

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

Council Chambers @ 7:00 P.M.

Monday, April 1, 2024

CALL TO ORDER

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

ROLL CALL

Present were President Stokes, and Council members Brian Housh, Carmen Brown and Trish Gustafson. Village Manager Johnnie Burns and Solicitor Amy Blankenship were also present. Gavin DeVore Leonard was out of town.

Stokes MOVED to APPROVE DeVore Leonard's ABSENCE. Brown SECONDED, and the MOTION PASSED 4-0 ON A VOICE VOTE.

ANNOUNCEMENTS

Housh announced availability of YSO eclipse t-shirts being sold to raise funds for the Youth Center..

Housh noted ten-year service anniversaries for Ben Sparks and Jeff Beam.

Housh mentioned the recently shown documentary "Water", and stressed the importance of locally managed utilities.

Housh also noted recent retirement of Township Clerk Margaret Silliman.

Stokes announced an upcoming movie covering the topic of guaranteed income entitled "It's Basic".

CONSENT AGENDA

1. Minutes of March 18, 2024 Regular Meeting

Brown MOVED and Gustafson SECONDED a MOTION TO APPROVE THE MINUTES of March 18, 2024. The MOTION PASSED 4-0 ON A VOICE VOTE.

REVIEW OF AGENDA

There were no changes made.

PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

Matt Raska re: Housing Article and Letter (2)

Amy Blankenship re: Open Meetings Memo for Council

Brown reviewed the communications received.

PUBLIC HEARINGS/LEGISLATION

Reading of Resolution 2024-28 Extending a Stipend for Superintendent of Electric and Water Ben Sparks. Housh MOVED and Brown SECONDED a MOTION TO APPROVE.

Blankenship explained that while Sparks has taken on a wider and more supervisory role as Burns moved first to Interim VM and then into the permanent role, he is not on contract, which limits what can be done in terms

of compensation for these additional duties. She stated that the job description needs to be amended and the wage tables adjusted to accommodate this and other changes in jobs throughout the Village.

Blankenship reminded Council that she has been working with Burns to identify needed amendments to the Personnel Policy Manual. The issue will return, she stated, as part of a number of amendments to the PPM, one of those being changes needed to reduce the number of employees on contract, moving them instead to exempt employee status.

In response to a question from Housh, Burns stated that the stipend continuation is needed since Sparks is performing duties outside of his job description. He noted Sparks' management of larger-scale projects as one of these additional duties. Finally, Burns noted, the village is still under budget for personnel costs for 2024.

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

Reading of Resolution 2024-29 Declaring Support for The Ohio Commission for The United States Semi Quincentennial (AMERICA 250-OH). Housh MOVED and Brown SECONDED a MOTION TO APPROVE.

Brown introduced the proposal as follows: The state of Ohio and the Ohio Municipal League are inviting municipalities across the state to join in celebrating the 250th anniversary of the U.S. by becoming an official "AM250 community".

Brown noted that Yellow Springs, with its rich history of supporting people from marginalized groups, notably formerly enslaved Africans, dating back some 160 years, played a role in shaping history. She pointed to the opportunity for grants to promote educational and outreach opportunities.

Housh thanked Brown for seizing the opportunity, and Stokes thanked Housh for finding and passing on the information initially.

Housh MOVED TO AMEND the Third WHEREAS by ADDING "AS REFLECTED BY OUR VILLAGE VALUES" and then adding the list of values.

Stokes SECONDED, and the MOTION TO AMEND PASSED 5-0 ON A ROLL CALL VOTE.

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

Reading of Resolution 2024-30 Rejecting All Bids for Water Meter Replacement. Brown MOVED and Housh SECONDED a MOTION TO APPROVE.

Burns explained that Choice One has recommended the legislation, given that one of the two received responses was substantially over the Village's budgeted amount, and the other was not responsive to the scope. Choice One will work with Burns to rewrite the RFP to add clarity, and will then issue the revised RFP.

Stokes CALLED THE VOTE, and the MOTION PASSED 4-0 ON A VOICE VOTE.

CITIZEN CONCERNS

Steve Deal, member of the "Neighborhood Action Group" located in the Dayton Street/Walnut Street area, relayed frustration regarding inability to meaningfully cite for noise complaints under the current code. He stated that the group is suggesting a tactic of pressuring the businesses involved under an "attractive nuisance" condition. He asked that motorcycles be cited for muffler noise.

Theresa “Misty” Gill and friend Michael Corbett both spoke of their frustration regarding missed medical transportation pick-ups due to addressing confusion at the Lawson Place apartments. Village staff will work to address this matter.

SPECIAL REPORTS

Storm Response Report. Ben Sparks, Superintendent of Water and Electric, provided a powerpoint presentation with an overview of the Village response to the severe weather event on 2/28/2024. His overriding message was that good preparation prevented a more lengthy outage, and the Village’s relationship with American Municipal Power and participation in the Mutual Aid program were key to power restoration.

Sparks concluded with a sincere thanks to all who assisted.

Village Annual Reports 2022 and 2023. Burns provided an overview of 2023 accomplishments, and directed attention to the 2022 reports which were also provided.

Housh thanked Burns for completing and providing the 2022 reports, which he noted had not occurred in 2023 as scheduled and as required by Charter.

Burns noted that some booklets will be printed, and the reports will be available on the web.

MANAGER’S REPORT

Burns reported on the following:

Burns stated that he and Housh will be submitting the Village of Yellow Springs into a Dayton Business Journal competition for “best employer”, should the rest of Council agree to the idea and entry fee of \$250.00.

Council members voiced their support.

Burns noted that the Village is prepared for the eclipse.

Spring Meadows is prepared for transformers.

Dayton Street repaving will be delayed until construction on Spring Meadows is completed.

Parking donation signs are now up.

Library storm water mitigation area is now complete and seems to be working well.

The Village has tested all of the ATT poles along Dayton Street, and all but one failed. Burns is working with the Solicitor to get ATT to replace these faulty poles.

Two water mains have been completed and a third line is scheduled for patching. Burns noted use of GIS to pinpoint the mains for this project, which will result in precise information for future projects.

Burns lauded Meter Reader Rose Pelzl for outstanding work and her help in assessing bids for meter installation.

Burns made note of Allison Moody’s report on CBE marketing efforts provided in the packet.

Responding to a question from Gustafson, Sparks stated that the number of outages is trending down each year. He credited a schedule of pole change-outs for much of this, and noted that with every outage an assessment as to cause and a preventive action/s are undertaken.

OLD BUSINESS

Council Rules Ordinance Text Amendments. Following discussion of proposed changes, Council asked that the document be brought back as a “clean” version to the next meeting with the goal of bringing legislation in May.

Emily Seibel and Reilly Dixon each commented that greater clarity regarding the Rules and Procedures would be welcome.

NEW BUSINESS

Home, Inc. Tap Fee Waiver Request. Stokes introduced the topic.

Housh noted that the 2023 Council had assumed future asks for later phases.

Burns responded to a question from Stokes, stating that the gap in funding was because Home, Inc. had not included costs for a tap to a fully accessible unit requiring a sprinkler system.

Emily Seibel, YSHI Executive Director, stated her interpretation of the tap fee waiver as a general estimate, and indicated her belief that Council had expected a further request once hard numbers were attained. She indicated that YSHI considers the sprinkler systems exorbitant and normally attempts to get the requirement waived or funded, and had not included the cost for these reasons.

The Clerk commented that the amount of the waiver at the time was based on actual cost to the Village for eight taps, those representing hard cost to the Village.

Brown asked whether YSHI had been aware of the sprinkler system requirement at the time of the request, and was told they had not.

Stokes received confirmation that Council will see at least three more funding requests as the project is phased in.

Seibel made a case for the importance of municipal backing in receiving other forms of funding, and expressed YSHI’s willingness to collaborate with the Village around housing goals.

FUTURE AGENDA ITEMS

- April 15:** **Emergency Reading of Ordinance 2024-03** Approving a Supplemental Appropriation for the Second Quarter of 2024 and Declaring an Emergency
- Ordinance 2024-04** Amending Section 1264 of the Village Zoning Code to Include Bicycle Parking
- Resolution 2024-31** Approving Additional Tap Fee Funding to Yellow Springs Home, Inc. for Phase One (Eight Rental Units) of the “Cascades” Affordable Housing Project
- Consideration of Inclusionary Zoning
- Council Rules
- May 6:** Resolution Renewing Penguin Hut Lease
- May 20:** Insurance Renewals
- June 3:** Swearing In: Alex Croasmun
- June 17:**
- July 1:**

ADJOURNMENT

At 8:52pm, Housh MOVED TO ADJOURN. Brown SECONDED, and the MOTION PASSED 4-0 ON A VOICE VOTE.

Signed: _____
Kevin Stokes, Council President

Attest: -----
Judy Kintner, Clerk of Council