie Burns for Village Manager
- Allison Moody re: CBE Press Release

DeVore Leonard reviewed the letters received.

PUBLIC HEARINGS/LEGISLATION

Reading of Resolution 2024-07 Authorizing the Interim Village Manger to Undertake All Necessary Action to Enact an Eviction. DeVore Leonard MOVED and Housh SECONDED a MOTION TO APPROVE.

Blankenship explained that a current tenant of Lawson Place is behind in rent by several months, and the resolution at hand would authorize the termination of that tenant’s lease and the filing of an eviction action.

Blankenship noted that the resolution also grants approval for the hiring of an eviction attorney to file the action.

Stokes inquired as to whether the tenant had been offered information regarding support and was assured that this was in fact the case.

Housh asked whether the tenant was informed regarding the “Pay to Stay” ordinance in place in the Village.

Burns responded that this information had been e-mailed, postal mailed and pinned to the tenant’s door.

Stokes CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Reading of Resolution 2024-08 Accepting Phase One Improvements for Spring Meadows. DeVore Leonard MOVED and Housh SECONDED a MOTION TO APPROVE.

Blankenship introduced the resolution, noting that Council must accept public improvements once they are vetted by the engineer and Public Works Director as complete, and those improvements then become the responsibility of the Village to maintain.

There being no questions, Stokes CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Reading of Resolution 2024-09 Authorizing the Interim Village Manager to Enter into a Contract for Completion of Two Inch Galvanized Line Replacement. DeVore Leonard MOVED and Housh SECONDED a MOTION TO APPROVE.

Blankenship noted that in January, 2023, the Village contracted with JNT Excavating, LLC for the King Street water main extension project, as well as for a 2-inch galvanized water line project. JNT defaulted on the contracts for both projects, and the Village pursued a claim against the performance bond provided by JNT and insured by United Fire Group.

The full amount of the settlement is \$375,000.00, which represents the difference between the JNT contracts and the Majors’ contracts of \$296,728.15 plus \$78,271.85 which reimburses the Village for legal and engineering costs incurred due to the default, as well as liquidated damages.

Blankenship stated that the Village is legally permitted to enter directly into a contract directly with one of the responsive bidders, that being Majors Enterprises, LLC. She noted that bids were submitted directly to the insurance company.

Blankenship stated that there is some time sensitivity due to the need to take a water tower off-line in June, which is why Council is not seeing final agreement documents with the resolution.

Housh asked whether the same bid package was used in obtaining the Majors bid and was informed that the same bid package was used.

Stokes CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Reading of Resolution 2024-10 Authorizing the Interim Village Manager to Enter into a Contract for Completion of King Street Water Main. DeVore Leonard MOVED and Housh SECONDED a MOTION TO APPROVE.

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

CITIZEN CONCERNS

There were no Citizen Concerns.

SPECIAL REPORTS

Active Transportation Advisory Committee Update. Housh introduced Dorothee Bouquet, the Yellow Springs Schools representative to the committee and the ATAC Chair, Chris Bongorno.

Chris Bongorno presented an update from the ATAC, noting the group's role in applying for grant funds to support the Active Transportation Plan and role as advisors and educators around inclusive, safe Village transportation.

Stokes asked several questions regarding the temporary speed bump on Fairfield Pike.

Bongorno responded that the group may ask ODOT to weigh in on the data, but that it is evident that the speed bump is slowing traffic along that road.

Burns responded to a comment from Brown, stating that Fillmore Construction had donated the speed bump to the Village.

Gustafson expressed appreciation for the sidewalk improvements, commenting that she has seen more mobility devices in use on sidewalks in the improved areas.

Burns commented that the data gathered from the Fairfield Pike bump test is being shared with Choice One for analysis.

DeVore Leonard asked for clarification regarding who and how the multi-modal path is meant to serve, and received information that the 10-foot-wide path allows both pedestrians and cyclists to share use, and that vehicles capable up speeds up to 25 miles per hour are permitted.

A discussion ensued, regarding where cyclists can operate on sidewalks, with Housh offering to provide a biking map for the next meeting.

Housh commented that a video on how people can use i-worqs has been suggested by ATAC.

MANAGER'S REPORT

Burns reported that new flooring will be laid on the first floor of the Bryan Center this week.

Burns reported on two weekend call-outs due to limbs down and snow events.

Phase Two construction has been approved for Spring Meadows, with construction planned for Spring. A model home should be going up in February.

Grant applications for funding the HB 168 mandate will be going out soon.

Burns noted safety improvements implemented on Fairfield Pike at Fair Acres and at the Polecat Road bike spur. Burns commented that he had received permission from Greene County Parks and trails to take over Village management of signage for that bike spur.

Brown commented that she lives near the Fairfield Road signage and has noticed great improvement in traffic response.

Brown pointed out that the County refused to address concerns regarding the adequacy of signage at the Polecat bike spur following a fatal accident at that location, and that the Village took initiative to improve signage and visibility.

Responding to a question from Housh, Burns confirmed that the agreement with Greene County regarding signage is documented.

Burns noted that water has been sent to DC for entrance in the National Rural Water competition.

Burns reported that the Youth Center has been upgraded and now has a small kitchen area for staff and youth use.

Burns reported damage to the gym floor which will be repaired, noting that he will proceed to stripe the floor for pickleball when this is done.

Burns lauded Ben Guenther for his work on social media updates, stating that these are seeing increasing numbers of followers.

Burns noted that signage at the CBE had gone up and promptly blown down in the high wind event: these will go back up shortly.

Housh commented that he would like to see the Village Building Department and excellent Village utilities highlighted in the CBE marketing effort.

Burns announced that Finance Director Amy Kemper will retire on February 2, but that she has offered to assist Melissa Dodd, a former Village Finance Director, as she fills in until the permanent position is filled.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Village Goals Discussion/Draft Retreat Agenda. Stokes stated that after discussion with the Agenda Planning team, the group would like to take a new approach to setting 2024 goals.

Stokes referenced the 2023 goals document, commenting that the retreat will be used to reset the goal-setting process “from the bottom up” to allow priorities to drive discussion.

Stokes commented that a project-planning approach that allows for tracking at a more granular level could show progress more readily.

Stokes asked Council and staff to come to the retreat prepared to discuss priorities in terms of strategy.

DeVore Leonard commented that goals have traditionally been a “top-down” approach, and that he is interested in a more strategic approach that incorporates more collaboration to reach shared goals. He urged honesty around capacity, asking that all consider “wants vs needs”.

DeVore Leonard stressed the importance of clarity regarding the Village Manager hiring process.

Housh asked the Clerk to work with him on developing a side-by-side comparison of the results and cost for when the Village used Management Partners and when the Village used its own process and did not hire a consultant.

Council Membership on Boards and Commissions. Stokes commented that this portion of the retreat would include information on appropriate communication between Council and Commissions and Commissions and staff and Council. Time would also be allotted to assigning the open positions on commissions and to any “shifting” needed in liaison status.

Housh commented that there may be a need to make changes given the change in Council leadership.

Brown commented on her goals for workforce housing, stating that she is reaching out to other communities and to the Chair of the State Select Committee on Housing to gather ideas and strategies for building apartments to support workforce housing in the village.

BOARD AND COMMISSION REPORTS

Housh reported on a recent MVRPC meeting of the Water and Environment Committee to discuss the Climate Action process, again urging participation in the feedback exercise for this document.

FUTURE AGENDA ITEMS

Jan. 26: Council Retreat: 12-4pm

Feb. 5: **Ordinance 2024-01** Accepting Planning Commission Recommendation to Rezone the Property Located at 545 Dayton Street from Conservation (C) to Medium Density Residential (R-B)
Resolution 2024-11 Agreement with Community Resources for Pass Through Funds
Planning Commission End of Year Report
PACC End of Year Report

Feb. 20: Environmental Commission End of Year Report
End of Year Report for Village of YS

ADJOURNMENT

At 8:26pm, Brown MOVED TO ADJOURN. DeVore Leonard SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Kevin Stokes, Council President

Attest: Judy Kintner, Clerk of Council