

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

IN COUNCIL CHAMBERS @7:00 P.M.

Monday, June 17, 2019

Comments from the Public are welcomed at two different times during the course of the meeting: (1) Comments on items not on the Agenda will be heard under Citizens Concerns, and (2) Comments on all items listed on the Agenda will be heard during Council's consideration of said item. A Sign-In sheet will be made available on the small table at the rear of the Council Chambers. Please write your name and the topic you wish to discuss. NOTE: Agenda items may be changed at the pleasure of Council during Review of Agenda. This is done with attention to the need to give the public time to engage, and is kept to a minimum.

CALL TO ORDER

ROLL CALL

EXECUTIVE SESSION

SWEARINGS-IN (7:00)

Emily Seibel and Patrick Lake: Economic Sustainability Commission
Dan Carrigan: Library Commission

CITIZEN HERO AWARD (7:05)

ANNOUNCEMENTS (7:10)

Krista Magaw, Tecumseh Land trust re: Greenspace Reimbursement

CONSENT AGENDA (7:20)

1. Minutes of June 3, 2019 Regular Session

REVIEW OF AGENDA (7:25)

I. PETITIONS/COMMUNICATIONS (7:30)

The Clerk will receive and file:

Barbara Mann re: Active Transportation
YS Chamber re: Appreciation
ESC re: Enviroflight
TJ Turner re: Chief Carlson
Judith Hempfling/Ellis Jacobs re: Air BnB Restrictions
Brian Housh re: Cincinnati Marijuana Ordinance
Johnnie Burns re: Proposal for Water Meter Replacement/OWDA Funds

II. PUBLIC HEARINGS/LEGISLATION (7:35)

Second Reading and Public Hearing of Ordinance 2019-15 Repealing and Replacing Section 1064.02--Rates, Admissions and Season Hours of Chapter 1064--Municipal Swimming Pool of Part Ten--Streets, Utilities and Public Services of the Codified Ordinances of the Village of Yellow Springs, Ohio, and Declaring an Emergency.

First Reading of Ordinance 2019-16 Establishing a Mutual Aid Agreement with Other APPA Members and Declaring an Emergency

Reading of Resolution 2019-28 Renewing Contract with MVECA for Provision of Internet Services

III. SPECIAL REPORTS

IV. CITIZEN CONCERNS (7:45)

This time is held for citizens wishing to comment upon items NOT listed on the agenda. Comments are limited to 3 minutes, please.

V. OLD BUSINESS (7:55)

Community Health Update (Kreeger: 10 min.)

Update on the Justice System Commission (Sanford: 10 min.)

Language for Proposed Charter Changes: Vote 16 and Mayoral Term Extension (Housh: 5 min.)

Mid-Year Review of 2019 Village Goals (Housh 30 min.)

Creating a Housing Board (MacQueen/Housh: 15 min.)

VI. NEW BUSINESS

VII. MANAGER’S REPORT (9:05)

VIII. CLERK REPORT (9:10)

IX. BOARD AND COMMISSION REPORTS (9:15)

Report Outs from Council Liaisons (Alternate Liaison in parenthetical):

MacQueen	Planning Commission (Kreeger)
Kreeger	Economic Sustainability Commission (Stokes)
Kreeger	Arts and Culture Commission (Housh)
Stokes	Library Commission (MacQueen)
Stokes	Human Relations Commission (Sanford)
MacQueen	Environmental Commission (Sanford)
Unfilled	Energy Board (HIATUS) (Unfilled)
	Glass Farm Conservation Management Committee
Housh	Greene County Regional Planning Commission (MacQueen)
Housh	Miami Valley Regional Planning Commission (Bates)
Kreeger	Finance Advisory Committee (Housh)
MacQueen	Village Mediation Program (Kreeger)
Housh	Active Transportation Enhancement Committee

X. FUTURE AGENDA ITEMS (9:20)*

- July 1: Proposal for Participatory Budgeting
- Energy Special Improvement District
- AMP Portfolio Update
- Resolution Approving the Finance Director’s 2019 Budget for the Village of Yellow Springs
- Resolution Approving a Lease with John Bryan Community Pottery
- Board and Commission Expectations Review
- July 15: Ordinance Approving Supplemental Appropriations for the Third Quarter
- Policing Assessment Update

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

SWEARING IN (9:25)

Josue Salmeron: Village Manager

ADJOURNMENT

The next regular meeting of the Council of the Village of Yellow Springs will be held at 7:00 p.m. on **Monday, July 1, 2019** in Council Chambers, John Bryan Community Center, 100 Dayton Street.

The Village of Yellow Springs is committed to providing reasonable accommodations for people with disabilities. The Council meeting is wheelchair accessible. 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 for more information.

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

In Council Chambers @ 6:00 P.M.

Monday, June 3, 2019

CALL TO ORDER

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

ROLL CALL

Present were President Housh, Vice President Marianne MacQueen and Council members Lisa Kreeger and Kineta Sanford. Also present was Village Manager Patti Bates.

EXECUTIVE SESSION

At 6:00pm, Kreeger MOVED and Sanford SECONDED a MOTION TO ENTER EXECUTIVE SESSION for the Purpose of Discussion of the Hiring of a Public Official. The MOTION PASSED 4-0 ON A ROLL CALL VOTE.

At 6:55pm, Kreeger MOVED and MacQueen SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 4-0 on a VOICE VOTE.

ANNOUNCEMENTS

MacQueen announced Gaunt Park Pool swim lesson availability.

Housh noted that there is a Gaunt Park Pool Facebook Page and that he would like the Clerk as well as the Village Manager and Parks and Recreation Director to be administrators and post all pool-related items to this Page.

Housh noted a Village Mayor proclamation celebrating June as “Pride Month”, and lauded these expressions of inclusion.

Housh noted that he had been invited to Cresco recently, and that the business is expanding and is trying to recruit more employees locally. He noted the Cresco Team’s community service activities, most recently assisting in tornado relief efforts and in honeysuckle mitigation in support of YS Home, Inc. and Agraria projects.

Bates observed that the 2020 Census is hiring and provided details. Housh noted that Yellow Springs has been undercounted in the past, and that local workers can assist in this effort.

CONSENT AGENDA

1. Minutes of May 20, 2019 Regular Session
2. Minutes of May 24, 2019 Executive Session

MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE. The MOTION PASSED ON A 4-0 VOICE VOTE.

REVIEW OF AGENDA

MacQueen asked that the H₂Ohio Bill be added under New Business.

Kreeger asked that a discussion of Emergency Preparedness be added under New Business.

PETITIONS/COMMUNICATIONS

MacQueen reviewed communications received as follows:

Kathy Adams re: Beatty Hughes Park
Erika Grushon re: Beatty Hughes Park
Sharon Mohler re: Beatty Hughes Park
Katie Wright re: Beatty Hughes Park
Mothers Out Front re: Beatty Hughes Park
Chris Wyatt re: Chief Carlson
Jon Nieberding re: Chief Carlson
Heather Livingston re: Chief Carlson
Kate Hamilton re: Chief Carlson
Kathryn Hitchcock re: Chief Carlson
Dawn Cooksey re: Chief Carlson
Eleanor Anderson re: Chief Carlson

Pan Reich re: Chief Carlson
Carlos Landaburu re: Chief Carlson
Mayor Conine re: Pride Month

PUBLIC HEARINGS/LEGISLATION

First Reading of Ordinance 2019-15 Repealing and Replacing Section 1064.02--Rates, Admissions and Season Hours of Chapter 1064--Municipal Swimming Pool of Part Ten--Streets, Utilities and Public Services of the Codified Ordinances of the Village of Yellow Springs, Ohio, and Declaring an Emergency. MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Bates noted several options regarding the proposed rate increases.

Bates stated that she did not have complete statistics regarding user residency, but that usage was approximately 60% Village residents and 40% non-residents anecdotally.

Bates responded to a question from MacQueen that the staff recommendation regarding the increase is for an overall increase to all users, rather than a scaled increase based upon residency.

Housh advocated for either the 30/70 split or that all increase be borne by non-residents, based upon the fact that residents support the pool through taxes.

Kreeger received information that only Village residents are accorded the “Swim for All” reduction in rates.

Kreeger wondered whether the “Swim for All” could be expanded to children outside of the community, commenting that she did not have an issue increasing rates for those outside the Village, but that she would like access to be available for lower income children.

MacQueen asked whether there would be a way to ask other municipalities to kick in funding to reduce costs for their residents who use the pool.

Bates commented that she did not know how complicated this would be to track.

Dan Dixon commented that if rates are increased by 50%, the number of out-of-towners will drop.

Megan Bachman, Yellow Springs News, sought clarification as to how each of the rate options works.

Bates agreed that the options are inconsistent in this regard.

Burns commented that other communities are putting in free splash pads in lieu of pools, and might not, therefore, be inclined to assist with cost.

Housh proposed the 100% increase for non-Villagers.

Bates clarified that the day passes are the same for non-residents as for residents.

The increase in the amount for a day pass was discussed.

Dan Dixon pointed out to Council members that they need to know what percentage of day-pass users are non-residents as opposed to the percentage of season-pass users.

Housh noted that this has not been tracked, and that Council is attempting to increase the pool income in something of an experimental manner.

Sanford pointed out that the Huber Heights facility is a water park and not a 1:1 comparison to the Village pool.

Housh reiterated that the Village has not raised rates in 10 years and that some increase needs to be enacted.

Council discussed the options.

MacQueen MOVED to adopt option #3, which iterates a 30/70% (resident/non-resident) split in increases. Sanford SECONDED, and the MOTION PASSED 3-1, with Housh opposing.

The initial vote on the ordinance was not called.

Reading of Resolution 2019-23 Approving Renewal of TechAdvisors Contract. MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Bates noted that the renewal is at the same rate as the last year.

Megan Bachman asked whether there were any local respondents to the RFP.

Bates stated that at the time of the initial RFP there were six respondents, and one of the principles in TechAdvisors lives near the Village. Until the next RFP, there will be no option to consider other providers.

Housh asked whether new equipment needs to be added to the contract, and asked that this be included in the contract.

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

Reading of Resolution 2019-24 Approving a Contract with Brian Carlson. MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Housh commented that in general he has been pleased with Carlson's effort to turn the Department around, and noted the challenges to this effort given the national narrative and other factors. Housh pointed out that the YSPD is now being assessed, and that recommendations coming out of that assessment will become a part of the Chief's evaluative process.

MacQueen commented upon the difficulty of being a police chief in the Village, stating her hope that the PD will continue to be more integrated into the Village and that officers will also feel welcomed here.

Kreeger commented that it is difficult to make aspirational language attainable. The vision statement is good, she said, but that is difficult to translate into policy. The assessment, the establishment of the Justice System Commission, the new Village Manager—all of these should combine to help us achieve the change we seek.

Sanford spoke appreciatively of the "growth mindset" she sees as driving change.

Eric Clark commented that any suggested changes should be able to be reflected in the Chief's contract as they are made.

Housh noted that there will be 3- and 6-month evaluations for the Chief, and the contract contains a clear connection between the assessment and the contract.

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

Reading of Resolution 2019-25 Approving a Contract with Denise Swinger. MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Bates noted that the change is needed because of the high volume of work Swinger handles and, as an hourly employee, she regularly goes over her allotted time. Moving to a salaried position will alleviate those overtime costs.

Housh lauded Swinger's performance in her position, praising both her initiative and professional development.

Bates responded to a question from Megan Bachman, stating that Swinger is the liaison to Miami Valley Regional Planning Commission regarding economic development and monitors the Jobs Ohio website for potential projects.

Housh commented that Swinger understands the Village in terms of economic sustainability and is "incredibly savvy".

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

Reading of Resolution 2019-26 Supporting Pride Week in the Village. Sanford MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Sanford commented that the resolution is a "step in the right direction."

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

Reading of Resolution 2019-27 Urging the Ohio Governor and Members of the Ohio General Assembly to Restore Local Government Funds to Pre-Recession Levels. MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Bates commented upon the necessity of the restoration, noting that the impact on small communities is significant.

Housh commented that the cuts have had a significant impact. He stated his hope that Governor DeWine will be responsive to the need to free up these funds, particularly given the need to improve and repair infrastructure across Ohio.

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

Reading of Resolution 2019-28 Opposing House Bill 6. MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Bates commented that HB 6 subsidizes nuclear power plants. It could affect the value of the Village's Renewable Energy Credits and could increase power costs. The Ohio House has passed the measure with some changes, she said, and read the changes.

Bates responded to a question from Bachman, stating that "in its current form" the bill could potentially raise power costs, and thus impact power costs to Villagers.

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

Reading of Resolution 2019-29 Approving Check Signing Privileges for US Bank/General Checking & Guaranteed Deposits. MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Bates noted the measure as a housekeeping move that adds the new Village Manager to and removes Bates from the list of check signers.

Housh CALLED THE VOTE, and the MOTION PASSED 4-0 on a VOICE VOTE.

SPECIAL REPORTS

There were no Special Reports.

CITIZEN CONCERNS

Harvey Paige expressed dissatisfaction about the new monthly "level up" for bi-directional meters, which differs from the prior annual level up which was, he stated, based upon net metering.

Bates and Burns stated that they would meet with Paige to discuss the issue and explain the billing.

Housh asked that bi-directional metering be added to the agenda for a follow-up discussion.

OLD BUSINESS

John Bryan Pottery Center Discussion. Bates introduced the discussion as follows:

Village has been in discussion with John Bryan Community Pottery (JBCP) about how the organization may be able to help offset some of the costs of building repair and maintenance. The proposal from JBCP suggests a monthly rental amount of \$300/month with a 5% annual increase for a five-year term. The group would also provide 1/3 of the total estimated repair costs over a three-year period, to be capped at \$12,000.00.

Village staff has reviewed the proposal and recommends acceptance of the proposal, with the exception of the 10-year option at the end of the initial lease term. Most leases are 2-3 years with 1-year renewals, and this is the suggestion staff would make to JBCP.

Housh stated that the Village has had to look at ways to gain assistance from users of public property in order to remain in the black, and this is being promoted across the board.

Roger Reynolds, Treasurer of John Bryan Community Pottery, asked for clarification that the JBCP will pay 1/3 of the currently projected estimate for repairs.

Bates confirmed this.

Housh noted the contribution to the community made by the organization.

Megan Bachman raised the question as to whether JBCP would be able to renew the lease at the end of five years.

Reynolds commented that the investment in the kiln and other equipment is significant, and the group would be more willing to make investments if they know they have that option.

Reynolds commented that a five-year renewal with negotiable terms would be acceptable.

Kreeger MOVED to APPROVE THE CONDITIONS AS DISCUSSED, WITH A FIVE-YEAR RENEWAL TO BE NEGOTIATED. MacQueen SECONDED, and the MOTION PASSED 4-0 on a voice vote.

Discussion re: Use of Greene County Grant Funds. Bates introduced the topic as follows:

Staff was asked to provide a bullet-point list of possible uses for the grant from the Greene County Commissioners. The grant was in the amount of \$22,084.57 and must be used for a permanent public infrastructure improvement. Engineering for a public infrastructure improvement is an acceptable use of the funds, and the Commissioners did stress that they would like to see demonstration of a return on investment (ROI) of the funds. A final report to the Commissioners on how the grant was used is due by October 31, 2019. The possible uses for the grant provided are:

1. Complete the parking area on the former tennis courts at the John Bryan Community Center. To seal and stripe this area and lower the fence, the cost would be approximately \$10,500. ROI: this lot could be reserved for a fee by hosts of large events at the Bryan Center who want to ensure parking spaces for their participants.
2. Use the remaining funds to remove the trees from the back of the parking lot at 102 Dayton Street, add gravel and also add a donation box to the lot. Further, the back portion (or all) of this lot could also be reserved for special events by larger groups who need additional parking spaces. ROI: donation box plus reserved parking fees.
3. Public restrooms downtown. These public restrooms could, potentially, be located behind the Board of Education building on Village property. Engineering for this project would be approximately \$20,000. Ballpark construction estimate is \$75-100,000. ROI: currently, visitors and residents, alike, spending longer hours in and about the Village must walk to either the Train Station or the Bryan Center to use the restroom. Publicly available restrooms downtown have long been requested by business owners and visitors and would assist in retaining tourism dollars, which are a vital part of the Village economy.
4. Complete sidewalk on Fairfield-Yellow Springs Road. The Village committed to completing this portion of the sidewalk (from Fair Acres Road to Stafford Street) as part of the Safe Routes to School project last year. Engineering has been completed for this project and the engineer's estimate to install is \$32,000. ROI: encouraging safe active transportation for all residents in the area, as they will not have to walk on Fairfield-Yellow Springs Road.

MacQueen asked for details as to how the first two suggestions would work.

Burns explained how the lot would work in terms of paying for it for events and open to the public when not reserved.

Council asked for a third donation box; two on the Bryan Center lot and one on the Railroad Street lot.

MacQueen MOVED to use the Greene County Funds for options one and two, with the addition of three donation boxes. Sanford SECONDED, and the MOTION PASSED 4-0 on a voice vote.

Community Reinvestment of Lodging Tax Revenue. Housh highlighted his belief that these funds should be reinvested in the community as a part of the understanding that tourism takes a toll on the community as well as contributing to the community.

MacQueen agreed with Housh that the SRTS project completion will benefit the community as a whole.

Kreeger commented that she will prepare a brief on participatory budgeting so that any funds remaining after the SRTS project is completed can be used in this manner.

Council agreed generally that lodging tax revenue be used to complete the SRTS sidewalk project.

Bates stated that she will bring a supplemental appropriation with this amount. She noted that the remainder of the funds will need to be earmarked for participatory budgeting, and she will follow up on how this will work.

Jim Hammond, Mills Park Hotel, commented that the lodging tax had been enacted as a way to address a budget deficit and address infrastructure burden as the result of tourism. He commented that

sidewalks had not been mentioned, and that there was “a projected deficit, but never an actual deficit.” Hammond contended that visitors to his hotel impose no burden upon the infrastructure, since he pays the utility costs and they park in his lot.

Hammond argued that lodging tax funds “have to be used to support tourism”, and that “you are only taxing 5% of all tourists.

Housh responded that the Village has researched the law, and that lodging tax funds do go into the general fund and can be used as needed by the municipality.

Housh agreed with Hammond that tourism is a significant boon to the Village, but maintained his position that there are costs to that benefit, which should be acknowledged.

If we addressed all of our infrastructure needs tomorrow, Housh opined, we would immediately be in a deficit. We are acting carefully with regard to the budget, and are assuring that the funds are used to benefit Villagers in general, he said.

MacQueen addressed Hammond, stating that she had recently been happy to pay the lodging tax at the Hotel, and that his continued effort to oppose the lodging tax was “probably a lost cause”.

Village Parking Discussion. MacQueen referenced a presentation on the topic, and commented that she does not think parking is a crisis. If the subject is going to be treated as a serious issue, she said, we need to understand the problem and address the issue in the easy ways first.

Addressing the issue through the comprehensive land use plan (CLUP) is one option, she said, and looking at paid parking is another option to address the issue.

Housh commented that the 2019 Village Goals note development of a plan for paid parking, and that part of the reason he is committed to this is the windfall brought in through the lodging tax. Ultimately, this revenue will assist the Village in addressing infrastructure issues, he said, and he stated his belief that parking revenue can also produce a windfall that can be similarly used.

Housh commented that paid parking should stay on Council’s 2019 Goals, and that a parking study should be done.

Housh asked that Council make a decision on whether or not to move forward with the matter during their 2019 Goals discussion.

Residents need to be prioritized in any parking decisions made, Housh stated.

Bates received clarification that Council will wait to see whether the parking issue will be comprehensively addressed in the CLUP update.

Housh commented upon the productive and collaborative nature of the Beatty Hughes/parking discussion held at the May 20th meeting.

Report on Community Forum on Policing. MacQueen described the set-up of the forum, noting that about 50 people had attended, and that the approach was one of “appreciative inquiry”.

MacQueen stated that there was a theme of ‘localism’ focused on members of the PD working locally.

MacQueen commented that the process itself is one the Village might wish to adopt for dialogue in the future. She noted that the event was under-attended, citing poor outreach efforts.

Kreeger highlighted the theme of localism, but wondered if the issue is more a “true understanding of the community” and who lives here. “I don’t know if that requires living in town,” she stated, “but if it does, we need to look at how to make that happen.”

Kreeger noted that Hillard-Heintze is planning to look at this issue and will make a recommendation on the matter.

Housh reminded Council that Facebook Groups (as opposed to Pages) tend to be an easy way to promote events.

Housh suggested that the way that things are packaged for announcement on Channel Five tends to be eye-catching.

NEW BUSINESS

H₂O Ohio Bill Discussion. MacQueen brought up a bill she had heard about, which protects water rights in Ohio, and which she wanted to be able to support by means of a resolution.

Housh offered to connect MacQueen with the Ohio Environmental Council representative.

Emergency Preparedness Conversation. Kreeger brought up the topic as one that is on her mind given the recent storms. She noted the intersection of the YS Health Assessment and this topic as well.

Kreeger asked that this be a priority for the new Village Manager, and that the community be informed as to the preparedness plan for the Village.

This was discussed, and Burns and Bates noted that updating these plans is something that is underway.

Burns urged people to sign up for hyperreach alerts.

Housh asked that this reminder be placed on utility bills.

MANAGER'S REPORT

Bates noted the following:

Vectren Energy continues working on four separate projects in the Village for approximately 9 months, beginning in mid-April.

The 2020 Census is rapidly approaching, and will be hiring. They hope to hire many local community members who know and understand their communities. Many of the positions are temporary part-time, work-from-home positions. Bates provided the following link: www.2020Census.gov/jobs.

Bates stated that she will be bringing two pieces of legislation to the June 17th Council meeting. One is a renewal of the contract with the Miami Valley Educational Computer Association (MVECA). MVECA provides our internet services and is offering a contract renewal with a decrease in price by \$65.00/month.

Bates noted that she will be bringing a mutual aid agreement that allows our Electric Department workers to assist other American Public Power Association entities with emergency repairs.

Bates commented that the summer staff schedule is working well so far.

CLERK'S REPORT

The Clerk noted a successful first week of the pool.

FUTURE AGENDA ITEMS

June 17:	Community Health Update Review of 2019 Council Goals Resolution 2019-XX Renewing Contract with MVECA for Provision of Internet Services Ordinance Creating a Housing Board Ordinance Establishing a Mutual Aid Agreement with Other APPA Members and Declaring an Emergency Update on the Justice System Commission Language for Proposed Charter Changes: Vote 16 and Mayoral Term Extension Creating a Housing Board Swearing In of New Village Manager
July 1:	Energy Special Improvement District AMP Portfolio Update Resolution Approving the Finance Director's 2019 Budget for the Village of Yellow Springs Proposal for Participatory Budgeting Board and Commission Expectations Review
July 15:	Ordinance Approving Supplemental Appropriations for the Third Quarter Policing Assessment Update

ADJOURNMENT

At 9:38pm, Kreeger MOVED and Sanford SECONDED a MOTION TO ADJOURN. The MOTION PASSED 4-0 ON A VOICE VOTE.

Please note: These notes are not verbatim. A DVD copy of the meeting is available for viewing in the Clerk of Council's office between 9am and 3pm Monday through Friday or any time via youtube link from the Village website:

Brian Housh, Council President

Attest: Judy Kintner, Clerk of Council

VILLAGE OF YELLOW SPRINGS

ORDINANCE 2019-15

REPEALING AND REPLACING SECTION 1064.02--RATES, ADMISSIONS AND SEASON HOURS OF CHAPTER 1064--MUNICIPAL SWIMMING POOL OF PART TEN--STREETS, UTILITIES AND PUBLIC SERVICES OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO

Whereas, While the cost of chemicals and repairs have continued to rise, Village pool fees have not been increased since 2009; and

Whereas, Despite a strong desire to make the only public pool remaining in Greene County as accessible as possible, it has now become necessary to pass a portion of these increases on to patrons,

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:

Section 1. Existing code section 1064.02 Rates, Admission and Season Hours is hereby repealed in its entirety.

Section 2. A new section 1064.02, Rates, Admission and Season Hours is hereby enacted to read as follows.

Daily Admission

3 yrs and younger with paying adult	Free
4-18 and Seniors 62 & older	\$4.00
19-61 yrs	\$8.50

Village Resident Season Pass

3 yrs and younger, with paying adult	Free
4-18 and Seniors 62 & older	\$68.00
19-61 yrs	\$98.00
Adult + 1 minor	\$113.00
Household of 5 or fewer	\$130.00
Each Additional Member	\$15.00

Non-Resident Season Pass

3 yrs and younger, with paying adult	Free
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4-18 and Seniors 62 & older	\$112.00
19-61 yrs	\$157.00
Adult + 1 minor	\$217.00
Household of 5 or fewer	\$232.00
Each Additional Member	\$20.00

Section 3. Grandparents shall be permitted to purchase Household Season Passes and list grandchildren who are visiting them during the swimming pool season. All grandchildren shall be considered a separate member of the household and a pass shall not be transferable from one grandchild to another.

Section 4. The Village Manager is authorized to enter into an agreement with the Yellow Springs Sea Dogs Swim Team regarding the use of the pool by said swim team. Seadogs agree to pay for the services of any lifeguards required for home swim meets.

Section 5. The Village Manager is authorized to implement the new rates at the earliest date applicable by law.

Section 6. The Village Manager is authorized to implement the “Swimming for All” program pursuant to Ordinance 2011-17, to provide access to the pool for low income Village residents as resources allow.

Section 7. Village Resident is one who either resides and/or works in the Village. Acceptable proof of such is either a pay stub or a utility bill.

 Brian Housh, Council President

Passed:

Attest: _____
 Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh _____ Marianne MacQueen _____ Kevin Stokes _____
 Lisa Kreeger _____ Kineta Sanford _____

VILLAGE OF YELLOW SPRINGS

ORDINANCE 2019-16

**AUTHORIZING THE VILLAGE OF YELLOW SPRINGS TO EXECUTE A
MUTUAL AID AGREEMENT WITH NATIONALLY PARTICIPATING
MUNICIPALITIES WITH MUNICIPAL ELECTRIC SYSTEMS, THUS ENABLING
RECEIPT AND PROVISION OF MUTUAL ASSISTANCE DURING EMERGENCIES
THROUGH THE INTERCHANGE AND USE OF PERSONNEL AND EQUIPMENT
AND DECLARING AN EMERGENCY**

WHEREAS, Section 735.051 of the Ohio Revised Code authorizes Ohio municipalities to enter into contracts in the case of real and present emergencies without formal bidding and advertising for work to be done and supplies to be purchased from municipal utilities; and;

WHEREAS, Section 715.02 of the Ohio Revised Code provides that two or more municipal corporations may enter into joint agreements relating to the operation of public utilities; and

WHEREAS, Sections 735.051 and 715.02, along with express and inherent authority granted by Articles XVIII of the Ohio Constitution to construct, operate and maintain utilities, provide the authority to for the Village of Yellow Springs, Ohio (herein “Municipality”) to execute a Mutual Aid Agreement with other national municipalities; and

WHEREAS, American Public Power Association, herein (“APPA”) organizes and manages a Mutual Aid Program among its member municipalities wherein members experiencing an emergency in the provision of electricity to customers of the municipal electric system can request assistance from other participating member municipalities, nationally, to assist Yellow Springs Municipal Electric in expediting repairs to its electric system to restore electric service as soon as possible; and

WHEREAS, Yellow Springs Municipal Electric is a member of APPA and operates a municipal electric system; and

WHEREAS, Yellow Springs Municipal Electric deems it prudent to enter into a Mutual Aid Agreement with APPA and other participating member municipalities to participate in the APPA Mutual Aid Program so that it can provide and receive aid and assistance in times of emergency; and

WHEREAS, A Mutual Aid Agreement to receive and provide assistance in times of emergency to preserve the public health, safety and welfare is a valid public purpose,

NOW, THEREFORE, BE IT ORDAINED BY COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, STATE OF OHIO THAT:

SECTION 1: The form of the Mutual Aid Agreement, substantially in the form of Exhibit A attached hereto, is approved.

SECTION 2: The Village Manager is authorized and directed to execute the Mutual Aid Agreement, substantially in the form of the mutual agreement attached hereto.

SECTION 3: Any and all competitive bidding requirements are hereby waived.

SECTION 4: The Village of Yellow Springs agrees to reimburse any Signatory to the Mutual Aid Agreement all eligible costs for services provided to the Municipality in accordance with the terms and conditions of the Mutual Aid agreement in response to a request for aid from the Municipality.

SECTION 5: Reimbursement requests shall be filed in a form substantially similar to Exhibit B, attached hereto.

SECTION 6: Employees who respond to Mutual Aid calls for assistance shall be reimbursed at double-time for all hours. The rest period will also be paid in accordance with the reimbursement terms set by the requesting entity. Time shall be considered “response” from the time of the call for aid until said employees return to the Village of Yellow Springs and stand down. Employees shall be reimbursed at the current pay for the classifications listed in Exhibit C.

SECTION 7: This Ordinance shall be considered an emergency measure to ensure the safety, health and welfare of the public and shall be effective immediately upon its passage.

Brian K. Housh, President of Council

Passed:

Judith O. Kintner, Clerk of Council

Housh _____

MacQueen _____

Stokes _____

Kreeger _____

Sanford _____

MUTUAL AID AGREEMENT

In consideration of the mutual commitments given herein, each of the Signatories to this Mutual Aid Agreement agrees to render aid to any of the other Signatories as follows:

- 1.) Request for aid. The Requesting Signatory agrees to make its request in writing to the Aiding Signatory within a reasonable time after aid is needed and with reasonable specificity. The Requesting Signatory agrees to compensate the Aiding Signatory as specified in this Agreement and in other agreements that may be in effect between the Requesting and Aiding Signatories.
- 2.) Discretionary rendering of aid. Rendering of aid is entirely at the discretion of the Aiding Signatory. The agreement to render aid is expressly not contingent upon a declaration of a major disaster or emergency by the federal government or upon receiving federal funds.
- 3.) Invoice to the Requesting Signatory. Within 90 days of the return to the home work station of all labor and equipment of the Aiding Signatory, the Aiding Signatory shall submit to the Requesting Signatory an invoice of all charges related to the aid provided pursuant to this Agreement. The invoice shall contain only charges related to the aid provided pursuant to this Agreement.
- 4.) Charges to the Requesting Signatory. Charges to the Requesting Signatory from the Aiding Signatory shall be as follows:
 - a.) Labor force. Charges for labor force shall be in accordance with the Aiding Signatory's standard practices.
 - b.) Equipment. Charges for equipment, such as bucket trucks, digger derricks, and other special equipment used by the Aiding Signatory, shall be at the reasonable and customary rates for such equipment in the Aiding Signatory's location.
 - c.) Transportation. The Aiding Signatory shall transport needed personnel and equipment by reasonable and customary means and shall charge reasonable and customary rates for such transportation.
 - d.) Meals, lodging and other related expenses. Charges for meals, lodging and other expenses related to the provision of aid pursuant to this Agreement shall be the reasonable and actual costs incurred by the Aiding Signatory.
- 5.) Counterparts. The Signatories may execute this Mutual Aid Agreement in one or more counterparts, with each counterpart being deemed an original Agreement, but with all counterparts being considered one Agreement.
- 6.) Execution. Each party hereto has read, agreed to and executed this Mutual Aid Agreement on the date indicated.

Date _____ Entity _____ (name/ state)
 By _____ (please print)
 Title _____

Please send signed agreement to:
 American Public Power Association
ATTN: Michael Hyland
 Sr. Vice President, Engineering Services
 2451 Crystal Drive, Suite 1000 | Arlington, VA 22209-4804
E-mail: MutualAid@publicpower.org | **Fax:** 202/ 467-2932

Questions about this agreement should be directed to APPA's Engineering Services department at MutualAid@publicpower.org or 202/467-2900.

Type Community Name Here
Address Here

In Account With: _____ Date _____

Host Community Name _____

Host Community Address _____

Host Community Address _____

Attn: Superintendent - Re: Mutual Aid

Dates Mutual Aid Provided _____

CHARGE

Labor & Vehicle Charge

<u>Employee</u>	<u>Hours</u>		<u>Rate</u>		<u>Total</u>
John Doe	0 hrs.	@	\$ -	\$	-
Jane Doe	0 hrs.	@	\$ -	\$	-
Jeff Doe	0 hrs.	@	\$ -	\$	-

Actual Amount paid to employees rendering aid \$ -
Factor x 2 (Article 4.1 of the Agreement) X2

Amount of Charge for Labor & Equipment

\$ -

Materials, Supplies & Expenses Charge

<u>Description</u>	<u>Quantity</u>		<u>Unit Price</u>		<u>Total</u>
Crossarms	0 ea	@	\$ -	\$	-
Gasoline	0 ea	@	\$ -	\$	-
Meals	0 ea	@	\$ -	\$	-
Room	0 ea	@	\$ -	\$	-

Subtotal \$ -

Amount of Charge for Material, Supplies & Expenses

\$ -

Total Amount to be billed

\$ -

Note: Vehicle time & fringe benefits are not to be charged
These costs are included in the times 2 multiplier

Print

EXHIBIT C

Yellow Springs, OH Code of Ordinances

252.01 PERSONNEL CLASSIFICATION.

Classified personnel shall be employed within one of the following class titles, shown with their pay level assignments:

<i>Class Title</i>	<i>Pay Level</i>
Custodian	2
Building Monitor	4
Wastewater Plant Laborer	4
Utility Service Worker	5
Administrative Assistant	6
Utility Service Worker II (street/sewer/parks)	7

<i>Class Title</i>	<i>Pay Level</i>
Meter Service Worker	7
Parks Maintenance Worker	7
Public Works Maintenance Worker	7
Fleet Mechanic	7
Economic Development Director	8
Utility Service Worker II (water/electric)	8
Utility Billing Clerk	8
Wastewater Treatment/Meter Reader	8
Utility Service Worker III (water/sewer/parks)	9
Clerk-Dispatcher	9
Utility Service Worker III (water/electric)	10
Water Treatment Plant Operator	10
Wastewater Treatment Plant Operator	10
Police Officer*	11
Purchase/Personnel Officer	12
Foreman - Street, Wastewater Collection and Parks	12
Foreman - Water and Electric Distribution	12
Supervisor - Street, Wastewater Collection and Parks	13

Supervisor - Water and Electric Distribution	13
Supervisor - Water and Wastewater Treatment	13
Economic Sustainability Coordinator	13

*Sergeants shall be paid a 3% premium above the regular rate of pay for police officers. The Captain shall be paid a 10% premium above the regular rate of pay for police officers.

(Ord. 2001-13. Passed 10-1-01; Ord. 2003-15. Passed 12-1-03; Ord. 2005-16. Passed 8-1-05; Ord. 2009-11. Passed 8-17-09.)

**VILLAGE OF YELLOW SPRINGS
RESOLUTION 2019-28**

RENEWING A CONTRACT WITH MVECA FOR PROVISION OF INTERNET SERVICES

Whereas, the Village of Yellow Springs previously sought competitive bids for the provision of internet services, and,

Whereas, the Village of Yellow Springs selected the Miami Valley Educational Computer Association (MVECA) as our service provider as part of that competitive bidding process, and,

Whereas, MVECA has provided excellent service to the Village and has been responsive in addressing any issues; and

Whereas, the original contract with MVECA allows for extensions of the contract; and

Whereas, MVECA has agreed to renew the contract for three (3) years with a decrease in cost to the Village; and

Whereas, the Village of Yellow Springs desires to extend the contract for three (3) years by exercising the option detailed in the contract;

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

Section 1. The Village Manager is hereby authorized to sign a one-year extension to MVECA for the provision of internet services, rates in accordance with the attached addendum.

Brian Housh, President of Council

Attest: _____
Judith O. Kintner, Clerk of Council

Passed:

ROLL CALL

Brian Housh _____

Marianne MacQueen _____

Kevin Stokes _____

Lisa Kreeger _____

Kineta Sanford _____



**SERVICE PROVIDER CONTRACT
INTERNET SERVICE
Contract Number: MV-VYS2020**

This agreement for the provision of unbundled Internet access service ("Agreement") is entered into as of this _____th day of _____ 2019, by and between **Miami Valley Educational Computer Association** ("Provider") and **the Village of Yellow Springs** ("Customer"), as verified by the signatures on the signature page below.

RECITALS

WHEREAS, Provider is a regional educational center organized by the State of Ohio to provide communications and other technology services, and;

WHEREAS, the Customer is an educational entity in the State of Ohio, and;

WHEREAS, the Provider through its technology center desires to provide to Customer and Customer desires to secure from Providers the services detailed in this Agreement;

TERMS

NOW THEREFORE, in consideration of the mutual agreements hereinafter set forth and for other good and valuable consideration, the parties hereto, intending to be legally bound, agrees as follows:

I. DEFINITIONS:

As used in this Agreement the following terms shall be defined as follows:

"Bandwidth Service Provider" shall mean the vendor sub-contracted by the Provider to provide transport for the contracted bandwidth.

"Services" shall mean all of the duties and ministrations pursuant to Article III and Exhibit A of this Agreement.

"User" shall mean a school or person authorized by a school to make use of the data services or equipment secured by Customer from Provider by this Agreement.

II. TERM AND RENEWAL

This Agreement shall be for the period beginning July 1, 2019 and ending June 30, 2022.

III. SERVICE

Provider shall furnish Customer unbundled Internet access services as further described in attached Exhibit A.

IV. CHARGES AND PAYMENT

Customer agrees to be solely responsible to Provider for all charges associated with the Services throughout the period of the Agreement regardless of the availability and/receipt of E-rate funding. Provider may, or may not, purchase transport through a third-party Bandwidth Service Provider. The cost of transport from the Bandwidth Service Provider may vary and will be passed through directly to Customer. Charges for the Services provided under this Agreement will be billed to Customer on a semi-annual basis.

Payment of all invoices for Services provided by Provider under this Agreement shall be due and payable within 30 days of the invoice date. Late payments shall be subject to a service charge of one and one half percent (1 1/2%) of any and all unpaid balance per month unless expressly waived by the Provider in writing. Provider may, at its sole discretion, terminate or suspend the Services to any Customer whose payments are in arrears by more than sixty (60) days. Such suspension shall not be deemed a waiver of other legal or equitable rights the Provider may have for enforcement of payment. If the Provider suspends Services to Customer pursuant to this Section, Provider reserves the right to charge Customer a reconnection fee to cover the administrative cost of reconnection. The reconnection charge shall be in addition to any other amounts owed to Provider by Customer.

V. WARRANTIES AND LIMITATIONS ON LIABILITY AND INDEMNIFICATION

A. Provider shall not be liable for any damages incurred as a result of the errors, omissions or negligence of Customer, its personnel, employees, agents or users. Provider shall not be liable for failure to perform if such failure is caused by acts of God, winds, fires, landslide, floods, droughts, famines, acts of public enemies, insurrection, military action, sabotage, riots, or civil disturbances, failure of a utility or utility type service which is essential to the Provider's Service or other event(s) not reasonably within the control of the Provider.

B. Customer may utilize the Services provided for educational and educational administrative related activities only on its premises. Customer acknowledges that its access may be through a shared Internet network to the extent permitted by law. Where the Services provided include access to the Internet networks, Provider does not warrant that the functions of the Internet network will meet any specific Customer or user requirements, or that Services provided will be error-free or uninterrupted; nor

shall Provider be liable for any actual damages or any indirect, incidental, special or consequential damages (including as a result of loss of data or misinformation) sustained in connection with the use, operation, or inability to use the Provider Services by Customer or its users. Further, Customer understands and agrees that Provider will exercise no control over the information that Customer and users may transmit and access as a result of the provision of Services by Provider and that, therefore, Customer will make no claim against Provider for the Internet service uses, including transmission, downloading or uploading of information that is offensive, a violation of the law, or the actionable violation of others' rights. Unless special arrangements are made and appended to this Agreement, Provider will not routinely monitor Customer's activities or pupil access to any of the interconnected systems. Any filters or screening devices are limited to those in existence at the date of this Agreement or for which Provider subsequently installs. Provider is not under any duty to install or modify filters or screening programs. Provider does not warrant the accuracy or appropriateness of any information contained in the interconnected systems. Customer understands and agrees that the Internet, by its nature, is an open portal of content and material, some of which may be inappropriate for school-aged students.

C. To the extent that Customer, either directly or through its agents, permits student access to the interconnected computer system(s) of the Internet through Provider's Services, Customer assumes full responsibility and agrees to hold Provider harmless for any and all access to and usage of information contained on the interconnected computer system(s) of the Internet.

D. CUSTOMER AGREES TO INDEMNIFY AND HOLD PROVIDER, ITS GOVERNING BOARD MEMBERS, OFFICERS, MEMBERS, EMPLOYEES AND/OR AGENTS HARMLESS FROM ANY CLAIMS, SUITS, LIABILITY, LOSS, EXPENSES AND/OR DAMAGES, INCLUDING ALLEGED COPYRIGHT AND OTHER INTELLECTUAL PROPERTY CLAIMS, SUSTAINED BY ANY PERSON BY REASON OF ANY ACT OF CUSTOMER OR ITS USERS IN THEIR ACTIVITIES INVOLVING USE OF PROVIDER'S NETWORK.

E. Provider reserves the right to discontinue Customer's access to the Provider's Service and/or seek other legal or equitable relief for use of the Services that Provider deems to be in violation of the rules and regulations of the State Board of Education or any other state or federal agency; or in violation of this Agreement; or violate state or federal law; or are uncivil. For purposes of this Agreement, uncivil conduct includes, but is not limited to: 1) transmitting offensive or harassing statements; 2) developing and/or transmitting offensive or unlawful graphics; 3) transmitting sexual or ethnic slurs explicitly or as part of a joke; 4) soliciting or encouraging others to engage in sexual, offensive or unlawful acts; or 5) permitting or encouraging unauthorized access to the Provider's network and public networks including unauthorized access to the Internet.

F. Customer understands and agrees that Provider shall have no responsibility for the accessing or transmitting of offensive or unlawful information by Customer or

Customer's users, interference or unlawful access to others' information or networks, or other offensive or unlawful activity in which Provider's Service is used.

G. Although Provider does not have a duty to monitor Customer or its Users' transmissions, it shall not be prohibited from so monitoring.

VI. PROPERTY

A. All written procedures and similar items utilized or developed in connection with this Agreement are the property of Provider. Customer hereby waives any rights whatsoever with respect to the property of Provider.

B. All Provider-owned equipment ("Service Equipment") shall irrevocably and under all circumstances remain with Provider and its designee, and Customer will protect Provider's rights, title and interest therein against all persons. Customer's interest in the Services and Service Equipment is limited to possession and use thereof on the premises.

VII. CONFIDENTIALITY OF INFORMATION

A. Provider shall exercise reasonable ordinary care in preserving and protecting the confidentiality of information and materials furnished by Customer.

B. Except as required by law, Provider agrees not to disclose any materials, information, or other data relating to Customer's operations, to other individuals, corporate entities, districts, or governmental agencies, without prior written consent from Customer.

C. Except as required by law, Customer agrees not to disclose any information or documentation obtained from Provider.

VIII. NOTICES

A. All notices permitted or required to be given to either of the parties to this Agreement shall be in writing and shall be deemed given or delivered when: (a) delivered by hand or (b) mailed, if sent by regular mail or other express delivery service (receipt requested), in each case to the appropriate addresses set forth below (or to such other addresses as the party may designate by notice to the other party hereto):

1. If to Provider:

Name: Miami Valley Educational Computer Association

Address: 330 East Enon Road

City/State/Zip: Yellow Springs Oh, 45387

Phone: 937-767-1468

Facsimile: 937-767-1793

2. If to Customer:

Name: Village of Yellow Springs

Address: 100 Dayton St.

City/State/Zip: Yellow Springs, OH 45387

Phone: 937-767-7202

B. GENERAL PROVISIONS

- a. **Successors and Assigns.** This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors, assigns, heirs and personal representatives.
- b. **Waiver, Discharge, etc.** This Agreement may not be released, discharged, changed or modified in any manner, except by an instrument in writing signed by both parties. The failure of either party to enforce at any time any of the provision(s) of this Agreement shall not be construed to be a waiver of any provision(s), nor in any way to affect the validity of this Agreement or any part hereof or the right of either party hereto to enforce each and every such provision. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. Furthermore, the term of any purchase order, invoice or like document issued in conjunction with the Service to be provided herein shall not serve to add to or modify the terms of this Agreement.
- c. **Captions.** The captions in this Agreement are inserted only as a matter of convenience and as a reference, and in no way define, limit or describe the scope or intent of this Agreement or any of the provisions hereof.
- d. **Rights of Persons Not Parties.** Nothing contained in this Agreement shall be deemed to create rights in persons not parties hereto.
- e. **Severability.** If any provision of this Agreement or the application thereof to any persons or circumstances shall, for any reason or to any

extent, be held invalid or unenforceable, the remainder of this Agreement and the application of such provision to such other persons or circumstances shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by law.

- f. **Entire Agreement.** This Agreement, together with the documents referred to herein, shall constitute the entire agreement between the parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writing with respect to such subject matter.
- g. **Counterparts.** This Agreement may be executed in several counterparts, all of which taken together shall constitute one single agreement between the parties hereto.
- h. **Construction.** This Agreement and its validity, interpretation and effect shall be construed in accordance with and governed by the laws of the State of Ohio. The parties have participated jointly in the negotiation and drafting of this Agreement. If any ambiguity or question of intent or interpretation arises, this Agreement shall be construed as if drafted jointly by the parties and no presumption or burden of proof shall arise favoring any party by virtue of authorship of any specific provisions of the Agreement. When used in this Agreement, the word "including" shall mean including without limitation. Unless the context requires otherwise, any reference to the masculine, feminine and neuter genders include one another.
- i. **Compliance with Law.** Each party agrees to comply with all governmental laws and regulations applicable to the Services contemplated by this Agreement. Customer agrees to provide such written evidence of the approval of this Agreement as may be required by law.
- j. **Fully Understand and Freely Enter.** The undersigned hereby acknowledge that they have read and understand the foregoing. The parties to this Agreement also acknowledge that the execution of this Agreement is a free and voluntary act, done in belief that the Agreement is fair and reasonable. Finally, the parties acknowledge that they have had the right and opportunity to consult with and obtain the advice of independent legal counsel of the parties' own choosing in the negotiation and execution of this Agreement.

By signing below, Signatory of Customer ("Signatory") certifies authorization to sign on behalf of Customer and certifies having read, understood and agreed to the terms of this Agreement, including the provisions of the attached exhibits which are hereby incorporated herein by reference. Signatory certifies that all information provided by Customer in connection with this Agreement is true and accurate. If Customer is a Board of Education of a school district (a political subdivision of the State of Ohio), Signatory certifies that this Agreement has been approved by formal resolution of its Board of Education; if Customer is another educational entity, Signatory certifies that the Agreement has been approved by formal action of its Board.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective on the date first set forth above.

CUSTOMER:

Printed name of Customer

Signature of Officer or Manager for the Customer

Date

Printed name of Officer or Manager for Customer

Signature of Governing Body Official (as required by the customer)

Date

PROVIDER:

Miami Valley Educational Computer Association

Printed name of Provider

Signature of Officer or Manager for the Provider

Date

Thor Sage

Printed name of Officer or Manager for the Provider

EXHIBIT A

INTERNET ACCESS SERVICES

This exhibit is hereby made part of the Internet Access Services Agreement (the "Agreement") entered between Miami Valley Educational Computer Association ("Provider") and Customer, as these terms are defined in the Agreement. The following additional terms and conditions apply to the Agreement.

Services will be rendered for the period of the Agreement, unless otherwise stated below. Any additional services will be billed monthly as incurred.

1. **Services**

The Services provided and their attendant costs are set forth on Schedule 1 and Chart A attached hereto and incorporated herein by reference.

2. **Installation Charges**

Customer agrees to pay Provider for any installation costs, if incurred, as a result of providing Services to Customer.

3. **Provider's Obligations**

- a) Provider will provide sufficient training of Customer's personnel to permit Customer to perform all functions and procedures associated with the Internet Access connection.
- b) Provider will plan and coordinate all activities incidental to the implementation of the Internet access connection.
- c) Provider will own and assume all responsibilities for the equipment and facilities which provide physical Internet access system up to and including the router included in any Internet access connection.

4. **Customer's Obligations**

- a) Customer will assume all responsibilities for all local area networks (LAN) connected to an Internet access connection. These responsibilities include, but are not limited to, Customer-owned communications equipment/cabling, LAN software, and LAN hardware.

- b)** Customer will provide surge suppression for all devices either directly or indirectly connected to the Internet access connection. The surge suppression must meet ULI449 rating.
- c)** Customer will make its personnel and records available to the extent necessary to facilitate the planning, training and implementation process of the Internet access connection.
- d)** Customer will provide Provider with appropriate and sufficient space and electrical power to facilitate the Internet access connection installation.
- e)** Customer agrees not to connect any of its local area networks to alternative Internet service providers without Provider approval.
- f)** At the commencement of the Agreement, Customer shall identify up to three individuals, subject to change at the discretion of Customer upon prior written notice to Provider, authorized to contact Provider or its subcontractors regarding support of the Service. Customer contact with Provider regarding support of the Service shall be limited to such authorized individuals.
- g)** Customer agrees not to resell any Internet access services provided by Provider.

CUSTOMER:

PROVIDER:

Signature

Signature of Director

Print Name and Title

Thor Sage

Print Name

Signature

Print Name and Title

SCHEDULE 1

SUMMARY OF COSTS

This exhibit is hereby made a part of the Agreement by and between **Miami Valley Educational Computer Association** (" Provider ") and **Village of Yellow Springs**.

Services will be rendered for the period of the Agreement, unless otherwise stated below.

Provider will render a minimum of 1000 MB of basic conduit access to the Internet for the period of the Agreement.

The minimum charges and service levels for basic conduit access to the Internet, based on a three-year agreement, are indicated below.

July 1st, 2019 to June 30th, 2022

SPIN: 143025801	
INTERNET ACCESS SERVICES DESCRIPTION	
Minimum Data Transmission: one 1000MB connection	
Basic conduit service, including DNS, and basic firewall services.	
Monthly Charge	Annual Charge
\$ 800.00	\$ 9,600.00

Village of Yellow Springs Health Assessment

Update June 13, 2019

The Village Health Assessment work has continued under the leadership of Dr. Sharon Sherlock from Reach Out, two UD Pre-Med students, and two WSU Biological Sciences students. Additionally, the project team will include Nurse Practitioner students from Cedarville University who will focus on the pediatric aspect of the assessment. The pediatric assessment will not begin until Fall. Other aspects will be completed by end of summer.

If you've not already done so, I encourage you to review the Illustrative assessment results from Jefferson Township and the City of Riverside:

<http://www.daytonreachout.org/jefferson.html>

<http://www.daytonreachout.org/ccma.pdf>

A notable benefit of a local assessment is that County, State, and Federal health data will tend to 'wash out' community-specific findings. The outcome of a localized assessment will be YS specific findings that can identify gaps in programs and services.

STATUS:

- Analysis of publicly available data is underway
- Interviews are being scheduled with stakeholders. A breakfast is scheduled to gather perspectives from the faith community.
- Some County-level Health Department data is included for this packet. 45387 specific data is not available at this time. Per the Health Department, more localized data collection is slated to begin in the Fall and analysis ending in December.

Next steps include:

- Additional data mining from County sources
- Data mining from de-identified MVFR data
- Interviews with community members
- Assessment team participation in local events (e.g. Pride, continued work at the Reach Out Clinic)

Kreeger will provide monthly updates at Council.

Please contact Kreeger if you are interested in participating in the assessment.



May 31, 2019

RE: Community Health Assessment 2019

ATTENTION: Pastors and Spiritual Leaders of Yellow Springs, Ohio.

Lisa Kreeger,

A **Community Health Assessment** is currently being conducted in your community. Approved by the Village Council of Yellow Springs, in late April, the council has designated Wright State University, Assistant professor Sharon Sherlock, DHA as the lead on this project.

To determine the highest health related priorities in this community, we are asking for input from members of the local religious community. This dialogue will review large data findings and respond with local priorities for the "people" within the population that you serve. For this section of the **Community Health Assessment**, we are asking for participation from spiritual leaders to speak or respond to some of the needs noted among members of their local congregation.

In contrast, Greater Dayton Area Hospital Association Community Health Needs Assessment, faith-based representatives were noted as attending the Community Needs Assessment sessions. However, no distinct section could be found to individualize their concerns. (Ref: <http://gdaha.org/community-health-needs-assessment-identifies-areas-top-health-needs/>). Therefore, we are adding a specific component in the *Village of Yellow Springs Community Health Assessment* with religious leaders to assist with the Village of Yellow Springs health assessment. As leaders who commit to enhancing recovery through spirituality for members of their congregation, as well as offering coping skills when illness occurs and also dealing with consequences of family loss, we need to hear from you. Please join us in this spiritual priority setting for the Village's **Community Health Assessment**.

We have reserved a meeting room in Ellie's Restaurant on Friday morning **6/21/19** at 8:30am. Breakfast buffet will be served. Please RSVP to Dr. Sherlock's assistant, Jonathon Phillipp WSU-email by **6/17/19**
Email: phillipp.3@wright.edu

Sincerely,

A handwritten signature in blue ink that reads "Sharon Sherlock".

Sharon Sherlock, DHA, MSA, BSN, RN
Executive Director, Reach Out Free Clinics
Assistant Professor, Wright State University
Boonshoft School of Medicine, Department Population & Public Health Services

Reach Out of Montgomery County
25 E. Foraker Street • Dayton, OH 45409
Telephone: 937-258-2000 • Fax: 937-424-2399
www.daytonreachout.org

Sharon Sherlock, RN, BSN, MSA, DHA, Executive Director

Name	Organization	Address
Rick Jones	Yellow Springs United Methodist Church	202 S Winter St, Yellow Springs, OH 45387
The Session (Church Leaders)	Yellow Springs First Presbyterian Church	314 Xenia Ave, Yellow Springs, OH 45387
Parish Council	St. Paul's Catholic Church	308 Phillips St, Yellow Springs, OH 45387
Pastor Randolph	First Baptist Church	600 Dayton St, 45387-1733 Yellow Springs, United States
Dwight Smith	Central Chapel AME Church	411 S High St, Yellow Springs, OH 45387
YS Dharma Center	YS Dharma Center	502 Livermore St, Yellow Springs, OH 45387
Pastor Charlie	Assembly of God Christian Center	324 E Dayton Yellow Springs Rd, Yellow Springs, OH 45387
Joan Chappelle	Unitarian Universalist Fellowship of Yellow Springs	2884 US-68, Xenia, OH 45385
Len Kramer	Havurah Jewish Congregation	
Carol Simmons	Friends Meeting (Quaker)	515 President St, Yellow Springs, OH 45387
Baha'I Faith	Baha'I Faith of Yellow Springs	502 Dayton St, Yellow Springs, OH 45387

Community Health Needs Assessments

Community health needs assessments (CHNA) and implementation strategies are newly required of tax-exempt hospitals as a result of the Patient Protection and Affordable Care Act. These assessments and strategies create an important opportunity to improve the health of communities. They ensure that hospitals have the information they need to provide community benefits that meet the needs of their communities. They also provide an opportunity to improve coordination of hospital community benefits with other efforts to improve community health. By statute, the CHNAs must take into account input from “persons who represent the broad interests of the community served by the hospital facility, including those with special knowledge of or expertise in public health.”

EXECUTIVE SUMMARY

Nonprofit hospitals across the nation are required to complete community health needs assessments (CHNAs) every three years. CHNAs involve identifying the health needs of the hospital's community and creating strategies to address the prioritized needs. Developers of CHNAs are required to engage the community in this process, for example, by sending out surveys or interviewing key community stakeholders to identify the most important health concerns.

The Health Research & Educational Trust (HRET) of the American Hospital Association (AHA) proposes a new process that involves engaging community members and patients throughout each step of the CHNA process (see Figure 1). By engaging patients and community members throughout the process, CHNA developers obtain valuable insights that otherwise could be missed, get increased community buy-in, and can develop and implement more effective programs to improve community health.

FIGURE 1: COMMUNITY HEALTH ASSESSMENT AND IMPLEMENTATION PATHWAY



Source: HRET, 2016.

GREENE COUNTY, OHIO

Xenia is the county seat of Greene County. The rate of depression is decreasing, and the number of mental health providers have increased. Despite this, drug poisoning deaths are increasing, more students are reporting marijuana use, and the binge drinking rates are higher than the Ohio and U.S. averages. Two ZIP Codes have increased CNI scores: 45324 and 45385.

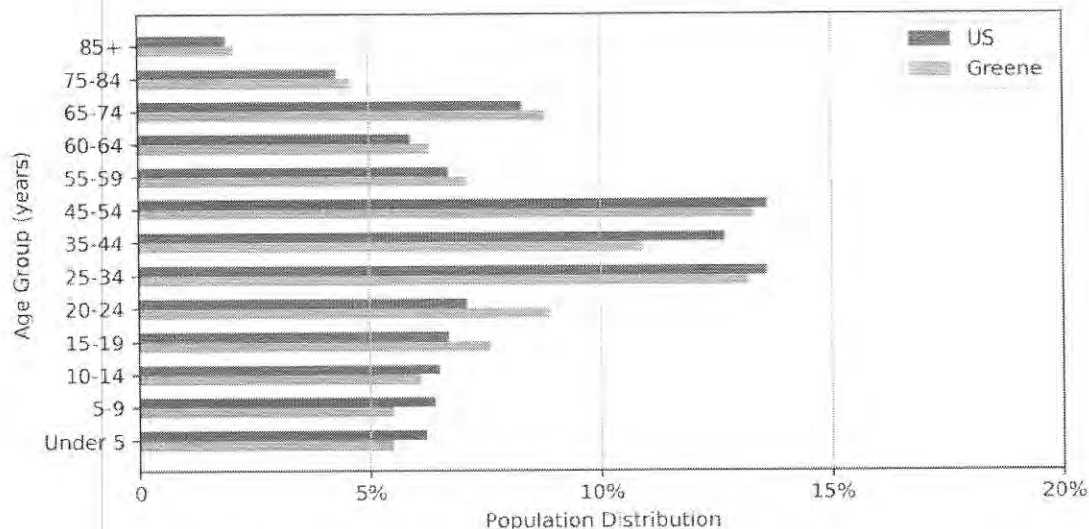
“There are no sidewalks in our neighborhood and so no place for my kids to ride their bikes or for people to exercise.”

- Greene County resident

Population Chart

The following is a population chart for Greene County from years 2012-2016.

FIGURE 43. GREENE COUNTY POPULATION



Consensus on Priorities

Obesity was an overt and implicit concern. It was a high priority at the meeting and in the consumer surveys. Agencies had Healthy food/Nutrition as their 2nd highest priority, and Greene County Public Health had Chronic disease as one of its top 4 priorities. Obesity is a contributing factor for several chronic diseases, such as heart disease, diabetes, and cancer. Access to healthy good and nutritional

guidance are important to maintaining a health weight. Access to care was of top importance at the meeting and in consumer and agency surveys. Discrimination was mentioned specifically at the meeting and in consumer surveys. Substance abuse was mentioned at the meeting and by agencies.

Top Causes of Death

The top causes of death for 2016 were, in descending order:

- Atherosclerotic heart disease
- Alzheimer’s disease
- Lung cancer

Priorities from Community Meeting on May 17, 2018

A total of fifteen people contributed votes to identify a total of eight priorities. Below are the topics receiving 5% of the vote; mental health is included since it has been a major regional issue. An issue not captured in the priorities was child safety. It was a topic of discussion and agreement, especially concerned with child abduction and human trafficking. (Ohio ranks 4th in the nation for most reported cases of human trafficking.)⁴⁷

TABLE 95. GREENE COUNTY: MEETING PRIORITIES

Priority	# Votes	% Votes
Access (Transportation, 4)	7	29.2%
Social Determinants of Health (Environment, 3; Discrimination, 3)	6	25.0%
Obesity	4	16.7%
Health education/Promotion	3	12.5%
Substance abuse	2	8.3%
Mental health	1	4.2%

Survey Responses

Below are the most frequent responses from individual consumers, living in Greene County, who completed a survey between 6/19/18 and 8/3/18. Eight people participated. Respondents all answered the question, “Given the health issues facing the community, which ones would be your top priorities?” They mentioned 10 health and/or health-related issues of particular concern to them. The following table contains the issues that they prioritized.

⁴⁷ Naquin, S. (2018). State invests more into ending human trafficking as Ohio ranks 4th in most reported cases. ABC 6. May 23. Accessed 11/10/18 t <https://abc6onyourside.com/news/local/state-invests-more-into-ending-human-trafficking-as-ohio-ranks-4th-in-most-reported-cases>

TABLE 96. GREENE COUNTY: CONSUMER PRIORITIES

Priority	# Mentions	% Mentions
Obesity	2	20%
Mental health	2	20%
Substance abuse (Opioids, 2)	2	20%
Access to care	1	10%
Communicable disease	1	10%
Discrimination	1	10%
Parenting/Family	1	10%

Six organizations serving Greene County residents, especially vulnerable populations, responded with their priorities. Their priorities are listed below.

TABLE 97. GREENE COUNTY: AGENCY PRIORITIES

Priority	# Mentions	% Mentions
Access to care	3	33%
Healthy food/Nutrition	2	22%
Mental health	1	11%
Physical activity	1	11%
Substance abuse	1	11%
Community collaboration	1	11%

Response from Health Department

Greene County Public Health provided its health priorities for the community:

- Maternal child health
- Injury prevention
- Chronic disease
- Substance abuse

Greene County Health Snapshot

Pop.: 164,325

Measure/Indicator	County	Trend	State	U.S.
Health Outcomes				
Cancer mortality, Breast (rate per 100,000)	21.1	-	22.2	20.2
Cancer mortality, Colon & Rectum (rate per 100,000)	15.4	-	15.5	14.0
Cancer mortality, Lung (rate per 100,000)	38.2	-	48.2	39.4
Cancer mortality, Overall (rate per 100,000)	155.3	-	174.3	157.1
Child mortality (rate per 100,000, 1-17 yrs.)	22.8	-*	20.1	19.9
Chronic Lower Respiratory Disease (CLRD) deaths age 65 and up (rate per 100,000)	224.6	-	316.1	270.9
Diabetes (%)	10.5	-	11.1	10.7
Heart Disease Deaths (rate per 100,000)	162.5	-	188.4	167
Infant Mortality (rate per 1,000 live births)	4.3	-	7.2	5.9
Injury Deaths (rate per 100,000)	52.4	-	61.2	45.3
Low birthweight (%)	7.6	-	8.5	8.2
Preterm Birth (%)	10.3	-	10.3	9.6
Poor physical health days (last 30 days)	3.5	-	4.0	3.9
Poor mental health days (last 30 days)	3.1	-	4.0	3.7
Stroke Deaths (rate per 100,000)	33.1	-	40.6	37.5

Top Causes of Death

Heart Disease
Alzheimer's
Lung Cancer

Mental Health

Depression % & ratio of mental health providers better than OH & US

Measure/Indicator	County	Trend	State	U.S.
Health Behaviors				
Adult Obesity (%)	22.5	-	30.6	29.2
Adult Smoking (%)	15.2	-	22.0	16.5
Alcohol-impaired driving deaths (%)	37.0	*	34.0	30.0
Gonorrhea incidence (%)	96.7	-	176.8	145.8
Motor vehicle crash deaths (rate per 100,000)	8.0	-	10.3	11.5
Physical inactivity (%)	19.4	-	26.4	25.2

Child Mortality

Rate higher than OH & US

Measure/Indicator	County	Trend	State	U.S.
Substance Abuse/Mental Health				
Binge drinking (%)	22.1	*	18.1	16.6
Depression (%)	12.3	-	18.5	17.1
Drug poisoning deaths (rate per 100,000)	23.2	-	26.2	14.6
Fentanyl & related drug OD deaths (rate per 100,000)	8.4	-	9.0	2.6
Heroin poisoning overdose deaths (rate per 100,000)	6.6	-	10.9	3.5
Student marijuana use (%)	18.4	-*	6.2	14.5
Suicide (rate per 100,000)	13.4	*	13.3	13.0

Substance Abuse

Drug poisoning deaths up. 44% increase in students using marijuana. Binge drinking higher than OH & US rates.

Measure/Indicator	County	Trend	State	U.S.
Access to Clinical Care				
Dentists (ratio)	1210:1	-	1656:1	1480:1
Mammography screening (%)	66.7	-	68.4	65.5
Mental health providers (ratio)	489:1	↓	561:1	470:1
Primary care physicians (ratio)	1100:1	-	1307:1	1320:1
Uninsured (%)	4.7	-	7.6	11.8

Providers

Ratios better than OH ratios

Measure/Indicator	County	Trend	State	U.S.
Socio-Economic/Demographic				
Children in poverty (%)	18.0	-	22.1	21.2
African American (%)	7.0	-	12.1	12.3
Population that is 65 and older (%)	15.5	*	23.0	22.3
Population below 18 years of age (%)	20.8	*	14.5	16.0

U = Unavailable, unreliable, or suppressed due to small numbers. Source data range: 2014-2017

* = Higher than state and national rates

Community Need Index

A high CNI score (3.4 to 5.0) is an indicator for socioeconomic variation, barriers to care, and an increased need for health care services. Two ZIP Codes in Greene County have higher scores: 45324 (3.8) and 45385 (3.6).



May 31, 2019

RE: Community Health Assessment 2019

ATTENTION: Pastors and Spiritual Leaders of Yellow Springs, Ohio.

Lisa Kreeger,

A **Community Health Assessment** is currently being conducted in your community. Approved by the Village Council of Yellow Springs, in late April, the council has designated Wright State University, Assistant professor Sharon Sherlock, DHA as the lead on this project.

To determine the highest health related priorities in this community, we are asking for input from members of the local religious community. This dialogue will review large data findings and respond with local priorities for the "people" within the population that you serve. For this section of the **Community Health Assessment**, we are asking for participation from spiritual leaders to speak or respond to some of the needs noted among members of their local congregation.

In contrast, Greater Dayton Area Hospital Association Community Health Needs Assessment, faith-based representatives were noted as attending the Community Needs Assessment sessions. However, no distinct section could be found to individualize their concerns. (Ref: <http://gdaha.org/community-health-needs-assessment-identifies-areas-top-health-needs/>). Therefore, we are adding a specific component in the *Village of Yellow Springs Community Health Assessment* with religious leaders to assist with the Village of Yellow Springs health assessment. As leaders who commit to enhancing recovery through spirituality for members of their congregation, as well as offering coping skills when illness occurs and also dealing with consequences of family loss, we need to hear from you. Please join us in this spiritual priority setting for the Village's **Community Health Assessment**.

We have reserved a meeting room in Ellie's Restaurant on Friday morning **6/21/19** at 8:30am. Breakfast buffet will be served. Please RSVP to Dr. Sherlock's assistant, Jonathon Phillipp WSU-email by **6/17/19**
Email: phillipp.3@wright.edu

Sincerely,

A handwritten signature in blue ink that reads "Sharon Sherlock".

Sharon Sherlock, DHA, MSA, BSN, RN
Executive Director, Reach Out Free Clinics
Assistant Professor, Wright State University
Boonshoft School of Medicine, Department Population & Public Health Services



TO: Village Council
FROM: Brian Housh
DATE: June 14, 2019
RE: Proposed Village Charter Changes

1. Extending Term of Yellow Springs Mayor

SECTION 29. MAYOR.

The Mayor shall meet the same qualifications as a member of Council and shall be nominated and elected for a term of four years, commencing with the November 2021 general election.

Deleted: two

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2. Lowering Voting Age for Village Residents to 16

SECTION 6. GENERAL ELECTION LAWS TO APPLY.

The general election laws of the State of Ohio shall control in all elections except that Village of Yellow Springs electors are 16 years of age and older and as otherwise provided by this Charter.

OR

ARTICLE XI: VILLAGE OF YELLOW SPRINGS ELECTORS

SECTION 92. ELECTORS.

All residents of the Village of Yellow Springs who are 16 years of age and older are electors and are eligible to vote for Yellow Springs elected officials and on local issues involving the municipality of Yellow Springs in all elections.

OR

Section 92. Qualifications of Voters.

(a) Every person who (1) is a resident of the Village of Yellow Springs, (2) is at least sixteen (16) years of age or will be sixteen (16) years of age on or before the date of the next Village election, (3) does not claim voting residence or the right to vote in another jurisdiction, and (4) is registered to vote in accordance with the provisions of this Charter, is a qualified voter of the Village.

Section 93. Voter Registration.

- (a) Any resident of the Village who is a United States citizen, is at least 16 years of age, and is eligible to register to vote in the State of Ohio must be properly registered to vote with the Greene County Board of Elections in accordance with state law in order to vote in Village elections.
- (b) Any resident of the Village who is not a United States citizen, but whomeets the voter qualifications set forth in Section 92 may register with the Village Clerk to vote in Village elections. The Village Clerk shall maintain a supplemental voter registry, separate from the list of registered voters in the Village generated by the Greene County Board of Elections, which shall include the names of those non-United States citizens who are registered to vote in Village elections. The Village Clerk shall promptly send notice to any jurisdiction in the United States where the new registrant was formerly registered to vote, requesting the cancellation of said voter's prior registration.

Value #1 - Deepen decision-making processes with active citizen participation and effective representative governance.

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

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.

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

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

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

Yellow Springs Village Council 2019 Strategic Goals

Values	Goal	2019 Actions	Future/Ongoing Activities	Responsible	Resources
1, 2, 3, 4, 6	Provide an affordable community with a high quality of life that encourages a diverse resident base in terms of race, age, economic status, sexual orientation, gender identity, ethnicity, ability and religious affiliation.	<ul style="list-style-type: none"> Evaluate utility rates and related policies to identify tactics to improve affordability Utilize YS Designated Community Development Corporation to promote affordability goals Develop 'energy efficiency' & other education programs; incentivize improvements to properties translating to resident cost savings Design and implement strategies to preserve low and moderate income housing (see housing goal) Complete a Community Health Assessment 	<ul style="list-style-type: none"> Identify other strategies that could help residents manage utility costs Review income/property tax structures in conjunction with determining operating levy needs Continue the collaborative effort to improve quality of life and reduce cost of living via Culture of Health initiative 	<ul style="list-style-type: none"> P. Bates Council J. Burns Finance Advisory Committee VM Housing Advisory Board 	<ul style="list-style-type: none"> Human Relations Commission Env. Commission Planning Commission Citizens Local nonprofits DCDC Miller Fellow
1, 3, 4, 5, 6	Promote retention, rehabilitation and development of diverse types of rental and home-ownership housing to meet current and future needs with focus on low-income, workforce, and senior households to result in mixed-income, environmentally sustainable neighborhoods.	<p>Create a Housing Plan that includes:</p> <ul style="list-style-type: none"> Formal Partnership with Home, Inc. Potential changes to zoning to encourage housing development Design, criteria and structure for Affordable Housing Fund Identification of funding sources for housing Buy-in and collaborative relationships with stakeholders Plan for incentives for housing development Plan for preservation/rehab of existing housing stock Marketing Plan, including Affirmative Mktg Plan for mixed-income development, with rental & ownership housing on Glass Farm Complete updated Comprehensive Land Use Plan 	<ul style="list-style-type: none"> Identify Glass Farm developer(s) Initiate development plans that provide for recreation, education, environmental/green energy needs Work with large parcel owners & developers to encourage housing dev. in line with vision, strategies, goals & agreed-upon incentives Utilize tactics to increase housing unmet by market, i.e. low-income rental, workforce home ownership & accessible units Encourage housing development for middle-income families Plan housing in concert with econ. dev. & other stakeholder projects Support at least one rehab project 	<ul style="list-style-type: none"> Council Village Manager Planning & Zoning Administrator Village Staff Planning Commission VM Housing Advisory Board Home, Inc. YS DCDC 	<ul style="list-style-type: none"> For & Nonprofit Developers Private & Public Funders Other Consultants Antioch College YS Schools YS Senior Center Landowners Community Members Miami Township
2, 3, 4, 5	Engage in continuous infrastructure development that promotes Dig Once, Complete Streets and other economic and strategic best practices to facilitate a more robust and resident/business friendly community.	<ul style="list-style-type: none"> Define model (e.g. Public-Private Partnership) to deliver improved/affordable broadband Internet services to residents/businesses Adopt Updated Comprehensive Land Use Plan Study, assess and develop plans to improve water distribution, electric distribution, sewer and storm water systems Finalize Tree Ordinance to support a healthy tree canopy while protecting infrastructure 	<ul style="list-style-type: none"> Continue to monitor source water protection area, especially properties of potential high risk 	<ul style="list-style-type: none"> J. Burns P. Bates B. Ault Council Planning Commission 	<ul style="list-style-type: none"> Springs-Net MVECA Env. Commission OEPA Citizens Planning Comm.

1, 2, 3, 4	Take action to avoid a deficit budget, recognizing the importance of “right-sizing” funds, some of which may reflect sitting on reserves rather than appropriately investing current taxpayer dollars.	<ul style="list-style-type: none"> • Design & implement paid parking strategy to improve residents’ & local businesses’ situations • Intentionally form community partnerships to maintain services, e.g. JBCP & ball field users • Develop plan for operation levy renewal • Deeply analyze investments to increase ROI • Pilot some level of ‘participatory’ budgeting 	<ul style="list-style-type: none"> • Identify other potential revenue generating opportunities • Continue to actively pursue grant funding and low-interest loans • Carefully review 2019 budget for possible cost savings in 2020 	<ul style="list-style-type: none"> • Fin. Comm. • C. Harris • Village Team • J. Burns • P. Bates • Council 	<ul style="list-style-type: none"> • Community Groups • Citizens • Treasurer
1, 2, 3, 6	Embody a Village culture that is welcoming to all, anti-racist and proactive about maintaining a diverse community.	<ul style="list-style-type: none"> • Review and update Village recruitment, evaluation and retention policies/processes to ensure that communities of color included in outreach, diversity prioritized in hiring/retention, and personal development supported/encouraged • Support inclusive/diverse arts & cultural events 	<ul style="list-style-type: none"> • Ongoing review and implementation of best practices 	<ul style="list-style-type: none"> • Council • YSPD/Community Outreach Specialist • Village Team 	<ul style="list-style-type: none"> • JSC • 365 Project • HRC • ACC • Ohio AG Diversity Liaison
1, 2, 3, 4	Execute an economic sustainability strategy to support existing businesses and entrepreneurs and attract new opportunities that support the values of the community.	<ul style="list-style-type: none"> • Develop ED strategy focused on “localism” & “entrepreneurship”; initiate 1-3 collaborations • Update Comprehensive Land Use Plan • Create “CBE” Mktg Plan to attract <i>good fit</i> • Plan for business expansion needs • Explore business incubator/entrep. center • Finalize Development Plan for Dayton/RR property that complements LMS Trail 	<ul style="list-style-type: none"> • Update and develop ED tools, e.g. property inventory, web presence • Actively promote opportunities to developers and businesses 	<ul style="list-style-type: none"> • D. Swinger • Council • P. Bates • ESC • Planning Commission 	<ul style="list-style-type: none"> • Vision YSMT • Bus. Retention/Expansion Survey • Smart Growth Task Force Report • Citizens • YS Chamber • DCDC
1, 2, 3, 6	Establish a model Village Justice System that supports a just, safe and welcoming community across race, age, economic status, sexual orientation, gender identity, ethnicity, ability and religion; the entire Village Team will work in concert to be proactively anti-racist.	<ul style="list-style-type: none"> • Review progress to attain Guidelines for Village Policing, including actions taken by Council, YSPD, JSTF and community partners with focus on achievement of desired outcomes • Work with HRC to host community conversation re: Village Justice System • Explore formation of citizen review/advisory body that is aligned with Village goals • Recommend policy to address disparate impacts of local justice system on economically or otherwise disadvantaged groups 	<ul style="list-style-type: none"> • Update YSPD policy to reflect Village Values & address impacts on economically disadvantaged • Increase public understanding of YSPD policy & practice • Implement alt. municipal policing approaches to drug addiction • Continue research/data collection to evaluate progress and develop best Village Policing practices 	<ul style="list-style-type: none"> • Council • Mayor Conine • Chief Carlson & Police Team • HRC • Solicitor • JSC • P. Bates 	<ul style="list-style-type: none"> • 365 Project • Village Mediation • US Department of Justice • Initiatives in Other Communities • TCN • NAMI
1, 2, 3, 4, 5, 6	Develop high quality integrated surface transportation infrastructure system that contributes to improved quality of life by promoting safety, recreation, env. sustainability, health, equity/inclusion & economic development.	<ul style="list-style-type: none"> • Develop a solid strategy for sidewalk improvements • Create plan for further addressing high priority areas, e.g. W.S. College & Dayton Streets • Design strategies based on Bike Friendly results • Create implementation plan for YS AT Plan 	<ul style="list-style-type: none"> • Evaluate & address bike-ped amenities and signage needs • Educational activities – collaborate with YS Schools 	<ul style="list-style-type: none"> • Plan. Comm. • P. Bates • D. Swinger • J. Burns • YSPD • AT Comm (?) 	<ul style="list-style-type: none"> • SRTS study/plan • Sidewalk research • YS Active Trans Comm./Bike YS • MVRPC • ODOT/ODH
5	Complete protection of key properties in Jacoby Greenbelt, protecting additional 1000 acres in sub-watersheds; encourage conservation practices that protect soil & water, preserving the agricultural nature of the Greenbelt and protecting water resources surrounding the Village.	<ul style="list-style-type: none"> • Support TLT educational events and opportunities • Authorize financial matches for targeted properties as needs arise • Develop plan to reclaim Vernay property and utilize in a productive & safe manner 		<ul style="list-style-type: none"> • P. Bates • Council • Planning Commission • TLT 	<ul style="list-style-type: none"> • TLT Partners • Greenspace Fund • Environmental Commission • Citizens

Kreeger:

Goal 1: Affordability –

1. Utility rates: An opportunity remains to create a series of financial models to evaluate the current utility rates, balances in accounts, and infrastructure costs related to utilities. This is an area of greatest concern for our community members and merits a very hard look as we go into 2020.
2. YSCDC (DCIC): Should be formed before the end of the year.
3. Community Health Assessment: Will be completed before the end of the year. Specific actions can sprout from the findings for the 2020 actions.

Goal 3: Infrastructure

1. Fiber / Broadband: The Village needs to decide if we are in support of this or if some other entity (e.g. YSCDC) should carry it forward.

Goal 4: Budget

2. I'm involved in participatory budget research. It would be helpful to hear what the timeline would be to develop this process.

Goal 6: Economic Sustainability

3. The YSCDC has already demonstrated its value towards this goal set. For 2020 should think about what is specifically in the domain of the Village Gov't vs. in collaboration with other entities.

Goal 7: Model justice system

4. This set of goals can be tuned up based on the Assessment results and the formation of the Justice System Task Force
5. I remain in support of developing a simple citizen review/advisory group and anticipate that the Assessment will support this idea in some form.

Lisa Kreeger
Village Council

Village of Yellow Springs
100 Dayton Street
Yellow Springs, OH 45387
937-767-2319
LKreeger@vil.yellowsprings.oh.us



Manager's Report, June 17, 2019

Unidirectional Flushing Coming in July

July 9th, 10th and 11th, staff will begin the unidirectional flushing program. This is a new procedure of flushing the pipes and **will result in very discolored water**. Any questions should be directed to Public Works Director Johnnie Burns, who can be reached at 767-8649. Drinking water will be available at Police Department Dispatch window and Redout (for laundry) available at the Utilities window.

No Bikes & Boards

We have had several complaints about people cycling or skateboarding on the sidewalks downtown. PW Director Johnnie Burns is in the process of having "No Bike or Skateboards" stenciled on the sidewalks downtown. Parr Striping is currently in town working on this, as well as several other projects. Hopefully, this will deter the activity. If not, staff will reassess the signage.

New Licenses

In our ongoing effort to better serve the community, several personal have passed licensing tests, to add to the depth of our staff. New licensees are:

Water Distribution 1

Tanner Bussey

Dustin Harris

Sewer Collection 1

Mike Neal

Water Treatment 1

Sean Roose

Kevin Martin

Second Year Lineman Class

Dustin Harris

Solar in the Village

Included in this packet is a brief on the current state of solar in the Village, including how residents are reimbursed and the amount left under the ordinance for residential solar. Should the currently established

As I Stand Down

As I stand down from my position, I want to say “thank you” to everyone who has supported me through the last five years. As I look back at what the Village team has accomplished in that time, I am confident that the same good things will continue to occur.

I leave the public with this: if you have a question or concern, please, call the appropriate Village office. Even though people start with the best of intentions, not everything you see posted on Facebook is 100% accurate. Sometimes, it’s not even close. But those posts can be very discouraging to Village employees, who are dedicated, caring public servants trying to do what is a tough job under the best of circumstances.

For Council, I say this: thank you for making the effort to respect the dedication, talent and time of the staff. It is appreciated and I ask that you continue to make this effort. Also, please, understand and respect the lines. Other than the Village Manager, the Clerk/Treasurer and the Solicitor, personnel matters are, by Charter, the purview of the Village Manager. Any time personnel matters are discussed in public, it undermines both the integrity of the process and the authority of the Village Manager.

Finally, to my staff: thank you does not seem to be enough. We could not have accomplished the things we did had we not worked together, as a team. I will miss every single one of you. You’ll still see me around town, at least for a while.

I’m happy to answer any questions.

Patti Bates



Solar in the Village

Prepared by Johnnie Burns, NathaLee Hutchins and Patti Bates

June 17, 2019

During a previous meeting, there were questions about available residential solar allotment and also about the reimbursement to those who have solar and produce more than they need. This brief will attempt to answer the questions brought forth.

Previously, the “true-up” for residential solar (the balancing of what excess was produced vs what was used by a particular resident) was done in December, with credits coming in January. This was done once a year because it was a manual function of staff. Each individual house that has an interconnection agreement would have to be balanced for a full twelve months, by hand. When the new software went on line, it was able to calculate the balance monthly, relieving the burden from staff. At that point, staff recommended to Council a monthly reconciliation, and Council agreed to the new process. The only thing that has changed is that the true-up is done monthly instead of annually.

Also, there was a question of the rate paid for energy vs the rate reimbursed to those who produce excess from their solar. The rates are the same. Residents pay \$.11/kWh and those who produce excess with their solar are reimbursed \$.11/kWh for that excess. They are also reimbursed the power cost adjustment on that amount of energy. They are charged the readiness-for-service (RFS) fee. (The RFS is a monthly charge that goes to the capital upkeep of the system and allows us to be ready to serve any residences, including those producing solar.)

Finally, there was a question about how much residential solar is remaining in the 1% allotted by Council. That amount is, currently, 116.26 kW. This calculation is tracked by Public Works Director Johnnie Burns, who consults with John Courtney of Courtney & Associates, on it.



2019 URUP Accounting Sheet

Month	1-1-19 Beginning Fund Balance	Customers that have signed up to "Round Up"	MTD Revenue	Applications for Assistance	MTD Expenses	Ending Fund Balance
	\$ 6,424.73					
1/31/2019			\$ 428.45	2	\$ 400.00	\$ 6,453.18
2/28/2019			\$ 233.31	4	\$ 800.00	\$ 5,886.49
3/31/2019			\$ 258.72	5	\$ 923.68	\$ 5,221.53
4/30/2019		211	\$ 435.24	2	\$ 359.70	\$ 5,297.07
5/31/2019		41	\$ 975.34	0	\$ -	\$ 6,272.41
6/30/2019						\$ 6,272.41
7/31/2019						\$ 6,272.41
8/31/2019						\$ 6,272.41
9/30/2019						\$ 6,272.41
10/31/2019						\$ 6,272.41
11/30/2019						\$ 6,272.41
12/31/2019						\$ 6,272.41
TOTALS	\$6,424.73	252	\$ 2,331.06	13	\$ 2,483.38	\$ 6,272.41

Phase I: On 5/16 the Village of YS celebrated the Utility Round-Up Program at the YS Brewery's: Thirsty Thursday. 500 dollars in total donations were collected (this includes cash and a portion of beer sales). The URUP will participate in Thirsty Thursday twice again this year on 9/26 and 10/31. On 5/25 the Utility Round-Up Program held a booth at the Farmer's Market where we raised thirty dollars. We will attend the Farmer's Market every fourth Saturday. Both events increased visibility of the program: between each event, over fifteen households were signed up.

Phase II: The Utility Round-Up Program concluded the sustainability and energy practicum with Victory Hitchcock's fourth grade class at Mills Lawn. The URUP's science curriculum focused on efficient energy usage and sustainable infrastructure. The hands-on activities encouraged students to critically engage with environmental stewardship, and to understand their relationship with energy usage so to develop agency in their application of sustainable practices. We were invited to come back again in the fall.

Submitted by Conor Jameson

COUNCIL FINANCIAL REPORT SUMMARY
MAY 2019

Estimated Revenue	\$ 13,481,215.00
Amended Est. Resources	
Amended Est. Resources	
Amended Est. Resources	
Amended Est. Resources	
2019 REVISED TOTAL	
EST. REV.	\$ 13,481,215.00

2019 Original Budget	\$ 14,384,539.00
1st Q. Supplemental	\$ 15,000.00
2nd. Q. Supplemental	
3rd. Q. Supplemental	
4th Q. Supplemental	
2019 REVISED TOTAL BUDGET	\$ 14,399,539.00

Month	Revenue Received
January	\$ 3,435,844.02
February	\$ 806,041.40
March	\$ 1,373,037.81
April	\$ 795,160.42
May	\$ 949,595.40
June	
July	
August	
September	
October	
November	
December	
Received To Date	\$ 7,359,679.05

Month	Expenses Paid
January	\$ 3,644,911.57
February	\$ 1,260,665.95
March	\$ 716,456.80
April	\$ 740,305.99
May	\$ 1,055,084.34
June	
July	
August	
September	
October	
November	
December	
Expenses to Date	\$ 7,417,424.65

Statement of Cash from Revenue and Expense

From: 1/1/2019 to 5/31/2019

Fund	Description	Beginning Balance	Net Revenue YTD	Net Expense YTD	Unexpended Balance	Encumbrance YTD	Ending Balance
Grand Total:		\$9,026,559.02	\$7,359,679.05	\$7,417,424.65	\$8,968,813.42	\$2,824,708.80	\$6,144,104.62

BANK RECONCILIATIONS
MAY 2019

US Bank - General US Bank - Payroll Star Plus - Investment Star Ohio - Investments Huntington - Investments

Bank Balance	\$ 2,055,739.42	\$ 47,614.30	\$ 2,505,414.39	\$ 3,894,205.04	\$ 547,126.44
Outstanding Vendor Checks	\$ (52,451.35)	\$ (34,122.23)			
Outstanding Employee Checks		\$ (65.24)			
Deposits In Transit	\$ 4,453.33				
NSF Check					
Adjustments		\$ (0.68)			
Book Balance	\$ 2,007,741.40	\$ 13,426.15	\$ 2,505,414.39	\$ 3,894,205.04	\$ 547,126.44
Difference	\$ -	\$ -	\$ -	\$ -	\$ -



2019 Mayor's Court Report to Council

	Jan	Feb	Mar	Apr	May	TOTALS
Total Charges from PD	22	27	27	46	31	153
Charges sent to MC	15	18	13	17	17	80
Percentage of charges sent to MC	68%	67%	48%	37%	55%	52%
Total Incidents	17	22	19	22	18	98
Total Incidents to MC	14	17	13	12	14	70
Percentage of Incidents to MC	82%	77%	68%	55%	78%	71%
Total Charges in MC	15	18	13	17	17	46
Traffic	8	6	5	7	6	32
Criminal	3	1	0	2	0	6
Parking	4	11	8	8	11	42
Payments/Revenue						
Traffic/Criminal	\$ 2,880.00	\$ 1,263.00	\$ 1,147.00	\$ 1,070.00	\$ 935.00	\$ 7,295.00
Parking Tickets	\$ 140.00	\$ 420.00	\$ 225.00	\$ 130.00	\$ 245.00	\$ 1,160.00
Weddings	\$ -	\$ 200.00	\$ 50.00	\$ 50.00	\$ 150.00	\$ 450.00
TOTAL	\$ 3,020.00	\$ 1,883.00	\$ 1,422.00	\$ 1,250.00	\$ 1,330.00	\$ 6,325.00
Expenses pd to State/Co						
Victims of Crime	\$ 54.00	\$ 18.00	\$ 27.00	\$ 27.00	\$ 18.00	\$ 144.00
Indigent Defense Support Fund	\$ 230.00	\$ 50.00	\$ 65.00	\$ 65.00	\$ 30.00	\$ 440.00
Drug Law Enforcement	\$ 17.50	\$ 6.00	\$ 4.50	\$ 10.50	\$ 7.00	\$ 45.50
Child Safety Restraint	\$ 120.00	\$ -	\$ -	\$ -	\$ -	\$ 120.00
Expungement - Local	\$ -	\$ -	\$ 20.00	\$ -	\$ -	\$ 20.00
Expungement - State	\$ -	\$ -	\$ 30.00	\$ -	\$ -	\$ 30.00
Indigent Drivers Alcohol Treatment	\$ 7.50	\$ 3.00	\$ 1.50	\$ 4.50	\$ 3.00	\$ 19.50
TOTAL	\$ 429.00	\$ 77.00	\$ 148.00	\$ 107.00	\$ 58.00	\$ 654.00
Revenue for Village	\$ 1,655.00	\$ 1,401.00	\$ 687.00	\$ 653.00	\$ 787.00	\$ 5,183.00
Computer Fund	\$ 120.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 30.00	\$ 270.00
Bank Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
General Fund	\$ 1,535.00	\$ 1,361.00	\$ 647.00	\$ 613.00	\$ 757.00	\$ 3,543.00

Greetings, Council:

**2nd Quarter
Highlights (June 2019) from
Mayor Pam Conine:**

School is out, and the first year of Monday Mornings with the Mayor at Mills Lawn School has concluded. Reading to kindergartners is an energetic way to start one 's week, and I can say with confidence that a kindergartner can now tell you: 1) how a mayor helps the village, 2) what is a sash. Among other things, of course

Community events abound year-round, but it 's especially nice to be out doors in the summer. The Rails to Trails Opening Day on April 13 was fun, with lots of people—including Dave Chappelle-- dropping by to visit one of the several bike and hike-oriented booths set up by the train station. The PD and Fire/Rescue folks provided hot dogs.

For the second year in a row, I was asked to make some comments at the Odd Fellows gathering at Glen Forest Cemetery on Memorial Day Monday. The Odd Fellows ceremony was a dignified reminder of our veterans ' service. I'm also reminded to encourage anyone interested to consider becoming an Odd Fellow here in the village. As with many service organizations, their membership is decreasing as members age. They welcome membership inquiries and have contact info in the Red Book.

The Mayor 's Court Report attached continues to show all eligible charges coming to the Mayor 's Court unless they are bundled as part of a multi-charged incident that must be sent to Xenia.



MacQueen Commission and Board Reports, June 2019

Reflections on 2019 Council Goals

With the exception of the 9th goal for Greenbelt and Watershed and Source Water Protection, in which the Village is primarily supporting the efforts and work of Tecumseh Land Trust, the other eight goals are complex, multi-year goals. Some of these would be more accurately described as values, or visions to aim toward rather than concrete action-oriented achievable goals. Regardless, suggest that we create an extended time-line in more detail than is currently stated. In addition, I am concerned that some of what are listed as actions weren't thoroughly vetted by Council. For example, the 2nd goal regarding Housing Strategies states that a Housing Plan would be created that will include a formal partnership with Home, Inc. The 4th goal of Fiscal Responsibility states that a paid parking strategy will be designed and implemented. These are two examples of actions that I think Council did not adequately discuss or agreed upon. Therefore, I propose that we set up a work session as soon as possible to 1) review and modify our goals to better reflect what we actually agree upon accomplishing; 2) create a multi-year strategy; and 3) integrate our goals intentionally into our discussions at Council meetings at least quarterly.

Planning Commission

At its last meeting, Planning Commission reviewed the Comprehensive Plan Update proposal that staff (Salmeron, Swinger and Burns) recommended. This proposal was one of six that we received. It is slated to come to Council for final approval after we meet personally with the lead provider. The proposal lays out a nine-month process that involves a variety of stakeholder meetings; at least one community-wide meeting; and a modified "visioning" process. It provides for additional ways of community involvement and a project website.

The final updated digitalized Comp Plan will have links to the various plans, studies and maps that Village Staff, Council and Commissions have been working on during the last decade. The process of creating this living document will take us into 2020 and will be an involved and important planning step. It behooves Council to consider how it will impact and provide integration into other planning processes and goals including a Visioning process slated for 2020.

Denise and Johnnie updated PC members on work being done by Choice One Engineering who is working on our Storm Water Study, helping with some particular issues and will be reviewing our subdivision regulations with a focus on storm water management. Planning Commission also approved 1) changing wording for the BZA quorum and voting regs for purposes of alignment and clarity; and 2) changing Transient Guest Lodging to a conditional use. Both of these recommendations will come to Council for final approval.



Environmental Commission

Three of our seven members were absent from the May EC meeting so several of the slated topics were not discussed. The primary topic for discussion was the continued exploration of how the Village might increase its recycling capacity through options that include using a different waste and recycling provider, linking with Logan County and a combination of these options. EC has also submitted a letter to the VM Housing Advisory Board expressing its interest in being involved in the planning of the Glass Farm housing development both to ensure protection of the conservation area on the eastern edge of that property as well as encouraging environmentally friendly site and housing designs. EC's interest in being more involved in land use planning decisions led Lisa Kreeger to submit suggestions that EC will be discussing at its June meeting. I support Council and commissions considering how the interest and expertise of all our boards and commissions can be brought to bear on our various studies and planning activities.

Village Manager's Housing Advisory Board

At its last meeting the HAB discussed the concept of incentives the Village might offer to for-profit developers to encourage affordable housing and other type of housing in line with Village goals. We discussed the possibility of holding a stakeholders meeting for local/regional developers to get their input on this. Another topic of discussion was what unintended consequences might arise from increased housing development, in particular affordable housing. Kevin McGruder reflected that this type of analysis was very difficult to do in a responsible and accurate way. Both Kevin and Kineta Sanford point out the benefits of providing housing for lower/moderate income families that can't easily be monetized. This led to a recognition that the Yellow Springs School Board and the Village Government need to be communicating about housing issues. Patti Bates has invited Mario Basaro to our meeting on June 20th. I made a visual representation summary of the various housing related activities that have occurred over the last two years as a way to evaluate what we've done and where we are in preparation for Council creating a permanent Housing Board/Commission. It is included with this report.

Police Assessment

We anticipate that the final report from Bob Wasserman and Bob Haas will be completed by our second Council meeting in July. Council will need to decide with input from Bob and Bob whether to schedule a special community meeting to present the report, have the report presented at the July 15th Council meeting and/or some other type of presentation venue.



The Economic Sustainability Commission provides information and makes recommendations to Council regarding economic development for the Village of Yellow Springs, identifying primary opportunities for economic development in the Village and strategies to support these efforts and facilitating a forum for incubating ideas and networking among diverse groups working on economic development in the Village.

Economic Sustainability Commission Minutes

Wednesday May 1, 2019; 7:00 pm

Council Chambers, John Bryan Community Center

Attendees: Saul Greenberg, Lisa Kreeger, Emily Seibel, Henry Myers, Susan Jennings

Guests: Scott Fife. Patrick Lake

Excused / Absent: Karen Wintrow, Sammy Saber, Mark Crockett, Steve McQueen

Packet Items: Agenda, April 3 Meeting Minutes, ESC Goals, Memo from Henry Myers re taxes
The meeting was called to order at 7:03 by Greenberg.

MINUTES

Minutes from March were unanimously accepted as submitted (Jennings/Myers).

CITIZEN CONCERNS

None

OLD BUSINESS

1) Update on Economic Development Revolving Loan Fund – Kreeger has an opinion from auditors as well as legal counsel that the Village should not deposit funds in the YSCU. Kreeger is confirming that the funds can be deposited in the credit union if held by the DCIC.

2) Update on 2019 goals – follow-up on tasks members volunteered to assume.

Task: interview several realtors (Kreeger/Wintrow). Kreeger reported that realtors have not been interviewed. She shared that the DCIC is also working on possible opportunities for the CBE property. Next steps: Carry forward for updates

Task: research similar communities (Seibel) Seibel reports that more clarity is needed because this is a broad net to cast. Some example characteristics: infrastructure that enables technology (fiber), what makes YS appealing, elements of the SWOT analysis. What characteristics should we be looking for? Next step: Brainstorm next meeting

Task: exploring localism and incubation (Seibel and Jennings). Seibel and Jennings have begun a review of past reports. They are preparing a report in June. Next step: Place on agenda in June

Task: research on Village income tax and reciprocity (Myers). Myers submitted a set of

calculations for the review of the Commission focused on the allocation of taxes to the Village due to reciprocity. He highlights the impact of the reciprocity policy on affordability in that individuals with higher wages do not pay any Village income tax while those who work in the Village, with less earnings, carry the burden of YS tax. Kreeger reported that she is looking for YS real estate tax data from MVCC as well as reciprocity percentages for other areas in the Miami Valley. The participants discussed the concern that reciprocity increases taxes for those who live in the Village and work outside of the Village and that this could have a negative impact on median / low income residents of the Village. We agreed that additional data are needed to understand the impact of tax changes.

Next steps: Add to next agenda for continued discussion.

Task: surveying existing businesses and report on past studies completed by the Center for Urban and Public Affairs (CUPA) pertinent to this (Greenberg and Crockett). Greenberg submitted a distillation of data, drawn from the Yellow Springs Business Retention & Expansion Survey (Sept 2019) and the External Perception Survey (August, 2005). We discussed that this data are out of date. Greenberg proposes a more focused survey or look more deeply to elements that have already been surfaced in past reports, that are still relevant, and on taking action to address longer standing issues. Seibel wondered if the existing data might be analyzed in aggregate, perhaps aided by a graduate student, and then supplement as needed with a simple updated survey.

Next steps: Greenberg will draw themes out of the materials

2) Update on potential new ESC members. Susan Jennings will move from alternate to full member. Scott Fife will be nominated at the next meeting. Patrick Lake is interested.

NEW BUSINESS

Fiber project: The participants agreed that the Fiber project is one that the ESC would want to support. Fife reported that there is updated proposal in development that includes a demonstration project to provide tiered free access to the downtown area.

Cost of taxes and utilities (Kreeger) Research on Village income tax and reciprocity

Environmental Commission would like to have a more dynamic collaboration. Matthew Lawson will be invited to join next month to explore opportunities.

AGENDA PLANNING

Cincinnati City Council Decriminalizes Possession of Up to 100 Grams of Marijuana

Getting caught with as much as 3.5 ounces of marijuana by Cincinnati police won't result in legal ramifications, city council decided today.

[Nick Swartsell](#)

Jun 12, 2019 11 AM

Roberto ValdiviaGetting caught with as much as 3.5 ounces of marijuana by Cincinnati police won't result in legal ramifications, Cincinnati City Council decided today.

Council approved one of three dueling ordinances that sought to decriminalize either 100 grams or 1 ounce (28 grams) of marijuana.

Vice Mayor Christopher Smitherman, who is running for mayor, introduced with council member Jeff Pastor the 100-gram ordinance council approved today.

The ordinance doesn't include provisions for expungement for those already convicted of possession of small amounts of marijuana — something several council members called for — but that could be coming eventually.

Smitherman says the ordinance is a matter of fairness, especially for people of color who have been disproportionately cited under both a strict city law in force between 2004 and 2010 and the Ohio Revised Code.

That can have big implications, Smitherman said.

"Now someone applies to get a loan to go to college, or they apply for a job in the construction industry, and they're choosing between someone who doesn't have a drug conviction and someone who does," he said. "We're creating a permanent underclass."

Pastor and Smitherman have pointed to statistics showing that 86 percent of the more than 16,000 citations issued by the city for marijuana possession between 2004 and 2019 went to black residents, most of them black men. The vast majority of the citations issued took place under a harsher city anti-marijuana ordinance that was repealed in 2010.

But state laws against marijuana still exist, and almost 84 percent of those cited under the laws in Cincinnati over the past 15 years have been black.

"When we look at the statistics, we can't just say this is institutional racism," Smitherman said. "What we can say is that this is clearly a bias. I think everyone in this room would come to the conclusion that African-American men don't smoke more marijuana than white men. But they are carrying the brunt of enforcement."

Smitherman and Pastor's ordinance does include a prohibition on smoking marijuana in public, but does not have an age limit.

That was one of the objections council member David Mann made to the legislation. Mann introduced the legislation decriminalizing one ounce.

"The issues to think about are the quantity, where possession and use would be permitted and the age of possession to be permitted," Mann said. "My understanding is 100 grams is about 300 joints. That troubles me."

"I remain very troubled by the blessing that this ordinance gives to possession by a minor," he continued. "This says it's OK, if you're 12 years old in Cincinnati, to possess 100 grams of marijuana. Why on earth are we doing this?"

Council members Greg Landsman, Pastor, Chris Seelbach, Smitherman and Wendell Young voted for Smitherman and Pastor's ordinance.

"We have for far too long put people away for something that I believe should be legal and I believe will be legal," Landsman said. "I'm thrilled to be voting on this today."

Council members Mann, Tamaya Dennard and Amy Murray voted against the ordinance. Council member P.G. Sittenfeld was absent today.

Murray has expressed a number of reservations about the decriminalization efforts, including questions about lack of an age limit, the discomfort with the effort expressed by Cincinnati Police Chief Eliot Isaac and other issues. Isaac said he'd rather keep the city's current law, but that CPD officers will recognize the decriminalization ordinance and police accordingly.

Dennard said she supports decriminalization, but wanted to see legislation that would expunge past marijuana convictions as part of a package that decriminalizes the drug.

"I don't really want to vote for either one until I know for sure that there is a path forward for expungement for people this has already destroyed — disproportionately people of color," she said.

Deputy City Solicitor Luke Blocher said that may ultimately be the purview of the municipal court, not city council. He said the city's law department is working on ways to structure an ordinance that would grant expungements.

"This at least stops the hemorrhaging," Pastor said of today's ordinance. "I think it would do injustice for us not to take some sort of action."

Judy Kintner, Clerk of Council

From: Todd Turner <tj_turner2003@yahoo.com>
Sent: Sunday, June 2, 2019 11:43 PM
To: Brian Housh, Council President; Marianne Macqueen, Council; Lisa Kreeger, Council; Kevin Stokes, Council; Kineta Sanford, Council
Cc: Judy Kintner, Clerk of Council
Subject: Chief Carlson

YS Village Council...

I am writing in support of Chief Carlson. Without a doubt, Brian is the best fit this village could find for a police chief, especially in today's current political climate. His unique blend of professionalism, experience, and the personal touch make him unique. It also makes him the very thing Yellow Springs needs.

While I am not a village resident, I am the proud owner of a Yellow Springs address within the township, with many strong connections to the village. I also have a perspective that none of the small and loud chorus in opposition to Brian's continued employment, can claim. I am a current federal law enforcement officer, with over a dozen years in the field. I deal with police agencies across the Miami valley, and in fact, across the nation, on a daily basis. I know how unique Yellow Springs is, as a village, as a people, and how that shapes our expectation of policing. There are other pockets like us out there, but they are rare. Even more rare, is the person who can lead in the face of the pressure this town brings to each of its public servants. I know this first hand as a member of the school board, and I know that each of you knows this well with your tenure on the village council. You may think you'll find another chief who fits our ideals better than Brian, but I know what's out there.

Collectively this village is quick to pass judgement, espousing a belief in restorative justice while at the same time demanding the resignation or termination of anyone who doesn't handle every situation with "our" perfection, even when the chorus does not or cannot know all the facts. Please don't be swayed by the loud voices, the ones who only know one side of the story and shout it to drown any debate. You were elected as leaders. You won't make everyone happy, and that's the secret no one ever tells you about leadership. But you can use facts and logic when doing what is right for the village. Renew Chief Carlson's contract. We can't afford to lose him.

Tj Turner

Judy Kintner, Clerk of Council

From: Judith Hempfling <juhempfling@gmail.com>
Sent: Thursday, June 13, 2019 12:49 PM
To: Judy Kintner, Clerk of Council
Subject: Letter to council for packet regarding Airbnb

We urge Village Council to finalize its policy on Airbnb. Given the experience of other communities it is clear that fair restrictions are necessary to prevent negative impacts of Airbnb to our community.

We advocate one promising approach used elsewhere, to restrict Airbnb to the owner occupied homes of local residents or accessory dwellings to their homes. With this restriction, local residents would be permitted to host visitors as one way to supplement income and make residing in Yellow Springs more affordable. This permitted use gives every resident the opportunity to benefit from such an income stream if desired and reduces government intrusion into decisions regarding use of one's home.

Also, most importantly, it prevents the corrosion of neighborhood life that can occur when neighborhood homes no longer house local people but become a revolving door of visitor housing. In addition, other cities have seen a real jump in housing costs due to housing being removed from the long term rental market or sale market to become Airbnbs. This policy would minimize that negative effect.

Judith Hempfling
Ellis Jacobs

YSCHAMBER

YELLOW SPRINGS CHAMBER OF COMMERCE

enterprising ideas + meaningful support

May 21, 2019

Village of Yellow Springs Council, Staff, and Environmental Commission
100 Dayton St.
Yellow Springs, OH 45387

Dear Friends:

The YS Chamber would like to extend our deepest appreciation to the Council, Staff, and Environmental Commission of the Village of Yellow Springs for collaborating with us for this year's Shred-It Yellow Springs, held May 18 at the Bryan Center. We heard such appreciation from the citizens and businesses who brought their papers to be securely shredded and want the Village to share in that appreciation.

The Bryan Center was the perfect location for this event, as it provided plenty of space for vehicles to pull through and drop their paper for shredding. We were pleased to have both Sue Pfeiffer and Marianne MacQueen present on behalf of the Environmental Commission to provide recycling information in between dumping large boxes of paper.

We hope to collaborate with the Village again next year for Shred-It at the Bryan Center. We've already set the date for April 25, 2020 to coincide with Glen Helen and Antioch College's programming to celebrate the 50th Anniversary of Earth Day.

Again, thanks to all who helped coordinate and work the Shred-It Yellow Springs event. It is another great illustration of the deep collaboration between the Village of Yellow Springs and the YS Chamber.

Sincerely,



Karen Wintrow
Executive Director

Dr. Barbara L. Mann
120 W. South College St.
Yellow Springs, OH 45387

June 2, 2019

Yellow Springs Village Council
John Bryan Community Center
100 Dayton St.
Yellow Springs, OH 45387

Dear Council Members:

I have just finished reading the recent edition of the Yellow Springs News and was glad to see that there was significant push-back to the idea of converting the Beatty-Hughes Park to a parking lot. I have been less pleased to see Council and the Village Manager spending time on such an issue when there are significantly greater infrastructure needs in the Village.

I was a member of the Task Force that last year was involved in the major study that resulted in a comprehensive Active Transportation Plan for the Village. A great deal of time and effort went into this project and the community was involved at every stage. The resulting Plan contains a list of prioritized infrastructure projects and I had hoped that Council and the Village Manager would be spending time on trying to locate funds to accomplish some of these projects, all of which would increase mobility and safety of villagers.

Indeed, it appears that the Active Transportation Plan has vanished into limbo while Council spends its time trying to figure out how to create more parking for visitors to town. In my not so humble opinion, visitors, as well as residents, would benefit more from implementation of some of the items in the plan than from more parking. For example,

- Everyone would benefit from moving one of the downtown crosswalks to a location mid-block, roughly from the Senior Center to Tom's, which is where many people cross anyhow.
- Re-doing the intersection of Corry Street and Xenia Avenue would make the pedestrian crossing there much safer.
- Creating a sidewalk the length of W. Limestone between Xenia Ave. and Dayton St. would separate pedestrian traffic on that busy street from car traffic and make downtown more accessible on foot from housing on the west side of town.
- Bringing all of our sidewalks up to ADA standards would make it easier for residents and visitors to walk to downtown from wherever they live or park.

I am somewhat mobility impaired and I use a mobility scooter as much as possible to get back and forth between my home on W. South College St. and downtown and other locations in the village. Besides providing me with transportation, my scooter also doesn't use up a parking space downtown. There are significant obstacles to use of a scooter. These same obstacles also affect pedestrians. The sidewalks are often in major disrepair. While an effort was made to grind down some of the rough edges on sidewalks along Xenia Ave., it's really difficult for me to tell that it made much difference. It's my opinion that the money would have been better spent actually replacing a few of the sidewalk blocks that have been seriously heaved up by tree roots or other causes. My scooter can manage bits of unevenness. It isn't designed to jump the big obstacles, which are also easy for pedestrians to trip over.

There are quite a few places in town where construction projects have created gaps in the sidewalks and these gaps are allowed to stay in place for long periods of time. One of the worst is along Xenia Ave. in the block where the new fire station is going to be placed. Half of that sidewalk is gravel and has been for at least a year. I realize that delays have occurred in the fire station construction, but why was the Township allowed to tear up that sidewalk and let it stay torn up for so long? This sidewalk is part of the much-touted "good" sidewalk between downtown and Friends Care and I have to ride in the street for that block to avoid getting my scooter bogged down. Friends Care is an important provider of physical therapy for many Yellow Springers and access to it should be a priority.

I strongly encourage Council to go back to the Active Transportation Plan list of priority projects and make a major effort to find funding for at least a few of these. Perhaps the money that was made available for the Beatty-Hughes Park conversion could be used to fund at least the mid-block downtown crosswalk, which should not be terribly expensive. Or maybe some sidewalk repair would be a better option.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara L. Mann', written in a cursive style.

Barbara L. Mann, Ph.D.



The Economic Sustainability Commission provides information and makes recommendations to Council regarding economic development for the Village of Yellow Springs, identifying primary opportunities for economic development in the Village and strategies to support these efforts and facilitating a forum for incubating ideas and networking among diverse groups working on economic development in the Village.

June 8, 2019

Liz Koutsos
President
EnviroFlight
305 N. Walnut St.
Yellow Springs, OH 45387

Dear Liz,

The members of the Village of Yellow Springs' Economic Sustainability Commission would like to express its strong support of and appreciation to EnviroFlight for its consideration of a plan to remain in Yellow Springs.

The Economic Sustainability Commission, by definition, "provides information and makes recommendations to Council regarding economic development for the Village of Yellow Springs, identifying primary opportunities for economic development in the Village and strategies to support these efforts and facilitating a forum for incubating ideas and networking among diverse groups working on economic development in the Village."

EnviroFlight's plan to remain in Yellow Springs perfectly aligns with the ESC's 2019 Goals of "Support a CBE Marketing Strategy", and, "Identify Business Needs for Success." Our goals must be achieved in concert with Councils' Values including sustainability, environmental sensitivity, and economic opportunity, all of which your business model supports perfectly.

As a Commission, we appreciate having your business here and support your plans to locate your R&D operations at the CBE site. We are here to do all we can to support a positive outcome for the future of EnviroFlight in Yellow Springs.

Sincerely,

Saul Greenberg, Chair
Yellow Springs Economic Sustainability Commission

Commission Members

Emily Seibel
Lisa Kreeger
Susan Jennings
Patrick Lake

Sammy Saber
Henry Myers
Scott Fife
Jordan Gray

Karen Wintrow
Mark Crockett
Steve McQueen

Proposal from Public Works Director Burns

Re: Water Meter Replacements/Repurposing of OWDA Funds

We are checking with the Ohio Water Development Authority to determine whether the funds remaining from the Water Plant loan can be repurposed and used to change out water meters or other infrastructure needs related to water distribution in the village.

If we receive approval from OWDA, we will then need approval from Council to start the change out on routes 1-14, which will be how those funds will be used.

I would like to receive Council's approval for this work now, so that we can convey this approval to OWDA to assist us in our request.

I will be present at Council meeting on Monday to address any questions you may have. Thank

you-

Johnnie Burns